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Our Ref  
Your Ref

Date: 16 September 2020

Dear Councillor,

**Environmental and Development Services Committee**

A Meeting of the **Environmental and Development Services Committee** will be a **Virtual Committee**, held via Microsoft Teams on **Thursday, 24 September 2020 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

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

**Labour Group**

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



## **AGENDA**

### **Open to Public and Press**

- |           |  |                  |
|-----------|--|------------------|
| <b>1</b>  | Apologies and to note any Substitutes appointed for the Meeting.   |                  |
| <b>2</b>  | To note any declarations of interest arising from any items on the Agenda                                  |                  |
| <b>3</b>  | To receive any questions by members of the public pursuant to Council Procedure Rule No.10.                |                  |
| <b>4</b>  | To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.              |                  |
| <b>5</b>  | CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2020-2021 QUARTER 1 – 1 APRIL TO 30 JUNE)                       | <b>4 - 43</b>    |
| <b>6</b>  | LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY   | <b>44 - 72</b>   |
| <b>7</b>  | KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT  | <b>73 - 75</b>   |
| <b>8</b>  | CONSULTATION ON PLANNING WHITE PAPER - PLANNING FOR THE FUTURE   | <b>76 - 101</b>  |
| <b>9</b>  | ADOPTION OF LOCAL GREEN SPACES PLAN  | <b>102 - 578</b> |
| <b>10</b> | CHANGES TO THE CURRENT PLANNING SYSTEM' MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION | <b>579 - 603</b> |
| <b>11</b> | TRIAL OF POOL CAR ARRANGEMENTS WITH THE NHS  | <b>604 - 607</b> |
| <b>12</b> | BID FOR ELECTRIC VEHICLE RECHARGE POINTS   | <b>608 - 613</b> |
| <b>13</b> | COMMITTEE WORK PROGRAMME   | <b>614 - 620</b> |

### **Exclusion of the Public and Press:**

- 14** 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.
- 15** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 16** ADDITIONAL STAFFING REQUIREMENTS DUE TO COVID19

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	24 <sup>th</sup> SEPTEMBER 2020	CATEGORY: DELEGATED
REPORT FROM:	LEADERSHIP TEAM	OPEN DOC:
MEMBERS' CONTACT POINT:	FRANK MCARDLE (EXT. 5700) ALLISON THOMAS (EXT. 5775)	
SUBJECT:	CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2020-2021 QUARTER 1 – 1 APRIL TO 30 JUNE)	
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE: G

## 1.0 Recommendations

- 1.1 That the Committee considers progress against performance targets set out in the Corporate Plan 2020 - 2024.
- 1.2 That the Risk Register for the Committee's services are reviewed.

## 2.0 Purpose of the Report

- 2.1 To report progress against the Corporate Plan under the priorities of Our Environment, Our People and Our Future.

## 3.0 Executive summary

- 3.1 The Corporate Plan 2020 – 2024 was approved following extensive consultation into South Derbyshire's needs, categorising them under three key priorities: Our Environment, Our People and Our Future. The Corporate Plan is central to the Council's work – it sets out its values and vision for South Derbyshire and defines its priorities for delivering high-quality services.
- 3.2 This Committee is responsible for overseeing the delivery of the key priorities and the following key aims:

### **Our Environment**

- *Improve the environment of the District*
- *Tackle climate change*
- *Enhance the attractiveness of South Derbyshire*



## Our People

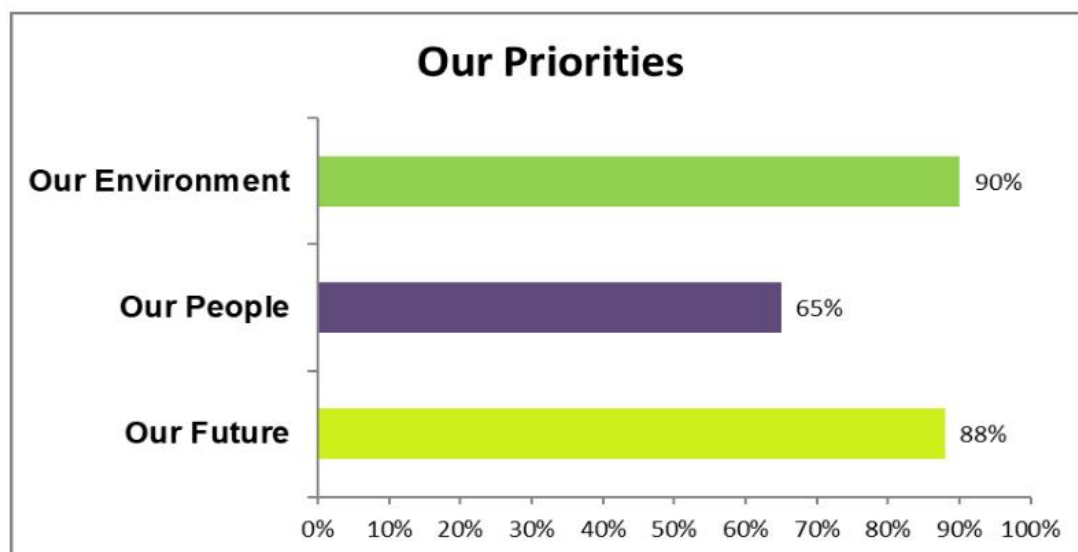
- *Supporting and safeguarding the most vulnerable*

## Our Future

- *Support economic growth and infrastructure*

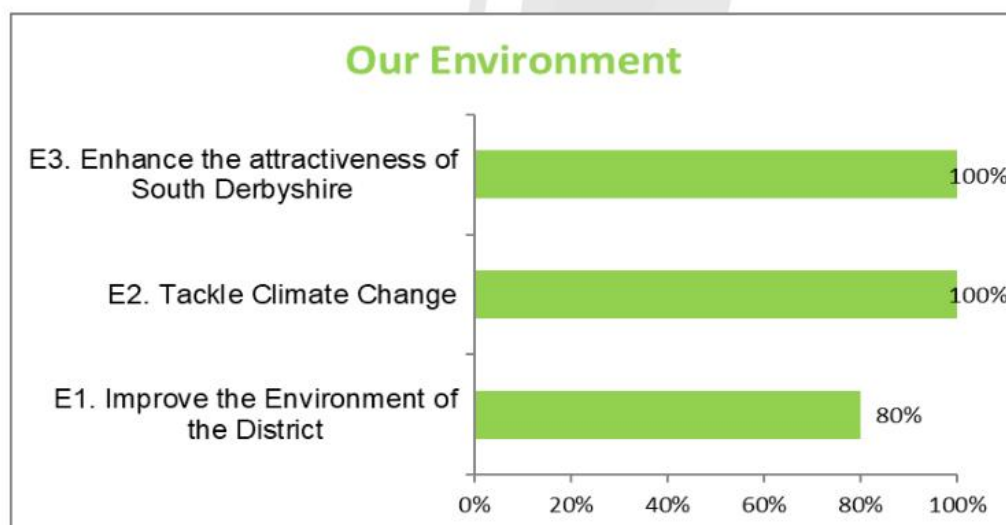
### 4.0 Detail

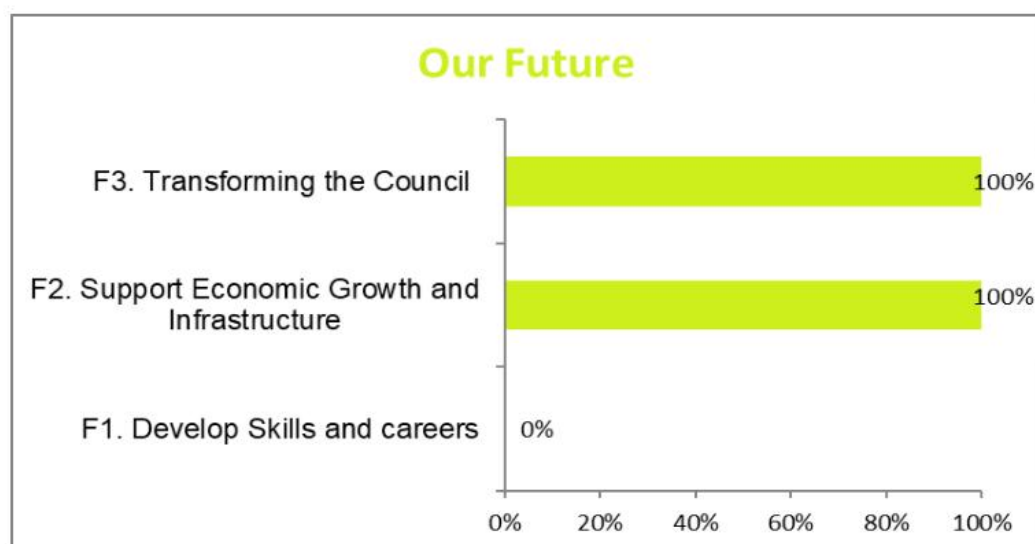
- 4.1 Overall Council performance against the priorities – Quarter 1 2020-2021  
The below chart provides an overview for the % of measures that are on track to achieve the annual target.



- 4.2 Overall Council performance against key aims – Quarter 1 2020-2021.

The below charts provide an overview for the % of measures that are on track to achieve the annual target within each key aim of the Corporate Plan.





4.3 Of the 35 measures which support the progress of the Corporate Plan 20-24, 16 are green, one is amber, eight are red and 10 are grey. Overall, 77% of the key aims within the Corporate Plan are on track. 90% are on track for Our Environment, 65% are on track for Our People and 88% are on track for Our Future.

4.4 Below outlines the six measures for this Committee that are on track (green) for the quarter:

- % of collected waste recycled and composted
- Improve the quality of the District through the Local Environmental Quality Survey
- Reduce South Derbyshire District Council carbon emissions
- % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day
- Speed of decision on discharging conditions on housing applications
- % of planning applications determined within the statutory period



4.5 Below outlines the two measures that are not on track (red) for the quarter:

- Number of fly tipping incidents
- Continue to undertake interventions per year to keep families out of fuel poverty

The targets for the Corporate performance measures were set prior to the Covid-19 pandemic and this has impacted the out turn for quarter one for fly tipping incidents.

For more detailed information please refer to the Environmental & Development section of **Appendix B**, Performance Measure Report Index.

4.6 An overview of performance can be found in the Performance Dashboard in **Appendix A**. A detailed description of each performance measure including mitigating actions and actions to sustain and improve performance is included in the detailed Performance Measure Report Index in **Appendix B**.

4.7 Questions regarding performance are welcomed from the Committee in relation to the Corporate performance measures that fall under its responsibility and are referenced in the detailed Performance Measure Report Index in **Appendix B**

4.8 The Risk Register for the Committee's services is detailed in **Appendix C**. This includes the register and risk mitigation plans for the relevant departmental Risk Register. Each risk has been identified and assessed against the Corporate Plan aims which are considered to be the most significant risks to the Council in achieving its main objectives. The Risk Register(s) detail a risk matrix to summarise how each identified risk has been rated.

## 5.0 **Financial and Implications**

5.1 None directly.

## 6.0 **Corporate Implications**

### **Employment Implications**

6.1 None directly.

### **Legal Implications**

6.2 None directly.

### **Corporate Plan Implications**

6.3 This report updates the Committee on the progress against the key measures agreed in the Corporate Plan and demonstrates how the Council's key aims under the priorities, Our Environment, Our People and Our Future contribute to that aspiration.



## **Risk Impact**

- 6.4 Key risks impacting on this Committee are detailed in **Appendix C**, alongside the treatment and mitigating actions in place to manage these risks.

The following provides a summary of the risks that have changed since the last quarter:

There have been no changes to the risk rating and current position for the risks recorded in the Service Delivery Risk Register since the previous quarter. The mitigating actions have been updated for the following risks:

- SD10 Sinfin Waste Plant

Please refer to the Service Delivery Risk Register in **Appendix C** for further detail.

## **7.0 Community Impact**

### **Consultation**

- 7.1 None required.

### **Equality and Diversity Impact**

- 7.2 Not applicable in the context of the report.

### **Social Value Impact**

- 7.3 Not applicable in the context of the report.

### **Environmental Sustainability**

- 7.4 Not applicable in the context of the report.

## **8.0 Appendices**

Appendix A – Performance Dashboard 2020-2024  
Appendix B – Performance Measure Report Index  
Appendix C – Service Delivery Risk Register

## **Notes:**



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



## Performance Dashboard 2020 - 2024

Priority	Key Aim		Outcome	PI Ref	How success will be measured	(Q4) Jan 20- Mar 20 Outturn	April 20 - June 20 (Qtr. 1)	Annual Target 2020-2021	Head of Service	Strategic Lead	Committee		
Our Environment	Keeping a clean, green District for future generations	E1. Improve the environment of the District	E1.1 Reduce waste and increase composting and recycling	E1.1A	Household waste collected per head of population	Cumulative (Apr-Mar) 404 kgs Q4 (Dec-Mar) 90kgs	125 kgs (estimate)	Sustain during Yr1 (404kgs)	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
				E1.1B	% of collected waste recycled and composted	Cumulative (Apr-Mar) 45% Q4 (Jan-Mar)39%	53% (estimate)	Sustain during Yr1 (45% or >)	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
			E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate	E1.2A	Number of fly tipping incidents	714 (total figure for 2019/20)	Q1 - Target ≤ 179    Actual - 260	< 714	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
				E1.2B	Improve the quality of the District through the Local Environmental Quality Survey	The first survey was completed in January 2020 the result was 89.67% above grade C+. Committee report being prepared. Some service PIs developed to assist overall performance.	Reported Bi-Annually in Q2 and Q4	>95%	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
			E1.3 Enhance biodiversity across the District	E1.3A	% of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites pre development baseline.	Not possible to provide as outputs not held in software until April 2020. Monitoring underway and baseline data to be provided Q1 and Q2.	First Report due December 2020. No qualifying decisions in Q1.	85%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS		
		E2. Tackle climate change	E2.1 Strive to make South Derbyshire District Council carbon neutral by 2030	E2.1A	Reduce South Derbyshire District Council carbon emissions	No update required for Q4. First update to be provided Q1 2020-21.	The three targeted C&EAP actions for Q1 are all complete	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
			E2.2 Work with residents, businesses and partners to reduce their carbon footprint	E2.2A	% of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day	Baseline figure of 50% based on 18 qualifying decisions in Q4.	78%	85%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS		
		E3. Enhance the attractiveness of South Derbyshire	E3.1 Enhance the appeal of Swadlincote town centre as a place to visit	E3.1A	Increase Swadlincote Town Centre visitor satisfaction	49% of respondents would recommend Swadlincote Town Centre - May 2019. No update required for Q4. First update to be provided Q2 2020-21	Update due Q3	50%	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M		
			E3.2 Improve public spaces to create an environment for people to enjoy	E3.2A	The number of Green Flag Awards for South Derbyshire parks	2	Action planning scheduled for later in the year	Four Year Target - 4	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS		
				E3.2B	Proportion of good quality housing development schemes	92%	Reported Annually in Q4	90.0%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS		
		Our Future	the future needs of the District	P1. Engage with our communities	P1.1 Support and celebrate volunteering, community groups and the voluntary sector	P1.1A	Number of new and existing Community Groups supported	36	28	Proxy	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
					P1.2 Help tackle anti-social behaviour & crime through strong and proportionate action	P1.2A	Number of ASB interventions by type	2,893 ASB reports	ASB reports in Q1: Target ≤ 849 Actual - 1776	Proxy	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	H&CS
P2. Supporting and safeguarding the most vulnerable	P2.1 With partners encourage independent living and keep residents healthy and happy in their homes.			P2.1A	Number of households prevented from Homelessness	103 cases	Q1= 64 cases total- 19 cases prevention & 45 cases relief	Proxy	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS		
				P2.1B	Continue to undertake interventions per year to keep families out of fuel poverty	Numbers of interventions in 2019/20 were not recorded	Q1 Target - 125 interventions Actual - 108	300 interventions	Matt Holford, Head of Environmental Services	Allison Thomas, Strategic Director, Service Delivery	E&DS		
	P2.2 Promote health and wellbeing across the District			P2.2A	Deliver the objectives identified in the South Derbyshire Health & Wellbeing Group	Not applicable for Q4	Draft plan tabled at H&W Group and approved by the group	100% of actions delivered	Mary Bagley, Head of Cultural and Community Services	Allison Thomas, Strategic Director, Service Delivery	H&CS		
	P2.3 Improve the condition of housing stock and public buildings.			P2.3A	Deliver the Planned Maintenance Housing programme over four years	£2,717,193.80	35%	100% against the annual plan 2020-21	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS		
				P2.3B	Develop and deliver the Public Buildings programme over four years	Project Plan for 2020-21 developed	Software tested and calibrated	25% of assets to be surveyed and the planned maintenance programme for phase one to be created	Steve Baker, Head of Corporate Property	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M		
				P2.3C	Average time taken to re-let Council homes	Q4 157 days YTD 122 days Page 10 of 620	Q1 Target 21 days Q1 Actual 206 days	Median Quartile Performance (Benchmark via Housemark)	Paul Whittingham, Head of Housing	Allison Thomas, Strategic Director, Service Delivery	H&CS		

Priority		Key Aim	Outcome	PI Ref	How success will be measured	(Q4) Jan 20- Mar 20 Outturn	April 20 - June 20 (Qtr. 1)	Annual Target 2020-2021	Head of Service	Strategic Lead	Committee
P e o p l e	Working with communities and meeting		P2.4 Support social mobility to ensure people have the opportunity to access skilled jobs, higher and further education.	P2.4A	South Derbyshire's ranking in the Social Mobility Commissions Social Mobility Index increases	311	Reported Annually in Q4	Ranked >311 on the Social Mobility Index	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
		P3. Deliver Excellent Services	P3.1 Ensuring consistency in the way the Council deal with service users	P3.1A	Increase the number of customers who interact digitally as a first choice	1,219 Covid-19 business grants forms, 1,282 council tax forms and 12,343 online web form submissions	4,474	Upward Trend	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P3.2 Have in place methods of communication that enables customers to provide and receive information.	P3.2A	Reduce face-to-face contact to allow more time to support those customers who need additional support	2,463 enquiries dealt with at Customer Services Desk. Visitors to office 4,490.Please note this was up to 20th March as offices then closed due to Covid19.	No visitors due to Covid-19	Downward trend in Face to Face interactions	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P3.3 Ensuring technology enables us to effectively connect with our communities.	P3.3A	Number of customer telephone calls answered by Customer Service	Total Calls 26,280 21,350 calls handled & 4,930 automated call payments	Total Calls: 22,387 (17,016 calls handled,5,371 automated call payments)	Downward Trend	Elizabeth Barton, Head of Customer Services	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.3B	Increase digital engagement (Twitter, Instagram, Facebook)	Total FACEBOOK fans: 22,440, total TWITTER followers: 11,448, No Instagram account yet, total ALL SOCIAL MEDIA fans: 33,888. Social Media queries: 287	Total FACEBOOK fans:26,369 , total TWITTER followers: 7,971, No Instagram account yet, total ALL SOCIAL MEDIA fans: 34,340. Social Media queries: 182	Upward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
			P3.4 Investing in our workforce	P3.4A	Increase the level of staff engagement	No Q4 Update. First Staff survey to take place in 20/21.	Reported annually	No target for Yr1.Baseline Data only	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.4B	Number of apprenticeships	4 (1.2% of head count)	4 (1.2% head count) (three vacancies currently, one advertisement active, mitigating factors updated)	>2.3% of head count	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.4C	Average number of staff days lost due sickness	3.58	3.68	Downward Trend	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
				P3.4D	% of employees that consider that the Council has a positive health and safety culture	No Q4 update for 19/20. First Staff survey to take place in 20/21.	Reported annually	No target for Yr1.Baseline Data only	Fiona Pittam, Head of Organisational Development & Performance	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
		O u r F u t u r e	Growing our District and our skills base	F1. Develop skills and careers	F1.1 Attract and retain skilled jobs in the District	F1.1A	Increase the number of employee jobs in South Derbyshire	32,000		More than Q4 2019/20	Mike Roylance, Head of Economic Development and Growth
F1.2 Support unemployed residents back into work											
F2. Support economic growth and infrastructure	F2.1 Encourage and support business development and new investment in the District			F2.1A	Annual net growth in new commercial floorspace (sqm)	2885 sqm	Reported Annually in Q4	12,269.5 sqm	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
				F2.1B	Total Rateable Value of businesses in the District	£67,486,786	£67,528,690	More than Q4 2019/20	Mike Roylance, Head of Economic Development and Growth	Frank McArdle, Chief Executive	F&M
	F2.2 Enable the delivery of housing across all tenures to meet Local Plan targets			F2.2A	Speed of decision on discharging conditions on housing applications	80%	100%	90% within 8-13 weeks or as agreed with the applicant	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
				F2.2B	% of planning applications determined within the statutory period	93%	94%	>90%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
	F2.3 Influence the improvement of infrastructure to meet the demands of growth.			F2.3A	Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions	No Q4 update for 19/20. New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect.	Reported Annually in Q4	90%	Steffan Saunders, Head of Planning and Strategic Housing	Allison Thomas, Strategic Director, Service Delivery	E&DS
F3. Transforming the Council	F3.1 Provide modern ways of working that support the Council to deliver services to meet changing needs.			F3.1A	Deliver against the Transformation Action Plan	No Q4 update for 19/20. Transformation plan to report from Q1 onwards		Deliver 100% against action plan	Anthony Baxter, Head of Business Change and ICT	Kevin Stackhouse, Strategic Director, Corporate Resources	F&M
	F3.2 Source appropriate commercial investment opportunities for the Council			F3.2A	Develop our approach towards the commercialisation of services which include grants, sponsorship, fees and charges and operating models and increase the income generated from these activities	Preliminary discussion between Operational Services and Finance have taken place, working group and action plan not yet established		Form a working group & Action Plan	Adrian Lowery, Head of Operational Services	Allison Thomas, Strategic Director, Service Delivery	F&M

# Corporate Plan 2020-2024

## Performance Measure Report Index

### Environmental and Development Services Committee

**Team: Organisational Development and Performance**

**Date: August 2020**

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# Performance Measure Report Index

## Corporate Plan 2020-2024

### Summary

The Corporate Plan 2020-2024 has 35 Corporate Measures which underpin the Council's three priorities Our Environment, Our People, Our Future.

The following Committees are responsible for overseeing the delivery of the following key aims and outcomes:

Environmental and Development Services Committee (E&DS) is responsible for 12 Corporate measures under the key aims:

- E1. Improve the environment of the District
- E2. Tackle climate change
- E3. Enhance the attractiveness of South Derbyshire
- P2. Supporting and safeguarding the most vulnerable
- F2. Support economic growth and infrastructure

Housing and Community Services Committee (H&CS) is responsible for seven Corporate measures under the key aims:

- E3. Enhance the attractiveness of South Derbyshire
- P1. Engage with our communities
- P2. Supporting and safeguarding the most vulnerable

Finance and Management Committee (F&M) is responsible for 16 corporate measures under the key aims:

- E3. Enhance the attractiveness of South Derbyshire
- P2. Supporting and safeguarding the most vulnerable
- P3. Deliver Excellent Services
- F1. Develop skills and careers
- F2. Support economic growth and infrastructure
- F3. Transforming the Council



## Environmental and Development Services Committee (E&DS) is responsible for 12 Corporate measures

### Our Environment

#### Measure

- Household waste collected per head of population
- % of collected waste recycled and composted
- Number of fly tipping incidents
- Improve the quality of the District through the Local Environmental Quality Survey
- % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the site's predevelopment baseline.
- Reduce South Derbyshire District Council carbon emissions
- % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day
- Proportion of good quality housing development schemes

### Our People

#### Measure

- Continue to undertake interventions per year to keep families out of fuel poverty

### Our Future

#### Measure

- Speed of decision on discharging conditions on housing applications
- % of planning applications determined within the statutory period
- Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions

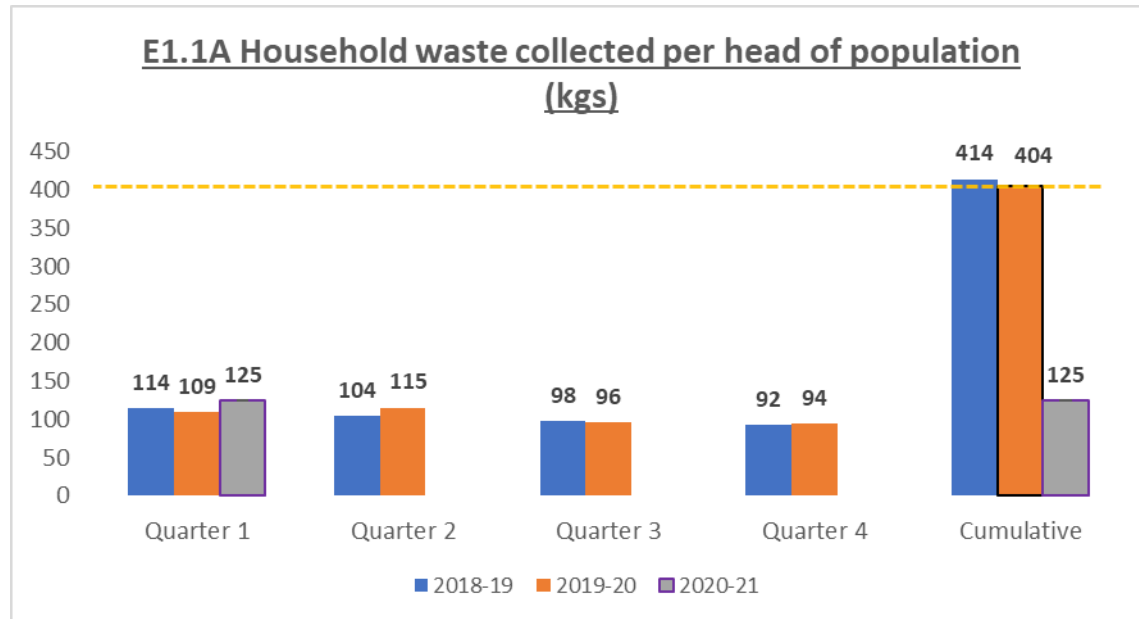


PRIORITY: OUR ENVIRONMENT					
OUTCOME: E1.1 Reduce the amount of waste sent to landfill					
Measure and Ref	E1.1A- Household waste collected per head of population (kg)			Committee	E&DS
<b>Definition</b>	This indicator is the number of kilograms of household waste collected per head of population.  'Household waste' means those types of waste which are to be treated as household waste as defined by the Environmental Protection Act 1990.			<b>Why this is important</b>	To measure the change in household waste disposal levels as a result of householders' waste reduction and recycling activities
<b>What good looks like</b>					
<b>History with this indicator</b>	Top performing authorities outturn <400kgs per year  The Council employs 40 staff and utilises 15 vehicles and a number of external contractors to deliver waste collection services.			<b>Mitigating actions</b>	A consultation is being considered to review the way the Council collects household waste, to encourage more recycling in the District.
<b>2019/20 baseline data</b>		The estimated figure reported in Q4 was 407 kgs. This figure has now been validated and the confirmed out turn for Q4 is 404 kgs.			
	<b>Annual target</b>	<b>Q1 Outturn (Apr-June)</b>	<b>Q2 Outturn (Apr - Sept)</b>	<b>Q3 Outturn (Apr - Dec)</b>	<b>Q4 Outturn (Apr 20 - Mar 21)</b>
2020/21	Sustain Current levels	125 kgs (estimate)			
2021/22	Sustain Current levels				
2022/23	Downward Trend				
2023/24	Downward Trend				



### Performance Overview – Quarterly update

The estimated figure of 125 kgs is 16 kgs above the 109 kgs reported this time last year. The target for 20/21 is to sustain the current levels. The increase directly relates to the lockdown measures put in place due to the Covid – 19 pandemic in particular no Household Waste Recycling Centres open and more waste being generated at home.



### Actions to sustain or improve performance

Currently reviewing all Waste Collection Services

### **Benchmarking**

Annual benchmarking will be provided when available through the Government's Wastedataflow reporting tool.

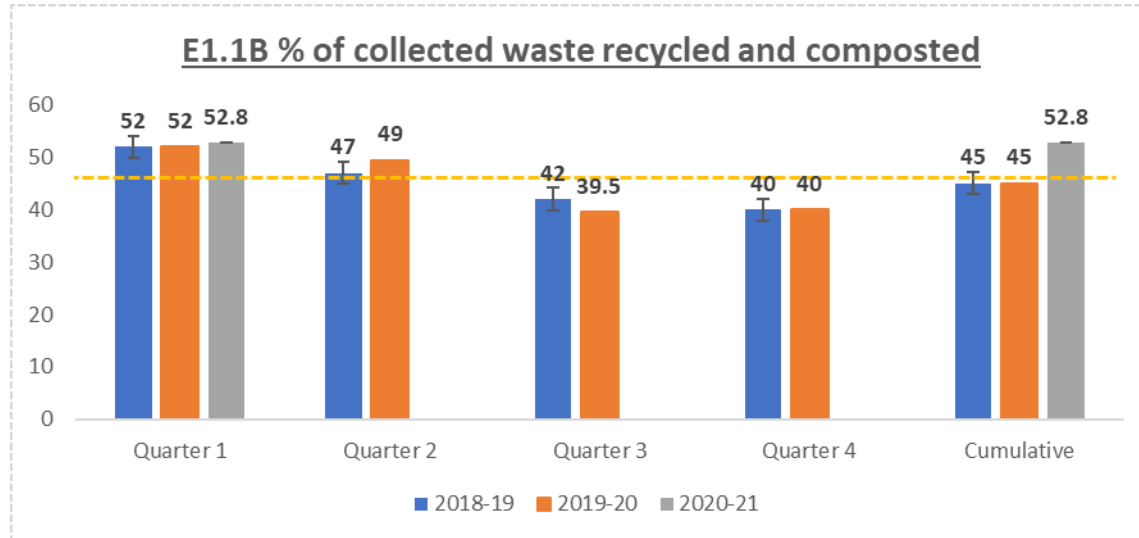


OUTCOME: E.1.1 Reduce waste and increase composting and recycling					
Measure and Ref	E1.1B - % of collected waste recycled and composted			Committee	E&DS
Definition	Kerbside collected household waste is waste presented for collection by households in the black, green and brown bins and the normal alternate week collections.  Recycled or composted is waste presented in the green and brown bins.			Why this is important	To establish the success of the Council's recycling scheme and to ensure the compost scheme continues to perform
What good looks like	The top performing authorities achieve >60%, the top 25% achieve >50%				
History with this indicator	Currently on a downward trend, the tonnages collected have remained stable, however increasing residual waste is pushing the percentage down.			Mitigating actions	The current contract expires in 2021 and full waste service review will be undertaken in 2020 to establish future delivery standards and delivery model.
2019/20 baseline data		The estimated figure reported in Q4 was 46%. This figure has now been validated and the confirmed out turn for Q4 is 45%.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	50%	52.8% estimate			
2021/22	50%				
2022/23	55%				
2023/24	60%				



### Performance Overview – Quarterly update

The estimated outturn for Q1 2020/21 is 52.8%, this is a slight increase compared with Q1 2019/20 of 52%.



### Actions to sustain or improve performance

A review of all Waste Collection Services is being undertaken.

### **Benchmarking**

Annual benchmarking will be provided when available through the Government's Wastedataflow reporting tool.



**PRIORITY: OUR ENVIRONMENT**

**OUTCOME: E1.2 - Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate**

Measure and Ref	E1.2A - Number of fly tipping incidents					Committee	E&DS		
Definition	A reduction in fly-tipping incidents is defined as a numerical reduction in the sum of the number of fly tipping incidents reported to the Council, plus the number of fly tips proactively collected by Council staff while performing their duties, compared to the reference period.					Why this is important	Prevent an increase in fly-tipping incidents through education, engagement and enforcement action where appropriate		
What good looks like	The purposes of this Indicator is to see a downward trend in fly tipping incidents as a rolling average over the four-year period of the Corporate Plan.					Mitigating actions	A new gate to finally implement the PSPO at Lowes Lane, Swarkestone has now been installed.		
History with this indicator	There have been long term reductions in fly tipping incidents both nationally and locally since 2000, however this trend has reversed in very recent years. Between 2016 and 2019 fly tipping incidents nationally have increased.								
2019/20 baseline data		714 reported incidents							
	Annual target	Q1 Target (Apr-June)	Q1 Outturn (Apr – Jun)	Q2 Target (Apr - Sept)	Q2 Outturn (Apr - Sept)	Q3 Target (Apr - Dec)	Q3 Outturn (Apr - Dec)	Q4 Target (Apr 20 - Mar 21)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	Downward trend	<179 incidents	260	<357 incidents		<536 incidents		<714 incidents	
2021/22	Downward trend								
2022/23	Downward trend								
2023/24	Downward trend								



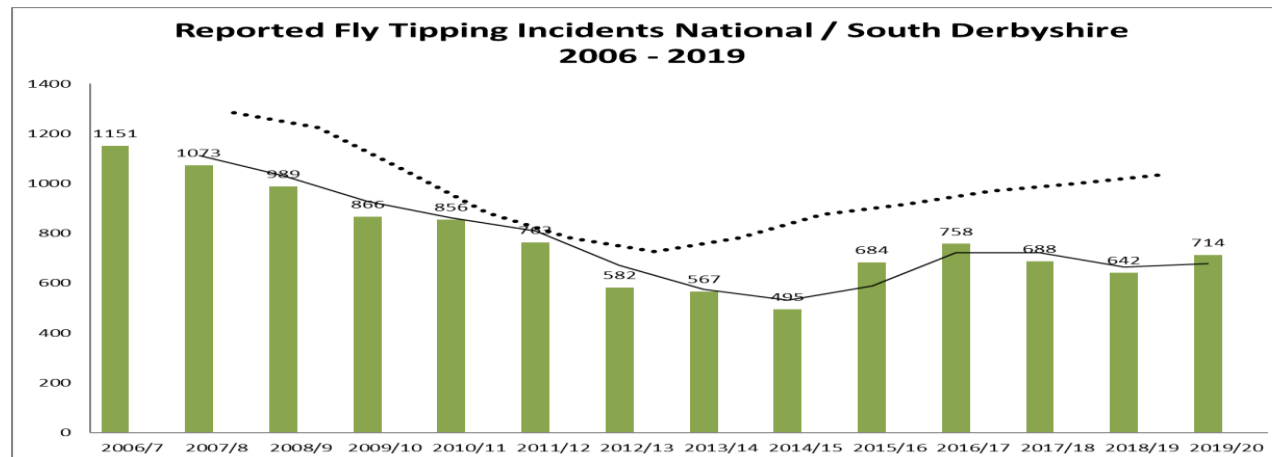
### Performance Overview – Quarterly update

Fly tipping incidents have markedly increased during COVID19 and anecdotally officers understand that this is a trend which has occurred across the UK. COVID19 has also significantly inhibited the ability of Council officers to investigate incidents, bring legal action against offenders and understand from them the underlying motives which led them to commit the offences.

