



F B McArdle
Chief Executive
South Derbyshire District Council,
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH.

www.southderbyshire.gov.uk
@SDDC on Twitter
@southderbyshiredc on Facebook

Please ask for Democratic Services
Phone (01283) 595722/ 595848
Typetalk 18001
DX 23912 Swadlincote
Democratic.services@southderbyshire.gov.uk

Our Ref
Your Ref

Date: 15th September 2021

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be held at **Grove Hall**, Greenbank Leisure Centre, Civic Way, Swadlincote, DE11 0AD, on **Thursday, 23 September 2021 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Labour Group**
Councillor Taylor (Chair), Councillor Heath (Vice-Chair) and
Councillors Dunn, Singh and Tilley.

Conservative Group
Councillors Brown, Corbin, Haines, Redfern and Smith.

Independent Group
Councillors Fitzpatrick and MacPherson.



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:

4th January 2021 **4 - 6**

21st January 2021 **7 - 12**

4th March 2021 **13 - 16**

21st April 2021 **17 - 19**

- 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** MELBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN **20 - 112**
REGULATION 16 CONSULTATION

- 7** COMMITTEE WORK PROGRAMME **113 - 118**

Exclusion of the Public and Press:

- 8** 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.

- 9** To receive the Exempt Minutes of the following Meetings:

21st January 2021

21st April 2021

- 10** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

4th January 2021

OPEN

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Mrs Haines (Vice-Chairman) and Councillors Brown, Churchill (substituting for Councillor Hewlett), Fitzpatrick and Ford.

Labour Group

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

In Attendance

Councillors Richards and Mrs. Wheelton.

EDS/70 APOLOGIES

The Committee was informed that apologies had been received from Councillors Hewlett and Mrs Patten.

EDS/71 DECLARATIONS OF INTEREST

The Committee was informed that no Declarations of Interest had been received.

EDS/72 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/73 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.

MATTERS DELEGATED TO COMMITTEE

EDS/74 **SERVICE BASE BUDGETS 2021-22**

The Head of Finance presented the report to the Committee highlighting a summary of the budget for each service area of the Council, the ear marked reserves allocated to this Committee and environmental education.

Members enquired whether the results of the Ivanhoe Line feasibility study were available and raised queries regarding the changes to the Trade Waste Service, the Council Tax setting for 2021-22 and requested a definition for adverse salaries.

The Chief Executive confirmed that the Ivanhoe Line study had been submitted to central government and that a position statement would be requested and shared with Members. The Head of Finance advised the Members that the Trade Waste charges would be reviewed by the Head of Operational Services and reported to the Committee and that the Council Tax setting would be considered by the next Finance and Management Committee. The Head of Finance clarified that Adverse salaries related to salary cost increases.

RESOLVED:

- 1.1 That the proposed income and expenditure revenue budget for this Committee's services for 2021/22 as detailed in Appendix 1 of the report was considered and recommended to the Finance and Management Committee for approval.***
- 1.2 That the proposed fees and charges as detailed in Appendix 2 of the report for 2021/22 were considered and approved.***

EDS/75 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to Members.

RESOLVED:

That the Committee considered and approved the updated work programme.

EDS/76 **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.

EDS/77 **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 18:30 hours.

COUNCILLOR MACPHERSON

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

21st January 2021

OPEN

PRESENT:-

Conservative Group

Councillors Mrs. Brown, Corbin, Ford, Mrs. Haines and Mrs. Patten.

Labour Group

Councillor Taylor (Chairman), Councillor Dunn (Vice-Chairman) and Councillors Heath, Singh and Tilley.

Independent Group

Councillors Fitzpatrick and MacPherson.

In Attendance

Councillors Mrs. Bridgen, Gee, Hewlett, Richards, Southerd and Mrs. Wheelton.

EDS/78 APOLOGIES

The Committee was informed that no apologies had been received.

EDS/79 TO RECEIVE THE OPEN MINUTES

The Open Minutes of the Meetings held on 13th August 2020, 15th September 2020, 24th September 2020 and 12th November 2020 were received.

EDS/80 DECLARATIONS OF INTEREST

The Committee was informed that no Declaration of Interest had been received.

EDS/81 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/82 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.

MATTERS DELEGATED TO COMMITTEE**EDS/83 PICTORIAL WILDFLOWER PLANTING TRIAL-OUTCOMES AND NEXT STEPS**

The Strategic Director (Service Delivery) presented the report to Members outlining the outcomes of the trial and the discussions with the County Council. The successful trials in Hilton, Repton and Ticknall were noted and Members were informed that officers would investigate why the site at William Nadin Way was not a success. The positive public support for the four year pilot was highlighted.

Members welcomed the excellent report and the worthy project and considered the mixed set of options for the continuation of the scheme. Members raised queries regarding outside events and the impact on increased litter, a communications campaign; the criteria for selecting the sites; and the clearance of arisings.

The Strategic Director (Service Delivery) and Head of Operational Services informed the Committee that discussions had taken place with the Licencing Team regarding this matter. An advertised sponsorship scheme was in place to provide additional planting on roundabouts. The Grounds Maintenance Manager had reviewed the District for suitable planting and sites where a different management regime could be piloted. It was confirmed that the sites selected were manageable within existing resources. Arising from the four pilot planting sites had been removed.

The Chairman recommended to the Committee that the scheme be extended District-wide in the long-term.

RESOLVED:

- 1.1 *The Committee noted the outcome of the pictorial wildflower planting pilot scheme which was undertaken at four locations within the District during 2020.***
- 1.2 *The Committee approved the continuation of wildflower planting in the four pilot areas in 2021, adapted to reflect the lessons learned in the initial scheme in 2020.***
- 1.3 *The Committee welcomed Derbyshire County Council's agreement for the Council to trial a different mowing regime at four sites and at two "gateways" into the District to encourage indigenous/native wildflowers, under the terms of its Agency Agreement subject to the Committee's approval.***
- 1.4 *The Committee endorsed a communications campaign under the banner "First Impressions" for the work on the "gateway" sites into the District.***

1.5 The Committee noted that the above work would inform the potential development of a revised specification for its Agency Agreement with the County Council in the longer-term.

1.6 The Committee noted that the continuation of the wildflower trial and amendments to highway verge management on the proposed trial and gateway sites would be accommodated within existing budgets. However, should the Committee wish to see a District-wide expansion of the proposed trials in the longer-term then the resource implications of so doing would be the subject of a future report to this Committee and also be referred to the Finance and Management Committee for approval.

EDS/84 **AUTHORITY MONITORING REPORT**

The Planning Policy Officer presented the report to Members outlining the key contents which featured the delivery of the Local Plan, Development Planning and the Housing Position Paper.

The Committee sought clarity on intermediate housing and details from the Conservation Officer on the heritage buildings noted at risk.

The Planning Policy Officer informed Members that intermediate housing referred to dwellings offered with shared ownership and the Strategic Director (Service Delivery) advised that a Member's briefing would be issued regarding the heritage buildings.

RESOLVED:

The Committee noted the content of the Authority Monitoring Report (AMR) and authorised the publication of the document on the Council's website.

EDS/85 **INTRODUCTION OF PRE-PLANNING APPLICATION CHARGING**

The Strategic Director (Service Delivery) introduced the report advising Members that a report regarding the charges had been discussed at a previous Committee.

The Head of Planning and Strategic Housing presented the Pre-Application Charging proposals to Members advising that the revenue generated would be re-invested into the Planning Service and that the final proposals would be available for Members to review at the next Committee in March.

Members enquired about the proposals to apply fees for single householders and listed buildings and requested justification for business being allowed a free service.

The Head of Planning and Strategic Housing advised the Committee that enquiries regarding listed buildings were mainly dealt with over the telephone

and that businesses bringing economic growth into the District were given incentives to invest in South Derbyshire and that further analysis of the charging mechanism would be completed and submitted with the final proposals.

RESOLVED:

- 1.1 The Committee endorsed the proposed Model 2 scheme in Appendix 1 of the report, for charging for planning pre-application advice to be provided by the Planning Service.***
- 1.2 The Committee granted delegated authority to the Head of Planning and Strategic Housing to produce, finalise and refine supporting guidance, detailed fees schedule, required documentation for submissions and application forms to deliver the scheme.***
- 1.3 The Committee agreed that proposals for how the potential income generated by the adoption of pre-application charging could be reinvested in the Planning Service, be the subject of separate reports to Environment and Development Services and Finance and Management Committees.***

EDS/86 **REVIEW OF PRIVATE HIRE FEES**

The Senior Licensing Officer outlined the content of the Report to Members highlighting that the purpose of the review was to ensure legal compliance.

RESOLVED:

- 1.1 The Committee approved the proposed fees for private hire drivers, vehicles and operators.***
- 1.2 The Committee agreed that the fees take effect from 1st March 2021.***

EDS/87 **ENVIRONMENT POLICY**

The Environmental Health Officer presented the report advising Members that the Environment Policy had been revised to reflect the ambitions and visions of the Corporate Plan and it would be published in accordance with international standard ISO 14001.

RESOLVED:

The Committee approved the revised Environment Policy as per Appendix 1 of the report.

EDS/88 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to Members noting that a Review of Interim Waste Services Report was to be added to the Work Programme.

RESOLVED:

That the Committee considered and approved the updated work programme.

EDS/89 **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 MINUTES

The exempt Minutes of the Meetings held on 13th August 2020, 15th September 2020, 24th September 2020 and 12th November 2020 were received.

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.

SHARPE'S POTTERY MUSEUM

The Committee approved the recommendation in the report.

DRAFT FREEPORT PROPOSALS

The Committee approved the recommendation in the report.

The meeting terminated at 20:05 hours.

COUNCILLOR TAYLOR

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

4th March 2021

OPEN

PRESENT:-

Labour Group

Councillor Taylor (Chairman), Councillor Heath (Vice-Chairman)
Councillors, Dunn, Singh, and Tilley

Conservative Group

Councillors Mrs. Brown, Corbin, Ford, Mrs. Haines and Muller
(substituting for Mrs. Patten).

Independent Group

Councillors Fitzpatrick and MacPherson

In Attendance

Councillors Bambrick, Gee, Pegg, Richards and Mrs. Wheelton.

EDS/94 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Mrs. Patten.

EDS/95 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declaration of Interest from Members of the Committee had been received.

EDS/96 **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/97 **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.

MATTERS DELEGATED TO COMMITTEE**EDS/98 CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2020-21 QUARTER 3 – 1 OCTOBER TO 31 DECEMBER)**

The Head of Organisation Development and Performance presented the report to the Committee noting progress overall and summarised the measures on track along with those which were rated amber and red which included an increase in the number fly tipping incidents. The Head of Operational Services highlighted the increase of waste and recycling collection per household, due to the impact of the lockdown and how the sub-contractor collecting recycled waste had gone into liquidation, but services had been managed in-house and provided seamlessly to residents.

The Chair thanked Operational Services for its support and work to maintain the kerbside services.

Members asked if “litter-cams” had been considered to monitor fly tipping and enquired about the announcement of the Freeport in South Derbyshire. The Strategic Director (Service Delivery) informed the Committee that developments on “litter-cams” would be looked at in the future and advised that the Freeport proposals would be subject to government planning processes.

RESOLVED:

- 1.1 *The Committee considered progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 *The Committee reviewed the Risk Register for the Committee’s services.***

EDS/99 STREET TRADING – REVISION OF STREET TRADING POLICY

The Senior Licensing Officer outlined the details of the report noting a twelve week consultation had been conducted with four representations received.

RESOLVED:

- 1.1 *Members noted the consultation responses received in relation to the Street Trading Policy at Appendix 2 of the report.***
- 1.2 *Members approved the Council’s Street Trading Policy.***

EDS/100 SAFEGUARDING TRAINING FOR PRIVATE HIRE DRIVERS

The Senior Licensing Officer presented the report to the Committee which detailed the proposed training schedule of the revised policy for existing and new drivers. Members were informed that a training supplier had been identified to provide online and classroom delivered courses.

Members queried when drivers would be notified about the initial and refresher training sessions, the frequency of courses, the renewals and if the training was accessible if a driver was not online.

The Senior Licensing Officer confirmed training for new drivers would be a classroom based course with an online refresher course taken after three years and clarified that drivers would be notified that training was required with the licence renewal notification.

RESOLVED:

The Committee agreed for the Council to amend the wording of the Private Hire Licensing Policy 2021 – 2026 as per the table contained at paragraph 3.6 of the report with the amendment that further classroom training be required for all drivers after the three year period following refresher training.

EDS/101 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the work programme to Members. The Head of Planning and Strategic Housing summarised a number of Planning reports to be added to the work programme for Committees on or after the 21st April 2021.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/102 **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.

The meeting terminated at 18:45 hours

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

21st April 2021

OPEN

PRESENT:-

Labour Group

Councillor Taylor (Chairman), Councillor Heath (Vice-Chairman)
Councillors, Dunn, Shepherd (substituting for Councillor Tilley) and
Singh.

Conservative Group

Councillors Atkin (substituting for Councillor Ford), Mrs. Bridgen
(substituting for Councillor Mrs. Brown), Corbin, Mrs. Haines and Muller
(substituting for Mrs. Patten).

Independent Group

Councillors Fitzpatrick and MacPherson

In Attendance

Councillors Gee, Richards and Mrs. Wheelton.

EDS/103 APOLOGIES

The Committee was informed that apologies had been received from
Councillors Mrs. Brown, Ford, Mrs Patten and Tilley.

EDS/104 DECLARATIONS OF INTEREST

The Committee was informed that no Declarations of Interest had been received
from Members of the Committee.

EDS/105 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/106 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.

MATTERS DELEGATED TO COMMITTEEEDS/107 **AIR QUALITY POLICY**

The Head of Environmental Services presented the report to the Committee that aligned with the Corporate Plan and set out the targets that the District would be expected to meet.

Members welcomed the report and requested clarification regarding indoor filters for residential properties and the impact of electrification of vehicles on air quality.

The Head of Environmental Services informed the Committee that indoor filters were not required by law and had not been considered for South Derbyshire properties and that electric vehicles would improve the air quality in the District.

RESOLVED:

That the Committee approved an Air Quality Policy for South Derbyshire.

EDS/108 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to Members.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/109 **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.

REVIEW OF PLANNING SERVICES STRUCTURE**RESOLVED:**

Page 18 of 118

That the Committee approved the recommendations in the report.

The meeting terminated at 18:40 hours.

COUNCILLOR TAYLOR

CHAIRMAN

| | | |
|------------------------------------|--|---|
| REPORT TO: | ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE | AGENDA ITEM: 6 |
| DATE OF MEETING: | 23rd SEPTEMBER 2021 | CATEGORY: (See Notes) DELEGATED or RECOMMENDED |
| REPORT FROM: | ALLISON THOMAS – STRATEGIC DIRECTOR (SERVICE DELIVERY) | OPEN |
| MEMBERS’ CONTACT POINT: | STEFFAN SAUNDERS steffan.saunders@southderbyshire. gov.uk 01283 595743 | DOC: |
| SUBJECT: | MELBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN REGULATION 16 CONSULTATION | |
| WARD(S) AFFECTED: | MELBOURNE | TERMS OF REFERENCE: EDS 03 |

1.0 Recommendations

- 1.1 That the Committee authorises the Melbourne 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), together with the comments made in paragraphs 4.4 to 4.6 below, to be made on behalf of the Council to the Regulation 16 Consultation.

2.0 Purpose of the Report

- 2.1 To enable the Melbourne 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 may not be possible due to the restrictions in place due to COVID-19.
- 2.2 To endorse the proposed Council response to the Regulation 16 consultation, which is to be included with the documents submitted to the Examiner for independent examination.

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. Due to Covid-19, the usual

guarantees for documents to be available in public buildings cannot be made and 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, provided Covid-19 restrictions allow. All of the necessary documents will be available on the Council's website and are also currently available on Melbourne Parish Council's website.

- 3.2 The Council provided comments to the Parish Council at four stages during the NDP's production, including the formal Regulation 14 consultation stage; the latter are attached at Appendix 1.

4.0 Detail

- 4.1 Melbourne Parish was formally designated as a Neighbourhood Area on 29 January 2015. Following this designation, Melbourne Parish Council carried out various consultations with the local community, culminating in 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 Melbourne Parish Council in drafting the NDP to facilitate a successful examination, referendum and ultimately a 'made' NDP.
- 4.2 The Regulation 14 consultation commenced on 20 May 2019 and closed on 2 July 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 in the Consultation Statement at Appendix 4.
- 4.3 In advising Melbourne 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. The NDP has been amended in response, prior to its formal submission to the Council, and the outstanding comments on the NDP are set out below:
- 4.4 Notwithstanding the second paragraph of the explanatory text to Policy DP1 (formerly HP1), the Regulation 14 comment made on the then Policy H1 remains outstanding because the explanatory text continues to refer to no new homes being built outside of settlement boundaries, which does not accord with Policies H1 and BNE5 of the Local Plan nor the other policies referred to in Policy BNE5 (i).
- 4.5 The wording for Policy DP2 (formerly HP2) has been amended following the Regulation 14 consultation, however, whilst the Policy refers to the area of separation "being shown and identified on the map attached at para. 8.4.2" there is no boundary to the area of separation on the map; instead the Policy appears to rely on the explanatory text's wording that "the area has clear physical boundaries".
- 4.6 Comments were made regarding Policy DP3 (formerly HP3) and the appointed Examiner will need to consider whether the Policy is compatible with the Local Plan's strategic policy, Policy H20: Housing Balance. Policy OS2 is not substantially altered following the Council's Regulation 14 comments.

- 4.7 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 met from existing budgets within Planning Services.

6.0 Corporate Implications

Employment Implications

- 6.1 A Neighbourhood Plan will have beneficial impacts as it will improve the attractiveness of Melbourne as a 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)

Risk Impact

- 6.4 None.