### Actions to sustain or improve performance

Officers intend to review the locations of fly tipping incidents over the last nine months to identify locations for possible further interventions. Officers also intend to identify potential options for the procurement of mobile surveillance equipment as well as sharing best practice with other Midlands Councils on fly tip investigation methods and potential investigation strategies which others have found successful.

There is no formal benchmarking process for fly tipping. The Council provides long-term comparisons in local fly tipping trends compared to national trends which is summarised in the graph below. Until 2016/17 fly tipping trends in South Derbyshire broadly followed the same trend line as the national data (dotted line) with a one-year lag. In 2017/18 fly tipping incidents in South Derbyshire reduced, and then again in 2018/19, which bucked the national trend. This should give the Council some confidence that the concerted efforts to address fly tipping over the course of the previous Corporate Plan has been having positive outcomes.



### **Benchmarking**



PRIORITY: OUR ENVIRONMENT															
OUTCOME: E1.2 Reduce fly tipping and litter through education, engagement and zero tolerance enforcement action where appropriate															
Measure and Ref	E1.2B - Improve the quality of the District through the Local Environmental Quality Survey	Committee	E&DS												
Definition	Percentage of inspected areas above a grade C for cleanliness as defined in the government code of Practice for Litter and refuse.	Why this is important	Gives assurance that the cleansing regimes and resources deployed are delivering the Council's service standards.												
What good looks like	>95% above grade C														
	This table below provides an overview of the grading:														
	<table><tr><td>Grade A</td><td>No issues present</td></tr><tr><td>Grade B+</td><td>No formal description</td></tr><tr><td>Grade B</td><td>Predominantly free with some minor instances of the issue</td></tr><tr><td>Grade B-</td><td>No formal description</td></tr><tr><td>Grade C</td><td>Widespread with some accumulations of the issue</td></tr><tr><td>Grade C-</td><td>No formal description</td></tr><tr><td>Grade D</td><td>Heavily affected by the issue</td></tr></table>	Grade A	No issues present	Grade B+	No formal description	Grade B	Predominantly free with some minor instances of the issue	Grade B-	No formal description	Grade C	Widespread with some accumulations of the issue	Grade C-	No formal description	Grade D	Heavily affected by the issue
	Grade A	No issues present													
	Grade B+	No formal description													
	Grade B	Predominantly free with some minor instances of the issue													
	Grade B-	No formal description													
	Grade C	Widespread with some accumulations of the issue													
Grade C-	No formal description														
Grade D	Heavily affected by the issue														
In order to present a fair picture plus and minus grades are used where a location is better than the lower grade but not sufficiently to attain the higher grade.															
History with this indicator	New indicator	Mitigating actions	To be determined following confirmation of baseline data												



2019/20 baseline data		89.67% above grade C			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	>95%	Reported in Q4	Reported in Q4	Reported in Q4	
2021/22					
2022/23					
2023/24					
<u>Performance Overview – quarterly update</u>  No update for Q1. The first survey completed in Jan 2020. A report to Committee recommends a survey for October and the target is increased from >90% to >95% due to outturn of first survey Some service PIs have been developed to assist overall performance and have been built into the Service Plans for 2020/21.  A full report will be provided in Q4 20-21.				<u>Actions to sustain or improve performance</u>	
Benchmarking					



PRIORITY: OUR ENVIRONMENT					
OUTCOME: E1.3 - Enhance biodiversity across the District					
Measure and Ref	E1.3A - % of eligible new homes and commercial developments to achieve net gain in Biodiversity by a minimum of 10% compared to the sites pre development baseline.			Committee	E&DS
Definition	Policy BNE3 of the Local Plan and Chapter 15 of the National Planning Policy Framework seeks to ensure that the impacts of development on biodiversity are minimised and preferably provide net gains. This would be negotiated during the application process			Why this is important	It is likely that soon this will be a statutory requirement. It demonstrates that the Council is being proactive in delivering an aspiration of the Local Plan.
What good looks like	The purpose of the PI is to see the pursuit of net biodiversity gains on all eligible sites otherwise suffering a net loss.				
History with this indicator	Notwithstanding the Council’s ‘encouragement’ of biodiversity gains in the Local Plan, this will be a new government initiative that would make it a statutory requirement.			Mitigating actions	The Council is currently investigating how best to source the expertise necessary.
2019/20 baseline data		Insufficient baseline data available			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	85%	No data			
2021/22	85%				
2022/23	85%				
2023/24	85%				
<u>Performance Overview – quarterly update</u>				<u>Actions to sustain or improve performance</u>	
Not possible to provide as outputs not held in software until April 2020. Monitoring underway and baseline data to be provided Q1 and Q2.				Requires recruitment of ecologist within Cultural and Community Services to carry out assessments. Requires legislation/guidance to be issued for methodology. Derbyshire Wildlife Trust using established methodology in interim.	
No qualifying applications Q1 (requires major application with ecology survey and not a variation of a previously approved scheme where a biodiversity impact has been previously accepted). Still					



<p>also relying on Derbyshire Wildlife Trust until ecologist is appointed in Cultural and Community Services as part of the implementation of the Service restructure.</p>	
<p><b>Benchmarking</b></p>	<p>No data</p>



PRIORITY: OUR ENVIRONMENT					
OUTCOME: E2.1- Strive to make South Derbyshire District Council carbon neutral by 2030					
Measure and Ref	E2.1A- Reduce South Derbyshire District Council carbon emissions			Committee	E&DS
Definition	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)			Why this is important	To enable emissions from all relevant identified Council sources to be controlled over the Corporate Plan timeframe
What good looks like	Achievement of Actions contained in the South Derbyshire Climate and Environment Action Plan 2020-24 (C&EAP)				
History with this indicator	No previous targets to achieve carbon neutrality have been set			Mitigating actions	
2019/20 baseline data		The baseline carbon emissions from SDDC activities has been calculated as 2,500 tonnes of CO <sub>2</sub> e in 2018/19			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	9 actions complete	3 actions complete			
2021/22	10 actions complete				
2022/23	10 actions complete				
2023/24	10 actions complete				
<b><u>Performance Overview – quarterly update</u></b>  The Healthy Homes assistance Fund has been launched, The Council’s new electricity contract is produced from 100 per cent renewable, non-nuclear sources (wind, hydro, geo-thermal and solar), Carbon neutrality has been embedded into the Civic Hub project brief				<b><u>Actions to sustain or improve performance</u></b>	
Benchmarking					



**PRIORITY: OUR ENVIRONMENT**

**OUTCOME: E2.2 - Work with residents, businesses and partners to reduce their carbon footprint**

Measure and Ref	E2.2A - % of new homes to meet water efficiency targets as set out in the Part G optional standard of 110 litres of potable water usage per person per day			Committee	E&DS
Definition	Part G of the Building Regulations sets out an optional standard for potable water conservation which is reiterated in Policy SD3 of the Local Pan. A planning condition will be attached to all new permissions to pursue adherence to this standard (where relevant)			Why this is important	Local infrastructure and environmental constraints require the need for the Council to contribute to the suppression of water demand and hence waste water discharges across the District.
What good looks like	This is designed to ensure that going forward all new developments comply with the optional Part G standard				
History with this indicator	No history			Mitigating actions	Through the use of planning conditions attached to planning permissions
2019/20 baseline data		50% based on 2019/20 Q4			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	85%	78%			
2021/22	85%				
2022/23	85%				
2023/24	85%				



<p><b><u>Performance Overview – quarterly update</u></b></p> <p>Improving approach to application of standard conditions with room for improvement particularly on minor applications. Of the applications where condition was not attached, these largely fell within the qualifying type, but the development did not create occupiable floorspace (e.g. change of use of open land for caravan storage).</p>	<p><b><u>Actions to sustain or improve performance</u></b></p> <p>Officer training combined with further software development to automate inclusion of conditions</p>
<p><b>Benchmarking</b></p>	



**PRIORITY: OUR ENVIRONMENT**

**OUTCOME: E3.2 - Improve public spaces to create an environment for people to enjoy**

Measure and Ref	E3.2B - Proportion of good quality housing development schemes			Committee	E&DS
Definition	The % of new residential developments that score well against the Council’s quality criteria based on latest Building for Life standards and the National Design Guide, which measure several aspects of the quality of a development (including the provision and quality of public spaces).			Why this is important	This PI directly measures how good the quality of developments are and therefore whether it is more likely to result in an improvement to the quality of open and other spaces.
What good looks like					
History with this indicator	This PI will differ from the similar PI which only looked at an earlier Building for Life standard. In previous years, the 90% target was often met and where not, only marginally missed.			Mitigating actions	Through the employment of a design specialist in the Planning Delivery Teams and extra training for all development management (planning) staff.
2019/20 baseline data		Annual score of 92% based on old methodology – to be reported annually in Q4			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%				
2021/22	90%				
2022/23	90%				
2023/24	90%				



<p><b><u>Performance Overview – quarterly update</u></b></p> <p>Continued focus towards high quality design with use of Senior Planning Design officer in reviewing and shaping submitted and pre-application schemes.</p>	<p><b><u>Actions to sustain or improve performance</u></b></p> <p>Revisions to assessment methodology to allow for smaller schemes to be measured. Continued training and peer review of schemes.</p>
<p><b>Benchmarking</b></p>	



**PRIORITY: OUR PEOPLE**

**OUTCOME: P2.1 - With partners encourage independent living and keep residents healthy and happy in their homes**

Measure	P2.1B - Continue to undertake interventions per year to keep families out of fuel poverty					Committee	E&DS		
Definition	Number of interventions made by the Council (and partners over whom the Council has influence) to improve fuel efficiency in residential properties.					Why this is important	Fuel poverty is a public health observatory key performance indicator and reflects both the thermal efficiency of housing stock and the affluence of the population		
What good looks like	Increasing the numbers of fuel efficiency interventions in order to directly contribute to reductions in the numbers of families in fuel poverty.					Mitigating actions			
History with this indicator	The Council has never previously collated data on the different measures taken to take families out of fuel poverty.								
2019/20 baseline data		It is estimated that 7.9% (equivalent to 3,393 properties) of households in South Derbyshire are in fuel poverty (based on public health observatory statistics) and that in 2019/20 an estimated 90 interventions were made to help residents reduce fuel poverty							
	Annual target	Q1 Target (Apr-June)	Q1 Outturn (Apr-June)	Q2 Target (Apr - Sept)	Q2 Outturn (Apr - Sept)	Q3 Target (Apr - Dec)	Q3 Outturn (Apr - Dec)	Q4 Target (Apr 20 - Mar 21)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	300 interventions	125 interventions	108 interventions	85 interventions		35 interventions		55 interventions	
2021/22	To be set at year end 2020								
2022/23	To be set at year end 2020								
2023/24	To be set at year end 2020								



<p><b><u>Performance Overview – quarterly update</u></b></p> <p>73 legal notices have been issued to private sector landlords requiring the energy performance of their properties to meet legal standards. An additional 26 Property Level Flood Resilience Grants are being processed following the damage caused in February by Storms Ciara and Dennis. The launch of a new Healthy Home Assistance Fund (HHAF) was delayed until May. However, this is now fully operational and will deliver £100,000 of improvements to private sector stock in South Derbyshire.</p>	<p><b><u>Actions to sustain or improve performance</u></b></p> <p>Now that the HHAF is fully operational the target of 300 interventions in 2020/21 is expected to be achieved.</p>
<p><b>Benchmarking</b></p>	



**PRIORITY: OUR FUTURE**

**OUTCOME: F2.2 - Enable the delivery of housing across all tenures to meet Local Plan targets**

Measure and Ref	F2.2A - Speed of decision on discharging conditions for housing applications			Committee	E&DS
Definition	The purpose of the performance indicator is to measure the percentage of planning condition applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.			Why this is important	Unnecessary delays in the determination of applications holds up the delivery of development and therefore a potential disincentive to inward investment
What good looks like	All applications determined as soon as possible without compromising quality.				
History with this indicator	New			Mitigating actions	A recent service review introduced new and improving performance management processes and software
2019/20 baseline data		80% based on Q4 (up to 85% if including first 27 days of 2020/21 Q1, following new procedure with team)			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90% within 8-13 weeks	100%			
2021/22	90% within 8-13 weeks				
2022/23	90% within 8-13 weeks				
2023/24	90% within 8-13 weeks				
<u>Performance Overview – quarterly update</u>  New indicator therefore difficult to establish trends. Despite pressures on planning delivery resources and difficulties in obtaining timely responses from consultees, proactive dialogue with applicants has been decisions issued in time and/or with agreed extension to determination periods.				<u>Actions to sustain or improve performance</u>  Key staff to see indicator feature in annual Personal Development Reviews. Team Leaders regularly monitoring performance.	
Benchmarking					



**PRIORITY: OUR FUTURE**

**OUTCOME: F2.2 - Enable the delivery of housing across all tenures to meet Local Plan targets**

Measure and Ref	F2.2B - % of planning applications determined within the statutory period			Committee	E&DS
Definition	The purpose of the performance indicator is to measure the percentage of planning applications determined in the statutory period of eight or 13 weeks or as may be otherwise agreed with applicants.			Why this is important	Unnecessary delays in the determination of planning applications holds up the delivery of development and therefore a potential disincentive to inward investment
What good looks like	All applications determined as soon as possible without compromising quality.				
History with this indicator	Generally, the Council has performed well for most recent years against a notional target of 90%			Mitigating actions	A recent service review introduced new and improving performance management processes and software
2019/20 baseline data		93%			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%	94%			
2021/22	90%				
2022/23	90%				
2023/24	90%				
<u>Performance Overview – quarterly update</u>  Performance in determining major schemes down slightly, scoring 83% (still well above national indicator of 65%) with minors and others at 100%. Continued attainment of Corporate Performance Indicator across continuous quarters, and despite effects of COVID-19 causing delays beyond officer control (e.g. agents/developers and consultees furloughed).				<u>Actions to sustain or improve performance</u>  Further software development to improve efficiency of processes, etc. Continued performance monitoring of individual staff and workloads.	
Benchmarking					



**PRIORITY: OUR FUTURE**

**OUTCOME: F2.3 - Influence the improvement of infrastructure to meet the demands of growth.**

Measure and Ref	F2.3A - Secure new facilities and contributions through Section106 to mitigate impacts of development. Achieve all necessary highway, education, healthcare, and recreation contributions			Committee	E&DS
Definition	Statute allows the Council to seek financial and other contributions from developments to mitigate the impact of the development on public infrastructure subject to viability of individual developments.			Why this is important	Without some contribution towards mitigating the impact of new developments, infrastructure would have to accommodate the extra load without direct funding to bear the burden
What good looks like	Securing all proven necessary mitigation to accommodate new developments				
History with this indicator	New			Mitigating actions	Negotiation through Section 106 agreements subject to compliance with the Community Infrastructure Levy (CIL) Regulations 2010 and Local Plan policy
2019/20 baseline data		New indicator, data will be collected from April 2020 onwards as retrospective data is not possible to collect.			
	Annual target	Q1 Outturn (Apr-June)	Q2 Outturn (Apr - Sept)	Q3 Outturn (Apr - Dec)	Q4 Outturn (Apr 20 - Mar 21)
2020/21	90%				
2021/22	90%				
2022/23	90%				
2023/24	90%				



<p><b><u>Performance Overview</u></b></p> <p>Due to be reported in quarter 4.</p>	<p><b><u>Actions to sustain or improve performance</u></b></p>
<p><b>Benchmarking</b></p>	



## SERVICE DELIVERY RISK REGISTER (AS AT Q1 2020/21)

Appendix C

Risk	Rating and current position	Risk treatment	Mitigating actions	Change since last quarter	Risk Owner
SD1 - Loss of income to the Housing Revenue Account	Rent reduction controls relaxed and rent increase now in place. Reduction of income through the Impact of COVID19 on Universal Credit (UC) claims is now greater.  Likelihood is high and impact is now moderate	Treat the risk through continuous action and review.	Income policies/processes are being revised.  The Council has invested in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty.  Increased focus on collection of rent and other housing debt.  New dwellings mitigate revenue lost through Right to Buy (RTB). New Builds can still be purchased under (RTB) after three years for Secure Tenancies.  The uptake of UC has risen sharply through the impact of COVID19 on Council tenants  The Housing Service has made operational changes to deal with this increase in the short-term	No change to rating or mitigating actions	Housing Services
SD2 - Failure to collect financial contributions or to enforce the delivery of obligations within Section 106 Agreements.	Failure to collect financial contributions or to enforce obligations within Section 106 Agreements. Slight increase in likelihood of requests to defer payments or review viability of development schemes in response to COVID-19 impacts.  Likelihood is unlikely but the impact is significant.	Treat the risk through continuous action and review.	Implementation of new software is now complete.  Team Leader overseeing the process with dedicated officer monitoring and reviewing progress of agreements relating to 'live' sites.  The Service has been recently audited and has put in place actions to address the minor recommendations.  Continued use of District Valuer in vetting additional requests for viability review. Discretion over enforcement or payment plans can ensure collection of fees over longer period if cashflow a problem for developers.  <a href="#">Page 36 of 620</a> Once S106 funds are received, Planning Policy team send regular reminders to colleagues including external	No change to rating or mitigating actions	Planning and Strategic Housing

			bodies to minimise the risk of S106 money going unspent.		
SD3 – Safety standards	<p>Failure to comply with basic safety standards in flats/blocks with communal areas.</p> <p>Work has been undertaken to put specialist fire asbestos, legionella contracts in place.</p> <p>Likelihood is medium and impact has potential to be significant.</p>	Treat the risk through continuous action and review.	<p>Process underway to update safety procedures for fire, gas, electricity, legionella and asbestos to ensure the Council has appropriate controls in place to manage risks. Progress made so far includes:</p> <ul style="list-style-type: none"> <li>• Fire safety contractor appointed</li> <li>• Gas servicing 100% compliant</li> <li>• Electrical testing contractor appointed</li> <li>• Legionella - sheltered schemes testing in place, void properties shower heads/dead legs removed <ul style="list-style-type: none"> <li>• Asbestos testing contractor appointed</li> <li>• Asbestos removal contractor appointed</li> </ul> </li> <li>• Successful completion of an asbestos audit by the Health and Safety Executive</li> </ul> <p>Whilst the likelihood reduces as contracts are in place, works programmes to the value of £250,000 per annum are required for the next two years to achieve full compliance, so the overall likelihood remains medium. Fire safety work is now underway in communal blocks, including consultation with tenants affected by the work. Additional contractor capacity is being negotiated in order to increase volume of programme.</p>	No change to rating, mitigating actions updated to include contractor capacity	Housing Services
SD4 – Universal Credit	Loss of income to the Housing Revenue Account through full roll out of Universal Credit (UC) from November 2018.	Treat the risk through continuous action and review.	<p>Welfare Reform Group, including key internal/external partners, meets on a monthly basis to manage roll-out against an agreed action plan.</p> <p>Invested in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty.</p>	No change to rating or mitigating actions	Housing Services

	<p>There is still uncertainty as to the financial impact of this, but the Council has plans in place working with internal/ external stakeholders to manage this process.</p> <p>Likelihood is high and the impact is moderate.</p>		<p>The Impact of COVID19 on Council tenants has seen a sharp rise in the number of UC Claimants</p> <p>Delays in UC payments have led to a rise in rent arrears. The Housing Service has made operational changes to mitigate this risk.</p>		
SD5 – Reduction in funding for Cultural and Community Services	<p>Reduction of Council funding into Cultural and Community Services. Unable to source external funding to service.</p> <p>There is likely to be additional funding needed to replace income lost through Covid-19</p> <p>Likelihood is moderate and the impact is moderate</p>	Treat the risk through continuous action and review of funding streams and Cultural and Community Services Restructure.	<p>Forward budget planning over a number of years. Approvals for reserve spend to secure staffing positions up to March 2021 initially for Active Communities.</p> <p>Maintain current funding contribution that the Council makes towards the Active Communities service.</p> <p>The Council is in the first year of a three-year funding agreement with the Police and Crime Commissioner (PCC) for £25,000 per year Community Safety Funding.</p> <p>The Council receives £35,000 per year Basic Command Unit funding from the Chief Superintendent. This is received annually with no long-term commitment.</p> <p>Rolls Royce new three-year sponsorship of the Environmental Education Project confirmed.</p> <p>Continually seek external funding opportunities to support service delivery. This will extend to Covid-19 new funding pots.</p>	No change to rating or mitigating actions	Cultural and Community Services
SD6 - Need to upgrade infrastructure at Rosliston Forestry Centre.	<p>Need to upgrade Infrastructure at Rosliston Forestry Centre.</p> <p>Regular meetings held at operational and strategic levels with the Forestry Commission.</p>	Treat the risk through continuous action and review.	<p>Condition survey updated as part of procurement exercise for new contractor.</p> <p>Focus on implementing infrastructure requirements identified in external consultant's report.</p> <p>Make invest to save business cases and projects as part of the Capital Programme bid.</p>	No change to rating, mitigating actions updated to include health and safety works	Cultural and Community Services

	Likelihood is moderate but the impact would be moderate		<p>Collaboration with Head of Corporate Property on improvements to the Planned Preventative Maintenance (PPM).</p> <p>Engage tenants and keep Senior Leadership Team informed</p> <p>Covid-19 pandemic has enabled an opportunity to do some minor health and safety works whilst the site was closed to the public.</p>		
SD7 - Failure to meet housing delivery targets set out in the five-year supply.	<p>Failure to meet housing delivery targets.</p> <p>Local Plan is in place which sets out the five-year supply. Latest monitoring for 19/20 indicates the Council was performing above target.</p> <p>Likelihood is low but could move to moderate in light of COVID-19 impacts pushing delivery back in the Plan period, but the impact would be significant.</p>	Treat the risk through continuous action and review.	<p>Monitoring/review of performance ongoing.</p> <p>Active pursuit of schemes and opportunities. Increased focus on facilitating prompt commencement of development.</p> <p>Develop action plan(s) where necessary.</p> <p>Current five-year housing land supply rate at 5.92 years - most sites started are building at a rate above that originally anticipated such that c.1300 were completed in 2019/20 - work to accelerate progress on two sites continues.</p> <p>Support government proposals to offer flexibility in supply and delivery requirements in light of COVID-19 effects.</p>	No change to rating or mitigating actions	Planning and Strategic Housing
SD8 - Failure of IT infrastructure that supports Planning Systems, LLPG and Land Charges.	<p>Ongoing issues with IT infrastructure that supports Planning systems.</p> <p>Likelihood is unlikely and the impact would be significant.</p>	Treat the risk through continuous action and review.	<p>New system went live on the 1<sup>st</sup> August 2019. Work continues towards implementing remaining 'modules' of the software, migrating data and decommissioning old systems.</p> <p>Monitoring performance of new system following implementation with consideration of what additional resource is necessary to complete the project and/or fully realise the benefits of the software.</p>	No change to rating or mitigating actions	Planning and Strategic Housing
SD9– Melbourne Sports Park	Failure to deliver against external funder requirements at the Melbourne Sports Park (MSP). Ongoing discussions with national funders.	Treat the risk through continuous action and review.	<p>Regular Artificial Grass Pitch (AGP) Steering Group meetings.</p> <p>Matter under regular review at MSP Board meetings. Key funder in attendance at AGP steering group meetings.</p>	No change to rating or mitigating actions	

	<p>MSP negatively affected by Covid-19 with no income generation for 3+ months. Some external grants success to support this impact but not all.</p> <p>Likelihood is low /medium but the impact would be significant.</p>		<p>Specialist consultants, MSP representatives and Council officers progressing site drainage solutions. Planning permission approved. Contract documents now produced and final legal obligations being negotiated.</p> <p>Engagement with landowner on site permissions progressed.</p> <p>MSP Board not meeting business plan income targets so close monitoring required.</p>		Cultural and Community Services
SD10– Sinfin Waste Plant	<p>Impact on delivery rounds of diverting all residual waste to Sinfin Waste Plant.</p> <p>Move to Sinfin now to be phased over three years, giving time to minimise impact on delivery rounds.</p> <p>Likelihood is low the impact would be moderate.</p>	Treat the risk through continuous action and review.	<p>The long-term waste management contract between Derby City Council, Derbyshire County Council and Resource Recovery Solutions (Derbyshire) Ltd (RRS) was brought to an end on the 2<sup>nd</sup> August 2019. RRS was a 50:50 partnership between Renewi and with national construction firm Interserve. Interserve was responsible for building the waste treatment facility.</p> <p>Contingency measures have been put in place by the County and City Councils to make sure waste that residents cannot recycle or choose not to recycle continues to be dealt with, and that recycling centres and waste transfer stations continue to operate.</p> <p>These services will continue to be run by waste management company Renewi under a new two-year contract.</p> <p>With contingency arrangements already in place, the City and County Councils are confident any further impact will be minimal.</p> <p>Current waste disposal directions are unlikely to change in the medium-term, there is no restart date as yet for the Sinfin plant, therefore no impact on collection rounds.</p> <p>It is unlikely that any changes will occur in the medium term and this risk will therefore be removed in Q2, following the outcome of the Waste Service review a</p>	No change to rating, mitigating actions updated to confirm risk may be replaced in quarter 2	Operational Services

			further risk regarding the recycling contract could be identified.		
SD11– Tree Management	<p>Failure to manage the Council's tree stock in line with adopted Tree Management policy.</p> <p>Likelihood is low but the impact would be significant.</p>	Treat the risk through continuous action and review.	<p>Review of approved Tree Management Policy completed. New Tree Strategy and Policy being drafted</p> <p>Implementation of the Cultural and Community Services restructure will enable greater staff resources for tree work.</p>	No change to rating or mitigating actions.	Cultural and Community Services
SD12 –Ageing Infrastructure at Greenbank Leisure Centre	Infrastructure at Greenbank Leisure Centre including pipework to pool and roof structure needs investment.	Treat the risk through continuous action and review	<p>Building condition survey is being updated and a planned maintenance programme put in place. Head of Corporate Property.</p> <p>Complete the necessary works identified in external consultant's report</p> <p>Ensure that there is capital funding to complete the necessary works.</p>	No change to rating or mitigating actions.	Cultural and Community Services

	SERVICE DELIVERY RISK MATRIX			
Likelihood				
4 High		SD1, SD4		
3 Medium		SD5, SD6	SD3, SD12	
2 Low		SD10	SD7, SD9, SD11	
1 Unlikely			SD2, SD8	
	1 Minor	2 Moderate	3 Significant	4 Catastrophic
	Impact			

#### Risk Description

**SD1** Loss of income to the Housing Revenue Account

**SD2** Failure to collect financial contributions/enforce obligations within S106 Agreements

**SD3** Safety standards

**SD4** Universal Credit

**SD5** Reduction in funding for Cultural and Community Services

**SD6** Failing infrastructure at Rosliston Forestry Centre

**SD7** Failure to meet housing delivery targets set out in the five-year supply.

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**SD8** Failure of IT infrastructure that supports Planning Systems, LLPG and Land Charges.

**SD9** Melbourne Sports Park

**SD10** Sinfin Waste Plant

**SD11** Tree Management

**SD12** Green Bank Leisure Centre

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM:6</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN/EXEMPT PARAGRAPH NO:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>EMMA McHUGH 01283 595 716 <a href="mailto:emma.mchugh@southderbyshire.gov.uk">emma.mchugh@southderbyshire.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

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## **1. Recommendations**

- 1.1 That Members note the consultation responses received in relation to the Licensing Act 2003 Statement of Licensing Policy at Appendix 1.
- 1.2 That Members approve the Council's Licensing Act 2003 Statement of Licensing Policy ("Policy").

## **2. Purpose of Report**

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

## **3. Detail**

- 3.1 Section 5 of the Licensing Act 2003 ("the Act") requires the Licensing Authority to prepare and publish a statement of its licensing policy every 5 years. The Licensing Authority's current Policy was published in January 2016.
- 3.2 The Policy has been updated to reflect the changes to the Act since 2016.

### **Consultation**

- 3.3 The Act requires the Licensing Authority to consult with relevant parties on any revision of the Policy. A 12-week consultation took place. Copies of the Policy were sent to all Responsible Authorities, existing licensees and other major stakeholders. The Policy was also placed on the Council's website.

- 3.4 5 responses were received during the consultation period. A summary of the points raised in relation to other responses received can be found at **Appendix 1**. The amended draft Policy is attached as **Appendix 2**.

#### **4. Financial Implications**

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.1 and 1.2 will have no financial implications on existing licence holders.

#### **5. Corporate Implications**

##### **Employment Implications**

- 5.1 None

##### **Legal Implications**

- 5.2 None

##### **Corporate Plan Implications**

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

##### **Risk Impact**

- 5.4 None

#### **6. Community Impact**

##### **Consultation**

- 6.1 Consultation has taken place with all relevant bodies.

##### **Equality and Diversity Impact**

- 6.2 None

##### **Social Value Impact**

- 6.3 The proposals will protect all residents in South Derbyshire from the potential harms of inadequate licensing controls.

##### **Environmental Sustainability**

- 6.4 None

#### **7. Background Papers**

Licensing Act 2003

### Consultation Responses Log

Response	Summary of points raised	Amendment to Draft Policy
Response 1	<p>Missing golden opportunity for the Policy to support the Corporate plan and the Council's ambitions for the Environment.</p> <p style="text-align: right;">Page 46 of 620</p>	<p>Amended paragraph 14.2 to read:</p> <p>“This Licensing Authority will support the Council’s priorities and in particular:</p> <p><b>Our Environment</b> - Keeping a clean, green District for future generations by reducing waste; striving with business to make South Derbyshire carbon neutral by 2050; enhancing the appeal of Swadlincote town centre as a place to visit and improving public spaces to create an environment for people to enjoy.</p> <p><b>Our People</b> - Working with communities and meeting the future needs of the District by helping tackle anti-social behaviour &amp; crime through strong and proportionate action; promoting health and wellbeing across the District;</p> <p><b>Our Future</b> - Growing our District and our skills base by encouraging and supporting business development and new investment in the District and providing modern ways of working that support the Council to deliver services to meet changing needs.</p> <p>This will demonstrate Licensing’s commitment to the Corporate Plan without placing any onerous burdens on the Department allowing Licensing to be flexible in their approach.</p>

Response 2	Full support of the introduction of the Policy	No amendment to the Policy.
Response 3	Concerns over reports of littering at Festivals and would like Licensing to control this through the Policy.	<p>Unable to add blanket conditions to a premises licence or Policy. Amended paragraph 11.3 to include the following sentence with regards to littering festivals:</p> <p>‘With regards to festivals, this would include litter picking in the vicinity of the premises including laybys and potentially surrounding villages. The extend of the ‘vicinity’ would be agreed in advance with the Licensing Authority within the Event Safety Management Plan’.</p> <p>The Licensing Department has not received any reports of littering but this added sentence will require each applicant to consider littering during their event. The Licensing Department will continue to work with each applicant and premises licence holder on a case by case basis.</p>
Response 4	Confirmed change of address for Trading Standards.	Address amended.
Response 5	<p>The following points were raised:</p> <p>5.6 - Clarification of how Parish Councils are notified with regards to applications received.</p> <p>Page 47 of 620</p>	Advised there is no mechanism within the Act to notify Parish Councils however the application is advertised on the premises, in the local newspaper and the Council’s website;

	<p>5.12 - Is the sharing of objectors name and address with applicants compliant with data protection legislation?</p> <p>12.5 – children should be banned from premises known to have problems with drugs rather than just strongly considering limited the accessing of children.</p> <p>12.9 – shouldn't it be a zero-tolerance policy with regards to premises selling alcohol to children?</p> <p>Page 48 of 620</p>	<p>Confirmed the sharing of the information is compliant with data protection legislation as there is a lawful basis in sharing this information in that it is a legal requirement to share this information so the applicant may fully address the concerns raised in the objection.</p> <p>This section is taking directly from the section 182 Guidance issued by the Government. The Licensing Department are not permitted to add blanket conditions to any premises licence. Each case is decided on its own merits. The wording of this section allows the Licensing Authority to have discretion in the type of restriction to be applied depending on the circumstances ranging from limiting the hours to a total ban on children being permitted into the premises. With regards to known drug dealing problem, the Licensing Authority would work with the Police on this matter and take the necessary action against the licence to stop this from happening.</p> <p>It is illegal to sell alcohol to children and there is a zero-tolerance policy with regards to this however this is not stated in the Policy as each case is decided on its own merits. Action can and is taken on the first sale of alcohol but the action taken depends on the circumstances of each case. Even though one sale of alcohol to a minor is not acceptable, the Licensing Department endeavours to work with the premises to establish what has gone wrong and put measures in place so it does not happen again. If it does happen again then the fact the Licensing Department have attempted to work</p>
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	<p>Paragraph 13.7 states that a late TEN given less than 5 working days before an event to which it relates will be returned as void and the activities to which it relates will not be authorised.</p> <p>Is this correct? Is it not possible for the event (activities) to go ahead without any alcohol being involved?</p> <p>Paragraph 14.4 – This states the Licensing Authority will not refuse any licence application because the premises do not have planning permission. This is understood, but understanding if there is planning permission or not is not clear as the Planning Committee do not appear on the list of organisations in paragraph 14.3</p>	<p>with the premises licence holder strengthens our position in a review and/or prosecution. Experience has found that education is a better deterrent than a prosecution though the Licensing Department will take a prosecution on the first instance if the circumstances call for it.</p> <p>This is correct. Any reference to activities, is only referring to licensable activities i.e. sale of alcohol and regulated entertainment as this is what the TEN is authorising. Other non-licensable activities planned at an event can take place. Sentence amended to read 'licensable activities' to avoid any confusion.</p> <p>The Planning Authority are a responsible authority so receive a copy of every application received who will then establish if planning permission is in place or not. In most circumstances, it is in place however if it is not then this would not be a reason for refusal. The applicant is advised to obtain planning permission before they use their licence otherwise Planning Enforcement would take the appropriate action.</p>
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**SOUTH DERBYSHIRE DISTRICT COUNCIL**

**LICENSING ACT 2003**

**STATEMENT OF LICENSING POLICY**

**Version 5:  
2021-2026**

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## **1. Introduction**

- 1.1 South Derbyshire District Council is the Licensing Authority under the Licensing Act 2003 (“the Act”). The Licensing Authority makes this Statement of Licensing Policy (“the Policy”) in accordance with Section 5 of the Act. It explains how the Licensing Authority will carry out its role under the Act.
- 1.2 In carrying out its functions, this Licensing Authority will have regard to the Section 182 Guidance issued by the Secretary of State and the Policy. This Licensing Authority will carry out its functions with a view to actively promoting the four licensing objectives:
- Prevention of crime and disorder;
  - Public safety;
  - Prevention of public nuisance; and
  - Protection of children from harm.

Each licensing objective is of equal importance. The promotion of the licensing objectives is of paramount consideration at all times for this Licensing Authority carrying out their functions.

- 1.3 South Derbyshire is situated in the County of Derbyshire which includes 8 other local authorities. South Derbyshire is a mixed urban and rural district covering approximately 338 square kilometres with a population of 104,493 (2018). The town of Swadlincote is the main focus for employment, shopping and services in South Derbyshire. Hilton and Melbourne are the District’s next largest centres of population. The District includes a number of villages and settlements, such as the historically significant Repton and Shardlow and larger villages like Hatton and Willington.
- 1.4 A large part of the District has been included within the designated area of the National Forest. This major environmental initiative is creating a new and attractive landscape for work, recreation and wildlife. A map of the District is attached as Appendix A.
- 1.5 In producing the Policy, this Licensing Authority is required to consult with the following persons:
- The Chief Officer of Police;
  - The Fire and Rescue Authority;
  - Local Authority’s Director of Public Health in England;
  - Other Responsible Authorities;
  - Bodies/persons representative of local premises licence holders;
  - Bodies/persons representative of local club premises certificate holders;
  - Bodies/persons representative of local personal licence holders;
  - Bodies/persons representative of businesses and residents in the area.
- 1.6 This Licensing Authority carried out a 12week consultation period with the above persons. In addition, the Policy was placed on the Council’s website for consultation. The views of all persons have been given appropriate weight and all comments considered in an objective and reasoned way.
- 1.7 The Policy comes into effect on # until #. During this period, this Licensing Authority will keep the Policy under review and make any changes as it thinks appropriate following consultation with the above persons.

## **2. Aim of the Policy**

2.1 In addition to the four licensing objectives, this Licensing Authority will seek to promote the following aims and objectives so long as they do not conflict with the four statutory licensing objectives:

- secure the safety and amenity of our communities;
- facilitate a safe and sustainable licensed trade that contributes to the economy and vibrancy of the District through minimising the regulatory burden on businesses, encouraging innovation and supporting responsible premises;
- reflect the needs of the community in relation to its cultural needs and diversity by supporting licensable activities, including live music, dancing, theatre and the other cultural experiences offered by such activities;
- effectively manage the night time economy and take action against those premises that are causing problems.

2.2 To achieve these aims, this Licensing Authority is committed to promoting best practice and to working in partnership with Derbyshire Constabulary, Derbyshire Fire and Rescue Service, other Responsible Authorities, local licensing authorities, local agencies, the licensed trade, other local businesses and local communities to promote the objectives as set out in the Policy.

### **3. Purpose of the Policy**

3.1 The Policy is concerned with the administration of the licensing functions required of this Licensing Authority under the Act. The Act regulates the following licensable activities:

- The sale by retail of alcohol;
- Supply of alcohol by or on behalf of a club, or to the order of a member of the club;
- Regulated entertainment;
- Late night refreshment.

3.2 The above licensable activities are authorised by premises licences, club premises certificates and/or temporary event notices. In addition, this Licensing Authority is responsible for personal licences.

3.3 With the introduction of the Live Music Act 2012 and the deregulation of what is classed as regulated entertainment, this Licensing Authority will determine what is regulated entertainment on a case-by-case basis based on the information provided by the applicant or existing licence holder. Any applicant or existing licence holder is advised to contact this Licensing Authority for further advice in order to discuss their proposed event/activities.

3.4 The Policy is designed to provide guidance for all parties involved or affected by the above licensable activities with the District. This includes:

- Applicants;
- Licence holders;
- Organisations or individuals planning events;
- Statutory agencies;
- Residents and business in the neighbourhood;
- Licensing decision makers.

3.5 As this Licensing Authority does not operate in a vacuum, there will be a high degree of overlap between licensing and other areas of regulation such as planning, building control, noise nuisance and health and safety, etc. However, this Licensing Authority can only deal with licensing issues and will not duplicate the requirements of other legislation. This Licensing Authority will not attach conditions to any premises licence or club premises

certificate which are already provided for in other legislation. However, this Licensing Authority would consider attaching appropriate conditions, for the promotion of the licensing objectives, if other legislation does not cover the unique circumstances of the proposed licensable activities.

- 3.6 This Licensing Authority recognises that the Act is not a mechanism for the control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business, which holds the licence, certificate or notice. However, licensing is a key aspect for the successful control and management of the leisure and night-time economy in town centres therefore this Licensing Authority would expect all licensees to be responsible for minimising the impact of their activities and the behaviour of their patrons on others within the vicinity of the premises.
- 3.7 The Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits, nor will it override the right of any person to make a representation on an application or seek review of a licence where provision has been made for them to do so in the Act.

#### **4. Application Process**

- 4.1 Applicants should set out the steps they intend to take to promote the licensing objectives in their operating schedule on the application form. This Licensing Authority would expect an applicant to carry out a full risk assessment of the premises and proposed licensable activities in producing the operating schedule. Any steps identified in the operating schedule will become a condition on the licence or certificate if granted.
- 4.2 Applicants are urged to discuss their proposals with this Licensing Authority and the Responsible Authorities prior to submitting an application. This will enable them to seek advice when formulating their operating schedule and may avoid the need for a hearing in response to relevant representations from a Responsible Authority.
- 4.3 Under the Act, the applicant is responsible for submitting a copy of the application on the Responsible Authorities unless the application is submitted online. If the application is submitted online, this Licensing Authority will forward a copy of the application to the Responsible Authorities.
- 4.4 Unless relevant representations are received from Responsible Authorities or other persons, there is no provision for this Licensing Authority to impose conditions on a licence and/or certificate other than in accordance with the operating schedule and relevant mandatory conditions. If no representations are made in respect of an application, this Licensing Authority is obliged to issue the licence and/or certificate on the terms sought.
- 4.5 Applications will not be valid unless properly made in accordance with the Act.
- 4.6 As part of the application procedure for a new or variation premises licence or club premises certificate, this Licensing Authority requires the applicant to provide a copy of the newspaper notice, to include the name of the newspaper and the date the notice appeared, in order to satisfy this Licensing Authority that the requirements of the Act have been complied with.
- 4.7 In addition, this Licensing Authority will check the notice displayed at the premises during the 28 days representation period. If the notice is not displayed at the time of the check, this Licensing Authority will notify the applicant and will re-commence the 28 days representation period from the day after the notice was displayed. A further check will be then carried out to ensure that the notice is displayed.

## **5. Right to Make Representations and Consultation**

- 5.1 Responsible Authorities are public bodies that must be notified of applications and are entitled to make representations in relation to the application for the grant, variation or review of a premises licence or club premises certificate.
- 5.2 Responsible Authorities include:
- This Licensing Authority;
  - The Chief Officer of Police;
  - Fire and Rescue Authority;
  - Health and Safety Enforcing Authority under the Health and Safety at Work etc. 1974;
  - Environmental Health;
  - Planning Authority;
  - Body representing those who are responsible for matters relating to the protection of children from harm;
  - Local Authority's Director of Public Health in England;
  - Trading Standards.
- 5.3 There may be additional Responsible Authorities that must be served notice of the application e.g. vessels. The applicant is advised to contact this Licensing Authority for further advice.
- 5.4 This Licensing Authority designates the Derby and Derbyshire Safeguarding Children Partnership as the body representing those who are responsible for matters relating to the protection of children from harm.
- 5.5 This Licensing Authority can act as a Responsible Authority in its own right. This Licensing Authority will determine when it is appropriate to act in its capacity as a Responsible Authority. This decision will be made with a view to promoting the licensing objectives and having regard to this Policy and the Guidance issued under Section 182.
- 5.6 This Licensing Authority will not act as a Responsible Authority on behalf of other parties i.e. local residents, local councillors or community groups. Such parties can make representations in their own right. However, if these parties have failed to act and this Licensing Authority is aware of relevant grounds to make a representation, it may choose to act in its capacity of a Responsible Authority.
- 5.7 This Licensing Authority will expect other Responsible Authorities to intervene where the basis for the intervention falls within the remit of that other Responsible Authority e.g. the Police should make representations on issues that undermine the crime and disorder licensing objective. This Licensing Authority will work with other Responsible Authorities to provide relevant intelligence that may provide more information in relation to their own evidence.
- 5.8 In acting in its role as Licensing Authority and Responsible Authority, this Licensing Authority will ensure that there is a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. The Officer advising the Licensing and Appeals Sub-Committee will be a different Officer to the Officer who is acting as the Responsible Authority.
- 5.9 In addition to Responsible Authorities, any other persons which include any individual, body or business is entitled to make a representation in relation to an application to the grant, full variation, minor variation or review of a premises licence or club premises certificate regardless of their geographical proximity to the premises. Any other person may seek the review of a premises licence or club premises certificate in their own right.

- 5.10 In accordance with the Act for premises licenses and a club premises certificate, this Licensing Authority must consider relevant representations as part of the licensing process. A representation is 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. In addition, a representation must not be frivolous or vexatious. The Licensing Authority will decide if a representation is frivolous or vexatious on the basis of what might ordinarily be considered to be frivolous or vexatious.
- 5.11 This Licensing Authority will notify the person making the representation of the decision that a representation is not relevant as soon as practicably possible in order to provide that person with the opportunity to make a relevant representation before the end of the 28 days representation period. This will depend when the initial representation was received as there may not be the chance to provide an opportunity to make a relevant representation if the representation was received towards the end of the representation period.
- 5.12 This Licensing Authority is legally required to provide the applicant with copies of any relevant representations that have been made. This will include the name and address of the person making representations. This Licensing Authority will only consider withholding some or all of the person's personal details if the circumstances justify the action i.e. a genuine and well-founded fear of intimidation. The personal details of any person making a representation will be redacted in the report that is prepared for the Licensing and Appeals Sub-Committee held to determine the application.

## **6. Cumulative Impact**

- 6.1 In certain situations, the number, type and density of premises selling alcohol or providing late night refreshment may be associated with serious problems of nuisance and disorder. Where a significant number of licensed premises concentrated in one area are having a negative impact on the licensing objectives, this Licensing Authority may consider that an area has become saturated. In these circumstances, where evidence is brought to the attention of this Licensing Authority which supports the need for a special policy, it will consider the evidence and, if satisfied, where appropriate and necessary, will include an approach to cumulative impact in the Policy.
- 6.2 This Licensing Authority has received no evidence that would make it consider that a cumulative impact assessment (CIA) is currently necessary for South Derbyshire.
- 6.3 This Licensing Authority will review the requirement for a CIA in line with the 5 year review of the Policy. However, this does not prevent any Responsible Authority presenting evidence to this Licensing Authority at any time to request the consideration of adopting a CIA.
- 6.4 The absence of a CIA does not prevent any Responsible Authority or other persons making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However, it will be incumbent on the person making a representation to provide relevant evidence of cumulative impact.
- 6.5 This Licensing Authority regards the adoption of a CIA as being exceptional. Many other mechanisms exist outside the licensing regime that are available to address such issues. For example:
- planning controls;

- positive measures to create a safe and clean town and village centres environment in partnership with local businesses, transport operators and other departments of the Council including best practice schemes such as Pub Watch;
- community protection notices;
- the provision of CCTV surveillance in town and village centres, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of the Council to designate parts of the District as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- the prosecution for the offence of selling alcohol to people who are drunk (or allowing such a sale);
- the power of Derbyshire Constabulary to instantly close down, for up to 24 hours (extendable to 48 hours), any licensed premises in respect of which a temporary event notice has effect on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance;
- the power of the Police, other Responsible Authorities or other persons to seek a review of a licence or certificate;
- raising a contribution to policing the late night economy through a late night levy;
- early morning alcohol restriction orders.

6.6 This Licensing Authority does not intend to use alternative measures such as fixed closing times, staggered closing times and zoning within the area. Each case will be decided on its own merits based on the representations received. Each decision made will be made in accordance with what is appropriate to promote the licensing objectives.

6.7 There can be confusion between the 'need' for premises and the 'cumulative impact' of premises on the licensing objectives. 'Need' concerns the commercial demand for a premises which is a matter for the planning authority and for the market. This Licensing Authority will not consider the question of 'need' in determining an application as it falls outside of the remit of the licensing regime.

## **7. Licensing Hours**

7.1 This Licensing Authority will determine licensing hours on the individual merits of each application, but the presumption will be to grant the hours requested unless there are specific objections to those hours raised by Responsible Authorities or any other persons on the basis of the licensing objectives. If such objections are raised, the hours will be decided at a hearing of the Licensing and Appeals Sub Committee. This Licensing Authority recognises that longer licensing hours for the sale of alcohol can avoid large numbers of people leaving premises at the same time. This in turn can reduce the friction at late night fast food outlets, provision of private hire vehicles and other sources of transport, which can lead to disorder and disturbance. This Licensing Authority will not impose conditions known as zoning that artificially fixes opening hours for any premises or area of the District.

7.2 This Licensing Authority may impose stricter conditions with regard to noise control in areas, which have denser residential accommodation, although this will not prejudice consideration of individual applications where the licensing objectives are observed.

7.3 With regard to shops, stores and supermarkets, this Licensing Authority will allow the sale of alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless to do so would undermine the licensing objectives.

## **8. Use of Standardised Conditions**

- 8.1 Conditions (other than mandatory conditions and those attached in accordance with the operating schedule) may only be attached to a premises licence or club premise certificate if relevant representations are received and it is satisfied, as a result of a hearing (unless all parties agree that a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the licensing objectives. Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned.
- 8.2 Standardised or blanket conditions will be avoided. However, this Licensing Authority may draw from the Licensing Authority's Pool of Model Conditions on the Council's website to ensure that all conditions attached are clear, enforceable and expressed in plain language capable of being understood by those expected to comply with them.
- 8.3 Applicants are recommended to identify key issues in their operating schedules so to reduce the likelihood of representations from Responsible Authorities and/or other persons.

## **9. Prevention of Crime and Disorder**

- 9.1 This Licensing Authority is committed to reducing crime and disorder across the District through its statutory duty under the Crime and Disorder Act 1998. In addition, this Licensing Authority is committed to further improving quality of life for the people of South Derbyshire by continuing to reduce crime and the fear of crime.
- 9.2 This Licensing Authority will expect applicants to detail in their operating schedule the reasonable steps that they propose to take to deter and prevent crime and disorder.
- 9.3 This Licensing Authority will work in partnership with local Pub Watch schemes operating in the District in order to support licence holders to actively prevent crime and disorder issues and to form strategies to reduce current levels. Examples of strategies would address matters such as underage sales, problems associated with drunken behaviour of groups or individuals, prevention of the use of drugs, along with violent and anti-social behaviour.
- 9.4 As the lead body on crime and disorder, this Licensing Authority works very closely with Derbyshire Constabulary on tackling problem premises as well as working together to provide advice and guidance to all licensed premises. In addition to this, this Licensing Authority is an active member of the South Derbyshire Violence, Alcohol Harm and Licensing Group set up in order to tackle problem premises through joint working with all other relevant agencies.
- 9.5 This Licensing Authority recommends that applicants consider the following when preparing their operating schedule:
- The capability of the person who is in charge to run the premises;
  - The applicant's intention to engage with recognised local liaison groups, such as Pub Watch, other groups/organisations such as the Council, the Parish Council, Derbyshire Constabulary, the Community Safety Partnership and other agencies working to promote the licensing objectives in the District. Applicants might make clear their intention to adopt reasonable safeguards promoted by the recognised groups/organisations;
  - Acknowledgement and implementation of the Code of Practice produced by the Portman Group, which seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older;
  - Provision of CCTV and recording equipment for inside and outside the premises;
  - Radio network communication;
  - Search facilities;
  - Use of safety and shatter-resistant glasses and receptacles;
  - Drug prevention policy; [Page 58 of 620](#)

- Signage and crime prevention notices;
- Door supervision;
- Recording of incidents;
- Capacity limits;
- Staff training;
- Any other relevant matter(s)

9.6 Even though this is not an exhaustive list of measures, applicants should only consider those measures they feel are appropriate to their premises and locality. Conditions (other than mandatory conditions) will only be attached to a licence which are consistent with their operating schedule, unless representations are received and additional conditions are considered appropriate to promote the licensing objectives.

9.7 A written proof of age policy implemented at the premises and responsible pricing policies are extremely important in promoting this licensing objective. Both are covered by the mandatory conditions that are attached to any licence therefore an applicant would not be expected to include these measures in their operating schedule.

9.8 There are a number of offences within the Act and other legislation that relate to crime and disorder. This Licensing Authority expects licensees to be familiar with these offences and to take action to prevent any offences occurring. These offences stand in their own right and will not be duplicated as conditions on any licence.

## **10. Public Safety**

10.1 Members of the public have the right to expect when visiting licensed premises that due consideration has been taken with respect to their physical safety. Licensees must be able to demonstrate that they have considered and put into effect measures to protect members of the public and the commercial interests of neighbouring premises.

10.2 This Licensing Authority would expect any applicant to consider the following points to promote this licensing objective by ensuring:

- Appropriate access for emergency services;
- Good communication with local authorities and the emergency services;
- The presence of trained first aiders on the premises and appropriate first aid kits;
- The safety of people when leaving the premises i.e. providing information for local taxi companies and adequate lighting on paths and car parks, etc;
- Appropriate and frequent waste disposal;
- Appropriate limits on the maximum capacity of the premises;
- Consideration of the use of CCTV in and around the premises;
- Any other relevant matter(s).

10.3 The list is not exhaustive and the measures may not apply in all cases. It is the responsibility of the applicant and licence holder to implement measures to promote this licensing objective based on their individual premises and locality.

10.4 Due to the Regulatory Reform (Fire Safety) Order 2005, no conditions relating to fire safety can be attached to any licence even if deemed appropriate. The Order requires the person responsible for the control of the premises to comply with the Order and to carry out a written fire risk assessment for the premises. This Licensing Authority would expect applicants and licence holders to comply with this Order and implement any measures identified in the risk assessment.

10.5 Applicants and licence holders should be aware of the mandatory condition, attached to all on alcohol licensed premises, that requires free potable water is supplied to customers.

## **11. Prevention of Public Nuisance**

- 11.1 The applicant/licence holder will only be expected to prevent public nuisance that is under their direct control. However for the effective management of the night time economy, this Licensing Authority will expect applicants/licence holders to be responsible for minimising the impact of their activities and behaviour of their patrons on people living and working within the area of their premises.
- 11.2 In considering the promotion of this licensing objective, this Licensing Authority will focus on the effect of the licensable activities at the specific premises on person living and working (including those carry on a business) in the areas around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise, nuisance, light pollution, noxious smells and litter.
- 11.3 In order to promote this licensing objective, the applicant should consider the following as part of their application and ongoing promotion of the licensing objectives:
- Prevent noise and vibration escaping from the premises, such measures may include sound proofing, air conditioning, acoustic lobbies and noise limiters;
  - Keeping doors and windows closed after a certain time;
  - Not permitting people to be in the beer garden after a certain time;
  - Prevent disturbance by customers arriving at, or leaving the premises, which is usually of greater significance later into the evening and in the early morning. Operating schedules may need to address the potential disturbance caused by queuing;
  - Prevent potential litter problems in the area of the premises caused by their business activity. These could include the distribution of flyers, fly posting, food packaging left by customers from late night refreshment premises. [With regards to festivals, this would include litter picking in the vicinity of the premises including laybys and potentially surrounding villages. The extend of the 'vicinity' would be agreed in advance with the Licensing Authority within the Event Safety Management Plan;](#)
  - The generation of odour, for example from the preparation of food;
  - Measures to control light pollution;
  - Any other relevant matter(s).
- 11.4 The list is not exhaustive and the measures may not apply in all cases. It is the responsibility of the applicant and licence holder to implement measures to promote this licensing objective based on their individual premises and locality.
- 11.5 Any conditions appropriate to promote this licensing objective will be tailored to the type, nature and characteristics of the specific premises and its licensable activities.

## **12. Protection of Children From Harm**

- 12.1 Protecting from children from harm is one of the fundamental licensing objectives. This Licensing Authority will endeavour to ensure that issues relating to the protection of children are fully taken into consideration by all parties involved in the licensing system.
- 12.2 The protection from children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives. This Licensing Authority will also consider the need to protect children from sexual exploitation when undertaking licensing functions.

- 12.3 The Safeguarding Children Board is the lead authority for child protection issues in relation to applications, licences and notices issued under the Act. The Police and Trading Standards are also expected to be responsible for protecting children from harm under the Act. Unless a relevant representation is made, this Licensing Authority cannot go beyond what the applicant proposes in their operating schedule. This Licensing Authority will therefore expect one of the Responsible Authorities to make representations in relation to any application where they have any concern for the welfare or protection of children.
- 12.4 This Licensing Authority recognises the great variety of premises for which licences may be sought, for instance theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. This Licensing Authority will not impose conditions that restrict access to children to any type of premises unless it is considered appropriate to protect them from physical, moral or psychological harm where relevant representations are received.
- 12.5 This Licensing Authority would strongly consider conditions restricting the access of children to premises in circumstances where:
- entertainment or services of an adult or sexual nature are commonly provided;
  - in some cases, the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises;
  - there have been convictions of members of the current staff at the premises for serving alcohol to minors or in premises with a reputation for underage drinking;
  - there is a known association with drug taking or dealing;
  - it is known that unaccompanied children have been allowed access.
- 12.6 It would be unusual for this Licensing Authority to completely prohibit access of children to any premises. This Licensing Authority may use the following options in order to protect children from harm:
- restrictions on the hours when children may be present;
  - age limitations;
  - limitations or exclusions when certain activities are taking place;
  - restrictions on the parts of the premises to which children may have access;
  - requirements for an accompanying adult;
  - full exclusion of people under 18 years old from the premises when certain licensable activities are taking place.
- 12.7 This Licensing Authority will not impose any condition which requires the admission of children to any premises.
- 12.8 Where this Licensing Authority imposes no restriction on access by children, it is for the discretion of the licence holder to ensure the licensing objectives and the offence provisions under the Act are observed.
- 12.9 This Licensing Authority will liaise with Derbyshire Constabulary and Derbyshire County Council's Trading Standards about the extent of unlawful sale and consumption of alcohol to minors and, as appropriate, will be involved in strategies to control or prevent these unlawful activities and to pursue prosecutions.
- 12.10 This Licensing Authority will expect the licensee to have a Child Protection Policy in place for any licensable events that have a significant number of unaccompanied children. The policy should include the requirement for suitable checks to be carried out on staff before they take up employment. In addition, the licensee should ensure that there will be an adequate number of adult staff present to control the access, egress and safety in and around the premises. The number of staff required should be assessed by the licence

holder, taking into account the number of children to be present, the type of entertainment, the characteristics of the premises and any other relevant factor. It is recommended that any premises which have internet access facilities should have adequate control settings in place so that web sites which are not suitable for use by children are permanently blocked.

- 12.11 In the case of premises showing films, this Licensing Authority expects licence holders to have arrangements for ensuring compliance with the mandatory film condition which restricts children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or other approved body.

### **13. Temporary Events Notices (TEN)**

- 13.1 The Act allows licensable activities to be carried out in specific circumstances on a temporary basis. A TEN will relate to small scale events with a capacity less than 499 people and that lasts no longer than 168 hours. Other limits on a TEN will apply. A standard TEN must be given to this Licensing Authority and a copy served on the Derbyshire Constabulary and the Environmental Health Department, at least 10 clear working days before the temporary event can take place. The clear working days requirement does not include the day the TEN was submitted to the Licensing Authority and the day of the event. Working day means any day other than a Saturday, Sunday, Christmas Day, Good Friday or Bank Holiday.
- 13.2 If the TEN is served electronically, it is the responsibility of this Licensing Authority to serve a copy on Derbyshire Constabulary and the Council's Environmental Health Department.
- 13.3 Derbyshire Constabulary and/or the Council's Environmental Health Department may submit an objection notice to the TEN if they are satisfied that any of the four licensing objectives may be undermined if the event took place.
- 13.4 If an objection notice is received then the TEN will be referred to the Licensing and Appeals Sub-Committee for consideration unless a modification to the TEN has been agreed by the applicant and Derbyshire Constabulary and/or the Council's Environmental Health Department. If a Sub-Committee is held then the Members may decide to allow the event to take place but may impose one or more of the existing licence conditions on the TEN if it considers that this is appropriate to the promotion of the licensing objectives. The attaching of conditions is only permitted if the premises to which the TEN relates has a premises licence or club premises certificate in place. Alternatively, the Sub-Committee may decide that the event would undermine the licensing objectives and, therefore, should not take place. In this instance, a counter notice would be served on the premises user.
- 13.5 Whilst this Licensing Authority recognises the minimum notice period given for the submission of a TEN, it recommends that the TEN is submitted at least two months prior to the date of the event. This will allow time for the premises user to act appropriately should an objection from Derbyshire Constabulary and/or the Council's Environmental Health Department lead to a serving of a counter notice by this Licensing Authority.
- 13.6 A late TEN can be given up to 5 clear working days but no earlier than 9 working days before the event is due to take place. Clear and working days have the same meaning as for a standard TEN. The number of late TENs served in a calendar year is limited.
- 13.7 A late TEN given less than 5 working days before the event to which it relates will be returned as void and the licensable activities to which it relates will not be authorised.
- 13.8 The late TEN must be served in the same manner as a standard TEN. However, if an objection notice is received from Derbyshire Constabulary and/or the Council's Environmental Health Department then a counter notice will be served by this Licensing

Authority and the activities at the event will not be authorised. There is a no scope for a hearing, the application of existing conditions or modifying the TEN.

- 13.9 This Licensing Authority would only otherwise intervene if the statutory limits on a TEN would be exceeded.
- 13.10 This Licensing Authority's Officers may visit events held under a TEN on the basis of potential risk or impact.

#### **14. Integrating Strategies**

- 14.1 This Licensing Authority will ensure its licensing function promotes the licensing objectives through its decision-making process and by appropriate use of its powers, observance of its responsibilities and through liaison and partnership work.
- 14.2 This Licensing Authority will support the Council's priorities and in particular:

**Our Environment** - Keeping a clean, green District for future generations by reducing waste; striving with business to make South Derbyshire carbon neutral by 2050; enhancing the appeal of Swadlincote town centre as a place to visit and improving public spaces to create an environment for people to enjoy.

**Our People** - Working with communities and meeting the future needs of the District by helping tackle anti-social behaviour & crime through strong and proportionate action; promoting health and wellbeing across the District;

**Our Future** - Growing our District and our skills base by encouraging and supporting business development and new investment in the District and providing modern ways of working that support the Council to deliver services to meet changing needs.

- 14.3 This Licensing Authority will seek to achieve integration with the following strategies, so far as it can, and will consult with the appropriate organisations to achieve this:
- South Derbyshire Partnership Strategy and local crime prevention strategies;
  - Violence, Alcohol Harm and Licensing Action Plan;
  - Local Plan;
  - National Forest Destination Development Plan;
  - Joint Strategic Needs Assessment produced by the Health and Well Being Board.
- 14.4 This Licensing Authority will ensure that planning permission, building control approvals and licensing regimes are separated to avoid duplication and inefficiency. Applications for licences will not be a re-run of the planning application and licensing decisions will not cut across decisions taken by the Planning Committee or permissions granted on appeal. This Licensing Authority will not refuse any licence application because the premises do not have planning permission.

#### **15. Promotion of Equality**

- 15.1 This Licensing Authority recognises that the Equality Act 2010 places a legal obligation on all public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, sex and sexual orientation.

#### **16. Enforcement**

- 16.1 The main enforcement and compliance role for the Licensing Authority in terms of the Act is to ensure compliance with licences and notices issued by this Licensing Authority and any conditions attached to them. In addition, this Licensing Authority will take the appropriate action against any unlicensed licensable activities within the District.
- 16.2 In determining the most appropriate course of action to secure the licensing objectives, this Licensing Authority will take into account the Act, other separate legislation and other enforcement bodies' powers.
- 16.3 The Responsible Authorities and Licensing Authorities have agreed an Enforcement Protocol; copies of the protocol can be obtained from South Derbyshire District Council. Within this Protocol, Derbyshire Constabulary are the lead authority for on licence premises whilst Derbyshire Trading Standards are the lead authority for off licences. The Protocol provides for the targeting of agreed problem and high-risk premises which require greater attention while providing a lighter touch for low-risk premises or those that are well run. In addition, this Licensing Authority has an Enforcement Policy that will be complied with in relation to any compliance and enforcement action.
- 16.4 This Licensing Authority will have regard to the Regulators' Code and will adopt a risk rated approach to regulatory inspection to ensure compliance with the Act. This Licensing Authority will risk a premises based on previous compliance records and intelligence received from other Responsible Authorities and members of the public. This Licensing Authority will inspect premises where a complaint has been received, there has been a change of premises licence holder and/or designated premises supervisor and on risk-based targeted initiatives.
- 16.5 This Licensing Authority will promote efficient and effective regulatory approaches which improve outcomes without imposing unnecessary burdens on business.
- 16.6 This Licensing Authority will refer complaints, as required, about licensed premises, club premises, temporary events or licensed individuals to its own appropriate service teams such as Health and Safety or Pollution Control. It may also refer them to other agencies such as Derbyshire Constabulary or the Derbyshire Fire and Rescue Service for their consideration, in accordance with any enforcement protocols.

## **17. Designated Premises Supervisor and Personal Licence Holders**

- 17.1 The sale and supply of alcohol, because of its impact on the wider community and on crime and anti-social behaviour, carries with it greater responsibility than the provision of regulated entertainment and late night refreshment.
- 17.2 This Licensing Authority accepts that not every person selling alcohol at a premises licensed for that purpose needs to hold a personal licence, but every sale or supply of alcohol must be at least authorised by such a licence holder. Premises at which alcohol is sold or supplied should ensure that adequate risk assessments have been undertaken in order to ensure that there are adequate arrangements and numbers of personal licence holders.
- 17.3 This Licensing Authority recognises the responsibility of personal licence holders, particularly the Designated Premises Supervisor in overseeing the day-to-day sale of alcohol. This Licensing Authority expects there to be clear control in the absence of the Designated Premises Supervisor.

## **18. Review of a Premises Licence or Club Premises Certificate**

- 18.1 There is a process for reviewing licences if problems were to persist at licensed premises. This Licensing Authority recognises that it is important to work in partnership with other

Responsible Authorities, the licensee and persons affected by the premises to resolve any issues at the premises. Therefore, prior to the commencement of the review process, this Licensing Authority will try to give the licensee early warning of any concerns identified at the premises. This Licensing Authority may act as a mediator in the discussions, if necessary. If this is not appropriate or unsuccessful, any Responsible Authority or other persons may apply to review a premises licence/club premises certificate.

- 18.2 The reasons for the review of a licence must relate to one or more of the licensing objectives. Any person wishing to review a licence is advised to contact this Licensing Authority to discuss the problems being caused by the premises in order for other options to be explored before a review is applied for. Further advice about how to apply for a review can be found on the Council's website.
- 18.3 Where the crime prevention licensing objective is being undermined it is expected that revocation of the licence – even in the first instance – will be seriously considered.
- 18.4 Any review application will be heard by the Licensing and Appeals Sub-Committee who may take any of the following steps:
- Modify the conditions of the licence/certificate;
  - Exclude a licensable activity from the scope of the licence;
  - Remove the Designated Premises Supervisor;
  - Suspend the licence/certificate for a period not exceeding 3 months;
  - Revoke the licence/certificate;
  - Take no action in relation to the licence/certificate;
  - Issue a warning as to further conduct.

## **19. Fees**

- 19.1 This Licensing Authority will send out invoices to all licensed premises one month prior to the due date of the annual fee.
- 19.2 If payment has not been received by the due date, this Licensing Authority must suspend the licence until the annual fee has been paid. This will mean that no licensable activities can take place on the premises whilst the licence is suspended.
- 19.3 If the annual fee has not been paid, this Licensing Authority will attempt to contact the licence holder and this Licensing Authority would expect the licence holder to make payment immediately. If payment is not received or this Licensing Authority is not able to contact the licence holder, a suspension notice will be sent to the premises licence holder at the premises address or the correspondence address on file. The suspension notice will state the date that the suspension will take effect which will be 4 days from the date of the letter to comply with the Act and to ensure the receipt of the letter.
- 19.4 If payment is received before the date on the letter, the suspension will not take effect. If payment is not received, the licence will be suspended and the Police will be notified about the suspension. This Licensing Authority will visit the premises on the date of the suspension to ensure that no licensable activities are being provided at the premises. If licensable activities are being provided whilst the suspension is in place then the appropriate enforcement action will be taken against the licence holder and/or any other person.
- 19.5 The suspension will be lifted on receipt of the annual fee. This Licensing Authority will notify the Police that the suspension has been lifted.

## **20. Sexual Entertainment**

- 20.1 Under the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"), sex establishments, including sexual entertainment venues, must be licensed by this Licensing Authority. Sexual entertainment venues may apply to premises licensed under this Act. This Licensing Authority has a policy in place regarding sex establishments.
- 20.2 Under the Sex Establishment Policy, conditions will be attached to any sex establishment licence. These conditions may be similar to conditions attached to a premises licence and/or club premises certificate. If this is the case, the most onerous conditions will have to be complied with by the licence holder.
- 20.3 There is an exemption under the 1982 Act that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly. However, if any sexual entertainment event undermines any of the licensing objectives then the premises licence may be reviewed and conditions may be attached, if appropriate, to control the sexual entertainment events.

## **21. Early Morning Restriction Orders (EMRO)**

- 21.1 Under the Act, this Licensing Authority has the power to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area by way of an EMRO but only if it is satisfied that this would be appropriate for the promotion of the licensing objectives.
- 21.2 This Licensing Authority does not think it is appropriate at this stage to introduce an EMRO for the whole or part of the District. If this Licensing Authority has or receives any evidence that indicates that an EMRO would be appropriate, a consultation would take place before any EMRO is introduced.