7.0 Community Impact

Consultation

- 7.1 Subject to Committee approval, a publicity consultation in accordance with Regulation 16 of the Neighbourhood Planning Regulations (2012) (as amended) will be arranged.

Equality and Diversity Impact

- 7.2 None

Social Value Impact

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

Environmental Sustainability

7.4 The NDP seeks to encourage biodiversity and promote sustainability.

8.0 Conclusions

8.1 The Melbourne NDP has been subject of a great deal of work led by the Parish Council. Following the independent examination process and the inclusion of any resulting modifications to the NDP, the Plan will be a valuable addition to the Planning Policy framework applicable to Melbourne.

9.0 Background Papers

Appendix 1 – South Derbyshire District Council Regulation 14 consultation response to Melbourne NDP

Appendix 2 – Submitted Melbourne Neighbourhood Development Plan 2016 - 2028

Appendix 3 – Basic Conditions Statement

Appendix 4 – Consultation Statement

Appendix 5 – Strategic Environmental Assessment and Habitats Regulations Screening Determination for Melbourne NDP

Appendix 1

Melbourne Neighbourhood Plan Version 0.7 (as amended) - South Derbyshire District Council Comments

South Derbyshire District Council has been involved at officer level in an advisory capacity with the Parish of Melbourne's Neighbourhood Development Plan (NDP) regarding policy creation since the designation of the Neighbourhood Plan Area on 29 January 2015. As stated in the Consultation Statement: "There were a series of meetings with SDDC throughout the formulation of the plan. These meetings took place in April, August and October 2015, January and October 2016 and May 2017." These meetings were an opportunity to update the neighbourhood planning group on the progress of the South Derbyshire Local Plan (SDLP) Parts 1 and 2 and to provide a policy steer to the group in the formulation of the NDP policies and associated documents.

The pre-submission version (version 0.7) of the NDP contains eight policies: three regarding housing, four regarding open spaces and one regarding heritage and conservation. The District Council has, on three occasions, made written comments on the NDP, firstly in August 2016 on the initial draft; secondly in December 2017 on a pre-submission draft and thirdly in December 2018.

Some of the concerns raised during the earlier stages of NDP production remain outstanding in the final pre-submission version. These remaining concerns are set out below.

Policy HP1: Development will be 'infill' only within the settlement boundaries of the villages.

The SDLP already allows for infill development. It was suggested that a more positively worded policy than the one set out above would be more appropriate; a policy that has the potential to stifle sustainable development risks failing the basic condition. The supporting text to the policy where it is stated "no new homes should be built in the fields around Melbourne and Kings Newton" does not appear to accord with the strategic policies in the SDLP, namely Policy BNE5 and the policies referred to in Policy BNE5(i). It is noted that, as yet, there is no indication within the NDP as to how it will contribute toward future development within South Derbyshire.

Policy HP2: Maintain the separation between Melbourne and Kings Newton

The Council's written comments on both occasions have been to suggest that the area of separation be shown on a map. The latter comments also suggested that the NDP group consider whether a green wedge could be designated between parts of the two settlements, however this has only been included as a possibility in the policy's supporting text: "no further development should take place in the open space around Jawbone Lane, which could possibly be designated as Green Wedge". The

exact area that the NDP is trying to protect from development to maintain the separation is not clear from the NDP as it stands, nor is there a policy tool to do it.

Policy HP3: Proposals for development of dwellings within the settlement boundaries will be supported if they have 3 bedrooms or fewer, which means that any ‘infill’ will be for new starter homes and for downsizing rather than for large ‘executive homes’.

The Council’s initial written comments were that a policy stating that “any development within the settlement area should be restricted to two-bedroomed properties” would need to be justified. The revised policy was amended to three bedrooms or fewer, and the Council’s subsequent comment was that the policy risked failing the basic condition because it was not in accordance with SDLP Policy H20: Housing Balance, and also risked failing the basic condition regarding sustainable development. The need for such a policy needs to be supported by evidence.

Policy OS1: Development in the 8 areas of Local Green Space will not be supported.

Local green spaces are being taken forward both through the Local Plan and the Neighbourhood Plan. The Local Plan has a local green space policy, BNE8, in its Part 2 Plan. A separate Local Green Spaces Development Plan Document is being produced, which will include proposed allocations and further local green space policies. This document has now been submitted for Examination.

Policy BNE8 protects local green spaces from development except for in very special circumstances which clearly outweigh the harm that may be caused, or for limited types of development which preserves the openness of the local green space and does not harm the purpose for its designation.

The Council’s concern is that Policy OS1 does not conform to strategic policy BNE8 because the policy wording does not support development of any type. The latest version of the NDP makes reference to exceptional circumstances in the supporting text but not within the policy itself.

The NDP supports areas of local green space being put forward by the Council, however this Plan is still in production and some of the spaces referred to will not be in the Regulation 19 consultation. It may be prudent for the NDP to include all spaces that the Parish Council would like to see designated, regardless of what the Council’s Local Green Spaces Plan includes.

Policy OS2 – Protection from development for footpaths, public rights of way and greenways.

The policy itself reads more as a heading than a policy. The Council expressed concern regarding the sentence “Greenways must not be urbanised by new house

building along them”, both in terms a need to justify the statement and that is was not clear what the statement really meant. The final version of the NDP now includes a reference to SDLP policy INF2; it is unclear whether OS2 adds anything to SDLP policy INF2.

Concern was expressed through the latter written comments that a developer cannot compel the County Council to add a route to the definitive map.

Policy OS3 – Developments that protect and enhance biodiversity will be supported.

It is not clear how this policy adds to the SDLP policies referred to in the supporting text.

Policy OS4 – The preservation of Grade 1, 2 and 3a agricultural land will be supported.

It is not clear how this policy adds to the SDLP policy BNE4.

Draft Version 0.10 Dated: March 2021

NEIGHBOURHOOD DEVELOPMENT PLAN 2016 to 2028

“Melbourne and Kings Newton are special places, they will continue to grow and change. This Neighbourhood Plan guides that growth and change so that we keep what is special but improve our Parish for all who live and work here.”

Jane Carroll – Melbourne Parish Council

CONTENTS:

| | |
|--|-----------|
| 1. INTRODUCTION TO THE NEIGHBOURHOOD PLAN | 3 |
| 2. SUMMARY LIST OF THE POLICIES OF THE NEIGHBOURHOOD PLAN | 5 |
| 3. SUMMARY LIST OF THE COMMUNITY ASPIRATIONS | 6 |
| 4. VISION FOR MELBOURNE AND KINGS NEWTON | 7 |
| 5. MELBOURNE PARISH MAP | 8 |
| 6. CHARACTER AND QUALITY OF THE PARISH | 9 |
| 7. HOUSING AND DEVELOPMENT POLICY | 10 |
| 8. OPEN SPACES POLICY | 16 |
| 9. HERITAGE AND CONSERVATION POLICIES | 23 |
| 10. COMMUNITY ASPIRATIONS | 26 |
| 11. MONITORING ARRANGEMENTS | 34 |
| 12. CONSULTATION EVIDENCE FILES | 34 |
| 13. APPENDICES | 36 |
| 14. ACKNOWLEDGEMENTS | 37 |

1. INTRODUCTION TO THE NEIGHBOURHOOD PLAN

What is the Melbourne Parish Neighbourhood Plan?

1.1 This is a plan which promotes the development of our Parish and the preservation and development of our vibrant community in line with the strategic policies of the South Derbyshire District Council Local Plan.

1.2 The plan is designed to maintain and enhance the character of the Parish and enable improvements where they are needed, placing the community at its core.

1.3 The plan covers the area of the Civil Parish of Melbourne, which includes the settlements of Melbourne and Kings Newton, as shown on the Parish Map (Section 5, Page 8). It covers the period from 2016 until 2028, which is aligned with the time period set out in the South Derbyshire District Council Local Plan Part 1 and Part 2.

1.4 Melbourne Parish Council is the local council responsible for the area and has approved the plan. The Parish Council delegated the work of preparing the plan to a group consisting of Parish Council representatives and volunteers, collectively known as the Neighbourhood Development Plan Working Group.

1.5 Neighbourhood plans give parish communities a say in what sorts of development should and should not be permitted in their area. The Consultation Statement that accompanies this plan describes how we have consulted local people. Consultation has taken place in a variety of forms and over a considerable period of time. The plan has been compiled with the involvement of local residents, businesses and organisations.

1.6 Our Neighbourhood Plan will be an important addition to the Local Plan for South Derbyshire. Policies within the Neighbourhood Plan reflect local need.

1.7 Given the way planning law works, it is not possible to have statutory policies on many of the things that are important to us, such as car parking or financing an indoor sports centre. These are examples of things that have been highlighted by local people during the preparation of the Neighbourhood Plan but are not defined in planning law as “development”. However, where possible, we have identified them as ‘Community Aspirations’, making it clear that they will be aspirations the Parish Council will try to achieve, in partnership with other councils and bodies, over the lifetime of the plan.

1.8 The basic conditions which apply to neighbourhood plans are:

- It has regard to national policies and advice contained in guidance issued by the Secretary of State.
- the making of the neighbourhood plan contributes to the achievement of sustainable development.
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (South Derbyshire District Council).
- Be compatible with any EU obligations.
- 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.

1.9 TERMINOLOGY. Throughout this plan, “Melbourne” means the parish of Melbourne and Kings Newton (that is, the entire plan area), except where it is defined as something else.

1.10 The plan has been developed in accordance with the guidance in the National Planning Policy Framework (NPPF), which promotes a positive approach to sustainable development and sustainable growth.

How will the Plan be used?

1.11 At a public meeting held in October 2014 it was agreed to commence a Neighbourhood Plan in order to try to avoid further speculative development in the Parish and enable the community to have a say in any future housing and other development.

1.12 Melbourne has been identified as a ‘Key Service Village’ and Kings Newton as a ‘Rural Village’ in the SDDC Local Plan Part 1 Policy H1.

1.13 One of the main purposes of the plan is to help South Derbyshire District Council to make decisions on planning applications. The plan is also intended to guide land owners and developers, to encourage the right sort of development in the right places and to make the area a better place to live, work and visit.

1.14 Developers and planners will be required by law to take account of the statutory policies of the Neighbourhood Plan. The plan will become part of the statutory development plan alongside the district council’s local plan.

1.15 All policies within the plan should be treated equally.

1.16 By law, some planning applications have to be accompanied by a 'design and access statement'. Where a design and access statement is provided, it should specifically address the policies of this plan, explaining how the proposed development accords with the policies.

2. SUMMARY LIST OF THE POLICIES OF THE NEIGHBOURHOOD PLAN

Policy DP1 – Development will be 'infill' only within the Settlement Boundaries of the villages.

Policy DP2 – Maintain the separation between Melbourne and Kings Newton.

Policy DP3 – Proposals for development of dwellings within the Settlement Boundaries will be supported if they have three bedrooms or fewer, which means that any 'infill' will be for new starter homes and for downsizing rather than for large 'executive homes'.

Policy OS1 – Development of the eight areas of Local Green Space will be resisted.

Policy OS2 – Protection from development for footpaths, public rights of way and greenways.

Policy OS3 – Proposals which protect and enhance biodiversity will be supported.

Policy OS4 – The preservation of Grades 1, 2 and 3a agricultural land will be supported.

Policy HC1 - Preserve the historical and cultural Heritage Assets and the existing Conservation areas.

3. SUMMARY LIST OF THE COMMUNITY ASPIRATIONS

CA1 – Support for proposals to improve parking provision.

CA2 – Support for proposals to reduce traffic congestion.

CA3 – Support for proposals to improve public transport provision.

CA4 – Support for proposals to modernise and improve drainage & sewerage in the Parish.

CA5 – Primary Education – All children in the Parish should have the opportunity to attend Melbourne Infant and Junior Schools.

CA6 - Secondary Education – All children in the Parish should have the opportunity to attend the same secondary school which should provide the highest educational standards.

CA7 – Health Care – Melbourne Medical Centre will continue to provide the fullest range of services required by all ages in the community.

CA8 – Support for proposals to improve the Senior Citizens Centre and Community Care provision.

CA9 – Support for improvements to existing recreational facilities and playgrounds and for any new children’s playgrounds.

CA10 – Support for proposals to provide new indoor sports facilities.

CA11 – Support for proposals to provide a new performance venue.

CA12 – Support for proposals to improve the mobile network, internet and broadband.

4. VISION FOR MELBOURNE AND KINGS NEWTON

4.1. This section sets out the Parish Council's vision for the Neighbourhood Plan, which has been finalised following progressive consultations with local people and which is supported by 93% of those taking part in the Development Plan Survey (see CEF 8)

4.2. Our vision for Melbourne and Kings Newton:

“A vibrant, sustainable and caring community. We want to keep the heritage, attractive landscape, and rural nature of our villages. We want any housing development to be small and to fit the needs of local people, and to be at a pace that our drains, sewers, roads, parking, schools and the medical centre can cope with. We want to keep and protect from development the open space between Melbourne and Kings Newton and to protect agricultural land. We want facilities to encourage sports, physical fitness, entertainment and clubs and societies, and to promote village life.”

4.3. Our vision will be achieved by:

- Promoting this plan together with the South Derbyshire District Local Plan to ensure that they are agreed and adopted.
- Supporting development within the Parish that meets the agreed criteria and standards, and is designed in accordance with guidelines, reflecting the town's distinctive character.
- Firmly opposing any applications which do not comply, or which conflict with, any of the policies.
- Preserving and protecting open spaces, encouraging enhancement of recreational and community facilities.
- Supporting the local economy to maintain a thriving town centre, building on strengths including our heritage and community.

5. MELBOURNE PARISH MAP



6. CHARACTER AND QUALITY OF THE PARISH

Introduction

6.1 Melbourne and Kings Newton have a strong visual character and it is important that any new development recognises and respects that character and contributes to the quality of this special place. The community only supports growth in line with the strategic policies of the South Derbyshire District Council Local Plans. People are aware that new developments, large or small, may erode the qualities that make the Parish special if they are not carefully managed in terms of their layout and design. It is important that residential developments should be both interesting and sensitive to their location. This is particularly true for the approved development of houses on the Station Road sites. They should not be the “anywhere-type” estate that does not respond to the strong character of Melbourne and Kings Newton and does not have a sense of place. Similar considerations apply to developments of all kinds, including community and educational facilities and any new places of employment.

Who says Melbourne & Kings Newton are special? What’s the evidence?

6.2 Local people, when consulted in the preparation of the Neighbourhood Plan, gave the following examples of why they consider Melbourne and Kings Newton to be special:

- local character and distinctiveness
- local landscape quality
- distinctive views and vistas
- access to the countryside
- heritage and conservation
- sense of community and caring

Many outsiders also think Melbourne and Kings Newton are special and becoming increasingly attractive to visitors.

What are Melbourne’s distinctive characteristics?

6.3 Melbourne is an historic, rural market town surrounded by a rural and attractive landscape. It has a powerful sense of place in terms of both built environment and rural setting and there is a strong defining link between the two. The views of the settlement within the surrounding landscape, from outside the town, and the views

outwards, from within the town, provide a constant and important visual connection between town and countryside. The location, landscaping and design of any new development is therefore crucial to maintaining this critical balance between landscape and settlement.

7. HOUSING AND DEVELOPMENT POLICY

7.1 Background

7.1.1 In recent years, the development that has taken place together with the number of recently- approved planning applications has resulted in public concern, expressed at consultation events, that unplanned and speculative growth could jeopardise the rural and heritage setting of the Parish, have adverse impacts on the overall infrastructure and would not be sustainable in the long term.

7.1.2 The 2011 census identified 2,145 households in the Parish, of which 33% were detached, 30% were semi-detached, and 28% terraced housing. The remainder are purpose-built or are other flats and temporary dwellings.

7.1.3 71% of houses are owner occupied, 11% are social rented property, and the remainder are in private or other rented property.

7.1.4 The 2011 Census data identified the population of the Parish as 4,845, living in 2145 households. (See Appendix 1 for more information)

7.2 Local Planning Context

7.2.1 The Local Plan for South Derbyshire has been developed in two parts:

- Local Plan Part 1 looked at larger-scale development across strategic sites and identified Melbourne as a “Key Service Village” and Kings Newton as a “Rural Village” (Policy H1) within the hierarchy of settlements, and identified neither as having suitable sites for a site meeting the criteria of a “strategic site” (100 dwellings or more).

- * Local Plan Part 2 looked at smaller scale (non-strategic) housing allocations across the smaller villages and outlined a need for up to 600 houses across the whole District which was set out as part of the Local Plan Part 1 Policy S4 Housing Strategy.

7.2.2 Notwithstanding the SDDC Local Plans, several planning applications have already been approved in Melbourne and in Kings Newton, resulting in the completion of 130 dwellings from 2011 to April 2015, with planning permission granted for a further 185 dwellings to be completed in the near future, (See Appendix 5) an increase of more than 14% in the number of households compared with the 2011 census data.

7.2.3 Whilst this NDP supports the overall objectives and scale of development envisaged within the Local Plan Parts 1 and 2 for South Derbyshire, it recognises that Melbourne and Kings Newton have already made their contribution to the housing need of up to 600 houses by 2028, as identified in the Local Plan Part 2 Policy H23.

7.3 Local Housing Issues

Full details of the issues raised at the consultations relating to housing appear in Appendix 2 and CEF 8.

7.3.1 'Affordable' Homes:

21 'affordable' dwellings were built between 2011 and April 2015 out of the total of 130 dwellings. Currently 47 additional affordable properties are planned from the further 185 dwellings granted planning permission up to the end of December 2016. Affordable housing is supported where it can come forward and this NDP supports SDDC Local Plan Part 1 Policy H21 on Affordable Housing.

7.3.2 Separation of Melbourne and Kings Newton:

There is a strong desire to maintain the physical separation of the two villages and their distinct character. The policies in Local Plan Part 2 (Policy SDT1) controlling building outside of the settlement boundary will afford a level of protection, but particular regard needs to be paid to maintaining the separation when considering future planning applications adjacent to the boundaries adjoining both villages.

7.3.3 Homes for the elderly or for the young:

Supporting information in Appendix 3 sets out the current provision within the parish for sheltered housing.

7.3.4 Protecting the countryside

The policies set out in the Local Plan Part 2 (Policy SDT1 and BNE5), which enable development only within the settlement boundaries, and with adequate protection for adjacent sites, should afford some protection, providing the boundaries are sustainable in the longer term. The policies outlining protection of the countryside should adequately restrict development for housing.

7.3.5 Infrastructure and community facilities

There is concern that infrastructure and community facilities are inadequate to cope with the recent housing growth and any further growth. The 'Infrastructure' section in this Plan details how these issues are proposed to be addressed.

7.4 HOUSING AND DEVELOPMENT POLICIES: This plan recommends that the following policies be adopted:

7.4.1 POLICY DP1 – DEVELOPMENT WILL BE 'INFILL' ONLY WITHIN THE SETTLEMENT BOUNDARIES OF THE VILLAGES.

Explanatory Text: This means that no new homes should be built in the fields outside the existing settlement boundaries of Melbourne and Kings Newton. Development within the village, particularly development on 'brownfield sites', i.e. sites which have previously been built on, and which may become available within the timescale of the plan, will be welcomed, particularly those which reflect the distinctive character of the villages. Planning permissions exist for 40 new homes within the settlement boundary and there is potential for development of sites of this nature where former industrial use is no longer practicable. An example is the development behind Derby Road, where the existing retail use is no longer required.

The policy limiting development outside of the settlement boundary (indicated on the map below) is consistent with the SDDC Local Plan Part 2 Policy SDT1 and BNE5 which regulates development within the countryside. The results from the Neighbourhood Development Plan Survey indicate that 88% support this policy (see CEF 8).

This Policy has been supported in Planning Appeal decisions, for example at Jawbone Lane, where the Inspector quoted the following Policies: "*Saved SDLP Housing Policy*

5 (HP5) restricts new housing development to within the village confines of Melbourne/Kings Newton” “Saved SDLP Environment (EV) Policy 1 only permits development outside settlements where it is essential to a rural based activity or unavoidable in the countryside” “The proposal would not be acceptable development in the countryside and would be contrary to Local Plan – Part 1 Policy H1 and SDLP Policies HP5 and EV1”

The full Planning Inspector’s report is included in Appendix 10.

7.4.2 POLICY DP2 – MAINTAIN THE SEPARATION BETWEEN MELBOURNE AND KINGS NEWTON: DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD ADVERSELY AFFECT OR DIMINISH THE PRESENT OPEN AND UNDEVELOPED CHARACTER OF THE AREA OF SEPARATION LYING BETWEEN MELBOURNE AND KINGS NEWTON, AS SHOWN AND IDENTIFIED ON THE MAP ATTACHED AT PARA 8.4.2. APPROPRIATE USES IN THE AREA OF SEPARATION ARE AGRICULTURE, FORESTRY, MINERALS EXTRACTION AND OUTDOOR SPORT AND RECREATION USES. ANY BUILT DEVELOPMENT PERMITTED WITHIN THE AREA OF SEPARATION WILL BE LIMITED TO MINOR STRUCTURES AND FACILITIES WHICH ARE STRICTLY ANCILLARY TO THE USE OF THE LAND FOR THESE PURPOSES.

Explanatory Text: One of the Core Planning Principles at national level in the National Planning Policy Framework (the NPPF) details that planning should: “*take account of the different roles and character of different areas*”. Paragraph 110 states that “*plans should allocate land [for development] with the least environmental or amenity value, where consistent with other policies in the framework*”. Whilst the NPPF does not specifically refer to ‘Areas of Separation’ from the guidance set out in the NPPF it can be seen that it recognizes the value of areas of local importance and so supports the idea of an Area of Separation in principle. The Area of Separation prevents the coalescence of settlements, provides green infrastructure and protects the identity of settlements. The Area of Separation has both environmental and amenity value.

In this particular case the Area of Separation has been defined to show where the potential risk of merging is at its greatest and exists to ensure that development does not harmfully reduce the separation in this sensitive area.

The area has clear physical boundaries and is socially and historically important in separating and defining the very different development of the two settlements: Kings Newton is predominantly characterized by its linear nature lined by listed and other historically-important buildings along Main Street whereas the nearest part of Melbourne is characterized largely by 20th century suburban growth out from its centre.

The area has been subject to pressure to develop it for residential purposes and it is considered important to provide clear policy guidance to ensure that further inappropriate development continues to be resisted: protecting the separate identities of Kings Newton and Melbourne and preventing their coalescence into one physical whole was supported by 79% of local residents in the survey work in preparation for this Neighbourhood Development Plan.

Protection of the area has also been recognized as important at appeal. In dismissing an appeal for the development of up to 60 dwellings on a significant part of the Area of Separation in 2016 the Government Inspector commented that:

“The designated heritage asset of Kings Newton Conservation Area (the Conservation Area) lies to the north-west of the appeal site in a slightly elevated position. It has a distinct historic character and appearance and includes attractive and largely historic buildings predominantly lining Main Street as well as the historic parkland associated with Kings Newton Hall extending to the north. Its character, and accordingly its significance, is also derived from the well-preserved relationship of principal and out buildings along Main Street extending back towards associated agricultural land beyond. Glimpses of buildings within the Conservation Area are afforded through gaps in the hedge along the north side of Jawbone Lane, with more expansive views from the field gate which leads into the site. These views of the roofs, gables, chimneys, and in some cases rear elevations, of buildings on, and set back from, Main Street, interspersed with mature trees, are revealed further when viewed from the north part of the appeal site. Many of these are features of separately-designated heritage assets: the Hardinge Arms, Four Gables, Kings Newton Hall, Chantry House, 54 and 56 Main Street, 58 Main Street, Church House and Kings Newton House and outbuildings, all of which are listed. The Framework recognizes that significance can also be derived from an asset’s setting, which includes the surroundings in which it is experienced, and that such significance can be harmed through development within that setting. The Conservation Area’s setting includes the countryside to the south, of which the appeal site is part. The Conservation Area also gains some of its significance from being to a large degree historically, physically and perceptually separate from Melbourne. The disposition of surrounding countryside in relation to existing built areas within the Conservation Area plays a role in this aspect of its significance. This extensive countryside setting makes a positive contribution to the asset’s significance primarily through providing an open countryside landscape which the Conservation Area is set within and can be experienced from.”

(Appendix 13 is the SDDC statement on the 3 conservation areas)

7.4.3 POLICY DP3 – PROPOSALS FOR DEVELOPMENT OF DWELLINGS WITHIN THE SETTLEMENT BOUNDARIES WILL BE SUPPORTED IF THEY HAVE THREE BEDROOMS OR FEWER, WHICH MEANS THAT ANY ‘INFILL’ WILL BE FOR NEW STARTER HOMES AND FOR DOWNSIZING RATHER THAN FOR LARGE ‘EXECUTIVE HOMES’

Explanatory Text: During the consultation phases both in January 2015 and in February 2016 (detailed in Appendix 2 of the Evidence documents) there was expressed a strong preference, where opportunities for development occur within the settlement boundaries, for a move away from the 4/5 bedroom “executive” homes towards dwellings of a smaller size. This would provide a balanced housing supply to meet the needs of different housing groups, as set out in the Sub-Regional Housing Market Assessment.

Consultations indicate that there is a shortage of modern smaller properties that are affordable to a wider range of purchaser. Two/three bedroom properties and flats are ideal for first time buyers as well as those wishing to downsize, potentially freeing up larger properties currently under-occupied.

Recognising the market demands and economic reality of development the policy is stated not as a constraint to prevent the building of larger homes, but to offer encouragement and support to any plans for development which would meet this community aspiration.

Any development must strengthen and improve on the defining landscape and settlement qualities identified in the SDDC Design Guide SPD (see Appendix 4).

Where new development is proposed within the settlement boundaries, preference in granting consent will be given to properties of both architectural and environmental merit and of size and proportions appropriate to local needs.

The results from the Neighbourhood Development Plan Survey indicate that 64% support this policy (see CEF 8).

8. OPEN SPACES POLICY

8.1 Definition

By “Open Spaces”, we mean Green Space, areas of Biodiversity, Public Rights of Way and Greenways.

These include greens, common land areas, rights of way, recreation areas and allotments. Two areas have been registered as village green spaces. No land is registered as common land as all of Melbourne Common was lost when the village was enclosed in 1791. There are 36 public footpaths in the parish which amount to more than 12 miles of walking. There is a large recreation ground on the edge of the village which offers a wide range of sports through the Sporting Partnership. Smaller open spaces include the Lothian Gardens, mainly for children, and several small play areas maintained by SDDC. There are two private allotment areas, one on the Hilly Field and the other off Blackwell Lane.

See Appendix 8 for Background and Context.

8.2 Identified Local Green Spaces

After consultation with numerous bodies including the Parish Council, Melbourne Civic Society, Melbourne Footpaths Group and the Melbourne Historical Research Group, this Plan identifies and allocates 4 areas of Local Green Space (As listed in Appendix 8, Table 1. Table 2 shows spaces identified by South Derbyshire District Council.

8.3. Open Spaces Issues

- To protect and enhance the character and quality of the environment of the area
- To protect the area from inappropriate development
- To safeguard important open areas within and around the parish
- To designate appropriate areas as Local Green Spaces
- To enhance existing public open spaces and seek to ensure more public open

spaces are provided within new housing developments

- To protect and enhance the network of public footpaths, bridleways, greenways and cycle paths
- To protect and enhance the biodiversity interests of the area.

8.4. OPEN SPACE POLICIES:

8.4.1 POLICY OS1 – DEVELOPMENT OF THE IDENTIFIED AREAS OF LOCAL GREEN SPACE WILL BE RESISTED

Explanatory Text: This means that development will be resisted on areas of Local Green Space unless in exceptional circumstances as defined in Policy BNE8, LGS1 and LGS2. Allocation of the following Local Green Spaces (see below) are in addition to those designated through the South Derbyshire Local Green Spaces Plan. These spaces, in close proximity to the people they serve, are demonstrably special and hold particular local significance.

In line with the NPPF, SDDC Local Plan Part 2 Policy BNE8, and Local Green Spaces Plan Policies LGS1 and LGS2, development of these sites will not be supported unless they are covered by the very special circumstances and exceptions outlined in the adopted local plan policies reproduced below:

Policy BNE8: Local Green Space

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

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

Designations of Local Green Spaces will be made through a separate

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

Policy LGS1: Development on Local Green Spaces

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

Proposals should demonstrate consideration of how they will:

A Protect, restore and enhance biodiversity and/or access to biodiversity.

B Improve community cohesion through considerations such as increased social activity.

LGS2: Enhancement of Local Green Space

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

Biodiversity

A Improvements to the long term management of spaces through changes to site management regimes and the development of site management plans

B Where appropriate support will be given to the registration of local green spaces as 'receptor sites' with the Environment Bank to allow financial contributions to be used to compensate for impacts on development sites elsewhere through habitat creation or management.

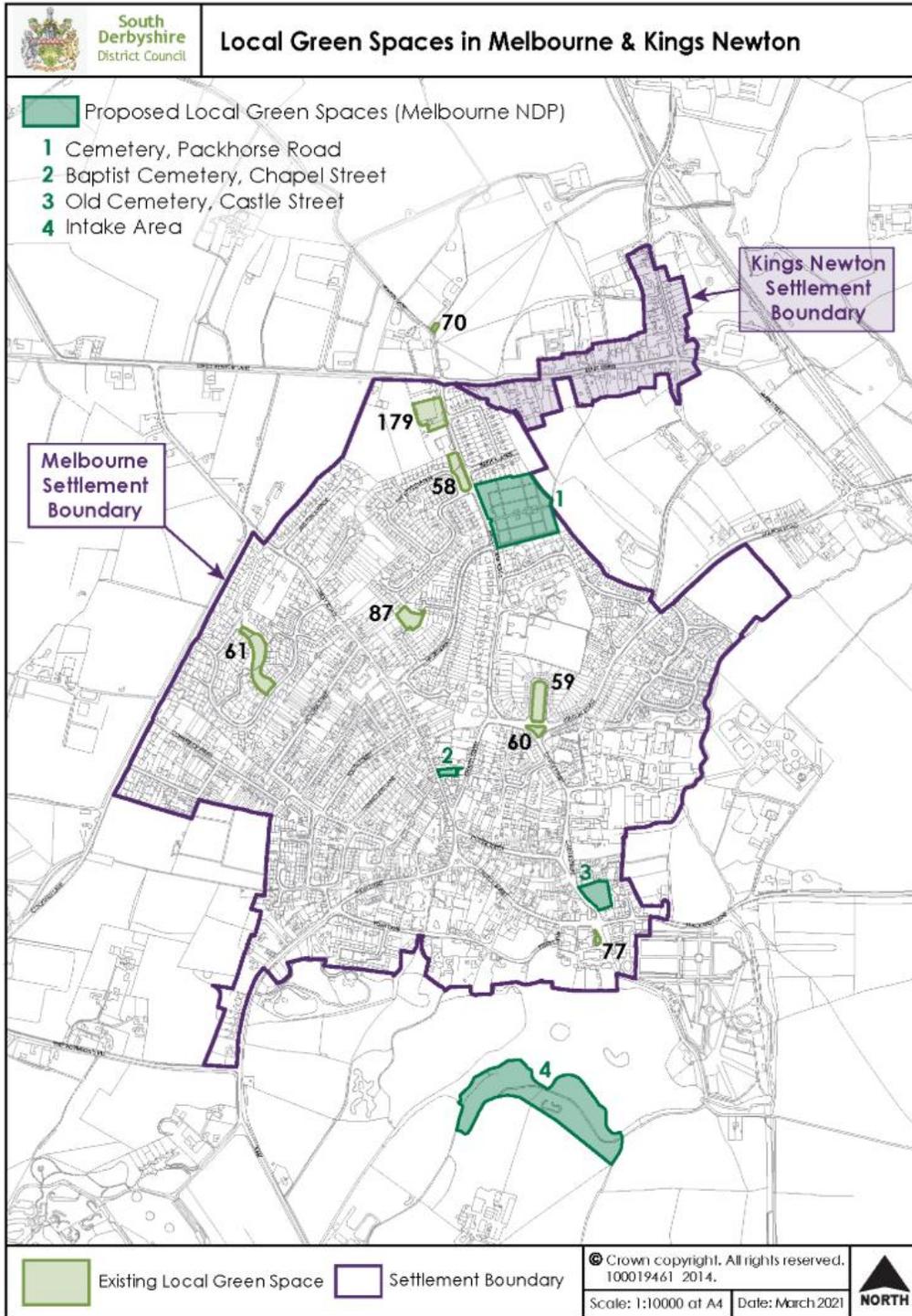
Accessibility

C The Council will work with landowners, site managers and local community groups to support proposals that improve public access and connectivity of the spaces to the communities they serve.

D Where sites are not publicly accessible, there will be no obligation for landowners to make sites so. Should a landowner be amenable to public or permissive access to their site, then the Council will work positively with the landowner and others to achieve this.

The results from the Neighbourhood Development Plan Survey indicate that 92% support this policy (see CEF 8).

8.4.2 Table and Map of Local Green Spaces to be included in the Neighbourhood Plan



Following consultation with landowners, the following areas are designated as Local Green Space in addition to those already designated through the Local Plan (see Appendix 8 for details of the letter sent to landowners).

| | | |
|----------|-----------------------------|--|
| 1 | Cemetery, Packhorse Road | The Cemetery Chapels are grade 2 listed. Protected by INF9. |
| 2 | Baptist Cemetery, Chapel St | Small area of tranquillity. Planting and wildlife. Designation suggested by chapel. Protected by INF9 |
| 3 | Old Cemetery, Castle Street | Site of an old church, tranquil location. Protected by INF9. |
| 4 | Intake Area | Of great beauty and tranquillity close to western edge of town. Visitor attraction. Excellent views. |

8.4.3 For reference, the Local Green Spaces designated through the South Derbyshire Local Green Spaces Plan are as follows:

| Site Reference | Site Name |
|-----------------------|--------------------------------|
| 58 | West of Packhorse Road |
| 59 | North of Station Road |
| 60 | Washpit, Station Road |
| 61 | Off Acacia Drive |
| 70 | Holy well, Wards Lane |
| 77 | Church Close |
| 87 | Grange Close Recreation Ground |
| 179 | Kings Newton Bowls Club |

8.4.4 POLICY OS2 – PROTECTION FROM DEVELOPMENT FOR FOOTPATHS, PUBLIC RIGHTS OF WAY AND GREENWAYS

Melbourne has 36 Public Rights of Way (footpaths and bridleways) and greenways which should continue to be protected, maintained and enhanced in order to encourage the health and well-being of the population.

In any new developments, provision should be made to extend the routes for walkers and cyclists, including, where possible, routes linking into the countryside network as well as into the town and to accommodate people of all ages and abilities.

Greenways must not be urbanised by new house building along them (see SDDC Local Plan 1; Policy INF2 Section B).

All new routes dedicated by the developer will be added to the Definitive Map at the expense of the developer. The results from the Neighbourhood Development Plan Survey indicate that 98% support this policy (see CEF 8).

8.4.5 POLICY OS3 – DEVELOPMENTS THAT PROTECT AND ENHANCE BIODIVERSITY WILL BE SUPPORTED

This means that wildlife should be encouraged by keeping open spaces, hedgerows and trees. Tree planting on verges should be encouraged (see Appendix 17). The results from the Neighbourhood Development Plan Survey indicate that 93% support this policy (see CEF 8).

SDDC Local Plan Part 2 Policies BNE3 and BNE 7 seek to protect biodiversity, trees, woodlands and hedgerows.