## **22. Administration and Delegation of Functions**

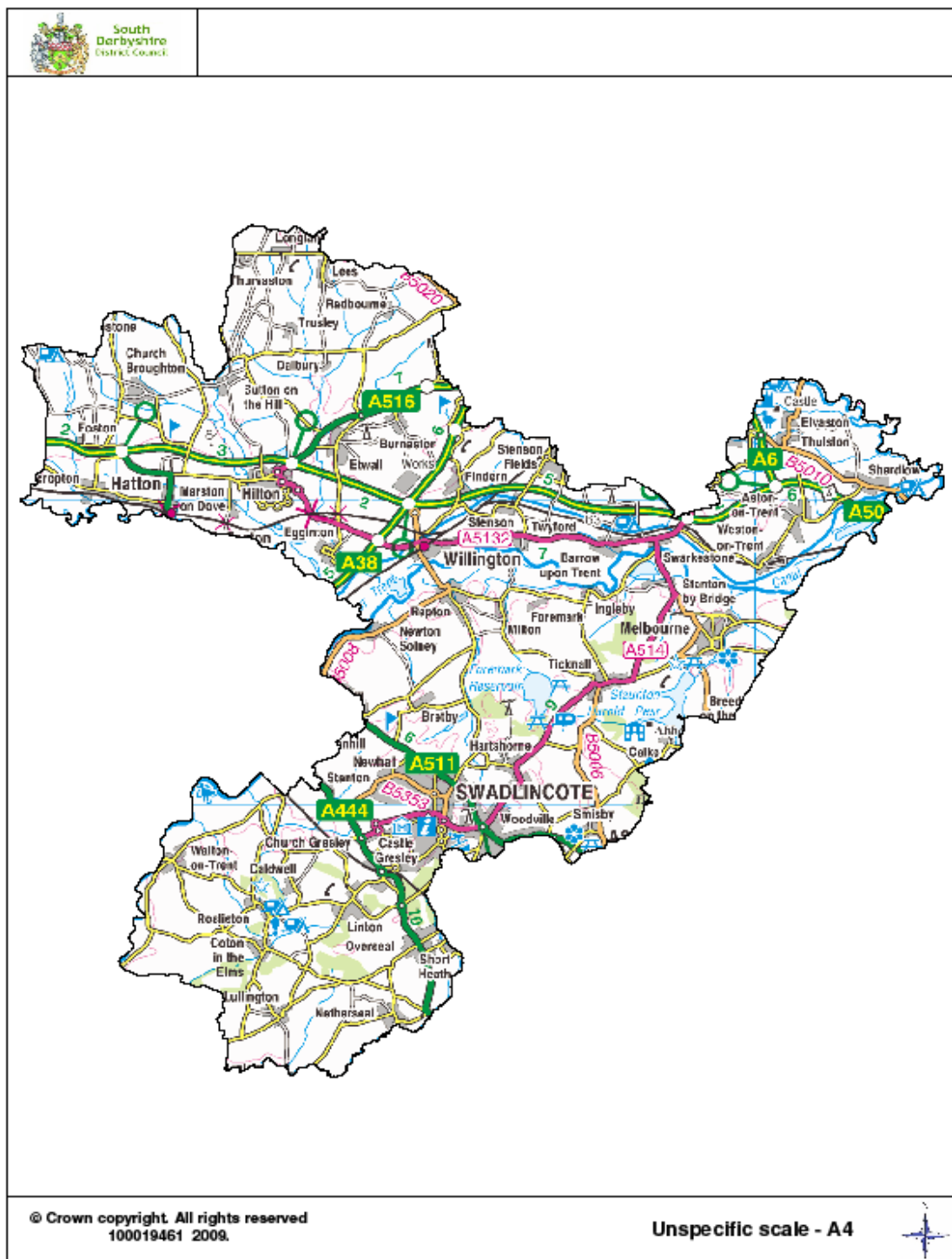
- 22.1 This Licensing Authority recognises many of the decisions and functions under the Act are purely administrative in nature. In the interest of speed, efficiency and cost-effectiveness, the delegation set out in the Council's Constitution sets out various duties of its Licensing Sub-Committee and officials. A copy of the delegation can be found at Appendix B.
- 22.2 In addition to the table of delegated functions, this Licensing Authority has delegated the following to Officers:
- Power to suspend a premises licence or club premises certificate for non-payment of annual fees;
  - Power to specify the date on which the suspension takes effect;
  - Power to make representations as a Responsible Authority.

## **23. Contact Details**

- 23.1 This Licensing Authority can only offer advice on the process for and progress of applications and as to whether particular activities are required to be licensed. If applicants require detailed advice on the requirements of the legislation and information as to how it may affect their premises, they may wish to seek their own independent legal advice.
- 23.2 Applications can be found on the Council's website along with Guidance Notes on the Application Procedure. Online applications and payments are also available on the Council's website. Contact details for this Licensing Authority and all other Responsible Authorities can be found in Appendix C.
- 23.3 This Licensing Authority recommends potential applicants for new or existing premises to contact the Licensing Department to discuss their application prior to submission in order to

resolve potential problems and avoid unnecessary hearings. The applicant may also wish to contact the other Responsible Authorities to discuss their application.

Appendix A  
Map of the District



## Appendix B

### Licensing Scheme of Delegation

Matter to be dealt with	Sub-Committee	Officers
Application for personal licence	If a representation from Derbyshire Constabulary	If no representation made

<b>Application for personal licence with unspent convictions</b>	All cases	
<b>Application for premises licence/club premises certificate</b>	If a representation made	If no representation made
<b>Application for provisional statement</b>	If a representation made	If no representation made
<b>Application to vary premises licence/club premises certificate</b>	If a representation made	If no representation made
<b>Application to vary designated premises supervisor</b>	If a representation from Derbyshire Constabulary	All other cases
<b>Request to be removed as designated premises supervisor</b>		All cases
<b>Application for transfer of premises licence</b>	If a representation from Derbyshire Constabulary	All other cases
<b>Application for interim authorities</b>	If a representation from Derbyshire Constabulary	All other cases
<b>Application to review premises licence/club premises certificate</b>	All cases	
<b>Decision on whether a representation is irrelevant frivolous vexatious or repetitious</b>		All cases
<b>Decision to object when the Licensing Authority is a consultee and not the relevant authority considering the application</b>	All cases	
<b>Determination of an objection to a temporary event notice</b>	All cases	
<b>Determination of an application to vary the premises licence at a community premises to include the alternative licence condition</b>	If a representation from Derbyshire Constabulary	All other cases

<b>Decision whether to consult other Responsible Authorities on a minor variation application</b>		All cases
<b>Determination of a minor variation application</b>		All cases

Appendix C  
Responsible Authority Contact List

<p><u>Licensing Authority</u></p> <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>licensing@southderbyshire.gov.uk</p>	<p><u>Police</u></p> <p>Derbyshire Constabulary Licensing Section Derby Divisional HQ St. Mary's Wharf Prime Park Way Chester Green Derby DE1 3AB</p> <p>derby.licensing@derbyshire.pnn.police.uk</p>
<p><u>Fire And Rescue</u></p> <p>Derbyshire Fire &amp; Rescue Service South Area Office Ascot Drive Community Fire Station Ascot Drive Derby DE24 8GZ</p> <p>SouthAreaAdmin@derbys-fire.gov.uk</p>	<p><u>Health &amp; Safety Enforcement</u></p> <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>commercial.team@southderbyshire.gov.uk</p>
<p><u>Planning</u></p> <p>Head of Planning Services South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>planning@southderbyshire.gov.uk</p>	<p><u>Environmental Health</u></p> <p>Environmental Health Division South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>environmental.health@southderbyshire.gov.uk</p>
<p><u>Derbyshire Safeguarding Children Board</u> <u>Derbyshire Trading Standards Service</u> <u>Derbyshire Public Health</u></p> <p>County Hall Matlock Derbyshire DE4 3AG</p> <p><a href="mailto:trading.standards@derbyshire.gov.uk">trading.standards@derbyshire.gov.uk</a></p>	



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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 7</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN/EXEMPT PARAGRAPH NO:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>EMMA MCHUGH 01283 595716 <a href="mailto:emma.mchugh@south-derbys.gov.uk">emma.mchugh@south-derbys.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

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**1. Recommendations**

- 1.1 That Members note the performance of the Licensing Department in relation to the Key Performance Indicators

**2. Purpose of Report**

- 2.1 To provide Members with an update on the Licensing Department and the Key Performance Indicators

**3. Detail**

- 3.1 As part of the audit of the Licensing Department held in 2014, service standards were put in place with regards to target times for the processing of complete applications and dealing with any complaints received by the Department.
- 3.4 The Licensing Department will provide a quarterly update as to the Department's performance against the service standards. The results for the previous quarter are:

**Private Hire Licensing**

<b>Type of Licence Application</b>	<b>February to July 2020</b>
Private Hire Vehicles (5 days)	99%
Private Hire Drivers (10 days)	100%
Private Hire Operators (5 days)	100%

## Licensing Act 2003

Type of Licence Application	February to July 2020
Personal licence (10 days).	91%
Grant of premises licence (15 days after grant)	85%
Variation of designated premises supervisor (15 days after grant)	97%
Transfer of premises licence holder (15 days after grant)	100%
Variation of premises licence (15 days after grant)	100%
Minor variation of premises licence (15 days after grant)	100%
Temporary event notice (1 day)	100%

## Enforcement

Type of Application	February to July 2020
Acknowledgement of complaint within 2 days	100%
Letter detailing works required within 10 days	100%
Notify complainant of outcome of investigation within 10 days	100%

### 4. Financial Implications

- 4.1 There are no financial implications to the Council.

### 5. Corporate Implications

#### Employment Implications

- 5.1 None

#### Legal Implications

- 5.2 None

#### Corporate Plan Implications

- 5.3 The service standards demonstrate that we support local businesses whilst protecting local residents which contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity and safety and security.

## Risk Impact

5.4 None

**6. Community Impact**

**Consultation**

6.1 None

**Equality and Diversity Impact**

6.2 None

**Social Value Impact**

6.3 None

**Environmental Sustainability**

6.4 None

<b>REPORT TO:</b>	<b>ENVIRONMENT AND DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY</b>	<b>OPEN</b>
<b>MEMBERS’ CONTACT POINT:</b>	<b>STEFFAN SAUNDERS – HEAD OF PLANNING AND STRATEGIC HOUSING: 07971 604326</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>CONSULTATION ON PLANNING WHITE PAPER: PLANNING FOR THE FUTURE</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS03</b>

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## **1. Recommendations**

- 1.1 To seek approval to respond to the Government’s White Paper consultation “Planning for the Future” on the basis of the comments set out in Appendix 2 with the final response to be delegated to the Chairman of Environment and Development Services Committee in consultation with the Head of Planning and Strategic Housing.

## **2. Purpose of the Report**

- 2.1 To inform the Council of the Government’s consultation on its White Paper entitled ‘Planning for the Future’,
- 2.2 To consider the implications for South Derbyshire District Council and to seek approval to respond to the consultation.

## **3. Detail**

- 3.1 The Government’s White Paper on its proposed reform of the planning system was published in August 2020. The consultation proposes a fundamental shake-up and simplification of the planning system, re-writing primary and secondary legislation, which will replace the current planning system with a zoning system. However, there are indicators of much more detail to come, particularly through a revised National Planning Policy Framework (NPPF) within which ‘local plan policies’ will be set out. There is much in the White Paper that it to be welcomed and a summary together with implications for the Council is set out in Appendix 1. The beneficial reforms, at least in principle, are those that seek to enable more public participation in the plan making process thorough digital enhancements, the streamlining of plan making and decision making processes

through reducing burdens on local authorities and an aim to reduce the complexity of all aspects of planning so that all with an interest in the planning system can better anticipate the outcome of a development proposal.

- 3.2 However, there is also much to be concerned about. Although there is reference to adequate resourcing there is scant detail about how local authorities, many already overstretched, will be expected to produce new style Local Plans within 30 months, process planning applications within statutory timescales (with the extension of time process to be abolished), enforce breaches of planning control in a timely manner and continue to support Neighbourhood Plans, all with a potential significant fall in fee income.
- 3.3 The 'front loading' of major decision making into the Local Plan process will also significantly reduce the ability of the Council to consider the matters at the planning application stage. Although the intention to foster greater public participation at the plan making stage is most welcome, in practical terms the time many local residents really get involved is when there is a development proposal near to them that they object to. Under the proposed reforms this would be too late to meaningfully influence the process as the decision will effectively have been taken in the Local Plan.
- 3.4 The proposals for the delegation of detailed planning decisions to planning officers where the principle of development has been established [at the plan making stage] as detailed matters for consideration should be principally a matter for professional planning judgment. The goal should not be to disenfranchise local communities and remove the right of elected Councillors who are democratically accountable to the communities they represent to influence decisions. Instead the government should seek to establish a system which manages the uncertainty and the delays that can arise when complicated and often controversial decisions need taking. Local people should have a voice in shaping their communities and this should be heard, even if it is not possible to reflect the views of all. Moreover, decisions on delegation arrangements should be made locally and not by central government.

#### **4. Financial Implications**

- 4.1 This is difficult to assess as very few details are given. However, there is the potential for a significant loss of fee income to the Council due to loss of outline planning permission fees on allocated development sites.

#### **5. Corporate Implications**

##### **Employment Implications**

- 5.1 Not identified

##### **Legal Implications**

- 5.2 None as a result of responding to this consultation. However, the Government's reforms may well end up in the Courts causing significant delay to their implementation.

### **Corporate Plan Implications**

- 5.3 The proposed response to the White Paper is consistent with the delivery of a number of Corporate Plan themes. These include:
- to enhance biodiversity across the District (Our Environment).
  - to improve public spaces to create an environment for people to enjoy (Our Environment).
  - Promote health and wellbeing across the District (Our People).
  - To influence the improvement of infrastructure to meet the demands of growth (Our Future).
  - Enable the delivery of housing across all tenures to meet Local Plan targets (our Future)

### **Risk Impact**

- 5.4 None in relation to the consultation response. There are significant risks to the Council set out in the proposed response if the proposals are not amended.

## **6. Community Impact**

### **Consultation**

- 6.1 None.

### **Equality and Diversity Impact**

- 6.2 None in responding to the consultation.

### **Social Value Impact**

- 6.3 Beneficial: the proposed response if taken on board by the Government will provide the appropriate balance between speed of decision making and the delivery of much needed development but also appropriate protections for these locally valued green spaces and community facilities across the District.

### **Environmental Sustainability**

- 6.4 Beneficial: but again, on the basis of the comments in the appendix leading to changes to the White Paper. There is a risk if amendments are not made the environment in South Derbyshire will not be adequately protected.

## **7. Background Papers**

- 7.1 Planning White Paper: Planning for the future which is available to view at:  
<https://www.gov.uk/government/consultations/planning-for-the-future>

## Appendix 1 - Notes on White Paper 'Planning for the future' (August 2020) – 12 week consultation.

### Background

1. The main aim of the White Paper “Planning for the Future”, published in August 2020, is to dramatically increase housing delivery. The Government considers the main obstacle to housing delivery as the complexity of the current planning system with very little acknowledgement of planning permissions ‘sitting’ underdelivered. It was a finding of the Letwin Review <https://www.gov.uk/government/publications/independent-review-of-build-out-final-report> that volume housebuilders will build at a rate to maintain property prices but not to meet need but this gets little acknowledgment.
2. To address the issue of housing delivery the White Paper proposes a fundamental shake-up and simplification of the planning system, re-writing primary and secondary legislation, which will replace the current planning system with a zoning system. However, there are indicators of much more detail to come, particularly through a revised National Planning Policy Framework (NPPF) within which ‘local plan policies’ will be set out.

### Local Plan Preparation

3. New style 'zoning' local plans will be much shorter than current ones, with far fewer policies, and will be more visual and map based, making best use of technology. They will be supplemented by design codes to ensure quality and for heritage assets such as conservation areas. High quality development (that meets the codes) will be fast tracked. Design guides and codes would ideally be produced on a ‘twin track’ with the Local Plan, either for inclusion within the plan or prepared as supplementary planning documents
4. Land will be zoned into three broad categories:

**Growth** – suitable for substantial development. Allocations would automatically grant outline planning permission for the forms of development outlined in the plan. Areas identified as Growth Areas will automatically be granted Outline consent if they conform to the proposals set out in the Local Plan.

**Renewal** – suitable for some development such as infill and "gentle densification." In areas suitable for development (renewal areas), there would be a general presumption in favour of development established in legislation

**Protection** – development is restricted, such as green belt and areas of outstanding natural beauty. In areas where development is restricted any development proposals would come forward as now through planning applications being made to the local authority (except where they are subject to permitted development rights or development orders), and judged against policies set out in the National Planning Policy Framework.

5. The new local plans will have to be prepared within a 30-month timetable and there will be (unspecified) sanctions for those who do not meet this. Government anticipates the first round of plans to be in place by the end of the current Parliament (Dec 2024).
6. The way plans are to be assessed is to be streamlined, with the current 'tests of soundness' being replaced by a simpler 'sustainable development' test. The Duty to Cooperate is to be abolished. The White Paper indicates that eventually the standard method will take account of land constraints, e.g. Green Belt, however it also refers to housing need being met in another local authority area where necessary. There is a separate consultation on the new method of calculating housing need.
7. The principle of Neighbourhood Plans is retained, but the enthusiasm for communities to undertake them may well be curbed with the amount of new housing development required.

#### Public Engagement

8. The White Paper proposes a shift in public engagement from the 'planning application' stage to the 'plan-making' stage. However, there are only two stages in the Plan's production where the public get involved – the Call for Sites stage and then once the draft plan is published and simultaneously submitted for examination.
9. There is a particular focus on Local Plan formulation engaging with the Local Community using the latest digital technology, with a particular focus on visualisations and interactive mapping software. The White Paper refers to "shifting plan-making processes from documents to data",

#### Development Management

10. Development Management Policies will be set at a national level to reduce duplication in Local Plans and reduce the length of the document. Design standards, however, will be set locally and each Local Authority will be expected to ensure that they have a "chief officer for design and place-making". There will also be a national design code and further guidance on the current national design code is expected in the autumn.
11. Current 'criteria-based policies' will be replaced by a much smaller number of 'clear rules' and standards. These will relate to things like scale, density and height limits. Development Management policies will be set nationally rather than included in local plans, apart from when they are site specific.
12. Substantial changes are being proposed to permitted development rights. To take this forward the intention is to develop a limited set of form-based development types that allow the redevelopment of existing residential

buildings where the relevant conditions are satisfied – enabling increased densities.

### Infrastructure

13. Section 106's and Community Infrastructure Levy's (CILs) will be replaced by a new Infrastructure Levy that sounds like a flat rate proportion of the up-lift in value of land rather like the old Development Land Tax. However, local authorities will have more flexibility as to how these contributions are used. The White Paper also says that delivery of affordable housing will be maintained at least at current levels (the current Council policy target is 30%) however, the concurrent Changes to the Planning System consultation proposes a temporary lift of the affordable housing trigger threshold to 40 or 50 dwellings.
14. The paper says that this funding will take place up-front so as to allow key infrastructure to be put in place at an early stage of development and measures will be brought in to allow local authorities to borrow the sum up front to facilitate timely infrastructure delivery, however it is made clear that this is at the financial risk of the local authority itself.

### Implications

15. Under the proposed changes to the standard method for calculating housing need this would more than double for South Derbyshire. The figure under the current standard method would give an annual housing requirement of 548. This would be increased to 1209. It seems clear that the Government expects this need to be met meaning not just allocated but built (mainly through allocated Growth Areas), and if delivery falls short there will be penalties in place (currently unspecified).
16. Although in theory there will be a balance to make between allocating enough Growth Areas to ensure housing targets are met, and not over-allocating Growth Areas, in practice with such high numbers the Council will need to allocate far more land as Growth Area than has previously been included in Local Plans. It will also be difficult to get the level of detail right. Too much and it will likely be removed from the Plan by the examining Inspector. Too little and the Council will not be able to add it back in at the detailed planning application stage. Furthermore "Plans should be informed by appropriate infrastructure planning, and sites should not be included in the plan where there is no reasonable prospect of any infrastructure that may be needed coming forward within the plan period. Plan-making policies in the National Planning Policy Framework will make this clear. Viability is likely to be a key issue.

17. There may be a greater need for the Council to invest further in new software, additional staff and training to partly enable the increased focus on electronic data but also to ensure that there is capacity to address the added focus on design and delivery in such high numbers. The White Paper notes that many younger people do not engage with the Planning system and that an improvement in accessibility online should improve this. This could be highly beneficial for many residents of South Derbyshire but could have the potential to exclude the older generation depending on the usability of the software.
18. It will be crucial that the residents of South Derbyshire are made aware of the importance and permanence of the Local Plan (which will last for a minimum of 10 years). Local Authorities will be expected to “develop innovative solutions to support plan-making activities and make community involvement more accessible and engaging”.
19. Both with regard to increase in permitted development and in effect the almost complete abolition of outline planning permission (once identified as a growth area this is intended to replace outline planning permission) there will be potentially significant implication for loss of fee income.

## **Appendix 2 – Proposed Response**

### **1.What three words do you associate most with the planning system in England?**

- Democratic
- Multifaceted
- Necessary

### **2.Do you get involved with planning decisions in your local area?**

Yes – as a local planning authority LPA, South Derbyshire District Council engages at national, County and neighbourhood level together with cross-border working.

2(a). If no, why not?

### **3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?**

Following changes to the Data Protection Act through the GDPR in May 2018, those wishing to be informed of planning policy consultations at the outset of a consultation have had to actively provide their consent to have their details held on the consultation database.

In assessing others' responses to this consultation question, and the subsequent requirement made of LPAs through legislation, the workability of the regulations with respect to the Data Protection Act must be borne in mind.

As part of the shift towards digital sharing of information, presentation of this information in a spatial fashion would be beneficial.

### **4. What are your top three priorities for planning in your local area?**

South Derbyshire District Council's Corporate Plan sets out a vision to make the District a great place to live, visit and invest. To deliver this the Plan includes commitments to:

1. Improving the environment of the District including through tackling climate change, addressing biodiversity decline and enhancing the attractiveness of South Derbyshire.
2. Working with communities and meeting the future needs of the District including in respect promoting health and wellbeing, improving the condition of housing, supporting social mobility, tackling crime and antisocial behaviour and making services more accessible through use of technology.

3. Growing the District and its skills base by supporting economic growth, the attraction and retention of skilled jobs, supporting the unemployed back to work, enabling the delivery of housing across all tenures to meet Local Plan targets and influencing the delivery of infrastructure to meet local needs.

In simple terms, the priorities articulated above are environment protection and enhancement, tackling inequalities, and delivering sustainable growth. The delivery of these 'priorities' is reliant on the Council prioritising and seeking to address all of the issues highlighted and more. Delivering sustainable and equitable growth is not delivered by prioritising one or two issues ahead of others. Whilst some local stakeholders may have strong views about the places they live or work, focussing too narrowly on some issues at the expense of others will inevitably lead to poor development which fails to meet the needs or expectations of the whole community.

## **5. Do you agree that Local Plans should be simplified in line with our proposals?**

Whilst on the face of it having each piece of land categorised as one of three area types could be considered a simplification of a local plan. How these three area types, in particular Growth and Renewal areas, will work in practice is, to a large extent, yet to be determined and is not without complexity; establishing the sub-areas within each category, creating areas for self and custom build homes, establishing differing permitted densities, identifying distinct areas around high streets and town centres and introducing design codes will inevitably result in 'policy layers'. This complexity is unavoidable within a meaningful planning system; to imply that every area of land can neatly fall into one of three categories is misleading. The detail of the accompanying text needed for the Growth and Renewal areas is of particular concern given the proposed 12-month plan production window.

There are many unknowns remaining within the proposals with terms and parameters yet to be defined, such as 'substantial development' and 'important constraints'. What is substantial for one area will not be substantial for another. However, the definition will be set out in national policy. The 'important constraints' that would be excluded from Growth areas unless the risk can be fully mitigated, have not been specified. Regarding mitigation, would the need for mitigation need to be proven at the point of submitting the site within the first six months of the plan process and if so, would this case for mitigation then need to be determined within the 12-month plan production period? Demonstrating successful mitigation requires substantial up-front financial resources, however, at that early stage of the plan process, with no certainty of an allocation, a landowner/developer might not be able to afford to take the risk. Similarly, it is not clear when masterplans and design codes will be prepared in the plan process. If there is to be any significant level of detail to support an allocation of a Growth area, this is not compatible with a 12-month plan production timeframe.

The proposals as they stand would result in the local plan policies map looking very 'bitty', with Protected areas to include gardens and the dwellings themselves within the curtilage likely to fall into a Renewal area. The plotting of the interactive map will not be achievable if gardens and dwellings are to fall within different areas. As such, there needs to be a recognition that protected areas will 'wash over' existing properties which might otherwise be seen as previously developed land, normally suitable for 'renewal'.

The introduction of a wholly interactive local plan policies map is supported, however, detailed guidance would be required to ensure that a set standard applied across the country. This extends to a clear set of criteria for whether policies are defined by polygons and/or icons or shading.

For LPAs to prepare for the changes proposed, the new NPPF would need to be published well in advance of new legislation. Transitional arrangements will need to be considered in detail – perhaps to the extent that any new NPPF only applies once a new-style Local Plan has been adopted.

It is unclear whether promoters and developers are expected to pay towards the plan making process, to substitute for the loss of fee income through removal of the outline application process. To do so would risk forming the public perception that landowners and developers could ‘buy’ an allocation, however, without sufficient financial resources, the speedier delivery of plans will not be achieved.

## **6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?**

Seeking to reduce the duplication of national policy within Local Plans is understandable and many policies are adequately covered by the NPPF e.g. Heritage, and Green Belt. However, general development management policies only being set nationally, does not allow local authorities to respond to local issues/priorities in ways which they think are appropriate and reflect the distinctiveness of an area. Authorities will instead be constrained by National Policy requirements. The new system needs to reflect the fact that there are always going to be certain local issues that will not be covered by the NPPF or Neighbourhood Development Plans (NDPs) and councils need the flexibility to be able to address these in their local plans. e.g. The National Forest is not a national issue. It would be preferable if the NPPF sets out what is covered nationally and does not require further policy to be set, although effective consultation on the wording of these policies will be required - particularly with practitioners who are expected to apply them. Local authorities or NDPs could pick up on topics which the NPPF cannot cover.

It is likely that by removing general development management policies from the Local Plan, Local authorities will add many requirements within the design guide and codes, to ensure that local priorities will be taken into account. Therefore, instead of the information being contained within the Local Plan as separate policies, the information will be contained within the design guides and codes.

The premise of development management policies and code requirements being written in a machine-readable format, is understandable. However, funding and software training will need to be provided to local authorities to enable the implementation of this. In addition, can LPAs compete with the private sector to attract skilled individuals into a quasi-planning/software developer role?

In terms of the alternative options proposed, limiting the scope of the policies local authorities can write, could again stymie local authorities ability to respond to local issues/proprieties and again does not sit well alongside the premise of the Localism Act, nor the concept of the White Paper enabling better engagement. The idea that local authorities can set their own development management policies (without duplication of the NPPF) is supported. This should reduce the number of policies within Local Plans and ensure that local authorities have the opportunities include policies which are locally distinctive, if they so choose.

The status of the NPPF would alter to being part of the Development Plan. It is important that provisions will be made to ensure that future revisions of the Framework would undergo a rigorous and transparent testing through a similar examination process?

**7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?**

In the main yes, but with some qualifications.

The environmental assessment process is complex and unwieldy. It has become so partly because of the requirements included in legislation and partly due to the fear of Councils or their consultants that a failure to address the specific requirements of the Strategic Environment Assessment (SEA)/Sustainability Appraisal SA processes will be used to challenge the validity of the Plan by aggrieved third parties either during examination or following its adoption.

However, there is much that is positive about the environmental assessment process and there can be no doubt that having an understanding of the likely environmental, and other effects of delivering the Plan leads to better Plan-making. It also assists with and ratifies the selection of sites when there are numerous competing opportunities. There are a number of key elements of the SEA/SA process that should be retained.

1. A brief appraisal of the spatial approach identified by the authorities explaining the options for spatially distributing growth and why the chosen approach has been selected.
2. A brief appraisal of the housing delivery target options (only if deviating from the standard method)
3. A concise assessment of sites put forward for growth (preferably against a specified and limited number of mainly environmental constraints which could be set by central government) to allow potential environmental effects to be identified and to stop the future sprawl of the scope of the SA into other matters
4. the identification of mitigation measures to help reduce the adverse effects/improve the beneficial effects of bringing the reviewed sites forward
5. an explanation of why the chosen sites have been selected.

Trying to restrict the assessment to these key issues and the controlling the scope and complexity of the environmental appraisal will reset the assessment process towards one which is easier to understand and undertake. This could increase the number of assessments done internally by planning authorities (and reduce the need to engage more expensive consultants) and in doing so strengthen the link between plan-making, environmental protection and accountability. If the scope and content of appraisals were carefully controlled and optimised by those with expertise in this sector, many of the benefits of the current SA process could be retained, whilst many of its

failings related to its complexity, its resource intensive nature and in particular its use as a vehicle to slow down or frustrate the plan-making process can be addressed.

**7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

In the absence of regional planning, perhaps one mechanism to deliver strategic infrastructure and address other cross boundary issues could be to mandate joint working between Housing Market Area (HMA) or other authorities to prepare a Sub-Regional Infrastructure and Cooperation Strategy. This could be akin to proposals in the Environment Bill which requires groups of authorities to prepare a Local Nature Recovery Strategy. Asking authorities to collaborate to identify cross boundary infrastructure needs and requiring that this evidence feeds into planning making and decision taking of individual authorities could allow cross boundary issues to be adequately incorporated into individual plans. Works on such sub-regional infrastructure strategies could be coordinated by county councils in two tier areas or Local Economic Partnerships. There should be a requirement for local authorities to engage with partners, in particular to ensure impacts outside of the area influenced by the Plan can feed into the strategy.

However, it is not enough to just identify infrastructure needs. It needs to be delivered in a timely fashion if larger sites are to be brought forward. This Authority has allocated a number of larger sites and they tend to stall due to issues securing infrastructure delivery. Single sites can rarely deliver big ticket items due to the costs involved. Whilst the potential for Community Infrastructure Levy (CIL) and other mechanisms exists to support the collection of funds from multiple developments within a broader area where land values/viability are high, in areas with low land values, which reflects many urban areas in South Derbyshire the Government needs to financially support the delivery of infrastructure (and therefore the timely delivery of sites) through providing grants, loans or general funding sufficient to fund necessary infrastructure. It is hugely frustrating for councils to allocate or give permission to large sites, but five or ten years later still be unable to get the sites delivering much needed housing and employment land due to the inability of the authority and developer to access funds necessary to make those sites sustainable. The Government needs to step up and assist with the delivery of sites requiring significant upfront infrastructure development. Failure to do this will continue to undermine housing delivery, particularly in areas where land values are lower.

Linked to this point is the question of whether, following examination of a site where it is made clear that a significant piece of infrastructure is required, that there should be an automatic commitment by Government to fund the infrastructure conferred by adoption of the Plan.

**8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?**

South Derbyshire is a district which is committed to delivering significant housing growth and is performing well in achieving significant housing completions over several years. It is right to simplify the way in which housing needs are determined to provide certainty to Councils, communities and developers regarding new local provision. However, the proposed standard method appears to have no regard to the capacity of local communities to accommodate ever

increasing growth. Constraints should not just reflect the environmental capacity of local areas but also the social capacity of an area. Exceptionally high levels of growth can undermine community cohesion particularly where this growth is not supported by the necessary infrastructure which is costly and time consuming to provide. The more significant the growth, the more significant the time and cost is of providing the necessary infrastructure to support it. Where high very levels of growth are required over long periods the government should do more to support existing communities to adapt to growth or help facilitate the creation of new settlements, for example through funding the creation of new infrastructure including social and green infrastructure. The private sector is risk averse and has consistently been unable to fund infrastructure particularly when this is needed early in a development process.

Moreover, it is unclear how the proposed methodology can meaningfully drive urban regeneration. Based on the proposed methodology housing need for South Derbyshire will be 1,209 homes, whilst Derby City will need to deliver 624 homes and Amber Valley 663. South Derbyshire will therefore be expected to deliver almost half of the Derby HMAs growth despite its current population being around 100,000 people and being defined as a rural District Council. In contrast Amber Valley and Derby City, which have a combined population of over 385,000, will receive the other half of the HMAs required housing growth between them. In simple terms housing growth in the Derby HMA outside of South Derbyshire will be around one quarter of the level per 1,000 people even though the remainder of the HMA includes the City of Derby. This is absurd and is fundamentally at odds with the governments stated ambition of 'levelling up' which clearly requires city areas in need of regeneration to accommodate a higher proportion of new housing than the proposed methodology will deliver. In addition, the reduction in the City's need from the existing methodology to the proposed methodology also does not fit the concept of Renewal Areas and 'gentle densification', noting that it would be normal under the current arrangements for an authority to undertake a capacity study to demonstrate to its HMA partners it cannot accommodate further growth within its own limits.

This level of growth in South Derbyshire cannot be responding solely to local needs. Continuing to mandate this high level of growth in the future can only be met by very significant level of greenfield growth due to the rural nature of the district. In contrast there are opportunities to regenerate previously developed land or repurpose underused areas or buildings in the City (the main driver of growth in the HMA) and far more emphasis should be put on increasing housing in urban areas where employment land, social infrastructure and other facilities and amenities are located rather than creating new urban extensions which are comparatively poorly related to key infrastructure and existing communities.

**8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**

These are relevant considerations, but it is unclear how the standard methodology proposed effectively achieves this in respect of South Derbyshire. South Derbyshire includes one town, population just less than 40,000 people. The next largest settlement is a large village of around 10,000 people. The remaining population lives in very rural communities all but one of which have populations of less than 3,000. There are a small number of new communities currently being developed as urban extensions in the north of the District adjoining Derby but these are currently limited in size and population. And despite this South Derbyshire 'housing requirement' is double that of the City itself.

In terms of housing affordability it is correct that this has deteriorated in South Derbyshire in the past ten years, though since 2016 housing affordability in South Derbyshire has been broadly static with the median price of a house being 7.2 times the median workplace-based gross annual earnings for full-time workers. In 2019 this figure was 7.18 a level below the national average affordability ratio of 7.6. However, given that transactions in the past three years in South Derbyshire will include around 1,000 new builds per annum and these are on average 9.6 times the median income<sup>1</sup> (i.e. notably more expensive) it is likely that new growth is leading to affordability appearing worse in areas of recent historic growth which will effectively skew growth to locations which have grown rapidly in the recent past.

**9(a). Do you agree that there should be automatic outline permission for areas for substantial development (areas) with faster routes for detailed consent?**

No. The body of work which would need to be undertaken at the local plan stage to underpin an automatic outline permission cannot be assembled within the current resource limitations of the planning system. The due diligence necessary to gain the certainty that sites can be delivered and map out the general approach to development does have to happen at some point but to suggest that small planning teams can undertake the depth and breadth of necessary evidence gathering across many sites within the time frames set out is totally unrealistic.

The work that underpins an outline permission does have to happen at some point if it were to form part of the plan making process it will not be possible within 30 months. Moreover, the very significant costs currently met by developers will be transferred to Council's (and hence local communities). It is unclear how this additional resource burden could be clawed back given the general approach muted in the white paper that the costs of planning should be borne by the beneficiaries, not by existing communities.

It would be better to have a permission in principle fall out of the back of the Local Plans process this will provide increased certainty for the developer to progress the site design and work up development proposals (informed by a design code if these are required) and will give communities an understanding of the scope and likely timing of development. In short there needs to be the right detail at the right time. There has to be an acknowledgement that there is a significant role for the developer to come up with the detail after they have the comfort of having the allocation/permission in principle in place.

As a further note, it is also worth highlighting that should the government want LPAs to produce local design codes, or Local Development Orders to speed up decision taking later on in the process, at the same time as reducing plan preparation time, and increasing the due diligence necessary to underpin permission in principle being given through the plan making process there will need to be a very substantial increase the resources available to Council's.

There is also a contention in using developer/promoter material in evidencing allocations and in turn a permission. Public trust is needed through the process, and it cannot be seen that an allocation is 'bought' through solely developer/promoter led and funded evidence.

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<sup>1</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandandwales/2019>

**9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?**

Up to a point, however it will be necessary to have the flexibility to deal with proposals for all types of uses as and when they arise. When you factor in the applications that come forward in renewal areas will often be small scale and whilst a presumption in favour of sustainable development should apply, it is not likely to be possible to create a framework for prior approval requirements which can provide the level of certainty the government is striving for. Moreover, much of this approach seems to ape the governments approach to permitted development which regarded by many stakeholders as leading to poor quality and inappropriate development, and increasingly inaccessible to the general public as the legislation becomes more complex.