8.4.6 POLICY OS4 – THE PRESERVATION OF GRADE 1, 2 AND 3a AGRICULTURAL LAND WILL BE SUPPORTED

This means that any development which would result in agricultural land being lost for ever will not be supported. This also supports Local Plan Part 1 Policy BNE4 which seeks to protect soils 1, 2 and 3a. The results from the Neighbourhood Development Plan Survey indicate that 87% support this policy (see CEF 8).

Soils/Land quality

Much of the local market garden land threatened with development is quality agricultural land. The land either side of Jawbone Lane, for instance, is classified by DEFRA as Grade 2 land which is defined as “very good agricultural land”. *Sources: Natural England: NCA Profile 70 Melbourne Parklands NE384 and DCC: Landscape Character of Derbyshire (2014), DCC website.*

Recognising that the Neighbourhood Plan is an opportunity to assess and anticipate future needs in this community, especially the most basic needs of food, water, shelter and health, and that our community is heavily dependent on vulnerable external supply chains, our policies are also intended to encourage the development of as much local sustainability, and particularly, resilience, as possible.

To this objective, we place a high priority in this plan on encouraging local food production, especially local agricultural businesses. Land taken out of agricultural use for housing or industry is effectively destroyed as a food resource, so we place a higher barrier to development on such land.

For Grade 1 agricultural land to be “developed”, the developer must demonstrate that calorific food yields from the new development will reach at least 80% of the potential food yield of the same land in agricultural use. To achieve such targets, we anticipate considerably more community and domestic food production in new developments than in existing properties: this has implications for the design of buildings and the layout of developments in which they sit.

Our existing Whistlewood Common project and the demonstration food forest at our local school are both replicable local exemplars and potential training providers, while the Saffron Lane development in Leicester (see Appendix 9) also offers pointers.

9. HERITAGE AND CONSERVATION POLICIES

Melbourne and Kings Newton are notable for a combination of Heritage Assets, Listed Buildings, Scheduled Monuments and Conservation Areas, and undulating mixed farming landscape based on prime agricultural land. The historic environment is protected through the planning system via conditions imposed on developers and property owners.

9.1 Key issues:

- Historic assets play an important role in maintaining the distinctiveness and historic character of Melbourne Parish.
- Archaeological remains, both seen and unseen, have potential to be affected by new development e.g. the castle site.
- Risk of adverse effects on historical and cultural heritage assets from inappropriate development and poor design.
- Buildings at risk. At present, there are no Grade I or II* buildings at risk. However, there are four buildings at risk which are either Grade II listed or in a Conservation Area, and these are on the buildings at risk register kept by the Derbyshire Historic Buildings Trust.
- The need to ensure sustainable use and re-use of heritage assets.
- Effects on the local landscape that inappropriate development could bring e.g. any developments which would lead to the coalescence of Melbourne and Kings Newton.
- The NPPF places considerable emphasis on non-designated heritage assets and information on these should be actively collected and shared via the Derbyshire Historic Environment Record so that full consideration of them is enabled at early stages in the development control process.
- Despite large areas of modern development on the north fringe of the town, the road network has so far retained its “legibility” and the historic roads still retain their function as main vehicular approaches to the centre. Any future new development should acknowledge the primacy of these routes.
- Good quality building materials are important to the preservation of local distinctiveness.
- The remnants of Melbourne’s horticultural heyday in the 19th century are still evidenced in old garden fruit trees, abandoned orchards, and the few remaining market garden families that are still in business. They provide a link with the 21st century movement towards sustainability and local produce, represented locally by Melbourne Area Transition. Efforts should be made to preserve and foster traditional horticultural skills and know-how, and to maintain local produce as part of the future landscape and economy.

- Inability to “absorb” much more new development without a severely detrimental effect on historic character.

9.2 HERITAGE & CONSERVATION POLICY:

POLICY HC1 – PRESERVATION OF THE HISTORICAL AND CULTURAL HERITAGE ASSETS AND THE EXISTING CONSERVATION AREAS WILL BE SUPPORTED.

This means that development will not be supported if it has a damaging impact on the historical setting of the Conservation Areas or the views to and from those areas. Developments should use building materials which blend in with the existing architecture of the villages. This policy supports existing legislation, the NPPF and SDDC Local Plan Part 2 Policy BNE10. The results from the Neighbourhood Development Plan Survey indicate that 93% support this policy (see CEF 8).

Historical development of the area. Melbourne is an attractive, appealing and historic settlement, with a vibrant and varied social mix and a strong community spirit. With a population of 4845 in 2011, the parish is large enough to have plenty of life of its own, yet small enough to preserve a village atmosphere.

Listed buildings. Melbourne and Kings Newton have about a fifth of the 711 listed buildings in the district (134 listed buildings detailed in Appendix 12). Of these 24 are of Grade 1 status and are mainly in the grounds of Melbourne Hall. The Parish Church and the Barn at Melbourne Hall have the same status. *Sources: Melbourne Parish Plan 2009 and Listed building list on SDDC website.*

Conservation Areas. Melbourne has three of South Derbyshire’s 22 conservation areas (see Appendix 13 for maps of the Conservation areas)

Scheduled Monuments. Melbourne Castle, described as a fortified manor with earlier medieval manorial remains, is a scheduled monument. *Source: Historic England website.*

Locally Listed Buildings. Melbourne Civic Society has approached SDDC about producing a Local Heritage List for the parish. *Source: English Heritage Guide to listing non-designated historic assets.*

Registered Historic Parks and Gardens. The gardens at Melbourne Hall are one of five sites in South Derbyshire in this category. See Appendix 14 for background

information on Heritage and Conservation and the separate Conservation Document by M Morris and P Heath.

10. COMMUNITY ASPIRATIONS

This second section of the NDP describes and defines many issues that local people have indicated are very important to them during our extensive consultations. Because the remit of the NDP centres around planning issues it is not possible to formulate statutory policies on these matters. Therefore, they have been defined as a series of Community Aspirations. These aspirations have arisen as a direct consequence of information gathered during preparation of the NDP and will be considered by the Parish Council and incorporated into the Parish Plan appropriately.

It is noted that where appropriate development does take place, contributions to Section 106 funding will be sought to help finance these community aspirations.

10.1 INFRASTRUCTURE

Expansion in housing since 2011 led to concerns expressed by residents at public meetings in 2014, 2015, 2016 and in responses to the Residents Survey, (CEF 8, Consultation Evidence Files (CEF) 2 and 4) that the current infrastructure in the villages would be unable to support further significant housing development. There were already signs that the system was under strain. The infrastructure issues were combined under the headings of: Parking, Traffic, Public Transport, Sewerage and Drainage and are summarized below (see CEF 2 and 4, Appendix 6, Appendix 7 for details.)

10.2 PARKING & TRAFFIC Public Consultations (CEF 2 and 4), the Neighbourhood Development Plan Residents Survey (CEF 8) and the Business Survey (Appendix 6) highlighted parking and traffic problems as major concerns of local residents.

CA1 – SUPPORT FOR PROPOSALS TO IMPROVE PARKING PROVISION

Retailers believe that inadequate parking provision has an adverse effect on trade. Residents have expressed concerns about the consequences of parking in some areas. In residential areas, parked vehicles hinder access for emergency vehicles. A parking survey (Appendix 7) has been undertaken and demonstrates that at certain times of day parking is at a premium. Residents are parking in public car parks

overnight, restricting access for businesses and customers. The survey also showed support for improved space marking and signage.

The Parish Council in conjunction with other authorities, (SDDC, DCC Highways) will work to establish the extent of the parking problems and formulate a plan of action to resolve any issues. Improved signage, improved space markings in car parks and on street parking restrictions are some areas that deserve attention.

TRAFFIC

CA2 – SUPPORT FOR PROPOSALS TO REDUCE TRAFFIC CONGESTION

Traffic congestion has a significant impact on the people of Melbourne and King's Newton. The main route into the town from Derby crosses an ancient narrow causeway, Swarkestone Bridge. The bridge is becoming increasingly congested. This poses difficulties for emergency vehicles, causes traffic delays and causes damage to this heritage asset. There has been some discussion of a possible alternative route, but this is unlikely to materialize in the foreseeable future. A variety of suggestions were put forward during consultations which aimed to reduce the congestion on roads within the town, particularly along Derby Road and outside the schools on Packhorse Road at key times of the day. Suggestions were also made which aimed to reduce the incidence of damage to pavements by heavy lorries driving through the village centre. Details are contained in CEF 2 and 4. The Parish Council is working with DCC Highways department to instigate a Traffic and Transport Survey with a view to examining these concerns.

10.3 PUBLIC TRANSPORT

CA3 – SUPPORT FOR PROPSALS TO IMPROVE PUBLIC TRANSPORT PROVISION

Both the Business Survey (Appendix 6) and the public consultations (CEF2 and 4) highlighted a need for improved public bus services. More frequent buses to Derby, and requests for bus services to Nottingham and Ashby were prominent. Although Arriva have now introduced more frequent bus services between Derby and Swadlincote, it is likely that late evening and Sunday services via Melbourne will be curtailed.

The Parish Council will meet with relevant bus companies to discuss the possibility of

bus services to Nottingham and Ashby. Since the writing of this plan a service from Ashby to East Midlands Airport, with onward connection to Nottingham has been introduced.

10.4 DRAINAGE & SEWERAGE

CA4 – SUPPORT FOR PROPOSALS TO MODERNISE AND IMPROVE DRAINAGE & SEWERAGE

New housing developments in Melbourne have exposed weaknesses in the drainage and sewerage systems. In 2014 flood water and sewage overflowed on to pavements and jitties. In one instance, raw sewage flowed into a residential property. Concerns were raised on behalf of the community with Severn Trent who have investigated and detailed problems with the existing sewers and drains. In late 2015, a working group was formed to assess, investigate and where possible rectify faults in the drainage and sewerage systems. This group includes representatives of Derbyshire County Council (the lead flood authority) Severn Trent Water, SDDC and Melbourne Parish Council. This group meets regularly and intend to hold a public forum following their meetings. Since local flood water and sewer overflows are widely spaced geographically, it seems likely that there may be multiple problems spread around the town rather than a single problem. Initial investigations have identified instances of blocked road gulleys, sewers partially or fully blocked, sewer junctions with conflicting flows, ingress by tree routes and unmapped sewers. These problems are progressively being given attention. Due weight needs to be given to considerations of flooding when planning decisions are made.

10.5 EDUCATION

During the formulation of the Neighbourhood Plan, meetings were held with key providers of health and education services (Appendix 11) including the Senior Partner of Melbourne Dental Practice (CEF 3 Interviews) and the Head and Chair of Governors at Chellaston Academy. Both Heads of Melbourne Infant and Junior School were approached but referred all queries to Derbyshire County Council.

CA5 – PRIMARY EDUCATION – ALL CHILDREN IN THE PARISH SHOULD HAVE THE OPPORTUNITY TO ATTEND MELBOURNE INFANTS AND JUNIOR

SCHOOL

Consultations identified that there was a strong desire from residents that all children in the Parish be able to attend Melbourne Infant and Junior Schools.

There was concern that children from outside the Parish were still being offered places as the schools approach capacity.

The Parish Council will continue to monitor the provision of primary education through its representation on the Board of Governors of these schools.

CA6 – SECONDARY EDUCATION – ALL CHILDREN IN THE PARISH SHOULD HAVE THE OPPORTUNITY TO ATTEND THE SAME SECONDARY SCHOOL WHICH SHOULD PROVIDE THE HIGHEST EDUCATIONAL STANDARDS

Consultations at the Public Meetings (CEF 2 and 4) identified that there was a strong desire from residents that all children in the Parish should have the choice of being able to attend the same secondary school. There was also concern at the lack of Adult Educational facilities. Education provision will continue to be monitored as part of further consultations with representative bodies and the community.

10.6 HEALTH CARE & SOCIAL PROVISION

CA7 – THE MELBOURNE HEALTH CENTRE WILL CONTINUE TO PROVIDE THE FULLEST RANGE OF SERVICES REQUIRED BY ALL AGES IN THE COMMUNITY

The Melbourne GP Surgery is part of a combined practice with Chellaston: the Melbourne and Chellaston Medical Practice. The current combined patient numbers are approximately 15000, with roughly 7000 in the Melbourne area. These numbers have grown substantially in recent years, mainly due to population growth from development. There is pressure both on GP numbers and surgery capacity. There is genuine concern that with further planned housing expansion, set against current GP recruitment issues and the physical limitations of the surgery space, that the residents of Melbourne will not be able to access GP appointments locally and increasingly will need to do this in Chellaston. (CEF 2 and 4) There is already dissatisfaction, evidenced from a recent independent GP patient survey, that patients find difficulty

accessing their preferred doctor and are not able to get timely appointments. (Source: <https://gp-patient.co.uk/practices/C81108/questions>) The provision of S106 or Community Infrastructure Levy monies might be able to address concerns around the local surgery accommodation, but this will not address the national difficulties in GP recruitment. Considerations and assessments of any new developments need to be more exacting in understanding the impact on primary health care provision. More NHS dental provision is needed in the villages even though the local practice has recently appointed a new dentist and enrolled a number of new NHS patients. Currently there exists a waiting list for new adult NHS patients, but not for children (CEF 3 Interviews)

The Parish Council supports developments and changes to the health centre to ensure it continues to provide the fullest range of services required by all age groups within the community.

10.7 COMMUNITY AND LEISURE

Consultations (CEF2, CEF4, CEF 8 Residents Survey) have highlighted the wish to see community and leisure facilities in the Parish improved. If there are proposals to provide further leisure facilities, for example indoor sport and fitness facilities, a performance venue, or playgrounds, either through a 'new build' or through further development of existing facilities, then it is envisaged that the Parish Council will work with other councils, interested bodies and local landowners to investigate the type and timing of improvements.

SDDC's latest "*Open Spaces Strategy 2015 onwards*", (Appendix 15) lists 8 different community venues in Melbourne where a variety of community and social activities occur. It points out that whilst these are all valued facilities, many are in a poor state of repair and not ideal for their purpose. It suggests that rationalisation should occur when money and new facilities become available.

Details of the report carried out in 2010 entitled "*Options Appraisal on the Provision of Leisure Facilities in Melbourne, South Derbyshire 2010*" (by Pleydell Smithyman on behalf of SDDC) are provided in Appendix 16.

CA8 – SUPPORT FOR PROPOSALS TO IMPROVE THE SENIOR CITIZENS CENTRE AND COMMUNITY CARE PROVISION

The Senior Citizens Centre on Church Street is a leased building and once the current limited lease expires the future of the building is uncertain. Given the projected increase in the number of elderly people in the Parish, consultations have identified that it is important to maintain provision of this facility (CEF3 Interviews and Surveys, Residents Survey CEF 8). The accommodation for the charitable organisation Community Care is situated on Derby Road. It is staffed by volunteers, and provides assistance to members of the community, mainly the elderly and the disabled, and is funded solely by donations. Although the office accommodation on Derby Road is satisfactory, it is expensive to rent (CEF 3 Interviews and Surveys). The Neighbourhood Development Plan Residents Survey (CEF 8) highlighted the continued provision of the Senior Citizens Centre facilities and Community Care Services as second in priority of a list of community facilities in need of maintenance and improvement. Development on the site of the Senior Citizens centre for any purpose other than community use will not be supported.

It is envisaged that if there are proposals to improve the Senior Citizens Centre and Community Care facilities the Parish Council will work with all interested bodies and local landowners to facilitate improvements.

PLAYGROUNDS AND PLAY AREAS

CA9 – SUPPORT WILL BE GIVEN FOR IMPROVEMENTS TO EXISTING RECREATIONAL FACILITIES AND PLAYGROUNDS AND FOR ANY NEW CHILDREN’S PLAYGROUNDS

The SDDC Open Spaces strategy (see Appendix 15) recommends the provision of 1 playground per thousand population. The Parish currently has the following six play areas: Lothian Gardens, Queensway, Sweet Leys, Quick Close, Staunton Harold Reservoir and one on the new estate in Kings Newton.

Scouts, Guides, Rainbows, Brownies and Explorers - The present building on Packhorse Road is at capacity in terms of space and facilities. No more groups for young people who want to join the movement can be accommodated and there are

no facilities for the disabled. The groups have applied for funding to improve the facilities (CEF 3 Surveys and Interviews).

The Parish Council will continue to maintain and make improvements to the Lothian Gardens playground, and will work with SDDC to improve other facilities for children's organisations when funds become available.

SPORTS FACILITIES. The provision of facilities for outdoor sport in the villages is now of a high standard. The Melbourne Sporting Partnership opened in September 2016 with new and improved facilities for football, cricket, rugby, tennis and netball at Melbourne Park on Cockshut Lane. There are facilities for crown green bowls at King's Newton Bowls Club and flat green bowls at the Senior Citizen's Centre.

There is limited provision for hockey. Although there are no specific cycling facilities, the villages are in close proximity to the Sustrans trail. The pastime of walking was shown in surveys to be one of the most common outdoor leisure pursuits, as the Parish is well supplied with thirty-six public paths amounting to twelve miles of walking trails. Walking is particularly enjoyed by older members of the community (CEF3 Surveys spot survey). However, the provision of facilities for indoor sport and fitness lag behind those for outdoor sport.

CA10 – SUPPORT FOR PROPOSALS TO PROVIDE NEW INDOOR SPORTS FACILITIES

There is no single location that caters for a wide range of indoor sports and fitness in the Parish. As a result, the provision of facilities is very limited. The Melbourne Assembly Rooms (MARs) provides facilities for badminton, table tennis, indoor bowling, some dance classes and some fitness activities. MARs and the Senior Citizens Centre provide locations for some class-based activities, fitness groups and dance. There is no longer any gym provision in the village (CEF3 Interviews). The provision of indoor facilities at the Melbourne Sporting Partnership was ruled out because of financial and space constraints. The SDDC Open Spaces strategy (Appendix 15) recognises the deficiency of facilities for swimming and indoor sport in the whole SDDC district. There are plans to address this shortfall.

PERFORMANCE VENUE

CA11 – SUPPORT FOR PROPOSALS TO PROVIDE A NEW INDOOR PERFORMANCE VENUE

Consultations identified concerns around the lack of a dedicated performance venue suitable for an audience of up to 200. This compromises the ability of groups such as Melbourne Operatic, The St Michael's Players and the Melbourne Festival to showcase their talents to a wider audience. (CEF 8 Residents Survey, CEF 3 survey of social clubs). Because the uses of the MARs facility are multipurpose, there are availability conflicts between the multiple uses.

If there are proposals to provide further leisure facilities, for example, indoor sports and fitness facilities, a performance venue or playgrounds, either through a "new build" or through further development of existing facilities, then it is envisaged that the Parish Council will work with other councils, other interested bodies and local landowners to facilitate improvements.

10.8. TELECOMMUNICATIONS

CA12- SUPPORT FOR PROPOSALS TO IMPROVE THE MOBILE NETWORK, INTERNET AND BROADBAND

The Business Survey and Public Consultations (Appendix 6, CEF2 and CEF4) identified shortcomings with both the quality and reliability of telecommunications in the Parish. A meeting with a representative from Digital Derbyshire informed the group of the current situation within the Parish (CEF3 Meetings)

It is recommended that liaison between the Parish Council, Digital Derbyshire, and mobile phone operators establishes a strategy to deliver improved Broadband (fibre) and mobile phone reliability to Melbourne and Kings Newton.

10.9. BUSINESS, RETAIL AND EMPLOYMENT

The main issues identified in the Business Survey (Appendix 6) are associated with infrastructure: parking, traffic, transport and telecommunications. There were also concerns around the level of recent housing development. These results have been incorporated into the relevant Community Aspirations and other sections of the NDP. As a result of the feedback received from the Business Survey regarding parking issues within the centre of Melbourne, a separate 'Car Park Survey' was carried out (Appendix 7).

This NDP supports the objectives of Policy RT1 in the Retail section of the SDDC Local Plan Part 2 where it applies to Key Service Village centres, in that:

Retail development will be permitted provided that: i) It is appropriate with the scale and function of the Centre; and ii) It would not lead to unsustainable trip generation or undermine the vitality and viability of a neighbouring centre; and iii) It does not adversely impact on neighbouring properties. Loss of retail units in centres will be permitted where: i) The current use can be demonstrated to be no longer viable; and ii) The unit has been sufficiently and actively marketed for a range of retail uses over a 6 month period; and iii) The impacts arising from the resulting use do not cause an adverse effect on amenity, parking needs or highway safety.

11. MONITORING ARRANGMENTS

Monitoring arrangements for this plan will need to be agreed with SDDC so that any planning applications which are made once this plan is adopted will take due account of both the plans, content and aspirations.

12 CONSULTATION EVIDENCE FILES

Details of consultation evidence will be found in separate documents

All documents are available on the Melbourne Parish Council website under the section headed 'NDP'.

<https://www.melbourneparishcouncil.gov.uk/ndp-consultation-evidence-files.html>

CEF 1 NDP Articles Village Voice 2014 to date

CEF 2 NDP Public Meeting January 2015

CEF 3 NDP Consultations: Interviews, Surveys, Meetings, Letters

CEF 4 NDP Public Meeting February 2016

CEF 5 Minutes meetings with SDDC

CEF 6 Minutes meetings with Rural Action Derbyshire

CEF 7 Minutes of all NDP Meetings (link to PC website)

CEF 8 NDP Residents Questionnaire February 2017 and results

13. APPENDICES

The detailed information will be found in the separate Appendices document.

All documents are available on the Melbourne Parish Council website under the section headed 'NDP'.

<https://www.melbourneparishcouncil.gov.uk/ndp-appendices.html>

Appendix 1 – OCSI Extract 2001 Census

Appendix 2 – Housing Consultation data

Appendix 3 – Sheltered Housing

Appendix 4 – SDDC Planning Guidance Background

Appendix 5 – Housing Developments since 2011

Appendix 6 – Business Survey

Appendix 7 – Car Parking Survey

Appendix 8 – Local Green Spaces and Letter to Landowners

Appendix 9 – Sustainability & Resilience

Appendix 10 – Jawbone Lane 3139116 appeal Decision

Appendix 11 – Consultations with Health & Education

Appendix 12 – Melbourne and Kings Newton Listed Buildings

Appendix 13 – Melbourne, Kings Newton & Woodhouses Conservation areas

Appendix 14 – Heritage & Conservation background

Appendix 15 – SDDC 2015 Open Space Sport & Community Facilities Strategy

Consultation Draft

Appendix 16 - SDDC Melbourne Options Appraisal 2010

Appendix 17 – Biodiversity in Melbourne – Derbyshire Wildlife Trust

14. ACKNOWLEDGEMENTS

Melbourne Parish Council wishes to thank all those who took part in the preparation of the plan, which is a large proportion of the population of Melbourne and Kings Newton.

The groups who have provided information for the plan and supported its development: Melbourne Civic Society, Melbourne Historical Research Society, Melbourne Transition Group, Melbourne Footpaths Group, Melbourne Village Voice, Joe Dugdale at Rural Action Derbyshire, Ian Hey and Nicola Sworowski at SDDC.

In particular, it would like to thank all our Neighbourhood Plan Team members, who attended meetings, organised events, carried out surveys, distributed leaflets and in other ways got directly involved and helped create the plan: Jane Carroll, Wendy Earp and George Hudson from the Parish Council and volunteers Mair Aitkenhead, Anthony Freeman, Margaret Gildea, Paul Grimley, Frank Hughes, Rose Miniffee, Matthew Roe, Helen Saunders, Michael Sephton, Mike Smith, Roger Spencer, Steve Spear, Barry Thomas, Graham Truscott and Ian Turner.

MELBOURNE PARISH COUNCIL
NEIGHBOURHOOD DEVELOPMENT PLAN
BASIC CONDITIONS STATEMENT
AUGUST 2020

Legal Requirements

This statement has been produced by the NDP Working Group on behalf of Melbourne Parish Council to accompany its submission to South Derbyshire District Council of the Melbourne Parish Neighbourhood Development Plan under regulation 15 of the Neighbourhood Planning Regulations 2012.

Melbourne Parish Council is a qualifying body, for the area covered by the Parish of Melbourne. The area covered by the plan is the area of the parish and is set out on page 8 of the Neighbourhood Plan document. Designation was confirmed by South Derbyshire District Council on 29 January 2015.

The plan relates to planning matters (the use and development of land) 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 General Regulations 2012. The plan document also contains statements of intention which are not entirely or necessarily planning matters, but those statements are clearly distinguished from the policies of the plan and are given the name "Community Aspirations"

The Neighbourhood Development Plan (NDP) covers the period from 2016 to 2028. 2028 is also the end-date of the South Derbyshire District Local Plan.

The NDP 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 NDP does not relate to more than one neighbourhood area. It is solely related to the area of the Parish of Melbourne as designated by South Derbyshire District Council on 29 January 2015.

There are no other Neighbourhood Development Plans in place for the Parish of Melbourne neighbourhood area.

The following statement will address each of the 'basic conditions' required of the Regulations and describes how the NDP meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act.

Introduction and Background

Work started on the plan in October 2014 and via a series of consultation methods such as a drop-in events and a questionnaire delivered to all homes within the parish plus work by the Working Group has progressed to the submission stage.

The NDP is supported by an Evidence Based Consultation Statement and this Basic Conditions Statement.

General Conformity with Strategic Local Policy

The NDP has been prepared with regard to national policies set out in the National Planning Policy Framework (NPPF) and, as agreed at several meetings with SDDC Planning department, (Consultation Evidence File CEF 5) is in general conformity with the strategic policies of South Derbyshire District Council (SDDC).

The NDP has been tested against SDDC's Local Plan – Part 1 and Part 2, which have been adopted, and is in conformity with both.

The Working Group for the NDP has worked with SDDC to resolve any conflicts between the draft Melbourne NDP and Local Policy, taking into account the following National Planning Practice Guidance (published March 2014):

“Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- the emerging neighbourhood plan
- the emerging Local Plan
- the adopted development plan

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body to produce complementary NDPs and Local Plans. It is important to minimise any conflicts between policies in the NDP and those in the emerging Local Plan (in this case Part 2). This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan.

Conformity with Strategic Policies of the NPPF

The Melbourne NDP has had appropriate regard to the National Planning Policy Framework. The following outlines more specifically how the policies of the Melbourne NDP are in general conformity with the strategic policies of the NPPF.

There are some sections of the NPPF that are not applicable to a rural parish that contains one 'key' service village and one rural village (hamlet). The sections that are not applicable are:

2. Ensuring the vitality of town centres

9. Protecting Green Belt land

13. Facilitating the sustainable use of minerals

| NPPF Para Ref | NPPF POLICY | How Melbourne NDP is in general conformity with the NPPF policies |
|----------------------|---|--|
| 7 | Support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations. | Policy DP3 |
| 14 | Presumption in favour of sustainable development | Policy DP1, DP3 |
| 16 | Support local development by shaping and directing development that is outside the strategic elements of the Local Plan | Policy DP1,DP3 |
| 17 | Take account of the different roles and character of different areas | Policy HC1 |
| 17 | Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value). | Policies DP1, DP2 OS1, OS2, CA1 - 11 |
| 17 | Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations | Policy HC1 |
| 17 | Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. | Policies CA1, CA2, CA3, |
| 28 | Promote the development and diversification of agricultural and other land-based rural businesses 30 Encouragement should be given to solutions with support reductions in greenhouse gas emissions and reduce congestion. Support should be given to a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. | Policy OS4 |
| 35 | Developments should be located and designed where practical to give priority to pedestrian and cycle movements and have access to high quality public transport facilities. | Policy DP1,DP3 |
| 35 | Developments should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists or | Policy DP1 Policy CA1, CA2 |

| | | |
|-----|--|--|
| | pedestrians. | |
| 43 | Support should be given to the expansion of electronic communication networks, including telecommunications and high-speed broadband | Policy CA12 |
| 50 | Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes. | Policy DP3, OS1 |
| 53 | Set out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area | Policy DP1, |
| 58 | Development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. | Policy HC1 |
| 58 | Development should be visually attractive because of good architecture and appropriate landscaping. | Policy HC1 |
| 70 | Deliver the social, recreational, and cultural facilities and services the community needs by planning positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments, whilst guarding against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. | Policies CA7, CA8, CA9, CA10, CA11, CA12 |
| 70 | Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community. | Policies CA7, CA8, CA9 |
| 72 | Ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. | Policies CA5, CA6 |
| 74 | Existing open space, sports and recreational buildings and land should not be built on. | Policies DP1, DP2, OS1 |
| 75 | Protect and enhance public rights of way and access. | Policy OS2 |
| 76 | Identify for special protection green areas of particular importance to them. | Policy OS1 |
| 109 | Enhance the natural and local environment by protecting and enhancing valued landscapes and | |

| | | |
|-----|---|-------------------------------------|
| | minimising impacts on biodiversity and providing net gains in biodiversity where possible | Policy DP1, DP2, OS1, OS2, OS3, OS4 |
| 110 | Prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution | Policy CA4 |
| 112 | Take into account the economic and other benefits of the best and most versatile agricultural land by seeking to use areas of poorer quality land in preference to that of a higher quality | Policy OS4 |
| 126 | Set out a positive strategy for the conservation and enjoyment of the historic environment, recognising that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. | Policy HC1 |
| 129 | Identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) | Policy DP2, HC1 |

Compatibility with EU Obligations

A Strategic Environmental Assessment (SEA) screening was undertaken by SDDC. This screening confirms that a Strategic Environmental Assessment is not required for the Melbourne NDP. The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency).

A Habitat Regulation's Assessment (HRA) screening has been undertaken by SDDC. The screening exercise concluded that there were no European sites that would be affected by the proposals within the Melbourne NDP.

It is considered that the Melbourne NDP is compliant with human rights requirements and EU obligations.

Conclusion

It is considered that the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 have been met by the Melbourne Neighbourhood Development Plan.

The NDP has been reviewed against the appropriate framework of National and Local planning policies and there are no apparent conflicts with the adopted Part 1 or Part 2 of the Local Plan.

The information in this Statement demonstrates that there is general conformity with Paragraph 8(1)(a) of the Town and Country Planning Act and therefore it is respectfully suggested that it should proceed to Referendum.

Consultation Statement

1. Background to the Neighbourhood Plan

Following the production of Melbourne Parish plan in 2009, the two significant developments were Melbourne Sporting Partnership and the transfer of the running of Melbourne Assembly Rooms to volunteers who run it as not for profit enterprise. Both have been successful and have added to the amenities in Melbourne and Kings Newton.

Since the publication of the Parish Plan, there had been a spate of housing planning applications from speculative developers. Several applications had already been approved in Melbourne and in Kings Newton, resulting in the completion of 130 dwellings from 2011 to April 2015. Planning permission had been granted for a further 185 dwellings to be completed in the near future (See Appendix 5), an increase of more than 14% in the number of households compared with the 2011 census data. This was causing a lot of concern amongst residents of the villages, particularly since the SDDC Local Plan Part 1 had yet to be ratified.

1.1 Public Meeting

In response, following extensive local advertising, a public meeting was held in Melbourne Assembly Rooms in September 2014. More than 200 people attended this meeting. Following short presentations the following subjects emerged as key areas of concern: Housing, Education, Health, Traffic, Roads and transport, Sewerage and drainage, Leisure facilities, particularly for the young and the elderly, and the character of our villages. Feelings ran high, and the decision was taken to form a NDP working group in order to have some input into developments in the villages over the next 15 years.

1.2 Setting up a working group

Following a meeting with Melbourne Parish Council, a working group was established under the chairmanship of the Parish Council, consisting of a number of volunteers.

The first meeting was held in October 2014 and the Working group continued to meet monthly. All minutes were posted on the Parish Council website. Meetings were open to the public.

On November 4 2014 Melbourne Parish Council agreed to the formation of a Neighbourhood Plan and a formal application to designate the whole of Melbourne Parish area was submitted to SDDC. The application was successful and was confirmed on January 29 2015.

1.3 Consultation approaches

The objective of the working party has been to consult extensively and meaningfully with the community, businesses and local organisations covering people of all ages. The issues that emerged from the public meeting of September 2014, were extensively explored at the first formal NDP public meeting in January 2015. At this drop in meeting residents were invited to make any comments on any issue on post it notes at various stations around the room. The comments were captured, recorded and consolidated, and so formed the discussion headings for the emerging NDP.

From this meeting, attended by 150 people, we compiled a list of over 100 email addresses from people who expressed interest in contributing to or being kept informed of the development of the Plan.

We also agreed to create an NDP Facebook page (<https://facebook.com/melbournendp>) and to post regular articles in the Village Voice (the local newspaper for Melbourne and Kings Newton) The NDP was a regular standard agenda item on all Parish council meetings to ensure local councillors and any members of the public attending the meetings could be kept informed.

All formal communications were hosted on the Parish council website (<https://www.melbourneparishcouncil.org.uk>)

Over the next twelve months we met with various groups and representatives of local organisations and societies to understand their views on the NDP.

We surveyed all listed local businesses and special interest social and community groups by questionnaire.

A year later we hosted a further public consultation meeting in February 2016 to update the public on progress of the NDP and to solicit further views. Again the meeting was well attended with over a hundred participants. At this meeting we fed back comments from the 2015 meeting and the progress that had been made on the NDP. This was displayed in storyboard form. Once again residents were invited to make post it note comments on the issues identified and also any new issues that might have arisen. The originally identified issues remained the key concerns with no new areas identified. Housing remained the major concern but there was still considerable emphasis on the infrastructure consequences of housing development.

All consultation events were publicised by poster and advertised in the Village Voice.

Following collation of the information gleaned during the February 2016 and all other consultations, a first draft NDP was produced in April 2016. A summary of consultation activities is show in the table below.

2. Table summarising consultation activities

| Date/Title of consultation | Consultation | Method of publicising | Outcomes | CEF |
|-----------------------------|---|--|---|---------------|
| September 2014 | Public meeting to discuss speculative housing development | Posters round the villages Village Voice article Leaflets inserted in Village Voice | 200 attendees Decision to form NDP working party Discussion of some key themes Presentation of status of local plan Report in Village Voice | Pre NDP |
| January 2015 | First NDP public meeting | Posters around the villages Village voice article Leaflets inserted in Village Voice Publicity in local shops | 150 attendees Email list of interested parties Post its used for expression of views and collation of issues Emergence of key themes | CEF 2 CEF4 |
| April 2015 Facebook page | Facebook page created | Social media | Regular updates and notifications of meetings. Opportunity for people to comment on the NDP | CEF 7 |
| During 2015 and 2016 | Surveys of : Scouts and Guides Community Care Business community Senior Citizens Historical society Civic Society Melbourne Transition Group Melbourne Footpaths Group Societies and interest groups Key stakeholders, e.g Melbourne Sporting Partnership Melbourne Assembly rooms Secondary Head teacher GP Practice Manager Local Dentist Local letting and estate agents Visitors to Melbourne Festival | Email Survey monkey Contact with local groups Interviews | Development of key themes Information gathering Skeleton policies Documented evidence to inform policies | CEF 3 |

| | | | | |
|--|--|---|---|----------------------------------|
| | Spot survey on sport and leisure Parking Digital Derbyshire | | | |
| Regular updates through 2015/16/17 | Village Voice articles Facebook page Parish council website Minutes of meetings Meetings with SDDC planning department and Rural Action Derbyshire | Through a variety of media | Information sharing Comments on and consolidation of policies | CEF 1 CEF 5 CEF 6 CEF 7 |
| February 2016 Second NDP Public meeting | Feedback of information gathered during the previous year. All day session for people to drop in and express their views | Posters Village Voice article Facebook page Publicity in local shops Melbourne Assembly Rooms advertising Parish council website | Similar themes emerged and were reinforced Post its collated to add to body of evidence Further list of volunteers Information gathered shared in Village Voice, Facebook page, emails and minutes of NDP meetings | CEF 4 |
| March 2017 Questionnaire to test draft policies | A questionnaire setting out all our draft policies was delivered to all households and also posted on line | Village Voice Facebook page | Overwhelming endorsement of policies and comments | CEF 8 |
| May 2017 | Results of questionnaire | Village voice, Parish council website, Facebook page | | CEF 8 |
| August 2017 | NDP Version 6 to SDDC | | Modifications suggested | |
| March 2018 | NDP Version 7 to SDDC | | Improvements to Consultation Document suggested and included | |

| | | | | |
|---------------------------------|--|--|---|--|
| July 2018 | Modified Consultation Document to SDDC | | | |
| May 2019 | Regulation 14 Consultation by Melbourne Parish Council | | August 2019 Detailed response from SDDC | |
| September 2019 | | | Late comments from DCC | |
| March 2020 | NDP Version 8 | | Extensive rewrite of NDP incorporating all SDDC comments | |
| August 2020 | NDP Version 9 | | Further comments from SDDC October 2020 | |
| February 2021 April 2021 | Version 10 | | Modifications to Appendix 8 and Open Green Spaces section agreed Confirmation of repeat screening that SEA/HEA unnecessary | |

3. Developing and Testing Draft Policies within the community

The background evidence collected and the results of all the above consultations led to a first draft NDP produced in April 2016 with draft policies on

Housing

Open Spaces

Environment and Heritage

Initially there were 4 housing policies, 4 open spaces policies, 1 Heritage and Conservation policy, 3 leisure facilities policies, 2 education policies and 1 health care policy.