There is a contradiction between asking for plans that are short and asking for detail to be included about the renewal areas.

There needs to be a realisation that development coming forward in renewal areas is more likely to suffer from existing constraints across a broad range of topics, many of which will need conscious assessment on a case by case basis to ensure impacts arising are well balanced.

**9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?**

No. Whilst the creation of new settlements may be large-scale developments they are not nationally significant infrastructure and they are typically proposed to meet local housing needs. Furthermore, it is unclear how taking decisions on the appropriateness and location of new settlements from existing communities is either desirable, or possible given the resource constraints faced by the Planning Inspectorate.

The local community should be properly involved in decision taking. It is crucial that the delivery of such communities be informed by local views on design, layout, housing mix, open space, public private realm etc. New settlements should not be entirely focussed on infrastructure and delivery. The Nationally Significant Infrastructure Projects (NSIP) would basically be determining a reserved matters application for a new settlement, however this should be determined locally where schemes are of local importance only and will not have clear and significant cross boundary effects. In addition having new settlements would not only lead to the loss of control of decision making by a democratically accountable body but would also deprive councils of the opportunity to shape the scheme as well as the fees that follow applications of this nature.

**10. Do you agree with our proposals to make decision-making faster and more certain?**

No. Rigid deadlines with no possibility to extend will result in Council's having to refuse applications simply because all the information has not been provided in a timely fashion. This will leave applicants having to re-submit. The key point is an **agreed** extension of time is it actually benefits all parties. This will not speed up the process, it will slow it down. The change from the Housing and Planning Delivery Grant years to the current approach evidences this, with reduced numbers of refusals overall.

The principle of faster decision taking is supported and the integration of technology into decision-taking can help achieve quicker processing and determination of applications. However, it is not possible to provide certainty in every case, or speed up all proposals. Nor is it possible to create a piece of software that exercises planning judgement – these things cannot be distilled down to an algorithm. Constraints do not capture everything, and different scenarios and issues come into play of each application.

The White Paper includes proposals for the delegation of detailed planning decisions to planning officers where the principle of development has been established [at the plan making stage] as detailed matters for consideration should be principally a matter for professional planning judgment. In the view of officers this is wrong. The real goal should not be to disenfranchise local communities and remove the right of elected Councillors who are democratically accountable to the communities they represent to influence decisions. Instead the government should seek to establish a system which manages the uncertainty and the delays that can arise when complicated and often controversial decisions need taking. Local people should have a voice in shaping their communities and this should be heard, even if it is not possible to reflect the views of all. Moreover, it is not for the government to interfere with individual Council's delegation arrangements.

The standardising planning conditions, frontloading the process to that extent would be good; shifting towards digital (which, actually, is already being delivered now); and specifying the scope and content of evidence and environmental information we need to make decisions are positive proposals.

The proposals to incentivise LPAs to determine an application within the statutory time limits are not supported. The suggested mechanisms of achieving this of an automatic refund of the planning fee for the application if not determined within the time limit, or potentially exploring whether some types of applications should be deemed to have been granted planning permission if there has not been a timely determination, would erode local trust in the planning system and fail to recognise the often complicated nature of some decisions. The automatic refund approach also raises the very real possibility of developers securing a return on their fee, by deliberately responding to issues arising after the statutory period.

Creating a more adversarial approach between developers and LPAs, and threatening Councils with sanctions if decisions are not taken within an arbitrary timeframe is unlikely to speed up decision taking and could harm the positive relationships between councils and developers. It will also likely lead to poorer decision taking and an increase in the number of refusals as noted above. The planning system works best when developers and councils work together to address the issues posed by development. Threats (or in the language of the White Paper incentives) to councils wanting to take a little extra time to deliver high quality development schemes which in any case will often take years to build out, cannot be easily changed and will be in place for 50, or even a 100 years or more seems unnecessary and deeply unhelpful.

## **11. Do you agree with proposals for accessible, web-based Local Plans?**

The new plans will be built upon the idea of them being interactive and map based, this is something that is agreed with in principle and probably overdue.

It is important that a web-based approach is genuinely accessible for all as per the requirements under the Equality Act 2010. The White Paper indicates that to support open access to planning documents and improvements to public engagement in the plan-making process, plans should be fully digitised and web-based following agreed web standards rather than document based. This is a major shift from the current approach to consultation and will need to be supported by significant training, investment in software and possibly investment in staff with the appropriate level of IT expertise. At present most local authorities do not necessarily have the resources or knowledge to create something using the current design and technology level that is required within individual Planning Departments and attracting appropriately qualified IT staff to such a niche and newly evolving sector could prove to be difficult.

It will be a benefit for most members of the public to be able to view Local Plans easily at a time and place of their choosing by clicking on a web-based map to see what proposals will have a direct effect on their local area. However, this eliminates the possibility of the opportunity for the Planning Officer to be able to take the time to explain the reasoning and evidence for the decisions to the member of the public as they would during a consultation event. As not everyone can be engaged through Social Media and other digital platforms, which are proposed. There are still aspects of the consultation process where provision will still need to be made for and guidance given for how these hard to reach groups, whose view must be heard, and matter can be engaged.

Having policies accurately and clearly with set boundaries for each element on interactive layers it will provide clarity for all (developers, LPAs and members of the public) when it comes to applications and appeals. This might even reduce the amount of wasted applications appeals that are faced through a misunderstanding of the policy position relating to developments.

## **12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?**

No. The proposed 30-month timescale for the preparation of a Local Plan is unlikely to be realistic for LPAs to achieve. The proposals require that local authorities draw up a Local Plan within 18 months and assemble the evidence to grant outline permission for Growth areas, when many local authorities already have limited/stretched resources including staffing and funding. The proposed timeframe significantly underestimates the scale of the challenge for local authorities – especially where collaboration and agreement between multiple authorities and stakeholders is required.

Although Local Plans will no longer contain generic development management policies, Planning Authorities will still need to collect a substantial amount of evidence to help determine and justify the identification of land into the three categories. 18 months to collect robust evidence, make decisions on the three land categories based on the evidence collected and resolve any technical issues is unrealistic within the constraints of current resources. Particularly as the level of detailed required to effectively grant outline planning permission for Growth Areas, is likely to be substantially more than that currently required for Local Plan Allocations.

Given the level of detail required to effectively grant outline planning permission for Growth Areas within the timeframe suggested, clarification on how local authorities will be supported would be welcomed. Is a substantial amount of information and master planning expected to be provided by developers from the 'call for sites' submissions (with Local Authority inputting once sites are

submitted), or are local authorities expected to prepare this work, with the cost transferred from the developer to the Local Authority? Either way existing Local Authority resources will be stretched and are unlikely to be adequate to meet the increased workload in the timeframe proposed.

The White Paper states “Plans should be informed by appropriate infrastructure planning, and sites should not be included in the plan where there is no reasonable prospect of any infrastructure that may be needed coming forward within the plan period” (para 2.20). To achieve this Local authorities require input from other Government Agencies (e.g. County Highways, Highways England, County Education), service providers (gas, electricity, water) and other statutory consultees such as Natural England. This places a burden on these consultees whose resources are already stretched and will not have the same priorities as LPAs. Local authorities’ success in being able to meet the 18-month timescale for plan production, is influenced by outside agencies providing information and helping to resolve technical issues in a timely manner. Furthermore, there is a risk due to the tight timescale, potentially incomplete responses from consultees could be provided, meaning infrastructure planning may not be considered and addressed as fully as it should.

The White Paper states that sanctions will be imposed on those local authorities who do not meet the statutory deadline. Clarification is sought on what the sanctions would be. As mentioned above the proposed timeframe is very challenging and it would be ludicrous if local authorities could be sanctioned if the delay was down to statutory consultees not providing timely information. Furthermore, financial sanctions would hit already resource stretched planning departments and could potentially affect the production of a Local Plan.

In terms of consultation and the 30 month timeframe, the only chance consultees get to comment on Planning Authorities proposed land classifications and policies is at stage 3 of the process, when the plan is submitted to the Secretary of State for Examination. The White Paper states “Our reforms will democratise the planning process by putting a new emphasis on engagement at the plan-making stage” (par 1.16). As it currently stands during Local Plan production most local authorities will consult at an Issues and Options Stage, Draft Local Plan and Pre-submission Local Plan prior to submitting the plan for Examination. It could therefore be argued, that only giving consultees a chance to comment on proposed land classification and policies once the plan has been submitted for Examination, is less democratic and gives consultees less of chance to get involved than the current system. Particularly if detailed applications will no longer be able to go before Councillors as highlighted earlier. The proposal also provides less consultee input into the process than a Neighbourhood Development Plan , as there is no Regulation 14 equivalent consultation. It is therefore proposed that stage 1 of process should include a general ‘what do you think are the issues and options for this Authority?’ consultation. However, the timetable should be amended to reflect this additional work.

Another concern regarding consultees only commenting on proposed land classifications and policies at submission, is that issues may only come to light at the point of Examination. Whereas in the current system consultees can raise points at various stages (e.g. Draft Local Plan, Pre-Submission), giving the Local Authority opportunity to address these. Currently no guidance is provided on what the process would be to resolve major issues uncovered at stage 3. Would the issue/s for example get addressed at Examination, or would the Local Authority have to go back to the beginning of the Local Plan process? Clarity on this matter is needed.

In regard to the alternative examination options (para 2.53 and 2.54), the suggestion “that the automatic ‘right to be heard’ could be removed so that participants are invited to appear at

hearings at the discretion of the inspector” (par 2.53) is problematic. The White Paper claims that it is putting a new emphasis on community engagement (par1.16), however not allowing all to be heard seems to be contrary to this statement. It could also potentially lead to members of the public feeling that the planning system is not inclusive.

In terms of less complex or controversial Plans being examined through written representations only. Providing those participants who want to make written representation are able to do, there is no objection to this option, as the process still gives opportunities for consultees to have their say and would be less onerous and time consuming.

The last option put forward to remove the Examination stage entirely and requiring LPAs to undertake a process of self-assessment against set criteria and guidance, with Planning Inspectors auditing some completed plans to ensure the sustainability test has been met (par 2.52), is again problematic. It would likely lead to a large number of legal challenges which are time consuming and costly and would be counterproductive with the Government’s desire of reducing the length of time for Local Plan production and adoption.

**13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

The principle of retaining NDPs should be supported but there is a lot which could be improved in terms of how the plans are prepared. The number of communities preparing NDPs in the District is very low. Of the one NDP that has been made and the two reaching regulation 14 (first consultation stage), none have sought to proactively allocate land for development. As such, the experience has been that the NDP process is time consuming in terms of providing officer support but without the intended purpose of NDPs being realised. There needs to be a rigorous process where neighbourhood plans demonstrate how they will meet housing need. How will the NDP actively assist in the delivery of strategic plans.

There is also needs to be a mechanism whereby the policies and proposals of NDPs can be spatially displayed and available to members of the public and other stakeholders both during their preparation (and consultation) and once adopted (as proposed in Q11), given their status as part of the development plan. Moreover, should the Government move towards having nationally prescribed policies there will be a need for NDPs to restrict policies included in their plans to those of only local relevance or towards the inclusion of specific allocations or designations.

**13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

Any reform regarding digital tools and local plans should be replicated for NDPs. However again resources and training regarding implementation of this needs to be considered.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?**

Yes, there should be a stronger emphasis on the build out of developments once permission is in place.

The legal definition for commencement of development; “*development is taken to be begun on the earliest date on which a material operation is carried out*” is a problem. Limited development needs to occur to meet this requirement. Consequently, there is no incentive for developers to build out sites quickly, as once a material operation has commenced (however small), planning permission does not lapse. Changing the definition of what implements a permission could encourage faster build out rates. Developers for example could have to spend money in order to implement a permission, e.g. land value tax from the date of permission. Once developers are ready to build, it needs to be in their financial interest to build out without undue delay or break sites up to facilitate delivery by multiple housebuilders. Unless there are sanctions for developers sitting on permissions, there is nothing the Local Authority or regulatory bodies can do to speed up delivery.

The government also need to commit to the provisioning of new strategic infrastructure where this is holding back development across a wider area. Larger sites often require very significant infrastructure, two such sites of over 2,000 homes are being held back in this District for this reason.

In some areas it may be the case that the market can stand the cost paying for ‘big ticket’ items, although paying for infrastructure upfront raises issues that delays site delivery. However in many areas the costs of providing new road infrastructure, secondary schools and such like, is just not possible due to the build costs associated with development (for example where there are abnormal costs) or where land values are so low that development cannot stand the additional costs needs to make sites sustainable. As highlighted earlier in this report central government needs to do far more to facilitate growth in such locations through a combination of grants, loans and other interventions to get these sites moving.

Planning teams also need to be properly resourced to handle the discharge of conditions and obligations. Whilst councils can charge for the latter, the current fee for a conditions discharge is negligible when there is scope to seek approval of multiple conditions at once on a large site. It would be prudent to set a higher charge ‘per condition applied for’, justifying councils resourcing speedier approvals and subsequent monitoring of implementation.

## **15. What do you think about the design of new development that has happened recently in your area?**

It generally does not reflect local character or vernacular. Most new homes are built by large developers who have value engineered housing types which they seek roll out across the Country. The same broad layouts, materials and house types built in South Derbyshire are built out elsewhere. This is clearly beneficial to developers as they know the costs and delivery rates of sites but it harmful to local character. There is a general reluctance to design for local site characteristics or conditions using local materials because this increases development costs and uncertainty for the developer. This is especially true in areas with lower land values.

However, design is more than just materials and house types. Too often development fails to adequately respond to the opportunities and constraints offered by sites.

There has been some improvement in the quality of the design in some larger developments (though not all) and improving accessibility, delivering sustainable drainage, providing on site habitat creation and on site tree planting or providing open space and creating local centres and social infrastructure can all help to improve the design quality and liveability of new development.

However, the quality of many sites is often undermined by developers failing to build out as consented, rowing back on commitments to deliver some components of development for viability reasons or failing to ensure that infrastructure and open space is appropriately managed post construction.

There needs to be recognition that good design increases developer uncertainty, costs and will add a degree of bureaucracy and red tape to the planning system which could affect the speed of delivery of new development. Some of these things can be partially mitigated through the creation of design codes and clear policies. However, in the end there needs to be recognition that red tape is not a bad thing if the things it secures provide greater value than costs it imposes.

There also needs to be recognition that carbon reduction should be embodied in good design principles, with developers forced to adopt the Building Regulations standards in force at the time of commencing that particular dwelling – not allowing an entire site of 2,000 to be built at standards from 10+ years ago due to that being the commencement date. Furthermore, there needs to be greater commitment and rules/requirements for developers to install and link to sustainable energy generation schemes, or provide these on site.

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?**

Please refer to the response to Question 4 earlier in this report.

**17. Do you agree with our proposals for improving the production and use of design guides and codes?**

Yes, but with adequate resourcing.

**18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?**

Yes to both but as above with resourcing. If this resourcing is not in place, then these proposals will be counter-productive (particularly the Chief Design Officer) as they will raise public expectations regarding an increase in design quality of schemes without the means to achieve it. With no additional funding there is a real risk that Council's will add the title of 'Chief Design Officer', to an existing post, without that post holder having the specific design expertise or the team to deliver on it.

**19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?**

Yes.

**20. Do you agree with our proposals for implementing a fast-track for beauty?**

No. To effectively plan for great places requires collaboration, genuine input from a wide range of local interest groups, potential use of design review or similar tools, and refining schemes until the necessary quality is in place. This takes time. In addition, whereas it is possible to gain broad consensus on good functional design, whether a place or building is 'beautiful' will always be a subjective matter. It will not be possible to come up with an effective measure of this on a national scale.

**21. When new development happens in your area, what is your priority for what comes with it?**

More affordable housing, infrastructure and services, open space better design, retail provision, employment space, schools and community facilities. There needs to be sufficient flexibility to allow Council's to come to a view and potentially change their mind as circumstances change. Local councils, which are democratically accountable should have a significant role in decision making to establish what is important in the locality.

**22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?**

No. While a system that proposes to increase the revenue levels nationally, takes into account contributions across all use classes, and is more effective at capturing increases in land values and more reactive to economic downturns is welcomed, a continuation of Section 106 is preferred in the District in order to maximise the delivery of local priorities. A move away from a S106 approach would dilute this and our preference would be to seek changes to the existing S106 system that incorporate the Government's policy aims.

The proposal would mean assessing a schemes viability at the outset, based on the cost of the build and a fixed rate for land costs. to ascertain what, if any, contribution the scheme should make towards the local community. Assessing viability at any stage other than detailed design is inherently flawed and is not likely to capture site specific barriers to development that will, if uncovered, impact on the level of the levy received. As such, this gives local communities no greater assurance than the current system on the level of contribution to be expected. Thought also needs to be given as to who should complete this work, the ability of staff on both capability and capacity grounds.

The proposal gives no indication of the financial threshold to be used, it is therefore impossible to judge the impact of this on different councils. However, it should be noted that despite Government claims to the counter, it is hard to see how affordable housing delivery won't be negatively impacted upon with the move to apply the contribution to only the proportion that is assessed as being over the threshold and not, as previously, the whole site once this threshold is reached.

For example, currently South Derbyshire has a threshold for delivery of affordable housing on sites over 15. A site of 20 dwellings would trigger this threshold and as such provide an affordable housing contribution of 6 affordable homes. If we take the same tangible example under the new rules, a site of 20 would only secure an affordable housing contribution on the 5 dwellings over the threshold, equivalent to only two affordable homes (rounded).

The removal of section 106 also raises concern over how councils can ensure the long-term management of public areas and drainage features, noting that most developers now rely on a transfer of ownership to a management company rather than the local authority. Furthermore, many local authorities may prefer to adopt these areas in the wider community interest, so it would be necessary to include a legal requirement that councils, both local and parish, are offered the land first.

**22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?**

Locally.

**22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?**

As much as is locally viable, based on local land values and property prices to maximise the amount available to spend on local priorities, but not hinder development.

**22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?**

As a District Council, borrowing against the Infrastructure Levy to support the delivery of large infrastructure projects would create large levels of uncertainty as to when, or even if the Levy would be received. Therefore if the development doesn't actually take place, or it take a lot longer than expected to reach the trigger point for collecting the Levy then the interest that is built up from the borrowing can amount to a substantial amount of money that many district councils or smaller Authorities will not want to bear the added cost of.

**Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through Permitted Development rights?**

Yes. If the reformed Infrastructure Levy is to be imposed, then the Levy should capture change of uses through permitted development rights. This is to ensure that change of uses contribute to infrastructure delivery and help reduce their impact on the community. Without this local authorities are missing out on opportunities to collect funding for infrastructure projects, despite the fact that these changes of use will use the surrounding infrastructure and could potentially exacerbate any existing infrastructure provision problems, such as overcapacity of schools.

It could also be seen as unfair if a new built development of the same final value as a change of use (through permitted development) was charged a Levy, however the change of use was not charged.

As Permitted Development rights are being extended further within England, through the changes made through 'The Town and County Planning (General Permitted Development) (England) (Amendment) (No.2) & (No.3) Order 2020'. It means there are new ways of residential accommodation to be delivered without planning permission needing to be sought (only prior approval). Either through the addition of new storeys on a dwelling house or a replacement dwelling. All of these could have a larger floor space than the original development therefore the charge should be applied to offset the extra impact the new development could have. Whether that be residential or commercial floorspace as then the funding goes towards helping the Local Authority deliver the infrastructure that is needed to support the growth within the area.

**24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]**

Yes, there is already an overwhelming need for genuinely affordable homes, particularly at social rent levels, and homes that meet a diverse range of differing needs. Demand for this type of housing will only be exacerbated by the economic downturn. Provision of truly affordable housing can assist in the economic recovery of the nation if adequate investment is made in its provision.

**24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]**

On balance in kind, however, more details are required.

It is welcomed that the Government has sought within the proposal to maintain the existing level of affordable housing delivery through developer contributions as is currently delivered, however, the figure quoted is a national figure and locally within South Derbyshire over 70% of our affordable housing delivery is through this mechanism. It is, therefore, vitally important that this level of delivery within the District is maintained. Unfortunately, the details of how this will be achieved are to date ill formed and as such cannot give us these assurances.

The District Council would want the same kind of flexibility as afforded to it under S106, in terms of accepting other forms of contributions to deliver affordable housing such as commuted sums or land in exchange for a proportion of the levy charged. It is unclear from the proposals if, in particular, commuted sums in lieu of on-site provision would be allowed. The Council would therefore welcome further clarity on this element of the proposal.

It is also unclear from the proposals how, in practice, the transfer to an affordable housing provider (AHP) would work and how this would differ from the current competitive AHP market. If the same tender process is to be used by the developer to try and maximise the amount secured for the affordable housing contribution, this will give uncertainty to the amount to be taken from the levy in regard to the affordable the housing proportion. If we move away from this system to a fixed price,

the Council will need to be more involved in the price paid by the AHP and rotation of AHPs, including the Council as a provider, to avoid animosity.

**24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? 24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?**

Yes. The Council will require certainty that any risk taken from in kind delivery can be mitigated against in such times as an economic downturn, equally, should there be a market uplift from the time the levy is assessed, the Council should too benefit from the required proportion of this uplift in the form of an overage clause within the legal agreement.

Viability varies hugely depending on location. Where there is no overage clause – the system falls in the developers' favour. Giving up the flexibility of S106 will not help to get the most out of the land values in the District.

**Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?**

Yes. Currently there is already a wide range of infrastructure that the levy can be spent on to help mitigate the impacts of the development by meeting the tests as set out in the CIL Regulations 2010 (as amended). This already has a large flexibility in place to support the infrastructure needs of the Local Authority.

Up to 25% of this gets passed to the local neighbourhood for spending on priorities within the area where the development occurred. However, if more flexibility is allowed it will be up to the authority to choose if they take up that flexibility for items proposed.

**Q25 (a) If yes, should an affordable housing 'ring-fence' be developed?**

Yes, if the Government and Council are committed to honouring the existing levels of affordable housing delivery, it will be necessary for the affordable housing contribution to be ring-fenced within the new Infrastructure Levy. By 'ring-fencing' a part of the levy it will be necessary to ensure that with the flexibility of the levy that is proposed, local authorities will still be able to deliver the same amount of as good quality new build affordable housing as at present.

**Additional Comments**

Although there is no specific question on Enforcement, the White Paper includes proposals, and enforcement against breaches of planning need to be decided at the local level. Councils cannot be required to show intent when determining the action to take. There also should not be the creation of a mismatch between expectations and resources to do it. Most councils rely on a reactive enforcement system, rather than a proactive enforcement position. Monitoring development under construction a matter of routine (as opposed to responding to complaints) would be a significant job. There are advantages of this such as improving confidence in the planning system by identifying breaches in planning control earlier, not relying on complaints to the same extent, and developing a clear expectation from applicants that development needs to be

carried out with planning permission. However, in areas such as South Derbyshire with significant volumes of development this will require a minimum of one full time job and possibly more.

<b>REPORT TO:</b>	<b>ENVIRONMENT AND DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM: 9</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY</b>	<b>OPEN</b>
<b>MEMBERS’ CONTACT POINT:</b>	<b>KAREN BEAVIN - PLANNING POLICY TEAM LEADER, TEL: 07501 698400</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>ADOPTION OF LOCAL GREEN SPACES PLAN</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS03</b>

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## **1. Recommendations**

- 1.1 To adopt the Local Green Spaces Plan as a Development Plan Document, incorporating all the main modifications set out by the Inspector and the additional modifications proposed by the Council, including any consequential and other appropriate alterations for the purposes of clarification or typographical corrections.

## **2. Purpose of the Report**

- 2.1 To inform the Council of the Inspector’s final report following the examination of the South Derbyshire Local Green Spaces Plan (the LGSP), which recommends adoption of the Plan subject to modifications.

## **3. Detail**

- 3.1 The planning system provides a framework for managing the development and use of land. A key element of this system is the preparation of development plans, which establish where and what type of development can take place and provides the basis for the consideration of planning applications.
- 3.2 Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act, requires that the District Council prepare a Development Plan to manage growth across the District. The LGSP, together with the Local Plan Part 1 and Local Plan Part 2 (LP1 and LP2) will seek to manage development within South Derbyshire up to 2028 or earlier if a new Local Plan is adopted before.
- 3.3 In brief:

- LP1 establishes a long-term strategy (up to 2028) to manage development. It comprises the spatial vision and objectives, a spatial strategy (setting out how much growth is required and where strategic growth will be located) and strategic policies to inform the detailed design of new development.
  - LP2 sets out additional non-strategic policies and guidance. It supplements and provides additional detail concerning how development will be managed including through the allocation of 14 non-strategic sites. The LP2 also identified those locations within settlement boundaries where development is, in principle, acceptable and included a strategic policy committing the Council to the preparation of a Local Green Spaces Plan.
  - The LGSP identifies around 100 Local Green Spaces across the District and includes policies in respect of the enhancement and development of these areas.
- 3.4 Work on the LGSP formally commenced in May 2018; prior to this the Council had intended to designate Local Green Spaces through the LP2. At this point the Council consulted on its sustainability appraisal scoping report and its proposed methodology for identifying sites that could be designated as Local Green Spaces within the LGSP. Consultation on the Draft LGSP which included, for the first time, the sites to be designated as well as policies to enhance the value of Local Green Spaces, was subject to consultation for six weeks starting in October 2018. Following amendments to the Draft LGSP and supporting evidence to reflect consultation responses, the LGSP was subject to a further six-week consultation (the proposed submission consultation). This commenced in February 2019. Following the close of this consultation the LGSP, together with any representations made to the Council, were submitted to the Secretary of State on 24 May 2019.
- 3.5 An examination hearing was held into the Plan on the 12 September 2019. In accordance with section 20(7C) of the Planning and Compulsory Purchase Act, the Council requested that the Inspector recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Following the examination hearings and receipt of post hearing correspondence issued by the Inspector, the Council prepared a schedule of proposed MMs and carried out a sustainability appraisal of them. The MMs schedule (i.e. the main changes to the LGSP required to make it sound) were subject to public consultation for six weeks, which commenced in January 2020.
- 3.6 There are four MMs that all need to be applied to the LGSP in order for it to be both sound and legally compliant. These are set out at Appendix B. The additional modifications are set out at Appendix C, with any further changes, such as the contents page being updated, or additional typographical corrections included. The Policies Maps, which illustrate the location and boundaries of the Local Green Spaces are included at Appendix A.
- 3.7 Published alongside the LGSP is the Sustainability Appraisal and Habitat Regulations Assessment documents, included at Appendix D.

- 3.8 Subject to the Council agreeing to adopt the LGSP, it will be necessary to: prepare an adoption statement; send a copy of the adoption statement to those who have asked to be notified of the adoption of the LGSP and; to make available the adopted LGSP, the Inspector's Report, the adoption statement, the sustainability appraisal report and its adoption statement and publicise details of where and when the documents are available for inspection.

#### **4. Financial Implications**

The only foreseeable financial implication would come from any necessary costs incurred in the event that a High Court challenge ensued – see below.

#### **5. Corporate Implications**

##### **Employment Implications**

- 5.1 Not identified

##### **Legal Implications**

- 5.2 Following adoption, there is a six-week period for a High Court challenge to the adoption of the LGSP. These six weeks start at the point of adoption. Any person aggrieved by the Plan may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004, on the grounds that the document is not within the appropriate power and/or procedural requirements have not been complied with.

##### **Corporate Plan Implications**

- 5.3 The adoption of the LGSP is likely to contribute towards the delivery of a number of Corporate Plan themes. These include:
- to enhance biodiversity across the District (Our Environment).
  - to improve public spaces to create an environment for people to enjoy (Our Environment).
  - Promote health and wellbeing across the District (Our People).
  - To influence the improvement of infrastructure to meet the demands of growth (Our Future).

##### **Risk Impact**

- 5.4 Adoption of the LGSP could have a beneficial mitigating action against corporate risk of failing to meet increasing community aspirations for environmental stewardship and protection. However, it also puts the Council at risk of a legal challenge by any aggrieved parties as outlined above.

#### **6. Community Impact**

##### **Consultation**

- 6.1 None. Extensive consultation has been undertaken during the preparation of the LGSP.

##### **Equality and Diversity Impact**

- 6.2 None.

### **Social Value Impact**

- 6.3 Beneficial: the LGSP will provide additional protection for these locally valued green spaces across the District.

### **Environmental Sustainability**

- 6.4 Beneficial: sites, once adopted, will gain further protection from inappropriate development and policies included in the LGSP will support enhancements to the condition and accessibility of sites where appropriate.

## **7. Background Papers**

- 7.1 The appendices listed below are also available to view at:  
<https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/planning-policy/current-consultations-version-two/local-green-spaces>  
and  
<https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/planning-policy/current-consultations/consultation-draft-local-green-spaces-plan>
- Appendix A Local Green Spaces Plan (updated to include main and minor modifications and including Policies Maps)
  - Appendix B Main Modifications Schedule
  - Appendix C Additional Modifications Schedule
  - Appendix D1 Sustainability Appraisal Non-Technical Summary
  - Appendix D2 Sustainability Appraisal Main Report
  - Appendix D3 Sustainability Appraisal Technical Appendices
  - Appendix D4 Sustainability Appraisal Addendum
  - Appendix D5 Habitat Regulations Screening Report



**South  
Derbyshire**  
District Council

# South Derbyshire Local Green Spaces Plan



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**People | Place | Progress**

[www.southderbyshire.gov.uk](http://www.southderbyshire.gov.uk)

24 September 2020



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# Introduction

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

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

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

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

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

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

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

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

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

Policy **BNE8** states:

#### **Local Green Space**

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

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

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

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

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

# The process for designation

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

**2.2** The two assessment stages are set out below:

## Stage 1 Assessment

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

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

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

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

**2.4** The NPPG states the blanket designation<sup>1</sup> of open countryside adjacent to settlements will not be appropriate. It is considered that any site in excess of 5 hectares could constitute an extensive tract of land. In identifying this threshold regard has been had to a number of examiner's reports on local green spaces made through neighbourhood plans as well as a Counsel Opinion drafted in response to Castlethorpe Neighbourhood Plan (published February 2016). However exceptionally there may be a need to set any agreed threshold aside and allow for smaller sites to be considered extensive within the context they sit. Similarly there may be exceptional circumstances where larger sites could be considered appropriate for designation.

<sup>1</sup> Paragraph 15 (ref ID 37-015-20140306)

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

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

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

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

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

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

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

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

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

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

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

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

#### **4B. Is the space privately owned land?**

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

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

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

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

### **Stage 2 Assessments**

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

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

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

# Local Green Space policies

## Introduction

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

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

### **Policy LGS1: Development on Local Green Spaces**

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

**Proposals should demonstrate consideration of how they will:**

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

## Explanation

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

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

and residual effects are outweighed by other considerations.