Over the following six months this draft was continuously revised following consultations with SDDC planning department, Joe Dugdale of RAD and internal discussions within the committee.

A major revision entailed separating the NDP into two sections. It had been realised that policies pertaining to Community Aspirations whilst arousing considerable passion and debate (as evidenced by the public meetings) were not within the formal jurisdiction of the NDP . These were consequently placed in section 2 whilst section 1 outlined all policies within the jurisdiction of the NDP.

Section 1 now contained 3 Housing Policies, 4 Open Spaces Policies, and 1 Heritage and Conservation Policy

Section 2 contained aspirations relating to

Improving parking

Reducing traffic congestion

Improving public transport

modernising and improve sewerage and drainage

Provision of primary and secondary school places

Provision of Health care

Improving senior citizens centre and Community care provision

improving recreational facilities and playgrounds

Improving indoor sport and fitness facilities

Providing new performance venue

Improving mobile signal, internet and broadband access.

This culminated in NDP Version 5 produced in January 2017. This formed the basis of a Residents Questionnaire which was devised specifically to test reactions to the policies and their wording, and also to test the priorities for the Community Aspirations. Free comment was also invited on all issues.

The questionnaire was launched in February 2017. It was delivered to every household in Melbourne and Kings Newton. In addition the survey was posted

online. Residents were given 6 weeks until the end of March for consultation to comment on the draft policies. The questionnaire was publicised in the Village Voice newspaper. In addition residents were invited via the questionnaire to refer to NDP Draft 5 which was posted on the Parish Council website and was available as a hard copy in the library.

There were 573 usable completed questionnaires (60% paper 32% online)

All 573 were analysed and all written verbal feedback collated (CEF 8)

All policies were strongly endorsed, but modifications to the NDP draft 5 were made when verbal responses were taken into consideration.

NDP Version 6, the pre submission draft, was then produced and submitted to SDDC in August 2017.

SDDC Planning Department suggested further modifications which were incorporated into NDP Version 7. This was submitted to SDDC in March 2018.

4. On- going consultation with Public and Statutory Bodies

In addition to the engagement and consultation exercises with the community set out above, the NDP working group consulted frequently with SDDC . There were a series of meetings with SDDC throughout the formulation of the plan. These meetings took place in April, August and October 2015, January and October 2016 and May 2017. During these sessions we were kept informed of the progress of the Local Plan parts 1 and 2.

Members of the NDP working group attended all the relevant community consultations on Local Plan Part 1 and Part 2.

We were also ensuring that our policies were in harmony with those in the local plan.

We engaged Joe Dugdale of Rural Action Derbyshire for consultancy support and engagement. Joe delivered workshops in November 2014, May and November 2015, and was available for ongoing consultation

5. Consultation Statement- Compliance with Regulation 14

The NDP documentation including the NDP Version 7.0, the Consultation Statement, and map of the area covered by the NDP were submitted to SDDC on 5th March 2018. Subsequently SDDC provided suggestions on how to improve the clarity of the Consultation Statement in July 2018. These suggestions have been incorporated into the Consultation Statement.

It is recognised that further Consultation Statement revision may be necessary at subsequent stages of the process

South Derbyshire District Council have undertaken a Strategic Environmental Assessment (SEA) Screening Assessment. This confirms that a Strategic

Environmental Assessment is not required for the Parish of Melbourne Neighbourhood Development Plan. The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency). All have responded and none have suggested that the Plan would give rise to likely significant effects.

A Habitat Regulations Assessment (HRA) screening was also undertaken by South Derbyshire District Council. The screening exercise concluded that there were no European sites that would be affected by the proposals within the Parish of Melbourne Neighbourhood Development Plan.

Melbourne Parish Council undertook a Regulation 14 consultation from May 20 to July 2 2019. The delay was necessitated by a degree of misunderstanding between SDDC and the group and a veto on consultations during the annual Local Council elections .

There were no significant comments from residents or other statutory consultees , to the Regulation 14 consultation apart from the following:

Significant comments and recommendations on many policies were raised by SDDC in August 2019 and also by DCC in October 2019, in a very late response to the Consultation.,

It was clear from SDDC's comments that Rewriting certain elements of the NDP was necessary.

The group enlisted the help of Bryan Wolsey Dip TP, Dip Arch Cons, MRTPI (retired) (Retired Chartered Town Planner) to assist with this task. We agreed that points raised by DCC concerning matters such as the cycle network and elements of many of the community aspirations whilst being very helpful had not been raised in our own consultations , and would have necessitated significant repeat public consultation which the group were reluctant to undertake at this stage after so many delays. We therefore decided not to incorporate those comments.

All comments raised by SDDC have been considered, and we have modified our policies according to their suggestions. These are captured in the rewritten version of the Plan (Version 9)

Policy DP1 Infill

This policy was reworded in a more positive way. We are clear that by encouraging infill rather building on green fields, we are contributing in a positive way to future development within South Derbyshire , whilst retaining the character of Melbourne and Kings Newton. The two villages had already absorbed 130 houses between 20011-2015 and there are further 185 which have already been granted planning permission.

Policy DP2 Separation Policy

This policy was strengthened by adding the Planning Inspector's Appeal Decision concerning a proposed development in Jawbone Lane in which he refers to the importance of the separation of Melbourne and Kings Newton. This is as set out in Appendix 10

We also added Appendix 13 which sets out the SDDC Character Statements of the three Conservation areas. This is to emphasise the different characteristics of the two settlements, and in particular the significance of historic buildings and archaeological remains in King's Newton

Policy DP3 Three bedrooms or fewer

This policy has been reworded to take account of SDDC's concerns, but there was strong feeling it should remain with its aim intact, as a testimony to the group's desire to influence development to meet the needs of different groups of local residents. This would include first time buyers and people wishing to downsize and would mean building more affordable housing and avoid building even more executive homes.

Policy OS1

We have reworded the policy to conform with BNE8 as proposed by SDDC

The bowling green by the Senior Citizens centre was in our original list of proposed green spaces, but was removed from the SDDC list recently following a request to the landowner.

Policy OS2

We have made changes to the wording to reflect comments made by SDDC

Policy OS3

This has been reworded to reference BNE3 and BNE7 in the local plan

Policy OS4

The wording has been improved and the policy strengthened to respond to SDDC's comments

Version 9 was submitted to SDDC August 2020. Further comments were received.

In the light of the SDDC adopted Local Green Spaces plan, and in conjunction with SDDC, in January/February 2021 modifications were made to Appendix 8 and the list of Local Open Green Spaces in NDP version 9 to align with SDDC policy documents. This resulted in NDP version 10 being produced in April 2021

A repeat screening determination for SEA (Strategic Environmental Assessment) and Habitats Regulation Assessment (HAS) was made by SDDC in the light of the

changes made to the Plan. This again confirmed that these were not necessary for Melbourne Parish NDP.

6. Conclusions

An extensive and thorough consultation process has been undertaken by the Melbourne NDP group over the last 5 and half years. There have been numerous delays and nine iterations prior to the current NDP version 10.

The information and evidence gathered has been used in the creation of our NDP.



South Derbyshire District Council,
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH.

By Email Only

Phone (01283) 595743
Typetalk 18001
DX 23912 Swadlincote
steffan.saunders@southderbyshire.gov.uk

Our Ref: Melbourne SEA/AA/scr2ke
Your Ref

21st April 2021

Dear Sir/Madam

MELBOURNE NEIGHBOURHOOD PLAN. SEA AND HRA (APPROPRIATE ASSESSMENT) SCREENING DETERMINATION

South Derbyshire District Council (hereafter the Council) is a responsible authority for deciding whether local development plans should be subject to various forms of environmental assessment during their preparation. This includes Neighbourhood Development Plans (NDPs).

Having previously screened whether or not there was a need to undertake a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Appropriate Assessment alongside the preparation of the Melbourne NDP it was determined by the Council that the Melbourne NDP did not need to be subject to a SEA or HRA Appropriate Assessment. The version of the Melbourne NDP which was used to carry out the initial screening exercise was version 0.7 which is dated December 2018.

Before making its determination, a draft of the screening report prepared by the Council was consulted upon in November and December 2018. During this consultation, the statutory Consultation Bodies were asked whether SEA or further HRA would be required in preparing the NDP. All responded confirming that SEA and HRA Appropriate Assessment would not need to be undertaken in preparing the NDP given the scope of the Plan. An SEA and HRA Determination Statement was subsequently issued by the Council to comply with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. This Determination Statement confirmed that further Strategic Environmental Assessment or Habitat Regulations Assessment was not required.



However, since 2018 preparation of the Melbourne NDP has continued, and a number of amendments have been made to the NDP previously screened for SEA and HRA. The most recent version of the Plan is version 0.10 dated March 2021. It is understood by the Council that this is the version of the Melbourne NDP to be submitted to Examination. Given the changes made to the emerging NDP since December 2018, the Council considered it prudent to review the changes in order to ensure that the previously issued SEA and HRA screening Determination Statement remains adequate.

A line by line assessment of version 0.7 and version 0.10 of the Plan has been undertaken by officers of the Council and the key differences between the two versions of the Plan identified. Following this exercise, I can confirm that the Council considers the changes proposed to the Melbourne NDP to be limited in scope and trivial in significance. For this reason, it is not considered necessary to reconsult the statutory Consultation Bodies, or the undertake any further assessment or reassessment of the Plan. We are therefore satisfied that the SEA and HRA Screening Assessments remain adequate and that the revised NDP would have no likely effects (significant or otherwise) on the environment including any areas protected pursuant to the Habitats Directive and the Birds Directive.

I trust this information is useful. Please feel free to contact me directly should you require any further assistance in respect of this matter.

Yours Faithfully

Steffan Saunders
Head of Planning and Strategic Housing

Addendum to Screening Determination

A line-by-line assessment of the previously screened Melbourne Neighbourhood Development Plan (NDP) (Version 0.7 dated December 2018) and version issued to the Council dated March 2021 (version 0.10) has been undertaken to understand the nature and significance of the changes made to the Melbourne NDP over the intervening period. Whilst it is evident some changes have been made, these are for the most part trivial and following consideration it is concluded that they would have no effect on the findings of the SEA and HRA screening assessment previously published.

The most notable changes to the NDP relate to two specific policies: DP2 (formerly HP2) and OS1. Proposals are made to amend the actual policy wording of both of these policies. These are considered in greater depth below:

POLICY DP2 (FORMERLY HP2)

Version 0.7 of the NDP included the following policy wording:

DP1: MAINTAIN THE SEPARATION BETWEEN MELBOURNE AND KINGS NEWTON

In the updated version of the plan this policy and been extended as follows:

DP2: MAINTAIN THE SEPARATION BETWEEN MELBOURNE AND KINGS NEWTON: DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD ADVERSELY AFFECT OR DIMINISH THE PRESENT OPEN AND UNDEVELOPED CHARACTER OF THE AREA OF SEPARATION LYING BETWEEN MELBOURNE AND KINGS NEWTON, AS SHOWN AND IDENTIFIED ON THE MAP ATTACHED AT PARA 8.4.2. APPROPRIATE USES IN THE AREA OF SEPARATION ARE AGRICULTURE, FORESTRY, MINERALS EXTRACTION AND OUTDOOR SPORT AND RECREATION USES. ANY BUILT DEVELOPMENT PERMITTED WITHIN THE AREA OF SEPARATION WILL BE LIMITED TO MINOR STRUCTURES AND FACILITIES WHICH ARE STRICTLY ANCILLARY TO THE USE OF THE LAND FOR THESE PURPOSES.

Comments

Whilst on the face of it this may look like a substantive change, the proposed amendment amounts to a clarification of the policy rather than notable change in policy direction. The amended wording explains the types of development which may be appropriate outside of settlement boundaries within the countryside. This amendment better reflects the Framework and the policies included in the Adopted Local Plan (i.e. Policy BNE5, BNE6 etc). However, given the existence of existing policies such development would most likely still come forward. A fact reflected in the Screening Assessment issued in December 2018 which stated:

*This policy seeks to restrict development in an area of land in the vicinity of Jawbone Lane Melbourne. In identifying settlement boundaries in the South Derbyshire Local Plan and setting out a restrictive policy to control development outside of settlement boundaries (which this area is) HP2 therefore seeks to provide protection to an area already identified as not suitable for development within the Plan period except in exceptional circumstances. Again therefore, this policy is unlikely to lead to a significantly different policy approach in dealing with this area, although like policy HP1 represents a **very limited** strengthening of the Council's existing planning policy in relation to land outside of settlement boundaries between Kings Newton and Melbourne. No likely significant effects identified. (Emphasis added.)*

Having reviewed the updated policy wording and considered the previously issued screening assessment I remain satisfied that this remains accurate and describes the likely effects of this policy. No changes to the screening assessment are required.

POLICY OS1

Version 0.7 of the NDP included the following policy wording:

OS1: DEVELOPMENT OF THE 8 AREAS OF LOCAL GREEN SPACE WILL NOT BE SUPPORTED

In the updated version of the plan this policy and been amended to:

OS1: DEVELOPMENT OF THE IDENTIFIED AREAS OF LOCAL GREEN SPACE WILL BE RESISTED

Comments

Whilst there are clearly some changes to the policy to reflect the updated position regarding Local Green Spaces in South Derbyshire, (resulting from the Council's preparation of the Local Green Spaces Plan), the policy remains substantially the same in the updated NDP, though the change in language from 'will not be supported' to 'will be resisted' is worth highlighting. However, this change in wording will not materially alter the level of protection afforded Local Green Space sites which are protected by the Framework as if they are Green Belt.

In outlining the likely significant effect of this policy in the screening assessment the following was noted:

This policy significantly overlaps with the District Council's Local Green Spaces Plan which identifies local green spaces across the whole of South Derbyshire. Local green spaces are limited in extent and would be unlikely to give rise to significant environmental or community impacts. Moreover, designation would limit likely development on sites.

Having reviewed this assessment, it is considered to remain accurate and describes the likely effects of this policy. Changes to the assessment to reflect the amendments to the NDP are not required. Moreover, the changes to the NDP now being proposed simply bring the NDP into alignment with the South Derbyshire Local Green Spaces Plan. Nonetheless, there are four additional sites proposed through the NDP, however having reviewed these, three are cemeteries and so would be protected by INF9 in the South Derbyshire Local Plan

Part 1. The other is a Local Wildlife Site and so would be protected by policy BNE4. In essence the additional designations proposed would be unlikely to deliver any notable protection given the policy protection they already receive within the wider development Plan.

14/04/2021

Parish of Melbourne Parish Council Neighbourhood

Development Plan 2016 - 2028

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

December 2018

Contents

1.0 Introduction

2.0 Scope of the Melbourne Parish Council Neighbourhood Development Plan

3.0 Strategic Environmental Assessment Screening

4.0 Habitats Regulations Assessment Screening

5.0 Conclusions

Appendix 1: Appraisal of Proposed Neighbourhood Development Plan Policies

Appendix 2: Map of International Sites within and around South Derbyshire District

Appendix 3: Assessment of Likely Effects of the Plan on the River Mease SAC

1.0 Introduction.

- 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 Neighbourhood Development Plan for the Parish of Melbourne, South Derbyshire. This statement also sets out the Council's determination as to whether Appropriate Assessment is required under Regulation 102 of the Conservation of Habitats & Species Regulations 2010 (as amended).

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 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 was considered that the Neighbourhood Development Plan could be 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.

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 is set out within the EC Habitats Directive 92/43/EC and transposed into British Law by Regulation 102 of the Conservation of Habitats and Species Regulations (2010) as amended, the 'Habitats Regulations'. In accordance with Article 6 of the Habitats Directive (92/43/EEC) and Regulation 102 of the Habitats Regulations, the Council must determine if a plan requires Appropriate Assessment. Section 4 of this report deals with the need for Habitats Regulations Assessment.

2.0 Scope of Melbourne Neighbourhood Development Plan (2016-28)

South Derbyshire District Council designated a Neighbourhood Area for the whole of Melbourne Parish on 29 January 2015 as illustrated in Figure 1 below. The villages of Melbourne and Kings Newton are located within this area. The Parish of Melbourne Neighbourhood Development Plan is being prepared by the community through the Neighbourhood Plan Working Group supported by the Parish Council.

Figure 1 Extent of Neighbourhood Area for Melbourne NDP



- 2.1 This screening is based on Draft Version 0.7 of the Plan (dated March 2018). The Draft Plan includes policies that will inform decision making in the villages of Melbourne and Kings Newton and other areas in the plan area in respect of:
- Housing
 - Open Spaces
 - Heritage and Conservation
- 2.2 In addition to the identified policies the NDP also considers a number of community aspirations. The Plan does not set out policies in respect of these aspirations but rather highlights issues of concern or interest to the local community identified during consultations to inform the preparation of the Plan.
- 2.3 The Plan does not allocate any specific housing or employment sites and is mostly concerned with more detailed matters such as the size of new homes, the delivery of homes for the young and the elderly, and protecting local landscape and townscape character including by restricting new growth to within the settlement boundary proposed through the South Derbyshire Part 2 Local Plan for the two villages.

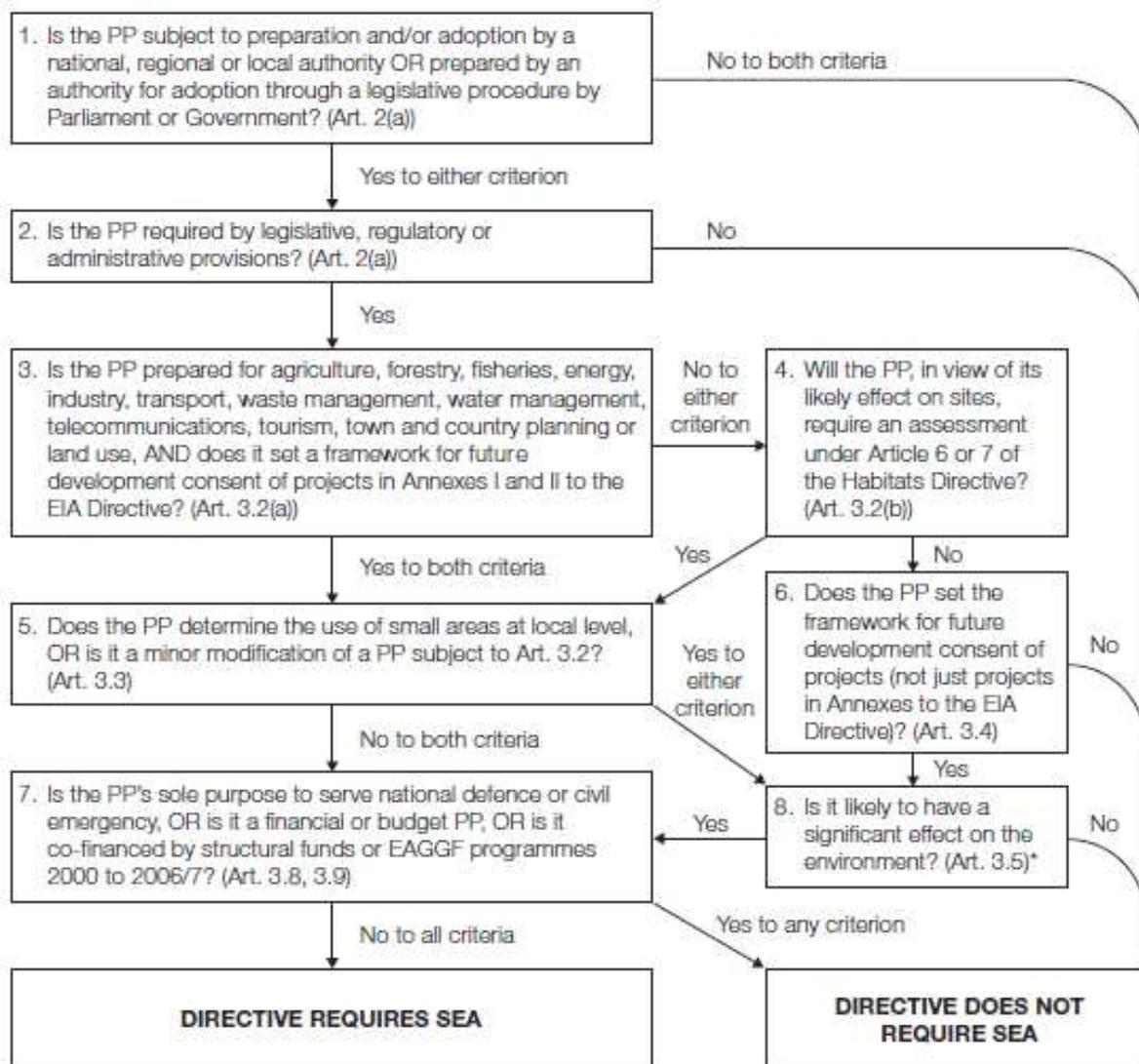
3.0 Strategic Environmental Assessment (SEA) Screening

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 (Natural England, Historic England and the Environment Agency) 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 Monday 12th November 2018 and Monday 3rd December 2018. The comments received back from the Consultation Bodies are to be included in this final version of the Screening Report (this document) and will be published alongside any future 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 legislative requirements and is subject to independent examination and local referendum and subject to the outcome of those will be 'made' by the Council. Once made the Plan will form part of the statutory development plan. |

| | | |
|---|------------------|---|
| <p>2. Is the PP required by legislative, regulatory or administrative provisions? ((Art. 2 (a))</p> | <p>Yes</p> | <p>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.</p> |
| <p>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))</p> | <p>Yes</p> | <p>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 Melbourne Parish area, including Infrastructure development which may fall under Annex 1 and Annex II of the EIA Directive.</p> |
| <p>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))</p> | <p>Yes</p> | <p>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.</p> |
| <p>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)</p> | <p>Yes</p> | <p>The NDP will cover the Parish of Melbourne only and hence will determine the use of small areas at a local level.</p> |
| <p>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)</p> | <p>Yes</p> | <p>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, forms part of the framework for future developments at a local level.</p> |
| <p>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)</p> | <p>No</p> | <p>The NDP does not deal with these issues.</p> |
| <p>8. Is it likely to have a significant effect on the environment? (Art.3.5)</p> | <p>Uncertain</p> | <p>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).</p> |

3.6 The conclusion of the assessment in Table 1 is that depending on the content of the Neighbourhood Development Plan, an SEA may be required. For this reason a specific assessment of the Melbourne 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 (including policies set out therein) have been assessed against the criteria set out in annex 2 of the SEA Directive (See appendix 1). 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: Comments on likely significant effects

| 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 local policy framework for development proposals. It includes detail on the locations where new housing development should be accommodated (i.e. within the existing built framework only), the scale or mix of new homes and the need to protect the separation between the Villages of Melbourne and Kings Newton. These housing policies are broadly in line with the policies included in the South Derbyshire Adopted Plan. The Plan also includes a policy to ensure all infill in the settlement boundary consists of homes of 3 or fewer bedrooms. The Plan identifies a number of local green spaces and policy to protect these from development as well as wider open space policy to protect public rights of way and greenways, protect and enhance biodiversity and preserve best and most versatile agricultural land. In addition the NDP contains a single heritage policy to ‘preserve the historical and cultural heritage assets including Conservation Areas’. However these policies reflect guidance already contained within adopted policies included in the Part 1 and Part 2 Local Plans which have been subject to SEA and would anyway influence decision making in the absence of the Plan being prepared. |
| 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 and the Part 2 Local 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. |

| | | |
|--|-----------|--|
| <p>1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p> | <p>No</p> | <p>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. The NDP provides specific detail regarding identifying Local Green Spaces in the Parish (as required by BNE8 of the Part 2 Local Plan and as set out in the emerging Draft South Derbyshire Local Green Spaces Plan), protecting public rights of way and greenways (as required in Policy INF2 of the Part 1 Local Plan), protecting and enhancing Biodiversity (as required in BNE3 of the Part 1 Local Plan) and the preservation of best and most versatile agricultural land as required in policy BNE4 of the Adopted Part 1 Local Plan. In addition the NDP contains a single heritage policy to ‘preserve the historical and cultural heritage assets and the existing Conservation Areas’. Again, this mirrors the requirements of Policy BNE2 (Heritage Assets) and BNE 10 (Heritage) included in the Adopted Part 1 and Part 2 Local Plan.</p> |
| <p>1d) environmental problems relevant to the plan or programme:</p> | <p>No</p> | <p>The Plan does not allocate any development sites that would 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. Moreover development that is proposed in Melbourne Parish up to 2028 through the South Derbyshire Local Plan has been subject to Sustainability Appraisal (including SEA). This document does however seek to designate a limited number of local green spaces, although these significantly overlap with those being brought forward by the District Council in its draft Local Green Spaces Plan. This Plan (whilst in draft form) has been subject to sustainability appraisal and this concludes that designation of such spaces would safeguard green areas of importance to local communities from development and hence would ensure that development on these could not give rise to likely significant effects.</p> |
| <p>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).</p> | <p>No</p> | <p>The Plan is not directly relevant to the implementation of Community legislation and does not allocate potentially polluting development.</p> |

| 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 policies proposed, their conformity with existing policy provisions included in the South Derbyshire Local Plan documents and the limited extent of potential developments (including across Melbourne Parish and in surrounding areas) that could come forward given the provisions of the development plan as a whole to 2028. |
| 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. |
| 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 Melbourne Parish only. This includes the villages of Melbourne and Kings Newton and outlying areas as illustrated in Figure 1. The Parish has a population of around 4,800 residents (around 5% of the District) living in 2045 households at 2011 and the Plan will inform development decisions only within this area. |
| 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 | Both Melbourne and Kings Newton have conservation areas covering much of the settlements. A further conservation area covering the small hamlet of Woodhouses 500m south of Melbourne and stretching up as far as Melbourne is also located within the area. Within Melbourne there is a significant assemblage of listed buildings as well as Melbourne Hall Park and Garden and a Scheduled Ancient Monument within the historic core. Indeed the Melbourne Conservation Area Character Statement notes that the village is one of the best-preserved historic settlements in Derbyshire. Kings Newton is much smaller than Melbourne to the South and has a number of listed buildings strung out along Main Street and Trent Lane and whilst there remains a strong functional relationship between the two settlements is separated from Melbourne by a small number of fields. |

Both Settlements retain much of their historic character although Melbourne has seen significant growth during the 20th and 21st centuries. New housing allocations proposed through the adopted Local Plans are separated from the historic core of the village by more recent housing and the Part 2 Local Plan includes settlement boundaries and policy to restrict development to locations within the village boundaries except in exceptional circumstances. Policies included in the NDP seek to slightly strengthen these policy protections. Given that the NDP does not include any housing allocations and considering existing heritage policies included in the Local Plan it is unlikely that it will have any significant effects on areas of cultural heritage which have a recognised national, community or international protection status.

There are a number of Local Wildlife Sites located in Melbourne Parish although these are unlikely to be affected by the proposals 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 through designation as a local greenspace. However given the relative lack of significance of these sites in biodiversity terms it is unlikely that these would significantly affect environmental quality in respect of biodiversity. The NDP also seeks to support proposals that protect and enhance biodiversity (Policy OS3), although it is likely that Policy BNE3 (biodiversity) included in the Adopted Part 1 Local Plan will provide more comprehensive support towards development that could protect, enhance, restore or manage sites of biodiversity interest.

There are no air quality management areas in the Parish and 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 the Carr Brook catchment was identified as having an overall water quality status of 'moderate' in respect of its ecological status when surveyed in 2015 and 'good' in respect of its chemical status and will need to reach a 'good' standard by 2027 in respect of its ecological condition.

Given the scope and detail of the plan it is highly unlikely to lead to an intensification of land use

| | | |
|---|----|---|
| g) the effects on areas of landscapes which have a recognised national, community or international protection status. | No | There are no national or local landscape designations in the Parish. The Plan does however include policies to try and conserve local landscape and townscape character and whilst no significant development is allocated or supported through the NDP the policies it contains could provide limited benefits in respect of conserving local landscape and townscape value for instance by seeking to restrict development between Melbourne and Kings Newton outside of the settlement Boundary for the villages (although such restrictions on growth outside of settlement boundaries are already set out in the emerging Part 2 Local Plan. |
|---|----|---|

Screening Outcomes

3.8 Having reviewed the criteria, the Council has concluded that the emerging Melbourne Neighbourhood Development Plan (2016-2028) 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 does not include any housing or employment land allocations and largely reflects policies already included in the Adopted Part 1 and Part 2 Local Plans and the emerging Local Green Spaces Plan.
- Both the Part 1 and Part 2 Local Plans and Local Green Spaces Plan 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 for Melbourne Parish 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.

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. 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 Parish of Melbourne Neighbourhood Development Plan once adopted will form part of the Development Plan for South Derbyshire, and will be in conformity with the strategic policies in the adopted Local Plan for the District. The Adopted Part 1 Local Plan and Part 2 Local Plan have been subject to a Habitat Regulations Screening Assessment.

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 2: These included:

- The River Mease (within District)
- West Midlands Mosses (10km from closest District Boundary)
- Bees Nests and Green Clay Pits (16.5km from Closest District Boundary)
- Peak District Dales (17.0km from Closest District Boundary)
- Gang Mine (17.0km from Closest District Boundary)
- Pasturefields Salt Marsh (18.5km from Closest District Boundary)
- Cannock Chase (20.0km from Closest District Boundary)

4.6 In reviewing the likely effects of the Local Plan on identified International sites significant effects were discounted on all sites located outside of South Derbyshire. This view had been formed having reviewed the Conservation Objectives for the sites and the location of development proposed in the District.

- 4.7 In respect of the River Mease SAC the HRA Screening Assessment for the Part 1 Local Plan stated:

There are no development site proposals included in the Plan within or adjacent to the River Mease SAC, and no sites within the wider catchment of the River Mease. The Plan will therefore not contribute towards foul water discharges to waste water treatments works in the catchment (Overseal, Netherseal or Smisby) or surface water discharges from new homes, employment sites or transport infrastructure.

The Plan will therefore not contribute towards siltation effects, urban diffuse pollution or foul water flows into the River. The Plan will also have no effect in respect of invasive freshwater species or agricultural runoff. In respect of water abstraction within the catchment abstraction in the River have been subject to a review of consents and sustainability reductions delivered to ensure abstractions do not affect the integrity of the site. Further licenses in the catchment would be strictly controlled by the Environment Agency and only permitted where it can be demonstrated that they would not affect the integrity of the site.

The Part 1 Local Plan will have no effect on the SAC

- 4.8 The Habitat Regulations Assessment Screening Assessment is available to view on the Council's website [here](#).
- 4.9 The Part 2 Local Plan Habitat Regulations Screening Assessment has similarly considered the likely effects of the non-strategic allocations (including two housing allocations within the Mease Catchment at Overseal) as well as non-strategic policies included in the Local Plan. This assessment concluded that the Plan would not lead to likely significant effects either alone or in combination with proposals in other emerging plans or programmes. The Habitat Regulations Screening Assessment is available to view on the Council's website [here](#)
- 4.10 Given that The Neighbourhood Development Plan for Melbourne Parish does not allocate any sites for development it is unlikely that it would have any effect on International sites having regard to their conservation objectives of the identified sites, the distance of the Parish from international sites, particularly those located outside of the District which are all in excess of 20km distance and nature and scale of potential development that would be supported in the NDP. However limited further consideration of the conservation objective and the potential of the NDP to affect the River Mease SAC which is located within South Derbyshire is set out at appendix 2. This, however concludes that a plan covering the Melbourne area will have no effect on the SAC.
- 4.11 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

Strategic Environmental Assessment

- 5.1 On the basis of the SEA Screening Assessment set out in Table 2 above, it is concluded that Melbourne Parish Neighbourhood Development Plan will not have significant effects in relation to any of the criteria set out in 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 European sites within and around South Derbyshire District, due to the implementation of the Neighbourhood Development Plan. As such the will not require a full HRA to be undertaken.
- 5.3 Consultation responses were received from all three bodies and these are shown in the following Appendices 1-3.