## Infrastructure

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

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

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

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

## **LGS2: Enhancement of Local Green Space**

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

### **Biodiversity**

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

### **Accessibility**

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

## **Explanation**

### **Biodiversity**

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

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

## Accessibility

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

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

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

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

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

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

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# Local Green Spaces

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

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

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

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

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

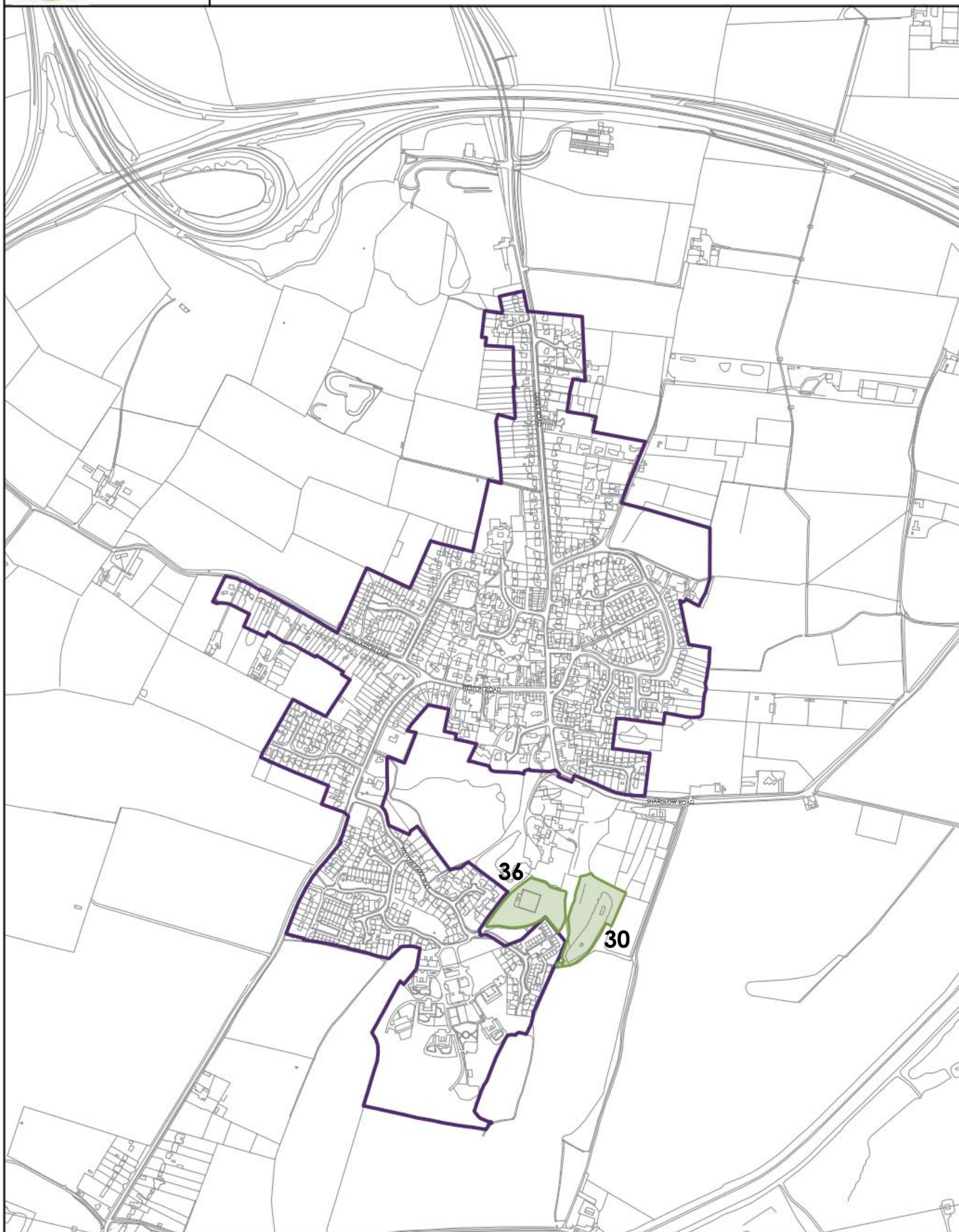
Settlement	Site Ref	Site Name
Map 21	130	North of Rose Lane
Ticknall	131	North of Main Street
	132	North of A514, opposite Calke Abbey entrance
	135	Ingleby Lane — east
	136	Ingleby Lane — west
	138	Ashby Road grass triangle
	140	Main Street, entrance and verges to Calke Park
Map 22		
Walton on Trent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

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# Local Green Space Maps



## MAP 1: Local Green Spaces in Aston on Trent



Local Green Space



Settlement Boundary

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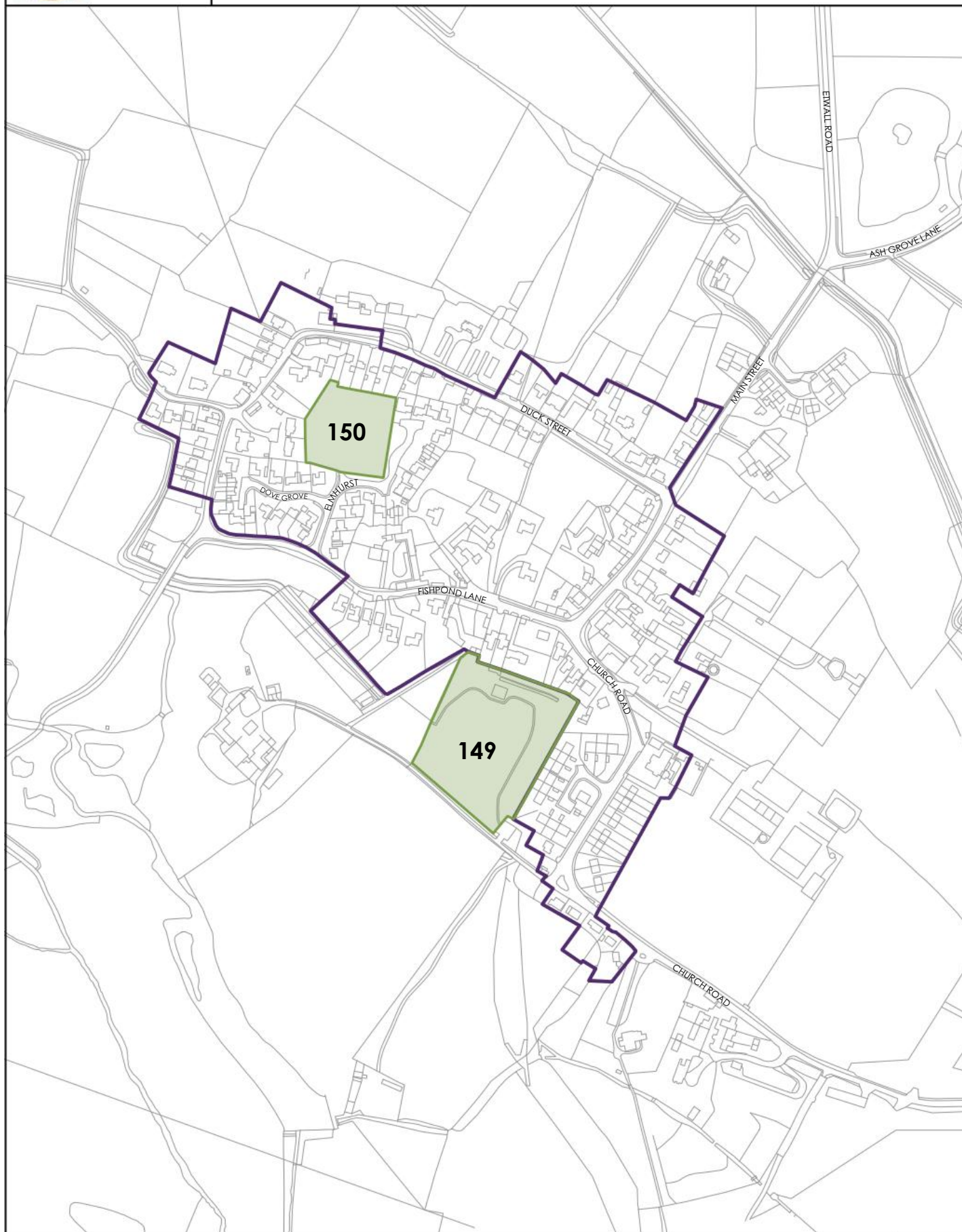
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Date: Jan 2019





## MAP 2: Local Green Spaces in Egginton



Local Green Space

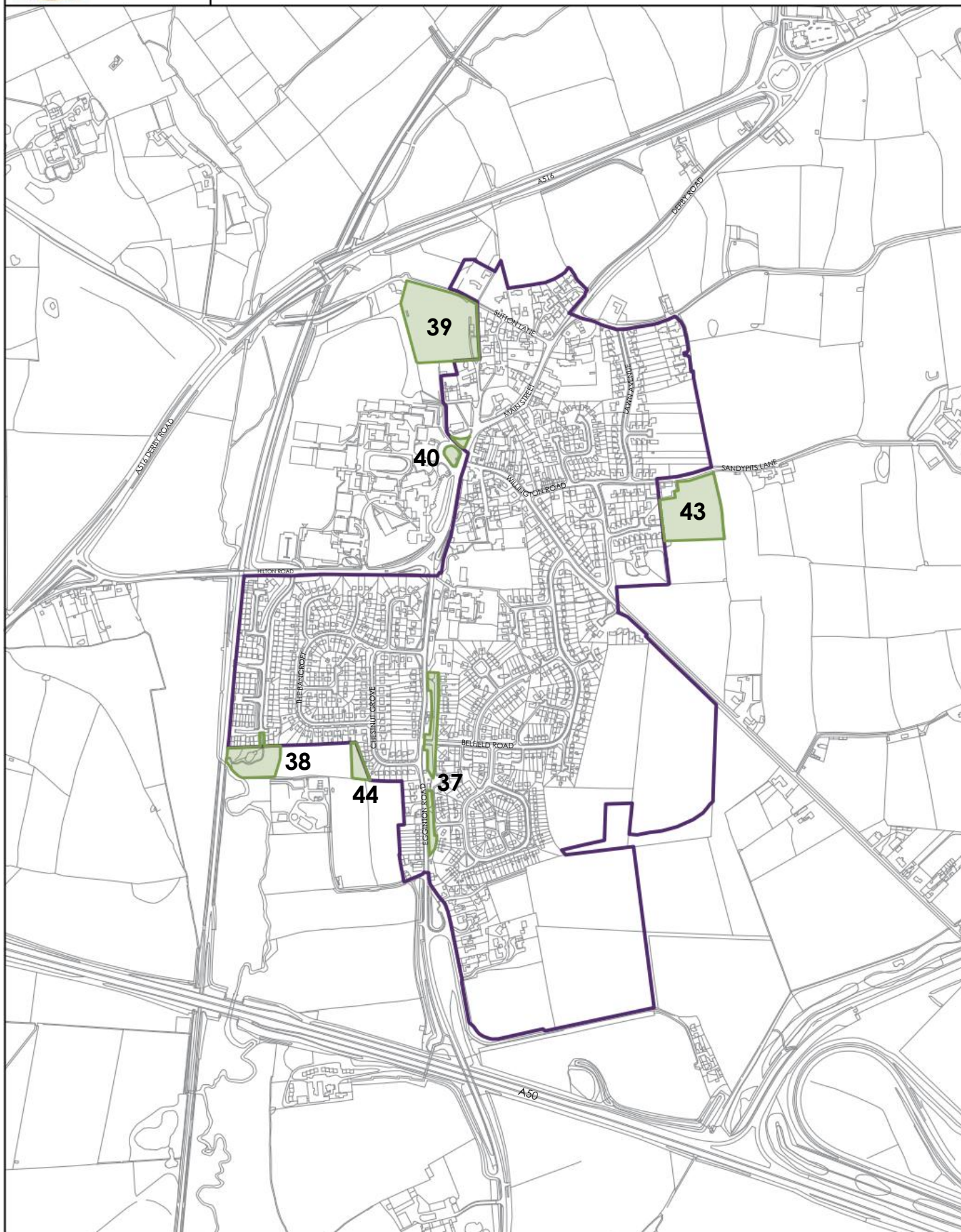


Settlement Boundary





## MAP 3: Local Green Spaces in Etwall



Local Green Space



Settlement boundary

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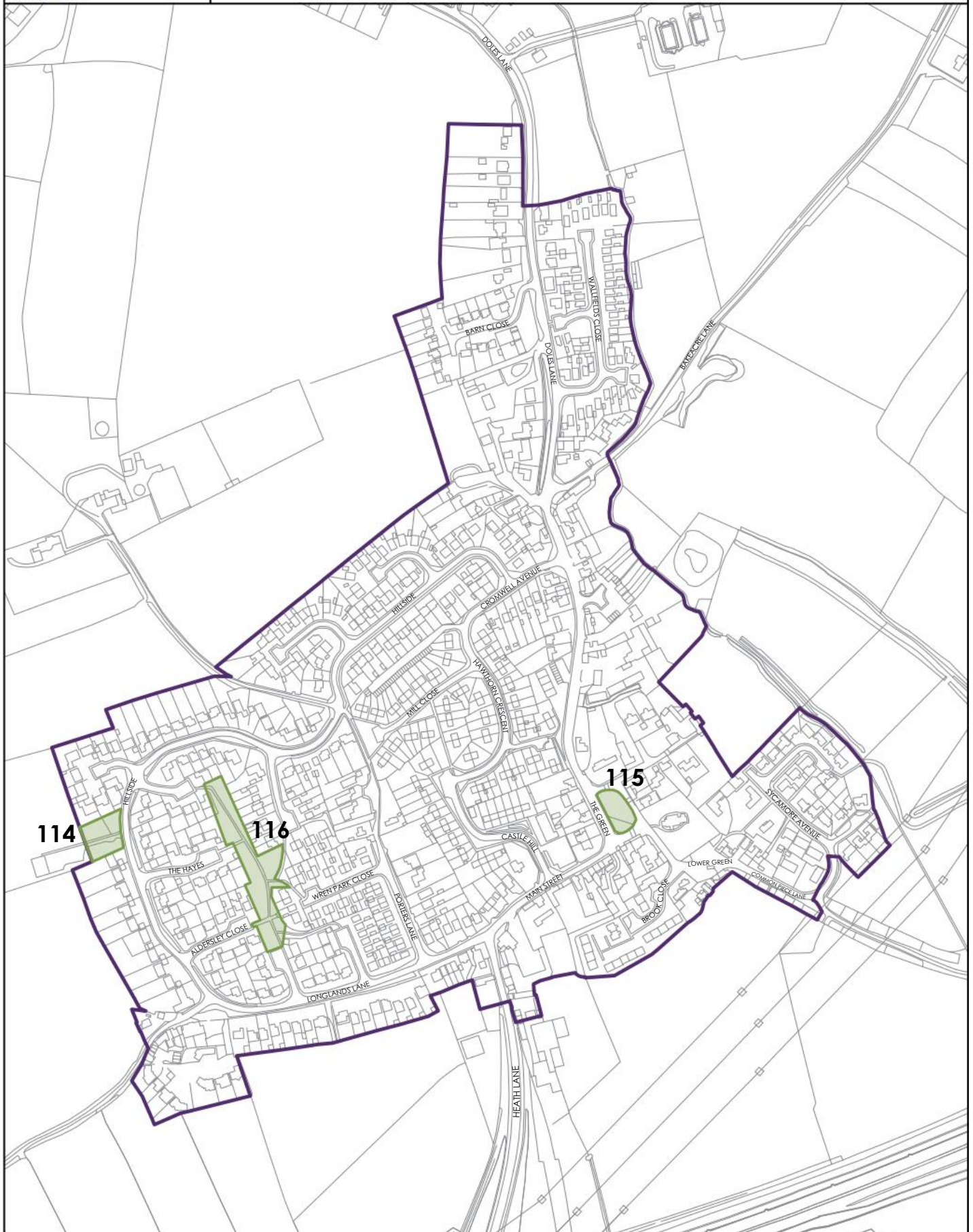
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Date: Jan 2019





## MAP 4: Local Green Spaces in Findern



Local Green Space



Settlement Boundary

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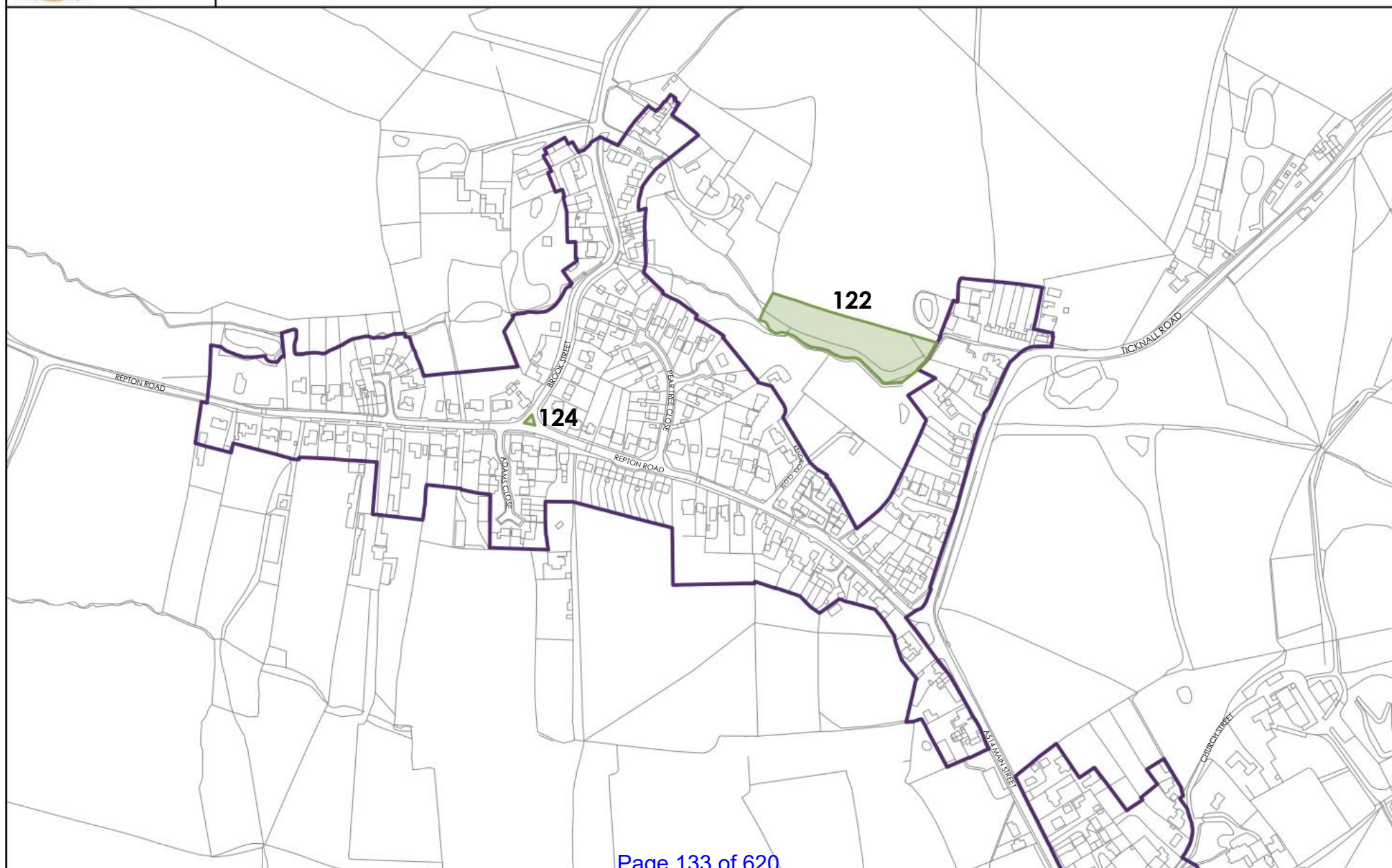
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## Map 5: Local Green Spaces in Hartshorne



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Local Green Space



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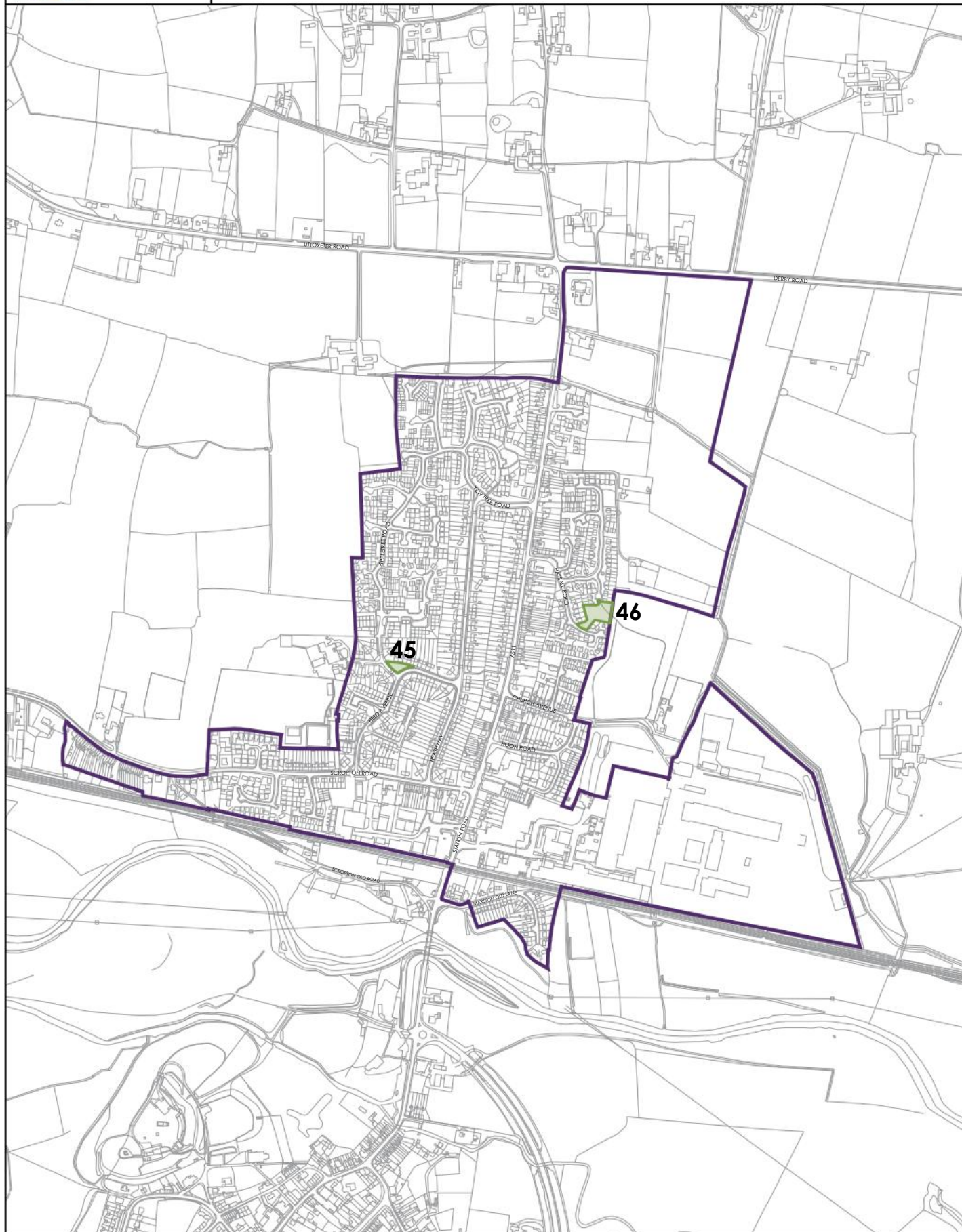
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## MAP 6: Local Green Spaces in Hatton



Local Green Space

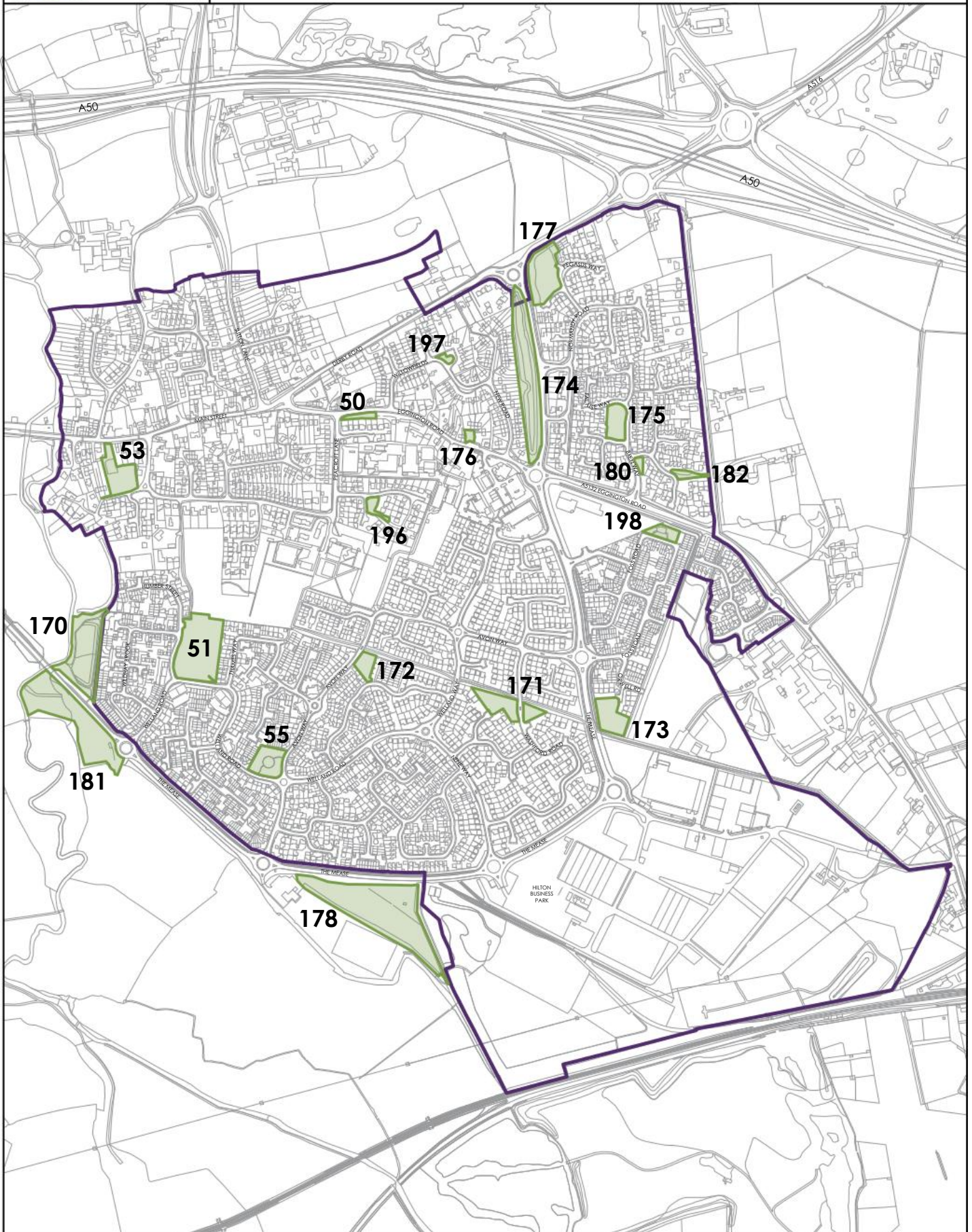


Settlement boundary





## MAP 7: Local Green Spaces in Hilton



Local Green Space

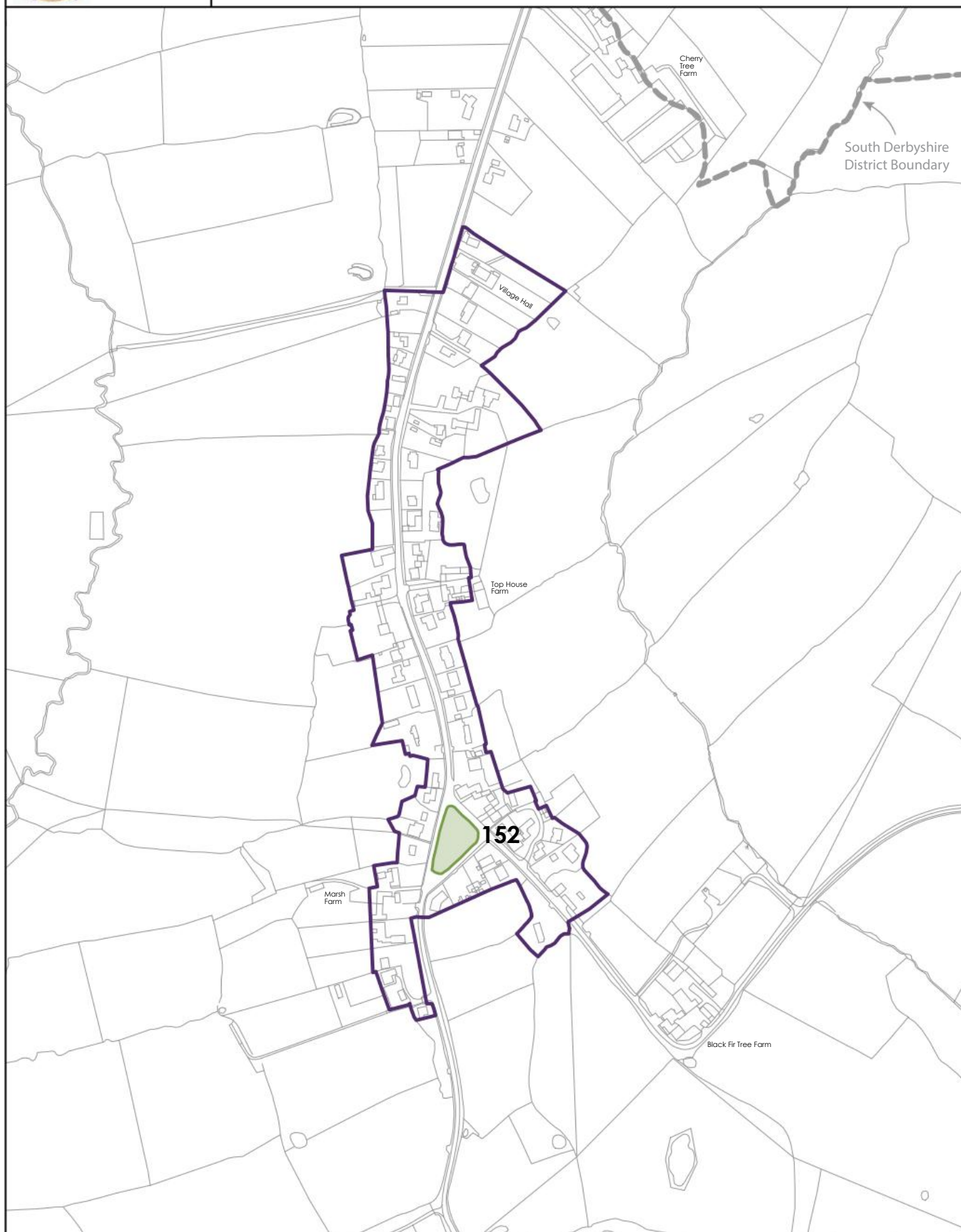


Settlement Boundary





## MAP 8: Local Green Spaces in Lees



Local Green Space



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Settlement Boundary

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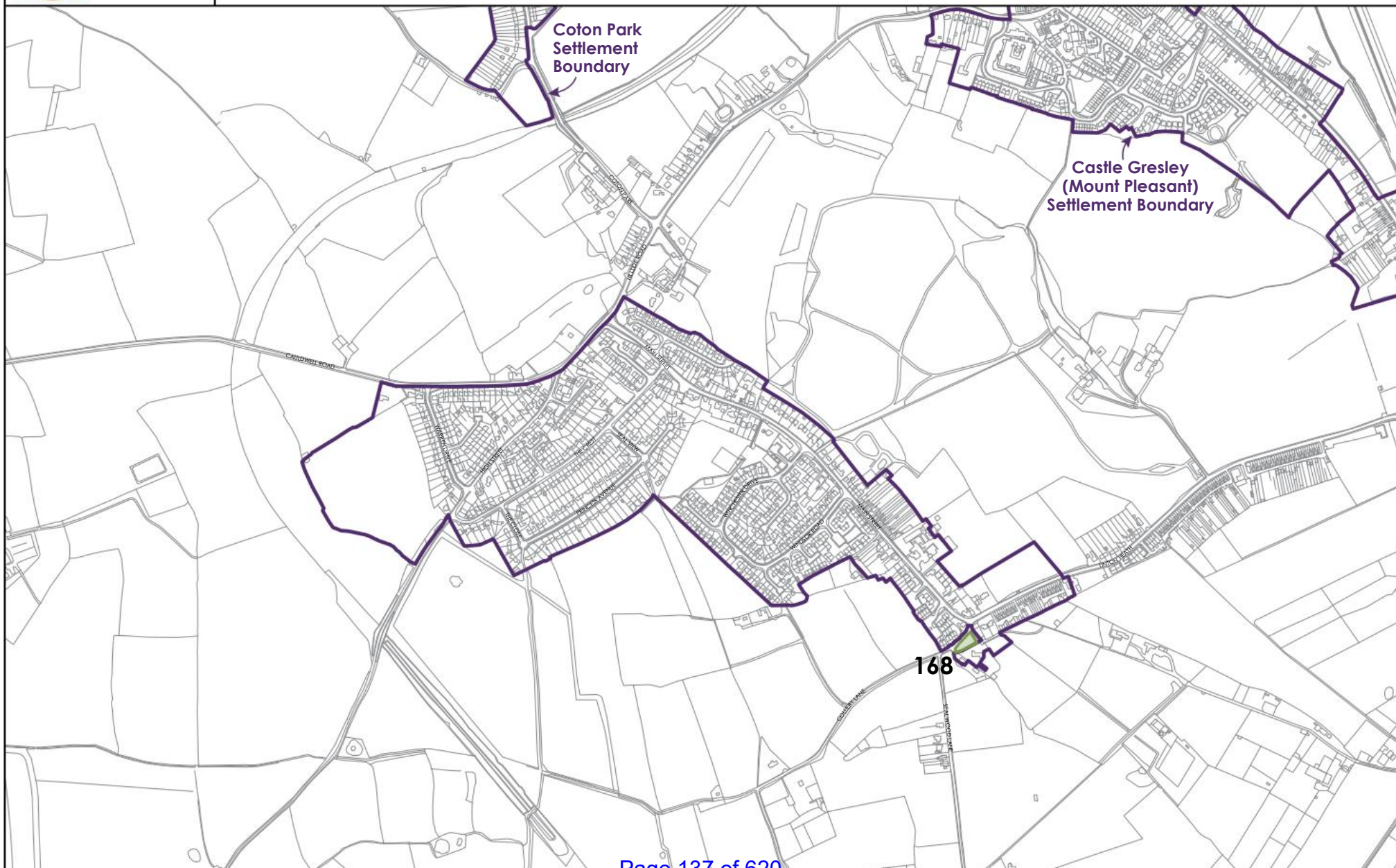
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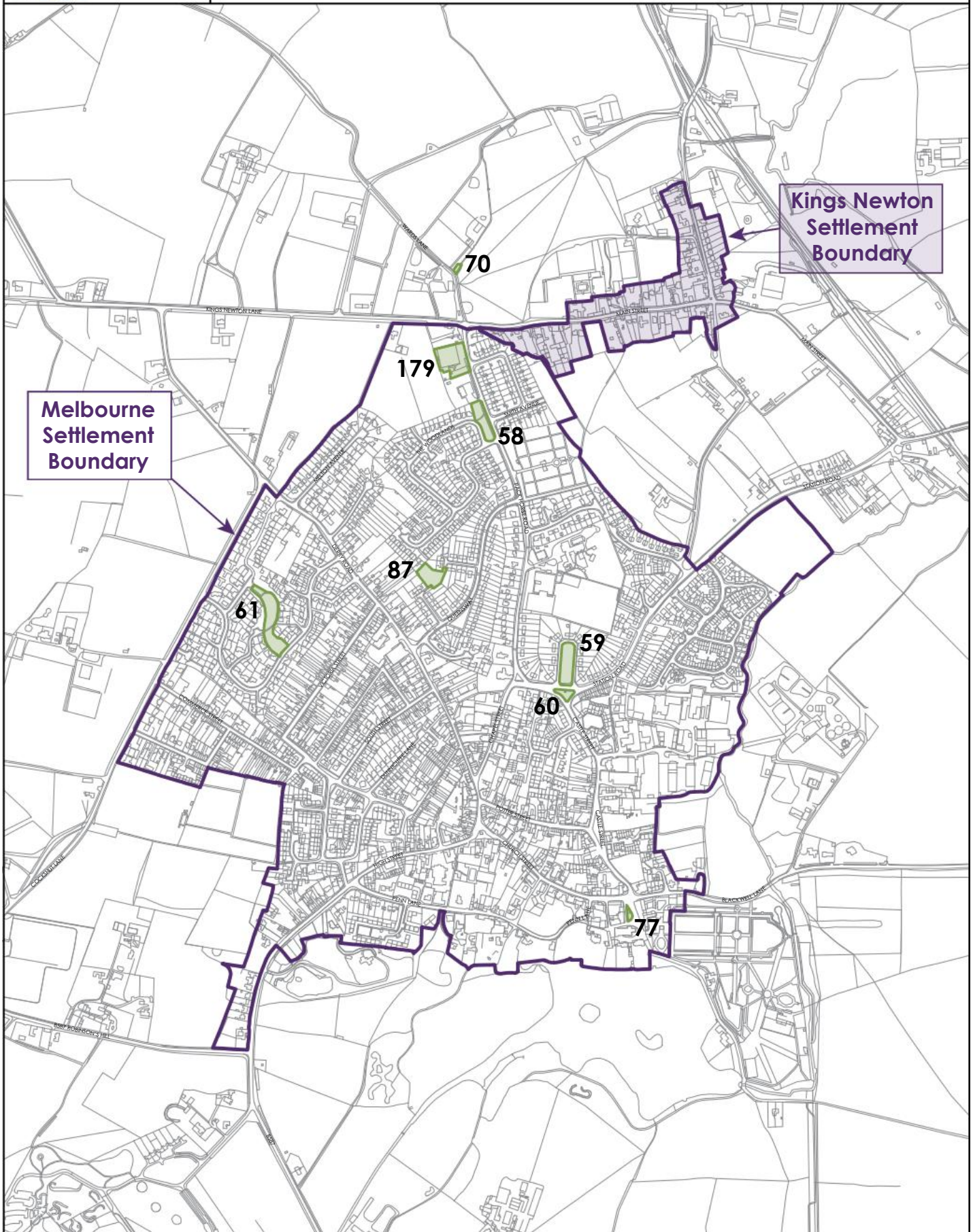


## MAP 9: Local Green Spaces in Linton





## MAP 10: Local Green Spaces in Melbourne & Kings Newton



Local Green Space

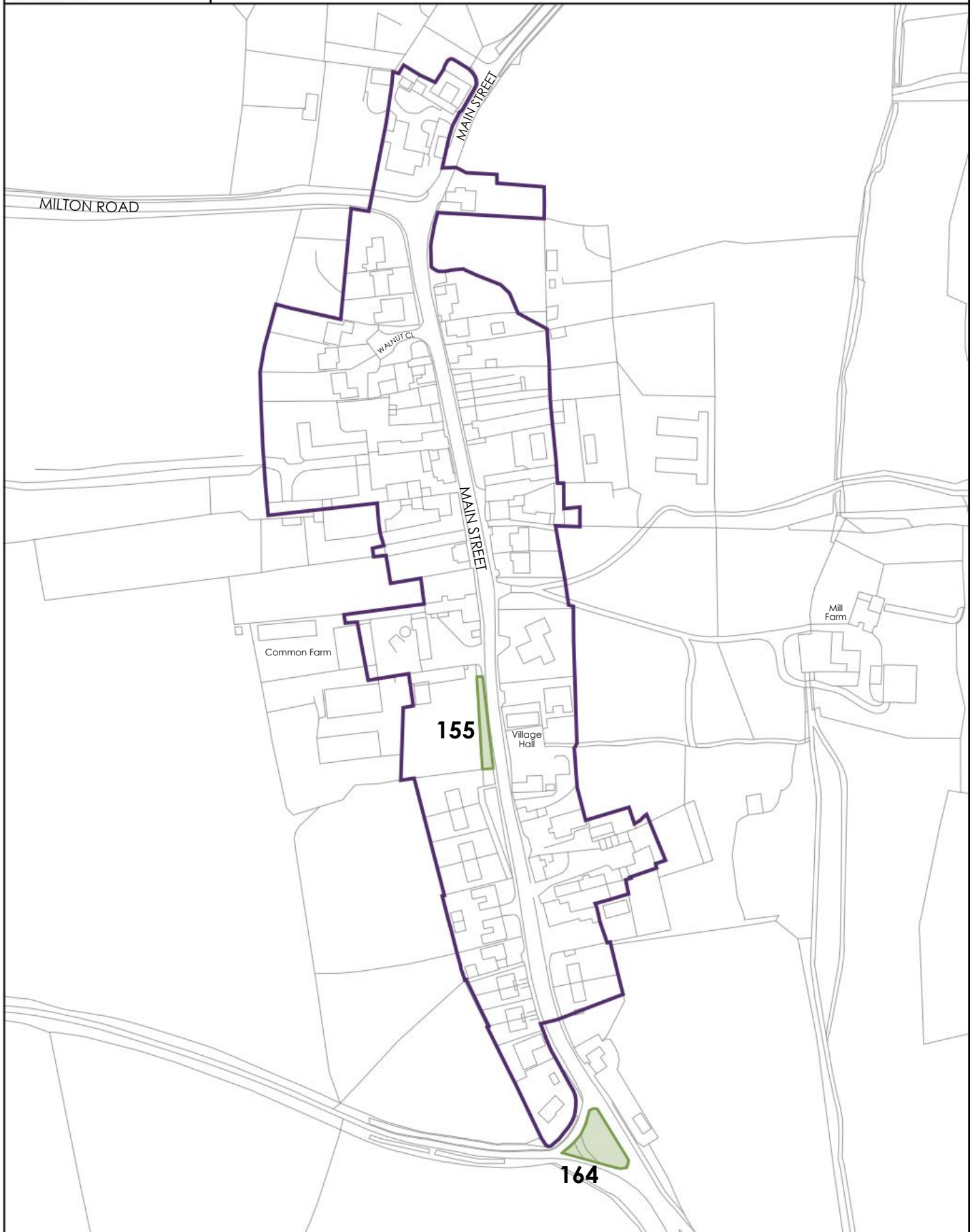


Settlement Boundary





## MAP 11a: Local Green Spaces in Milton



Local Green Space

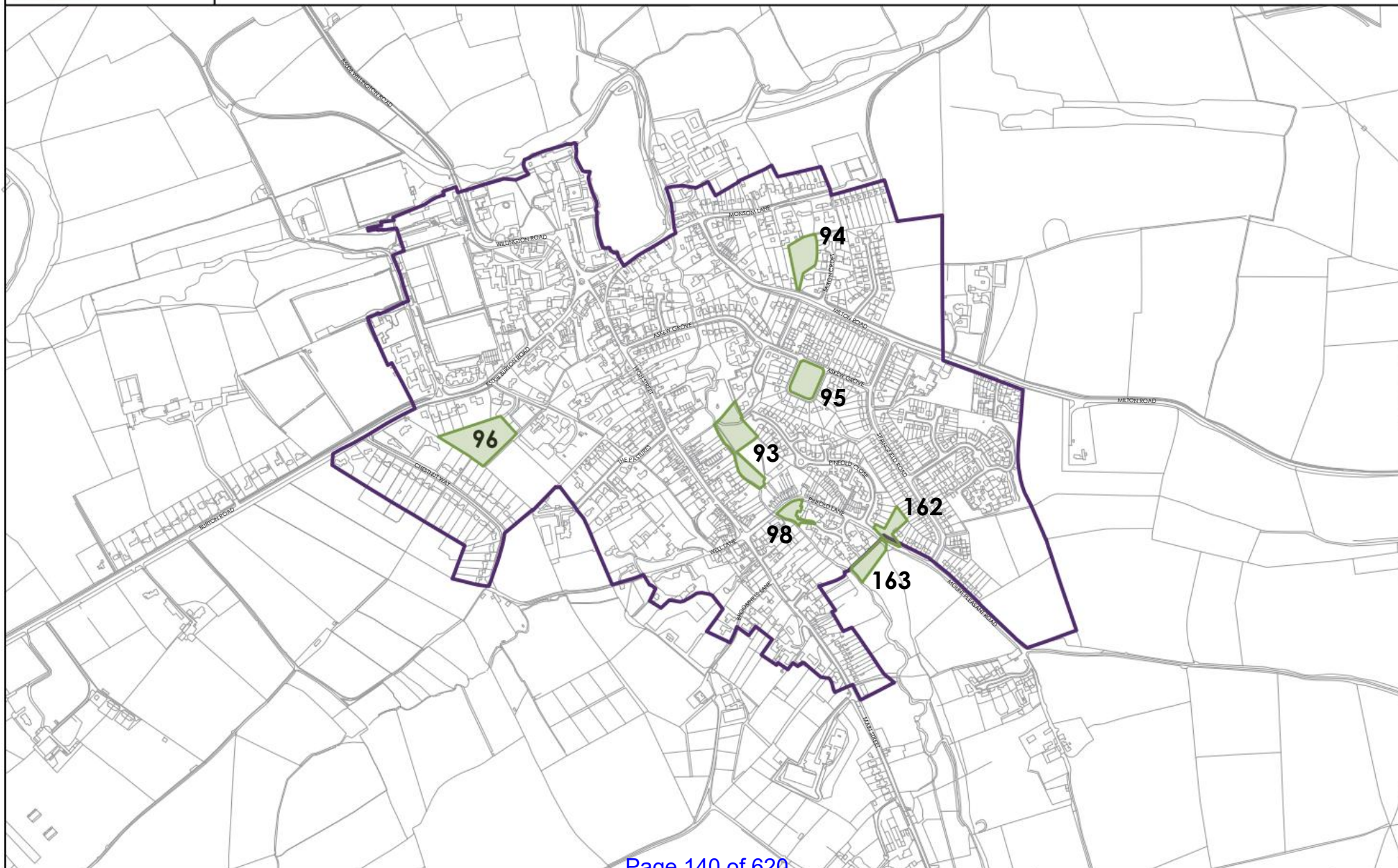


Settlement Boundary





## MAP 11b: Local Green Spaces in Repton



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Local Green Space



Settlement Boundary

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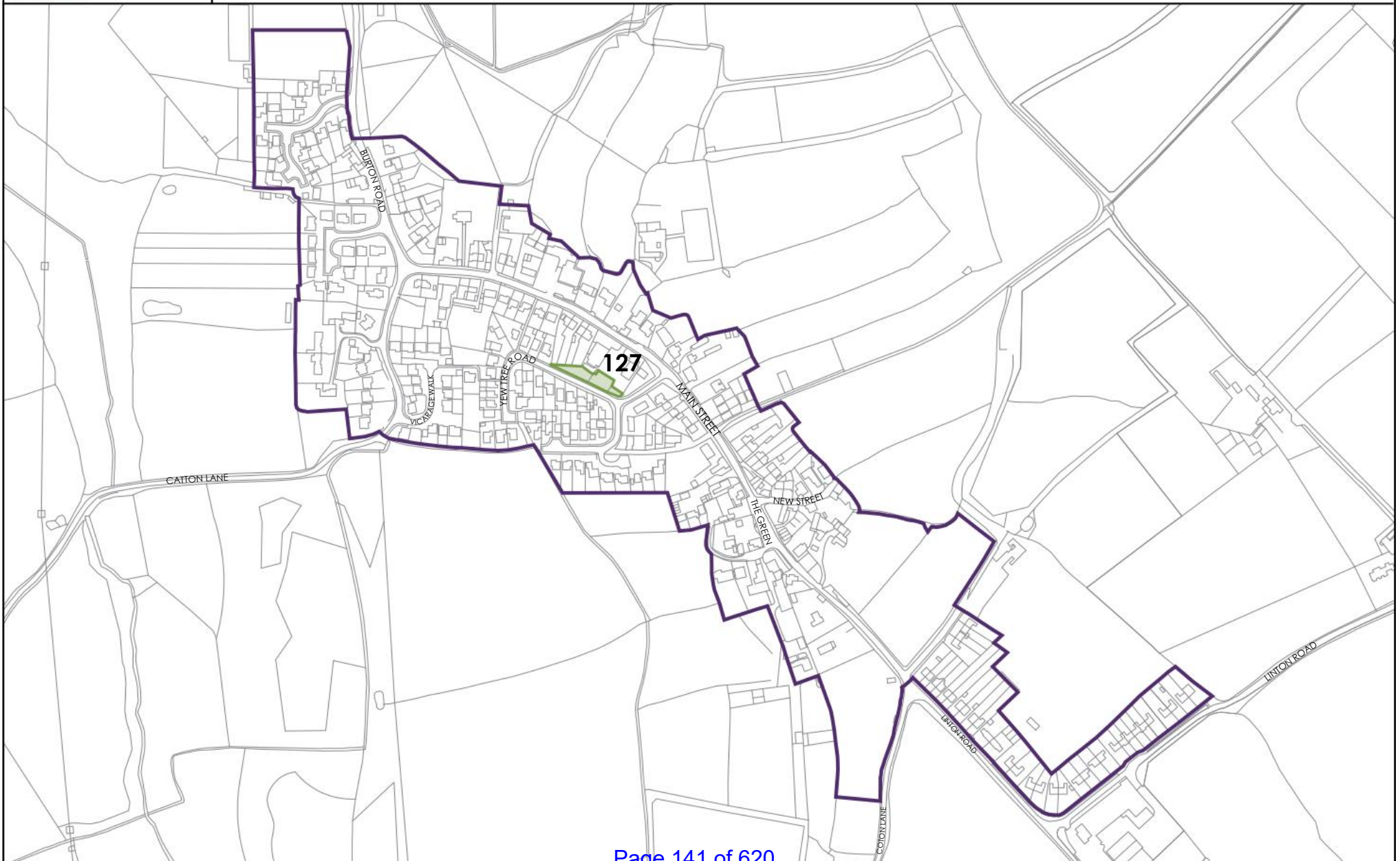
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## MAP 12: Local Green Spaces in Rosliston



Local Green Space

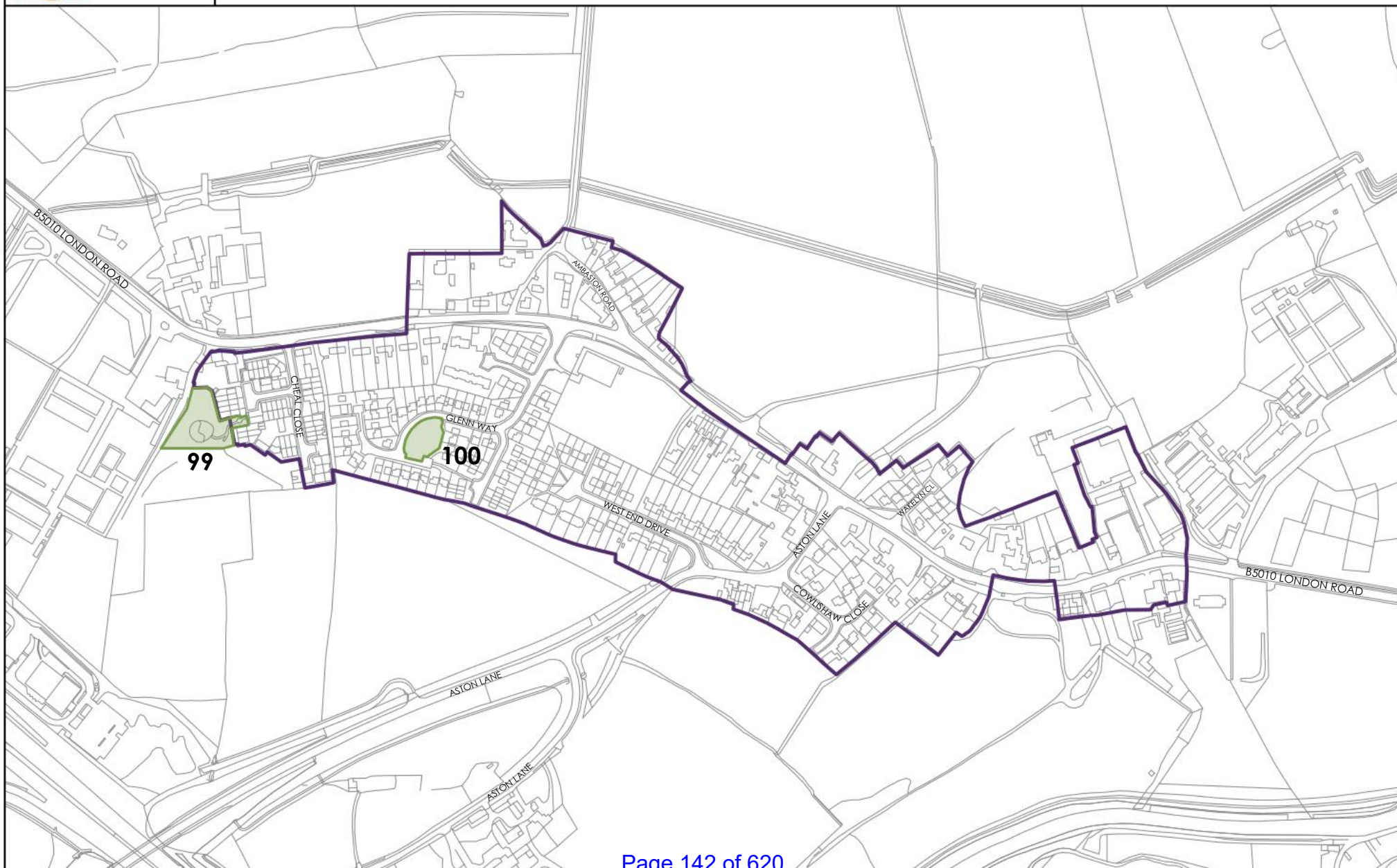


Settlement Boundary





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



Local Green Space

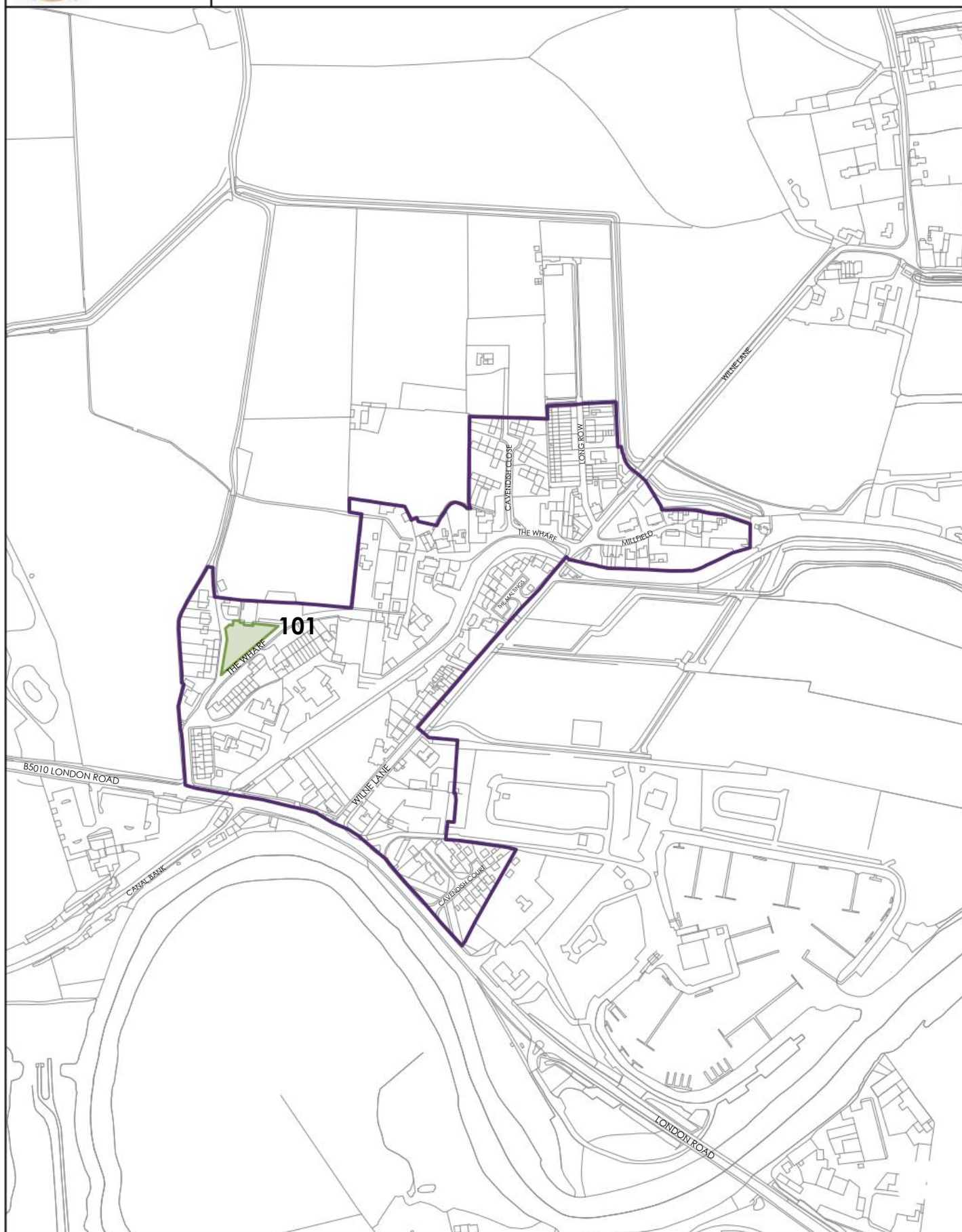


Settlement Boundary





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



Local Green Space

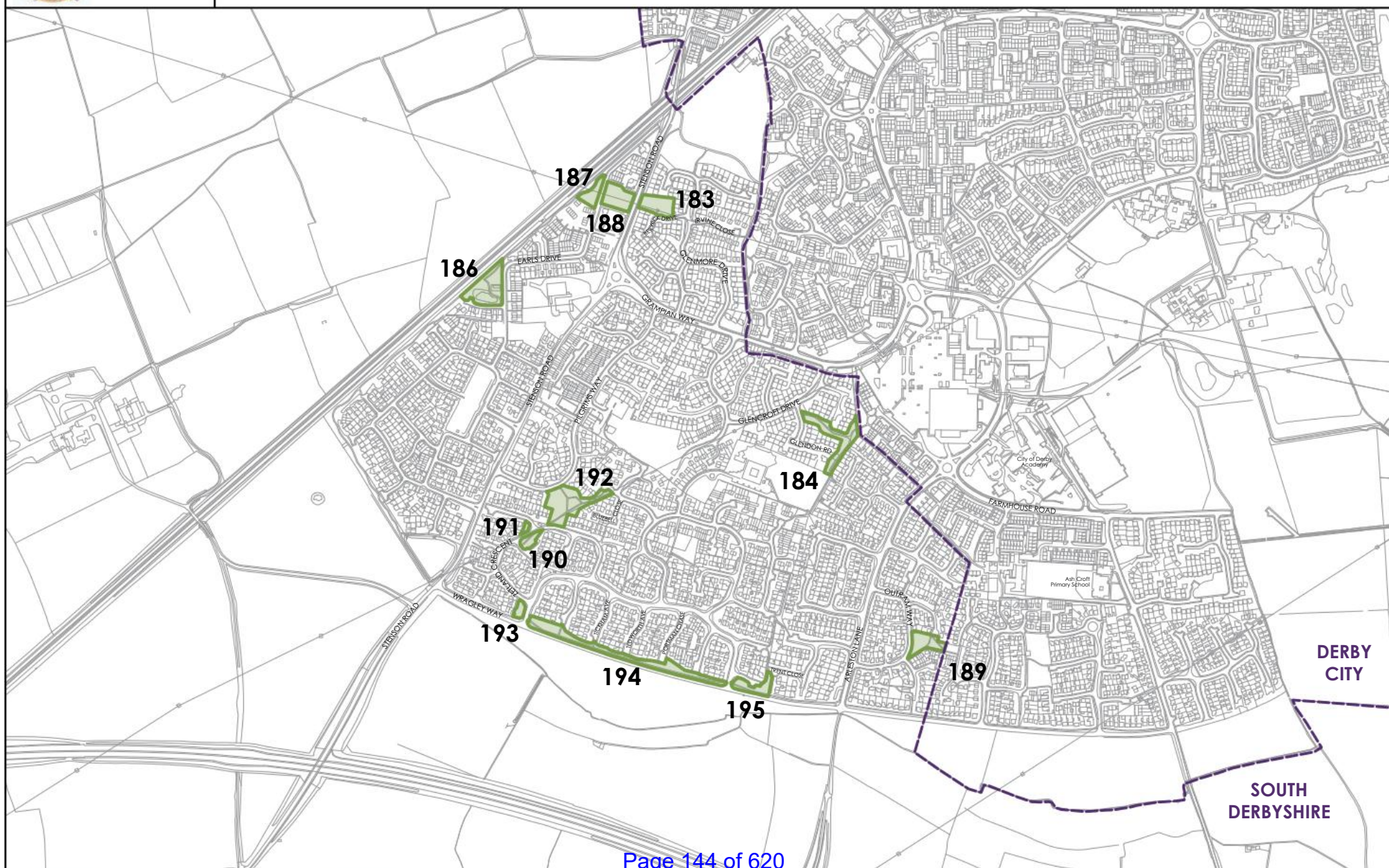


Settlement Boundary





## MAP 14: Local Green Spaces in Stenson Fields



Local Green Space



South Derbyshire District Boundary





## MAP 15: Local Green Spaces in Church Gresley



Local Green Space



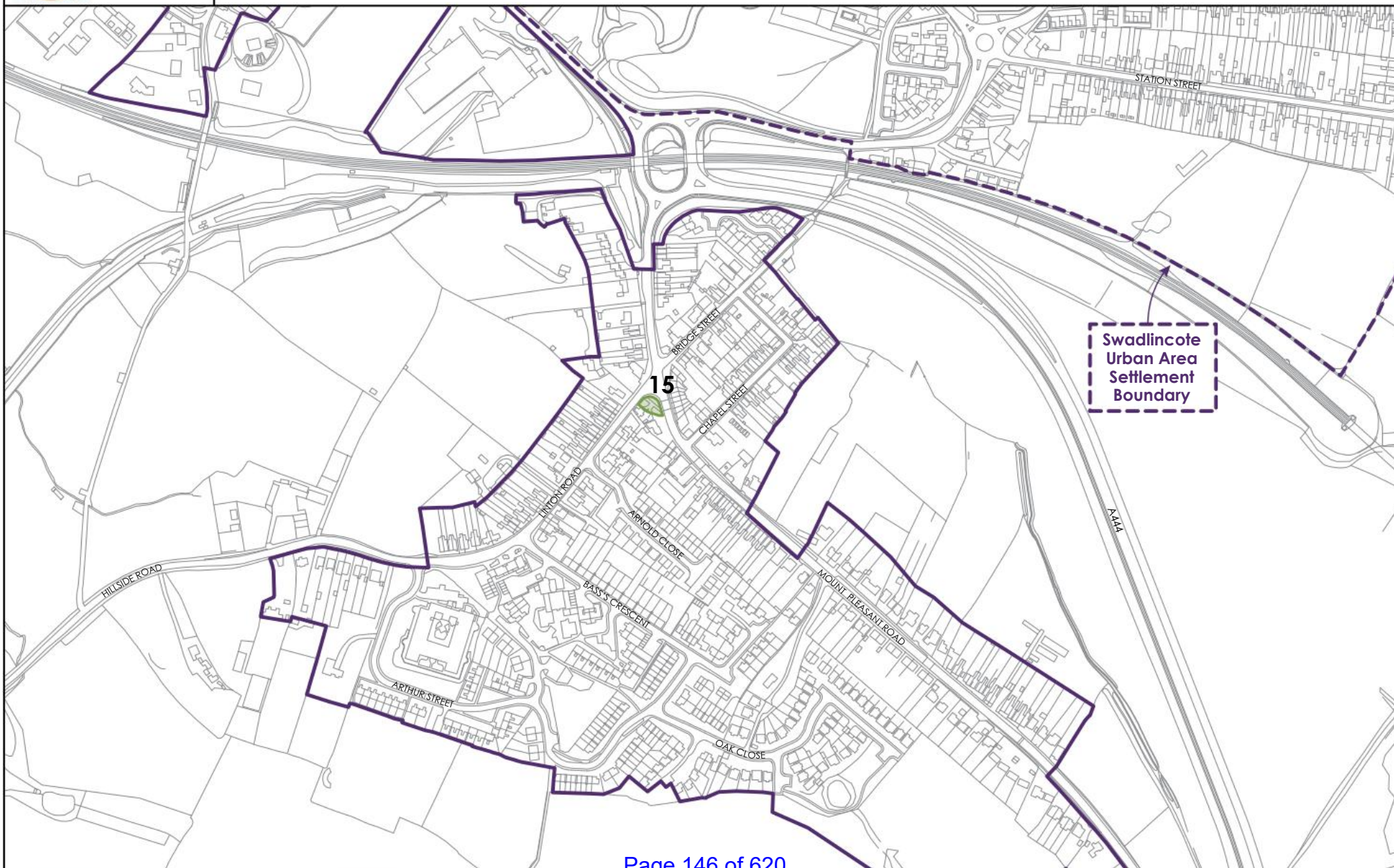
Settlement Boundary

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





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





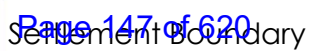
This map shows a residential area in Springfield, Massachusetts, with six green-shaded regions numbered 2 through 7. A purple line follows the northern and eastern boundaries of the urban area. The map includes numerous street names and two schools: Pingle School and Springfield Junior School.

**Numbered Green Areas:**

- Area 2:** Located near Astor Drive and Haystack Lane.
- Area 3:** Located near Edgemoor Lane and Chestnut Avenue.
- Area 4:** Located near Astor Drive and Haystack Lane.
- Area 5:** Located near Haystack Lane and Springwood Farm Road.
- Area 6:** A large area near Springfield Road and Walnut Avenue.
- Area 7:** Located near Walnut Avenue and Springfield Road.

**Streets and Landmarks:**

- Streets:** Wood Lane, Edgemoor Lane, Astor Drive, Haystack Lane, Springwood Farm Road, Chestnut Avenue, Newhall Road, Springfield Road, Walnut Avenue, Pingle Street, and Haystack Lane.
- Schools:** Pingle School and Springfield Junior School.

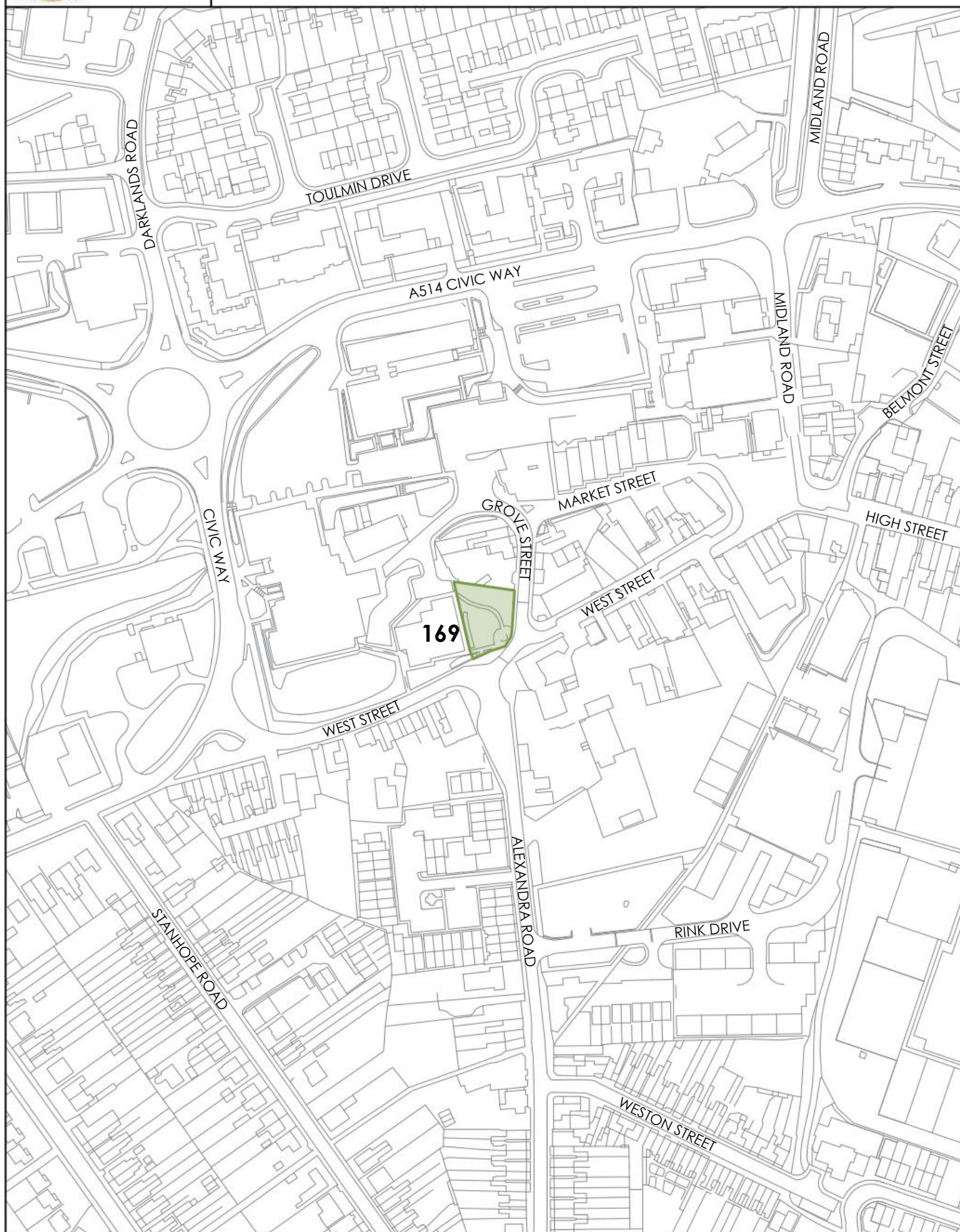


Scale: 1: 10000 at A4	Date: Oct 2019
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## MAP 18: Local Green Spaces in Swadlincote Town Centre