Appendix 1: Appraisal of Melbourne Neighbourhood Development Plan Policies

ANNEX II

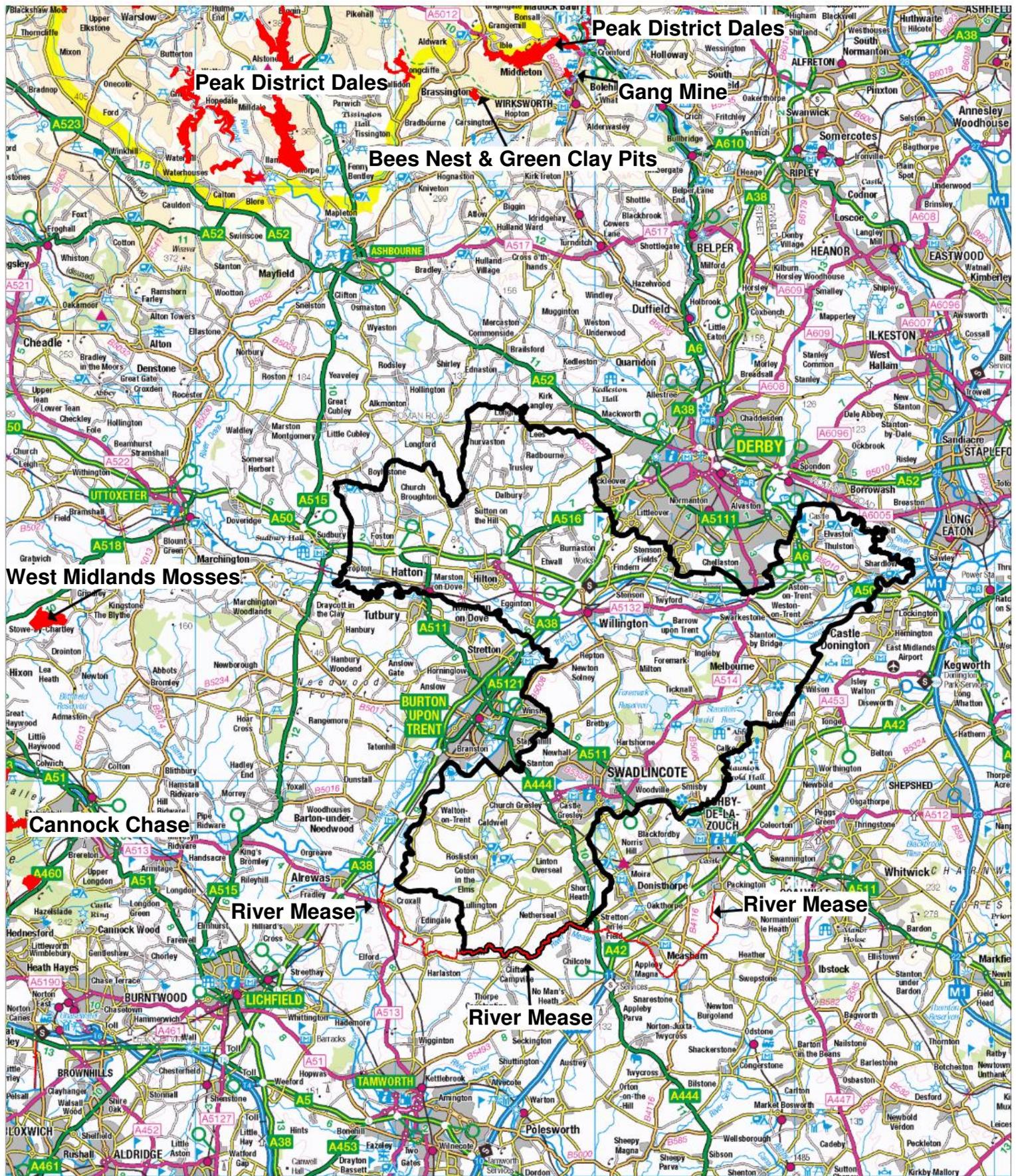
Criteria for determining the likely significance of effects referred to in Article 3(5)

1. The characteristics of plans and programmes, having regard, in particular, to
 - 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,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

| NDP Policy Number | Policy wording | Likely significant effects on the environment as a result of inclusion of policy in Plan? |
|-------------------------|---|--|
| Housing Policies | | |
| Policy HP1 | Development will be 'Infill' only within the Settlement Boundaries of the village | This policy is similar in function to policy BNE5 (development in rural areas) included in the South Derbyshire Part 2 Local Plan. This policy seeks restrict development (not allocated through the Local Plan) to infill which is in keeping with the character of locality, although BNE5 does make provision for limited development outside of limits in exceptional circumstances which HP1 does not consider and as such this policy may represent a limited tightening of policy relating to housing development in Melbourne and surrounding areas. However given that existing policy would restrict new housing in the Plan area to infill and limited exceptional development this policy would not give rise to any likely significant effects. |

| | | |
|-----------------------------|--|--|
| Policy HP2 | Maintain the separation between Melbourne and Kings Newton | This policy seeks to restrict development in an area of land in the vicinity of Jawbone Lane Melbourne. In identifying settlement boundaries in the South Derbyshire Local Plan and setting out a restrictive policy to control development outside of settlement boundaries (which this area is) HP2 therefore seeks to provide protection to an area already identified as not suitable for development within the Plan period except in exceptional circumstances. Again therefore, this policy is unlikely to lead to a significantly different policy approach in dealing with this area, although like policy HP1 represents a very limited strengthening of the Council's existing planning policy in relation to land outside of settlement boundaries between Kings Newton and Melbourne. No likely significant effects identified. |
| Policy HP3 | Proposals for development of dwellings within the Settlement Boundaries will be supported if they have 3 bedrooms or fewer, which means that any 'infill' will be for new starter homes and for downsizing rather than for large 'executive homes' | This policy sets out an intention to restrict the mix of homes emphasising the need for smaller properties. Actual housing need for the District is already being met by site designations in Melbourne and elsewhere in the District. On this basis it is likely this policy would only apply to limited number of windfall developments. On this basis this policy is unlikely to lead to any likely significant effects in respect of meeting local housing needs. |
| Open Spaces Policies | | |
| Policy OS1 | Development of the 8 areas of Local Green Space will not be supported. | This policy significantly overlaps with the District Council's Local Green Spaces Plan which identifies local green spaces across the whole of South Derbyshire. Local Green spaces are limited in extent and would be unlikely to give rise to significant environmental or community impacts. Moreover designation would limit likely development on sites. |
| Policy OS2 | Protection from development for footpaths, public rights of way and greenways | Existing legislation already protects public footpaths and public rights of way. Moreover Policy INF2 (B) included in the Local Plan Part 1 seeks to expand, improve and protect walking and cycling networks including public rights of way, cycle routes and greenways. Given no development allocations are included in the NDP policy is unlikely to give rise to effects materially different to those already considered in the Sustainability Appraisals undertaken in preparing the South Derbyshire Local Plan. |

| | | |
|---|---|---|
| Policy OS3 | Developments which protect and enhance biodiversity will be supported. | Policy is similar to BNE3 of the Part 1 Local Plan that seeks to support development that contributes to the protection, enhancement and management and restoration of biodiversity and geodiversity. Given no development allocations are included in the NDP policy is unlikely to give rise to effects materially different to those already considered in the Sustainability Appraisals undertaken in preparing the South Derbyshire Local Plan. |
| Policy OS4 | The preservation of Grade 1, 2 and 3a agricultural land will be supported | Policy is similar to BNE4 of the Part 1 Local Plan that seeks to protect soils that are identified as Best and Most versatile (grades 1, 2 and 3a in the agricultural land classification). Given no development allocations are included in the NDP policy is unlikely to give rise to effects materially different to those already considered in the Sustainability Appraisals undertaken in preparing the South Derbyshire Local Plan. |
| Heritage and Conservation Policy | | |
| Policy HC1 | Preservation of the historical and cultural Heritage Assets and the existing Conservation areas will be supported | This policy seeks to resist development that would have a damaging impact on the conservation areas, listed buildings and other heritage assets or there setting. It also seeks the use building materials which blend in with the existing architecture of the villages This policy reflects the NPPF and SDDC Local Plan Part 1 (BNE2) Part 2 Policy BNE10 and in the Council's adopted Design SPD all of which have been subject to SA. Given no development allocations are included in the NDP policy is unlikely given the scale of likely future development and the existing policy backdrop to give rise to effects different to those which would occur in the absence of the Plan. |



Page left intentionally blank

Appendix 3: Assessment of Likely Effects of the Plan on the River Mease SAC.

Background

Rising in the Coal Measures of north-west Leicestershire, the River Mease flows approximately 25 kilometres westwards across a largely rural and agricultural landscape to its confluence with the River Trent at Croxall. As a relatively un-modified lowland river, the River Mease contains a diverse range of physical in-channel features, including riffles, pools, slacks, vegetated channel margins and bankside tree cover, which provide the conditions necessary to sustain populations of spined loach *Cobitis taenia*, bullhead *Cottus gobio*, freshwater white-clawed crayfish *Austropotamobius pallipes* and otter *Lutra lutra*.

The head of the site includes the lower reaches of the Gilwiskaw Brook which flows along a steep gradient. Due to the fast-flowing nature of the river, aquatic vegetation is sparse and marginal vegetation restricted to stands of floating sweet-grass *Glyceria fluitans* but these sections provide valuable habitat for bullhead, which favours clean coarse gravels for spawning. Populations of bullhead also occur in the lower reaches of the Mease where river substrates are finer but woody debris lying within the river channel becomes more important in providing suitable breeding habitat.

Below Snarestone the descent becomes more gradual and the river enters a broad lowland floodplain. These middle reaches of the River Mease provide excellent habitat for spined loach *Cobitis taenia*. This largely sedentary fish is closely associated with the open sandy substrates of the river bed which act as important feeding and spawning grounds. Refuges from predators and strong river flows are very important and are provided by aquatic and marginal vegetation within the river channel.

Stands of marginal vegetation are typically dominated by common club-rush *Schoenoplectus lacustris*, floating sweet-grass, reed canary-grass *Phalaris arundinacea*, branched bur-reed *Sparganium erectum*, greater pond sedge *Carex riparia* and bulrush *Typha latifolia*. Submerged aquatic vegetation becomes more varied on the lower reaches of the river with river water-crowfoot *Ranunculus fluitans*, common water-crowfoot *R. aquatilis*, blunt-leaved pondweed *Potamogeton obtusifolius*, fennel pondweed *P. pectinatus*, arrowhead *Sagittaria sagittifolia* and yellow water-lily *Nuphar lutea* becoming increasingly frequent.

Bankside tree cover is very variable but an important feature of the river channel as submerged root systems of larger trees provide important in-channel cover for fish and provide woody debris to the watercourse in the form of fallen branches.

Conservation Objectives for the River Mease SAC

With regard to the SAC and the natural habitats and/or species for which the site has been designated ('the Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

This document should be read in conjunction with the accompanying *Supplementary Advice* document which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

H3260. Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation; Rivers with floating vegetation often dominated by water-crowfoot

S1092. *Austropotamobius pallipes*; White-clawed (or Atlantic stream) crayfish

S1149. *Cobitis taenia*; Spined loach

S1163. *Cottus gobio*; Bullhead

S1355. *Lutra lutra*; Otter

The District Council has reviewed the potential for the Melbourne Neighbourhood Plan to affect the Conservation Objectives for the River Mease SAC. In doing so a number of documents or resources have been reviewed including:

- River Mease SAC Conservation Objectives Supplementary Advice, (June 2016)
- Site Improvement Plan: River Mease (SIP 196) June 2016

Having reviewed the above documents it is clear that key to achieving the Conservation Objectives of this site relate to water pollution including that related to point source and diffuse pollution associated with foul and surface water flows associated with development; drainage; inappropriate weirs, dams and other structures; water abstraction, invasive species and siltation.

However development outside of the river mease catchment would not lead to changes in surface water flows or foul flows on the SAC. Melbourne is located around 12km to the north of the catchment and located within the catchment of Carr Brook (New Brook from Source to Ramsley Brook). Moreover given the distance of Plan from the SAC it will have no impact in respect of siltation, inappropriate weirs, structures and dams, invasive species or water abstraction.

| River Mease | water pollution | drainage | inappropriate weirs, dams and other structures | water abstraction, | invasive species | siltation |
|-------------------------|--|----------|--|--------------------|------------------|-----------|
| Plan effect likely? | No | No | No | No | No | No |
| Effects in Combination? | None | None | None | None | None | None |
| Significance of effects | The Plan is located a significant distance to the north of the catchment of the River Mease and will have no effects in respect of drainage, water pollution, siltation or in respect of onsite issues such as inappropriate structures or invasive species. No effects likely. | | | | | |

RE: Melbourne Neighbourhood Development Plan (reconsultation) - Message (HTML)

From: Planning, Lower Trent <planning.trentside@environment-agency.gov.uk>
To: Ealey Kevin
Subject: RE: Melbourne Neighbourhood Development Plan (reconsultation)

Hi Kevin,

Thanks for the consultation. We don't usually comment on the requirement for a SEA report. As no housing allocations are proposed, we have no comments to make on this screening consultation.

Kind Regards,
Joe Drewry
Planning Specialist
Sustainable Places - East Midlands
Please note my new telephone number
Email: joe.drewry@environment-agency.gov.uk
External: 02030 253277, Internal: 53277

From: Exley Kevin [<mailto:Kevin.Exley@south-derbyshire.gov.uk>]
Sent: 09 November 2018 15:54
To: 'e-emids@HistoricEngland.org.uk' <e-emids@HistoricEngland.org.uk>; 'consultations@naturalengland.org.uk' <consultations@naturalengland.org.uk>; Planning, Lower Trent <planning.trentside@environment-agency.gov.uk>
Subject: Melbourne Neighbourhood Development Plan (reconsultation)

Please find enclosed screening determination which screen out the need for the Melbourne Neighbourhood Plan (South Derbyshire) which concludes that there is no requirement to undertake a strategic environmental assessment or Appropriate Assessment in respect of the Habitat Regulations Assessment

We are seeking confirmation that you agree with this Authorities determination by Monday 3rd December 2018.

Please note this is a reconsultation following changes to the NDP

Please feel free to contact me directly should you need further information,
Kind regards

Kevin Exley
Planning Policy Officer (Sustainability)
T: 01285 228717
www.south-derbyshire.gov.uk

Search cannot return results for this view. [Click here for more information.](#)

wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

Dawn Kinrade
Consultations Team



Historic England

EAST MIDLANDS OFFICE

Mr Kevin Exley
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Direct Dial: 01604 735460

Our ref: PL00098365

28 November 2018

Dear Mr Exley

MELBOURNE NEIGHBOURHOOD PLAN - SCREENING OPINION REQUEST

Thank you for your consultation request for a Screening Opinion in respect of the Melbourne 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], and on the basis the Plan does not allocate any new sites to those already considered as part of the Local Plan and its associated SA, 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,



2nd Floor, WINDSOR HOUSE, CLIFTONVILLE, NORTHAMPTON, NN1 5BE

Telephone 01604 735460
HistoricEngland.org.uk





Historic England

EAST MIDLANDS OFFICE

please do not hesitate to contact me.

Yours sincerely,

Rosamund Worrall
Historic Environment Planning Adviser
Rosamund.Worrall@HistoricEngland.org.uk



2nd Floor, WINDSOR HOUSE, CLIFTONVILLE, NORTHAMPTON, NN1 5BE

Telephone 01604 735460
HistoricEngland.org.uk



| | | |
|------------------------------------|--|----------------------------------|
| REPORT TO: | ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE | AGENDA ITEM: 7 |
| DATE OF MEETING: | 23rd SEPTEMBER 2021 | 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 – 23rd September 2021
Work Programme**

| Work Programme Area | Date of Committee meetings | Contact Officer (Contact details) |
|---|-----------------------------------|---|
| Reports Previously Considered by Last Three Committees | | |
| Corporate Plan 2020 - 2024: Performance Report Q3 | 4 th March 2021 | Clare Booth Corporate Performance & Policy Officer (01283) 595788 |
| Street Trading – Revision of Street Trading Policy | 4 th March 2021 | Nigel Marston Senior Licensing Officer (01283) 595716 |
| Safeguarding Training for Private Hire Drivers | 4 th March 2021 | Nigel Marston Senior Licensing Officer (01283) 595716 |
| Air Quality Strategy | 21 st April 2021 | Matt Holford Head of Environmental Services (01283) 595856 |
| Enforcement & Regulatory Annual Report | 27 th May 2021 | Matt Holford Head of Environmental Services (01283) 595856 |

| | | |
|--|------------------------------|---|
| Climate and Environmental Action Plan Annual Review | 27 th May 2021 | Matt Holford Head of Environmental Services (01283) 595856 |
| Derbyshire Strategic Planning Framework Statement of Common Ground | 27 th May 2021 | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Corporate Plan 2020-24 Performance Report Quarter 4 | 27 th May 2021 | Clare Booth Corporate Performance & Policy Officer (01283) 595788 |
| Local Environmental Quality Survey Results | 12 th August 2021 | Adrian Lowery Head of Operational Services (01283) 595764 |
| Corporate Plan 2020-24 Performance Report Quarter 1 | 12 th August 2021 | Clare Booth Corporate Performance & Policy Officer (01283) 595788 |
| Action Plan for Nature | 12 th August 2021 | Allison Thomas Strategic Director (Service Delivery) (01283) 595775 |
| Local Plan Part 1 – Five Year Review | 12 th August 2021 | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Climate and Environment Strategy and Summary and Summary Action Plan | 12 th August 2021 | Matt Holford Head of Environmental Services (01283) 595856 |

| | | |
|---|---------------------------------|---|
| Electric Vehicle Charge Point Infrastructure | 12 th August 2021 | Matt Holford Head of Environmental Services (01283) 595856 |
| Removal of Recycling Centres | 12 th August 2021 | Adrian Lowery Head of Operational Services (01283) 595764 |
| Department for Transport National Night Flight Policy Consultation | 12 th August 2021 | Richard Groves Planning Policy Officer (01283) 595738 |
| Provisional Programme of Reports To Be Considered by Committee | | |
| Melbourne Neighbourhood Development Plan Regulation 16 Consultation | 23 rd September 2021 | Clare Booth Corporate Performance & Policy Officer (01283) 595788 |
| Corporate Environmental Sustainability Group Activity | 11 th November 2021 | Matt Holford Head of Environmental Services (01283) 595856 |
| Corporate Plan 2020-24 Performance Report Quarter 2 | 11 th November 2021 | Clare Booth Corporate Performance & Policy Officer (01283) 595788 |
| Statement of Community Involvement | 11 th November 2021 | Karen Beavin Planning Policy Team Leader (01283) 595749 |

| | | |
|--|--------------------------------|---|
| Infrastructure Funding Statement | 11 th November 2021 | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Local Development Scheme | 11 th November 2021 | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Service Base Budgets 2022/23 | 3 rd January 2022 | Vicki Summerfield Head of Finance (01283) 595939 |
| Environmental Services - commercialisation business plan | 25 th January 2021 | Matt Holford Head of Environmental Services (01283) 595856 |
| Authority Monitoring Report | 25 th January 2021 | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Corporate Plan 2020-24 Performance Report Quarter 3 | 3 rd March 2022 | Clare Booth Corporate Performance & Policy Officer (01283) 595788 |
| East Midlands Airport Airspace Redesign Consultation (changing the flight paths) | TBC | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Gypsy and Traveller Accommodation Assessment Report | TBC | Karen Beavin Planning Policy Team Leader (01283) 595749 |

| | | |
|---------------------------------------|-----|---|
| S106 Developer Contributions Protocol | TBC | Karen Beavin Planning Policy Team Leader (01283) 595749 |
| Local Development Scheme | TBC | Karen Beavin Planning Policy Team Leader (01283) 595749 |