Local Green Space

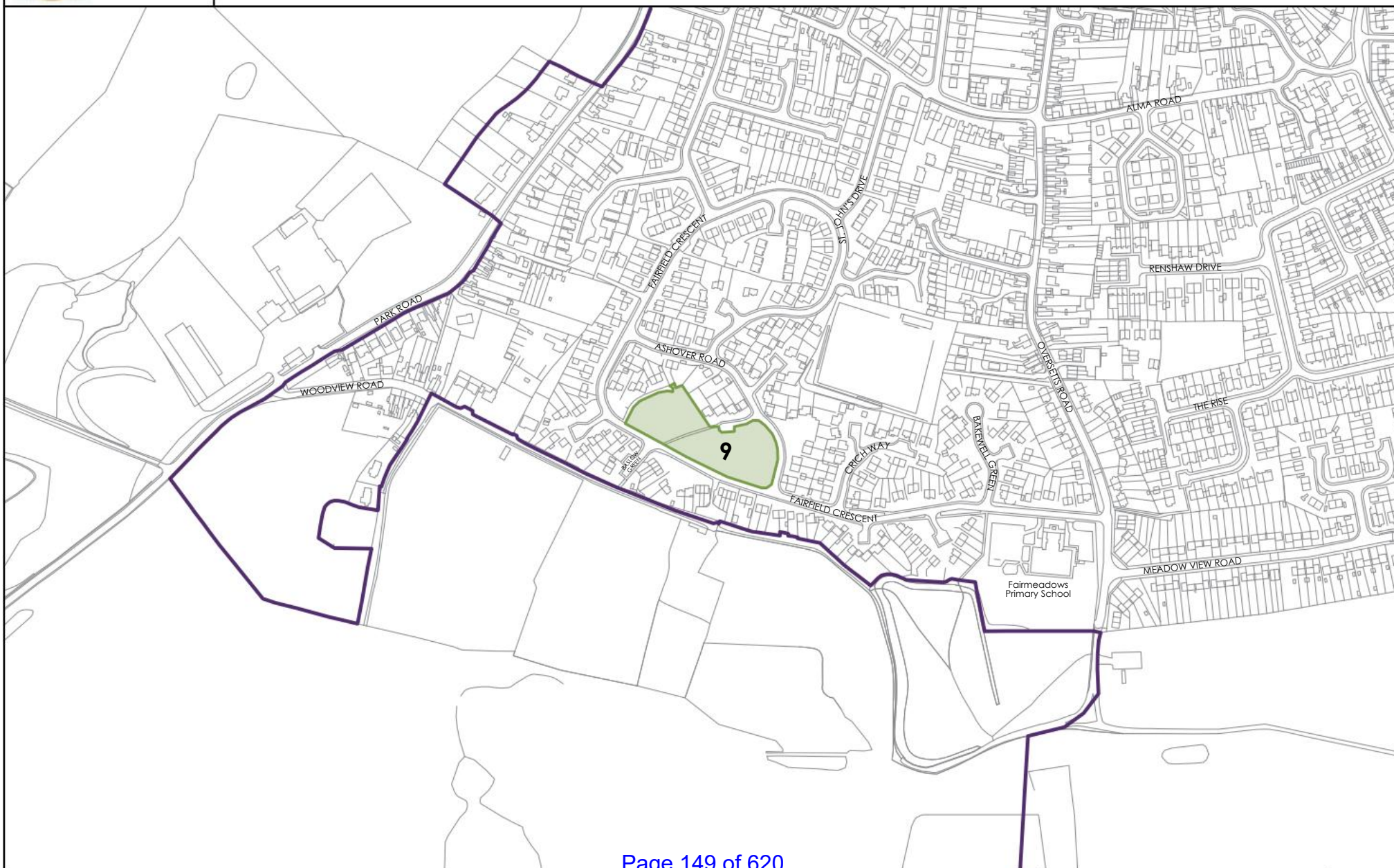


Settlement Boundary





## MAP 19: Local Green Spaces in Newhall, Swadlincote



Local Green Space

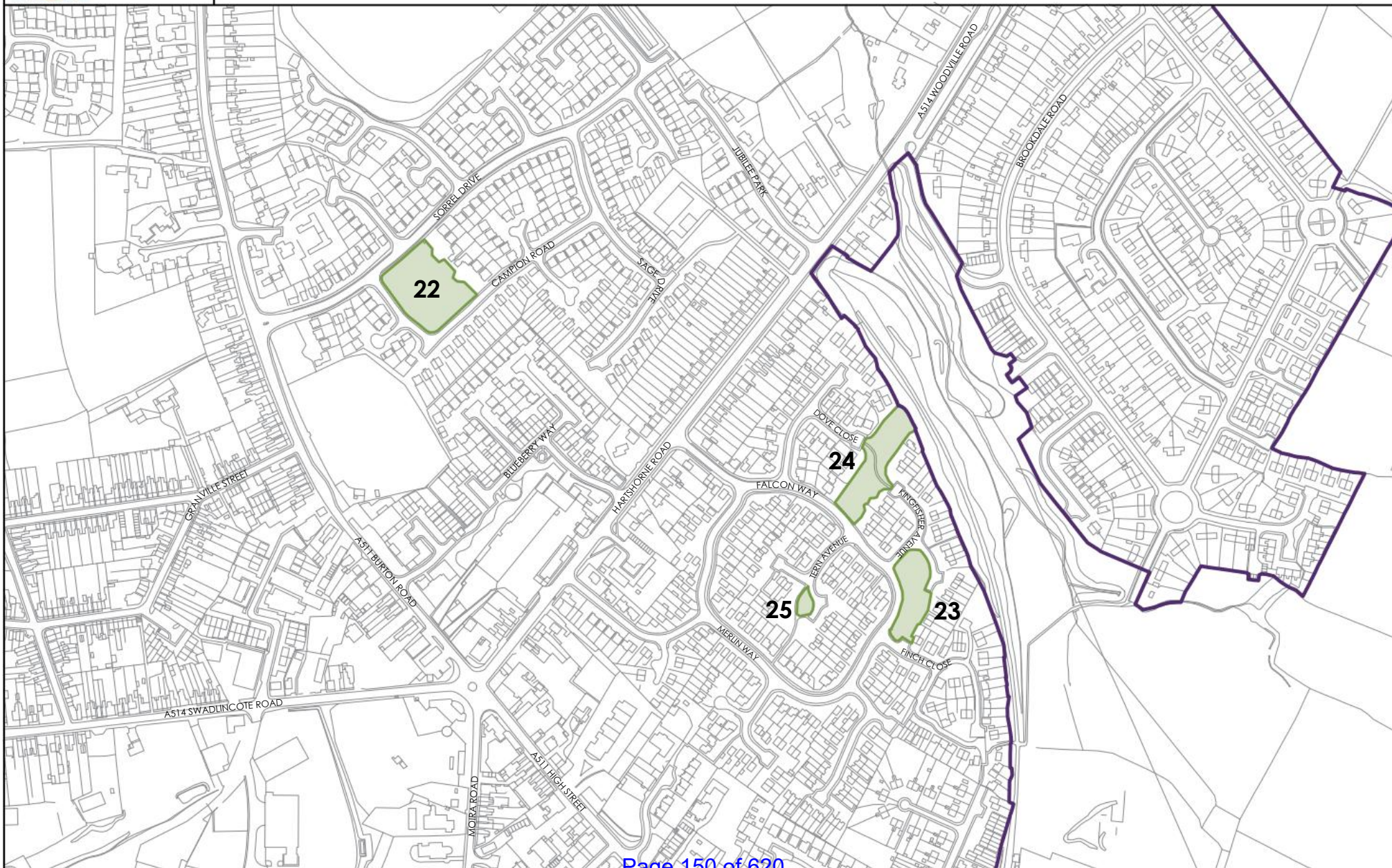


Settlement Boundary





## MAP 20: Local Green Spaces in Woodville



Local Green Space

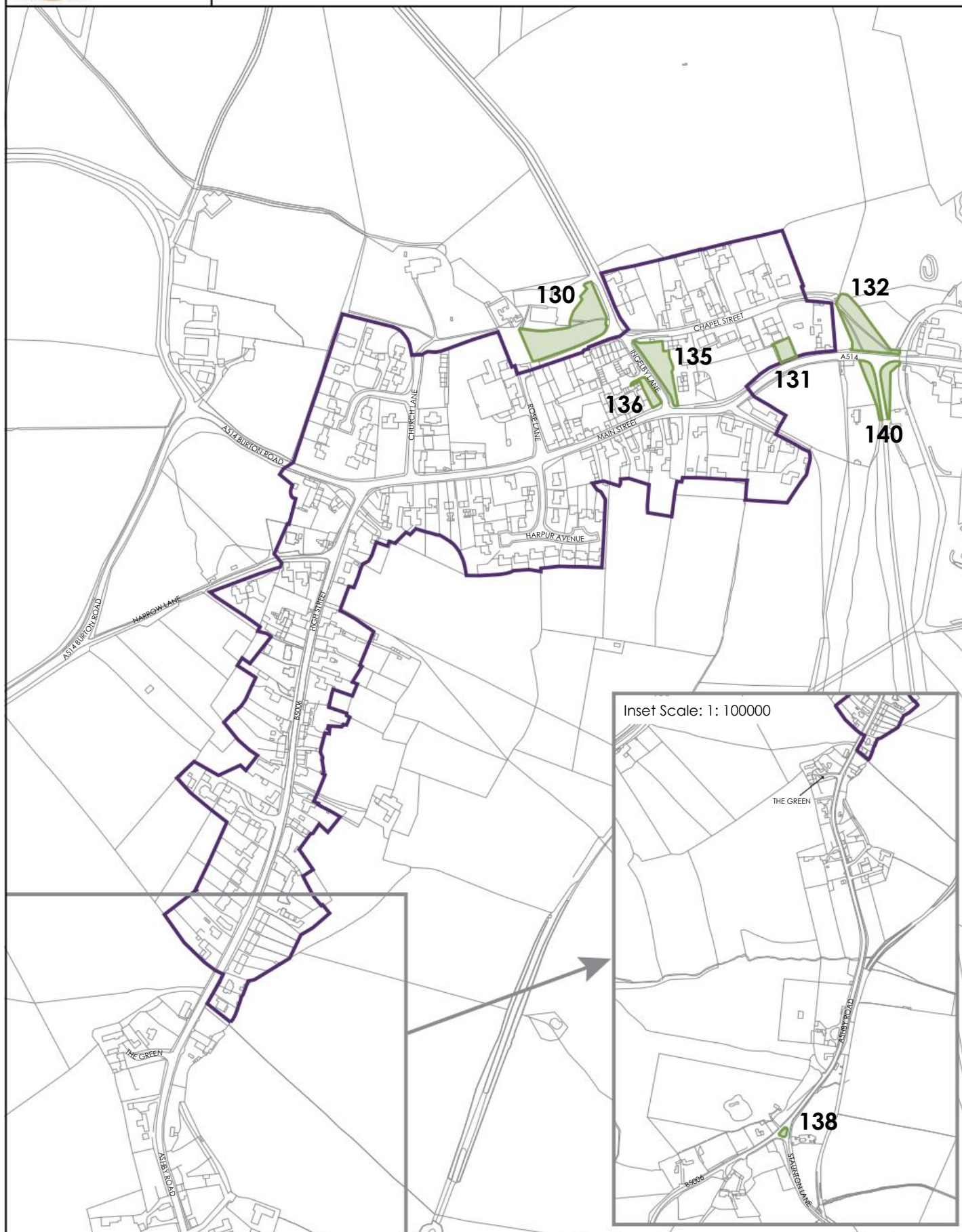


Settlement Boundary





## MAP 21: Local Green Spaces in Ticknall



Local Green Space



Parish Boundary

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100019461 2014.

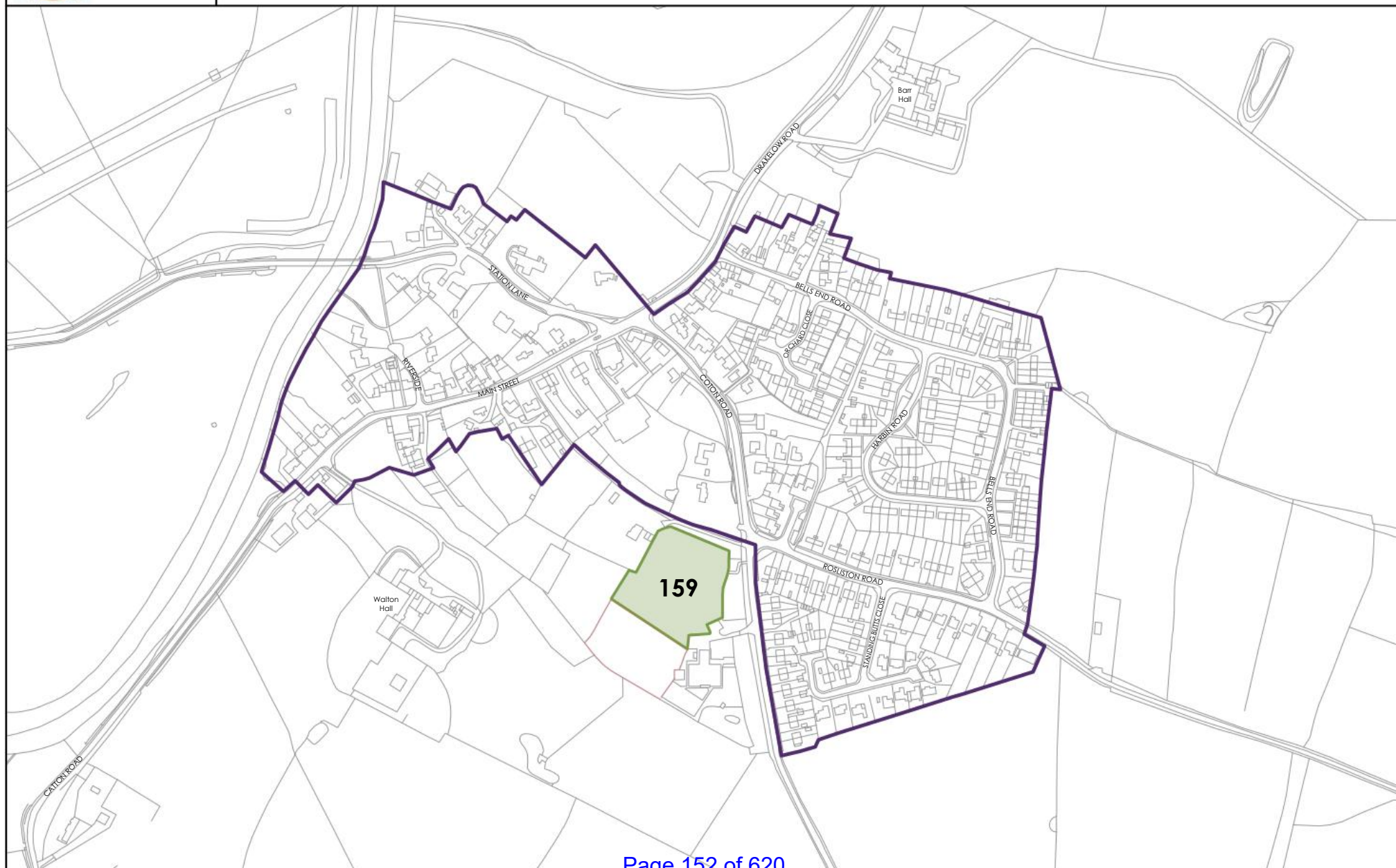
Scale: 1: 5000 at A4

Date: Jan 2019





## MAP 22: Local Green Spaces in Walton on Trent



Local Green Space

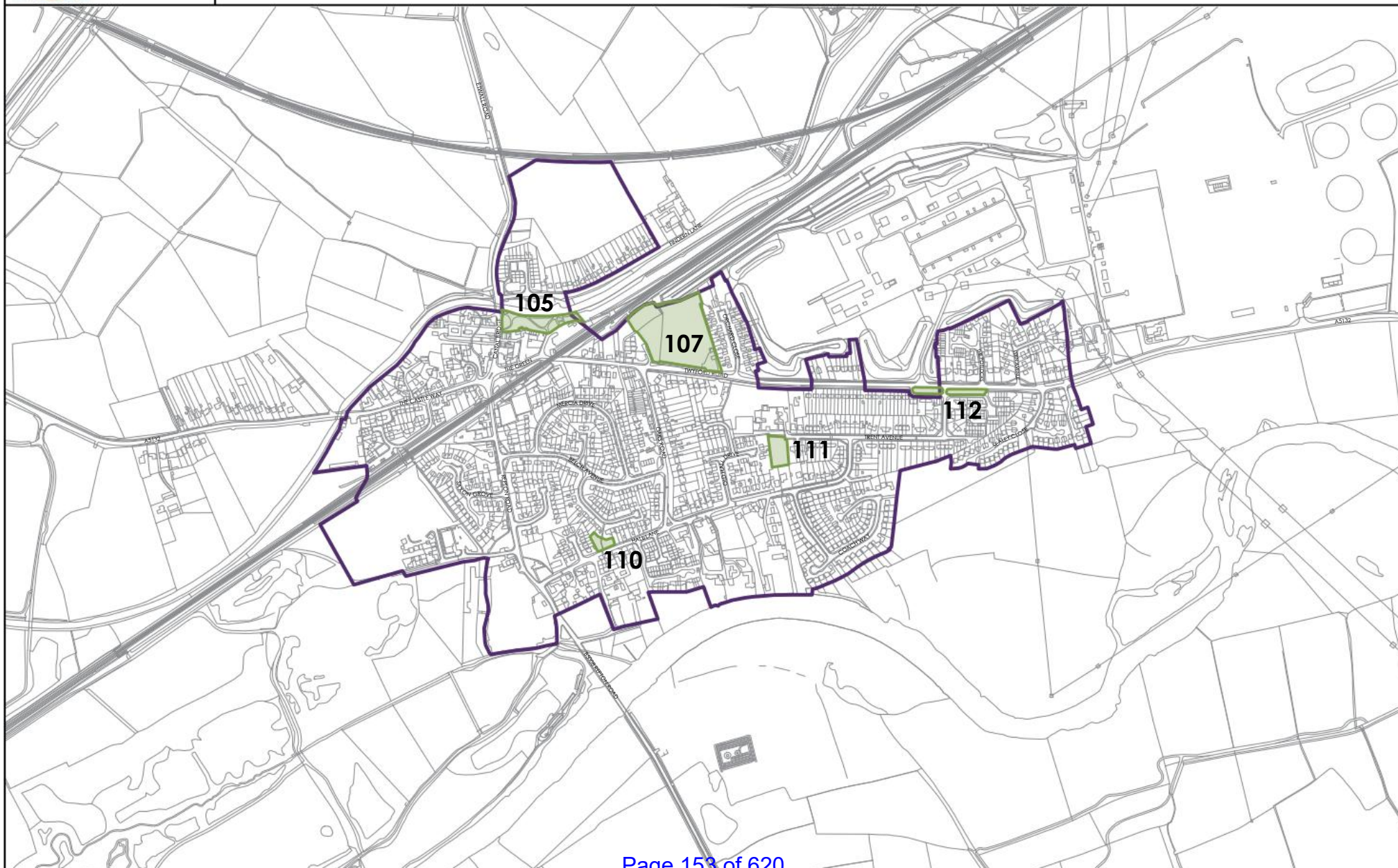


Settlement Boundary





## MAP 23: Local Green Spaces in Willington



Local Green Space



Settlement Boundary





## **South Derbyshire Local Green Spaces Plan**

Published by  
South Derbyshire District Council  
Civic Offices, Civic Way, Swadlincote,  
Derbyshire DE11 0AH  
Phone: 01283 221000  
Fax: 01283 595850

Page 154 of 620

Website: [www.southderbyshire.gov.uk](http://www.southderbyshire.gov.uk)



**South  
Derbyshire**  
District Council

# South Derbyshire

## Local Green Spaces

### Main Modifications



This document details the Council's Main Modifications to the South Derbyshire Local Green Spaces Plan.

The proposed modifications are listed in the order they appear in the Proposed Submission version of the Plan. For each amendment, information on the proposed change and the reason for the change is given.

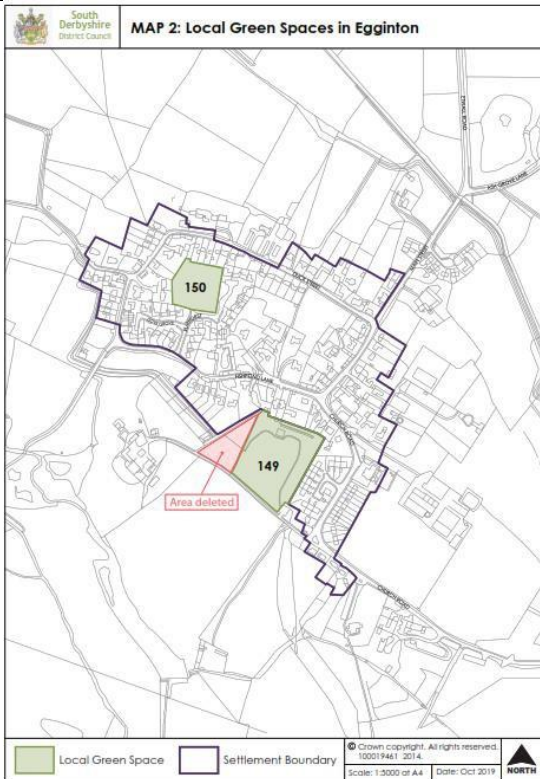
Modifications proposed are shown in bold and underlined, where text is proposed for removal it has been struck through, and any comments are in italics.


- **Insertion of text**
- ~~Removal of text~~
- *For information*

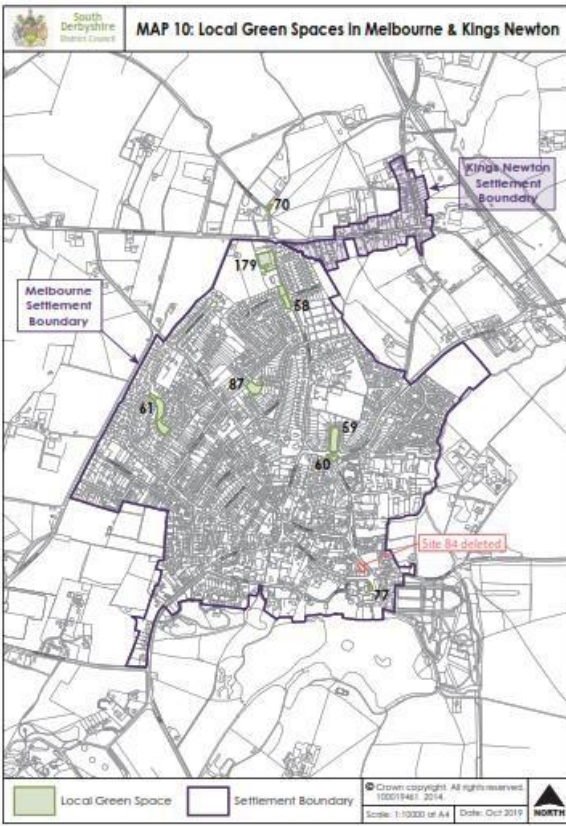
## Main Modifications


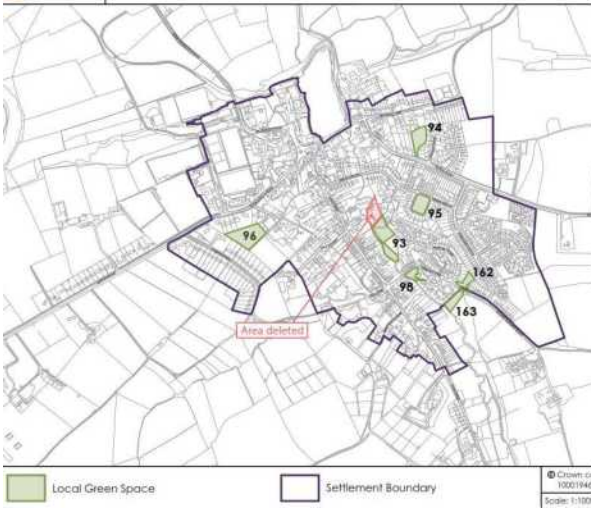
Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
Local Green Space Policies					
MM1	7	LGS1	Development, <b>which is in accordance with Policy BNE8</b> , 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 the scale, design and location of the proposal.	To ensure consistency with Policy BNE8 of the Adopted Part 2 Local Plan and the Framework	SDDC
MM2	7/8	3.3-3.4	<p>3.3 The District Council has, in most instances, sought not to designate sports pitches and other formalised recreation spaces as Local Green Spaces. <del>The justification for this rests on the fact that:</del></p> <p>1) <del>These sites already receive a level of protection from development policies included in the Local Plan; Policy INF6 (Community Facilities) and Policy INF9 (Open Space Sport and Recreation).</del></p> <p>2) <del>A local green space designation could undermine the delivery of some qualitative improvements to some types of sports provision, for example the creation of flood lit sports pitches or installation of high mesh fencing associated with sports pitches or some play equipment.</del></p> <p>3.4 However, a small number of recreation grounds and sports grounds have been included where it is considered appropriate to protect</p>	Text moved to Section 2 to improve the clarity of the plan'	SDDC

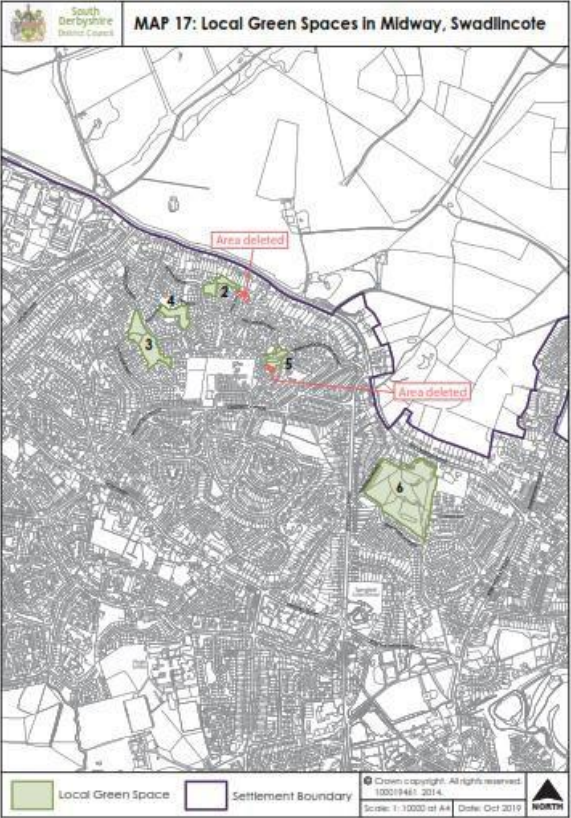
Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)																														
			their specific location.																																
Local Green Spaces																																			
MM3	14	Local Green Spaces by Settlement Table. Pages (13-17)	<table><tr><th>Settlement</th><th>Site Ref</th><th>Site Name</th></tr><tr><td>Map 10</td><td>58</td><td>West of Packhorse Road</td></tr><tr><td></td><td>59</td><td>North of Station Road</td></tr><tr><td>Melbourne and Kings Newton</td><td>60</td><td>Washpit, Station Road</td></tr><tr><td></td><td>61</td><td>Off Acacia Drive</td></tr><tr><td></td><td>70</td><td>Holy Well, Wards Lane</td></tr><tr><td></td><td>77</td><td>Church Close</td></tr><tr><td></td><td><del>84</del></td><td><del>The Bowling Green Castle Street</del></td></tr><tr><td></td><td>87</td><td>Grange Close Recreation Ground</td></tr><tr><td></td><td>179</td><td>Kings Newton Bowls Club</td></tr></table>	Settlement	Site Ref	Site Name	Map 10	58	West of Packhorse Road		59	North of Station Road	Melbourne and Kings Newton	60	Washpit, Station Road		61	Off Acacia Drive		70	Holy Well, Wards Lane		77	Church Close		<del>84</del>	<del>The Bowling Green Castle Street</del>		87	Grange Close Recreation Ground		179	Kings Newton Bowls Club	To ensure the Plan is sound.	Fisher German/Melbourne Estate
Settlement	Site Ref	Site Name																																	
Map 10	58	West of Packhorse Road																																	
	59	North of Station Road																																	
Melbourne and Kings Newton	60	Washpit, Station Road																																	
	61	Off Acacia Drive																																	
	70	Holy Well, Wards Lane																																	
	77	Church Close																																	
	<del>84</del>	<del>The Bowling Green Castle Street</del>																																	
	87	Grange Close Recreation Ground																																	
	179	Kings Newton Bowls Club																																	
MM4	17	Local Green Spaces by Settlement Table. Pages (13-17)	<table><tr><th>Settlement</th><th>Site Ref</th><th>Site Name</th></tr><tr><td>Map 22</td><td></td><td></td></tr><tr><td>Walton on Trent</td><td>159</td><td>Walton Playing Field</td></tr><tr><td><del>Map 23</del></td><td></td><td></td></tr><tr><td><del>Weston on Trent</del></td><td><del>144</del></td><td><del>King's Mill Lane, adjoining primary school</del></td></tr><tr><td>Map <del>24</del> 23</td><td></td><td></td></tr><tr><td>Willington</td><td>105</td><td>South of Trent and Mersey Canal</td></tr></table>	Settlement	Site Ref	Site Name	Map 22			Walton on Trent	159	Walton Playing Field	<del>Map 23</del>			<del>Weston on Trent</del>	<del>144</del>	<del>King's Mill Lane, adjoining primary school</del>	Map <del>24</del> 23			Willington	105	South of Trent and Mersey Canal	To ensure the Plan is sound.	SDDC									
Settlement	Site Ref	Site Name																																	
Map 22																																			
Walton on Trent	159	Walton Playing Field																																	
<del>Map 23</del>																																			
<del>Weston on Trent</del>	<del>144</del>	<del>King's Mill Lane, adjoining primary school</del>																																	
Map <del>24</del> 23																																			
Willington	105	South of Trent and Mersey Canal																																	
MM5	21	Map 2 Local Green Spaces in Egginton	<i>Modification to Site 149 (Catherine Jonathan Playing Field) to remove triangular piece of land to west of the playing field</i>  <b>Page 158 of 620</b>	To ensure the Plan is sound and remove land which is in private ownership and not publically accessible.	SDDC																														

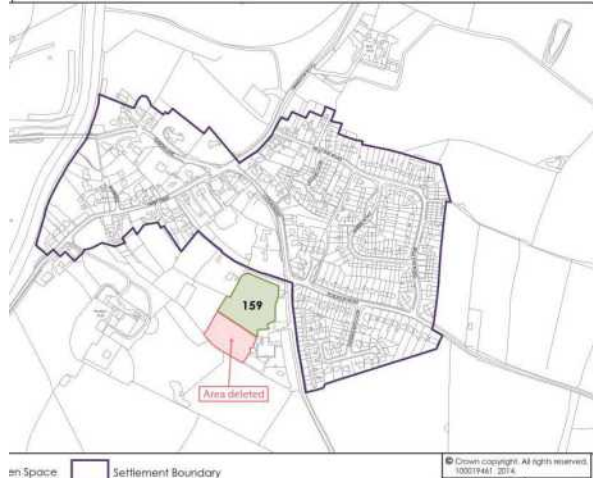
Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
					
MM6	23	Map 4 Local Green Spaces in Findern	<i>Modification to Site 116 (East of the Hayes) to remove a small area of private garden</i>	To ensure Plan is sound and remove land which is in private ownership and not publically accessible	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
					
MM7	29	Map 10 Local Green Spaces Melbourne	<i>Removal of site 84 (The Bowling Green, Castle Street).</i>	To ensure Plan is sound and remove land protected by existing planning policy.	Fisher German/Melbourne Estate

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
			 <p>MAP 10: Local Green Spaces in Melbourne &amp; Kings Newton</p> <p>Local Green Space Settlement Boundary</p> <p>Site 84 deleted</p> <p>Scale: 1:10000 or A4 Date: Oct 2019</p>		
MM8	31	Map 11b Local Green Spaces in Repton	<i>Modification of site 93 (East of High Street and South of Askew Grove) to exclude land to the north of the public footpath which crosses the site east to west. Land to the north of this PROW has been demonstrated not to meet the</i>	To ensure Plan is sound and remove land which is not publically accessible.	Mr and Mrs Wright/Pegasus Group SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
			<p><i>Council's criteria for designation.</i></p> <p> <b>MAP 11b: Local Green Spaces in Repton</b></p> 		
MM9	38	Map 17 Local Green Spaces in Midway, Swadlincote	<i>Modification to Sites 2 (Aston Drive) and 5 (Springwood Farm Road) to remove a small number of private front gardens from both sites</i>	To ensure Plan is sound and remove land which is not publically accessible.	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
					
MM10	43	Map 22 Local Green Spaces in Walton on Trent	<i>Modification to site 159 (Walton Playing Field) to exclude southern part of the previously proposed site to exclude land used as a school playing field.</i>	To ensure Plan is sound and remove land which forms part of Walton Primary School.	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
			<p><b>MAP 22: Local Green Spaces in Walton on Trent</b></p>  <p>Green Space      Settlement Boundary</p> <p>© Crown copyright. All rights reserved. 100019447 2016 Scale: 1:5000 of A4      Date: Oct 2016</p>		

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
MM11	44	Map 23 Local Green Spaces in Weston on Trent	<p><i>Removal of site 144 (King's Mill Lane, adjoining primary school) and delete Map 23</i></p> 	To ensure Plan is sound and remove land protected by existing planning policy.	SDDC



**South  
Derbyshire**  
District Council

# South Derbyshire

## Local Green Spaces

### Additional Modifications



This document details the Councils proposed additional (minor) modifications to the South Derbyshire Local Green Spaces Plan.

The proposed modifications are listed in the order they appear in the Proposed Submission version of the Plan. For each amendment, information on the proposed change and the reason for the change is given.

Modifications proposed are shown in bold and underlined, where text is proposed for removal it has been struck through, and any comments are in italics.

- **Insertion of text**
- ~~Removal of text~~
- *For information*

## Additional (Minor) Modifications

Updates to paragraph numbers are not included within the modifications table, however will be made to reflect the proposed changes within this modifications document and will run in chronological order.

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
Front Cover					
M1	N/A	N/A	South Derbyshire <del>Proposed Submission</del> Local Green Spaces Plan	To update the Plan	SDDC
M2	N/A	N/A	<del>February 2019-</del>	To update the Plan	SDDC
About this Consultation					
M3	N/A	N/A	<del>Local Green Spaces Proposed Submission Version February 2019</del>	To update the Plan	SDDC
M4	N/A	N/A	<p><del>Proposed Submission Local Green Spaces Development Plan Document (DPD)</del></p> <p>This is the 'Regulation 19' consultation for the Local Green Spaces DPD. This document is the DPD which is the Council intends to submit to the Planning Inspectorate for them to examine and determine if the DPD is considered sound. The DPD will be considered against the following soundness tests:</p> <p><del>1— Is the Plan Positively Prepared? (i.e. is it based on a strategy which seeks to meet objectively assessed development requirements.);</del></p>	To update the Plan	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
			<p><del>2 – Is the Plan Justified? (i.e. is it an appropriate strategy, when considering reasonable alternatives, based on proportionate evidence.);</del></p> <p><del>3 – Is the Plan Effective? (i.e. are the proposals deliverable over its plan period and based on effective joint working on cross boundary strategic matters);</del></p> <p><del>4 – Is the Plan Consistent with national policy? (i.e. does it enable the delivery of sustainable development in accordance with the NPPF).</del></p> <p>In addition to the four tests of soundness, the Inspector will also be assessing whether or not the Local Authority has planned strategically on appropriate matters with other Local Authorities. This is known as the Duty to Co-operate.</p>		
M5	N/A	N/A	<p>Consultation Period</p> <p>The consultation period is for 6 weeks, commencing on Tuesday 5<sup>th</sup> February and closing on Tuesday 19<sup>th</sup> March 2019. The Proposed Submission Local Green Space DPD and consultation response forms is available to view:</p> <ul style="list-style-type: none"> <li>• online at <a href="http://www.south-derbys.gov.uk/localgreenspaces">www.south-derbys.gov.uk/localgreenspaces</a></li> <li>• at the District Council offices, see address below</li> </ul>	To update the Plan	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
			<p>● <del>at all South Derbyshire libraries.</del></p> <p><del>Representation forms can be completed by hand or electronically.</del></p> <p><del>All comments received will be passed onto the appointed Planning Inspector for their consideration. Response forms should be sent to:</del></p> <p><del>Planning Policy</del></p> <p><del>South Derbyshire District Council</del></p> <p><del>Civic Offices</del></p> <p><del>Civic Way</del></p> <p><del>Swadlincote</del></p> <p><del>DE11 0AH</del></p> <p><del>E-mail: <a href="mailto:planning.policy@south-derbys.gov.uk">planning.policy@south-derbys.gov.uk</a></del></p> <p><del>If you have any questions, please contact the Planning Policy Team on 01283 595749.</del></p> <p><del>Please submit your comments by 5pm on Tuesday 19th March.</del></p>		

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
The Process for Designation					
M6	4	2.7	<p>2.7 Where the site is already protected by designations such as Green Belt, wildlife designations, or protected by established open space policies there is little merit in a further designation. Whilst it is acknowledged that such protections are often made in the interest of protecting one aspect of the site (such as important heritage features), in most cases the policy protections provided would offer a level of protection that would safeguard the site generally for the benefit of local communities. However, there are instances where there may be justification for already protected sites to be designated. This will only be considered where it can be demonstrated that additional and substantive local benefits can be secured as a result of the local green spaces designation which is not otherwise conferred by national or local plan policy. <del>One such example of an occurrence could be where local sports provision is protected through local policy. For example the District Council has, in most instances, sought not to designate sports pitches and other formalised recreation spaces as Local Green Spaces. The justification for this rests on the fact that:</del></p>	To improve the clarity of the Plan.	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
M7	4	2.8	<p><b>One such example of an occurrence could be where local sports provision is protected through local policy. For example, the District Council has, in most instances, sought not to designate sports pitches and other formalised recreation spaces as Local Green Spaces. The justification for this rests on the fact that:</b></p> <p><b>1) These sites already receive a level of protection from development management policies included in the Local Plan; Policy INF6 (Community Facilities) and Policy INF9 (Open Space Sport and Recreation).</b></p> <p><b>2) A local green space designation could undermine the delivery of some qualitative improvements to some types of sports provision, for example the creation of flood lit sports pitches or installation of high mesh fencing associated with sports pitches or some play equipment.</b></p> <p><b>However, a small number of recreation grounds and sports grounds have been included where it is considered appropriate to protect their specific location, for example where it is adjacent to and used by existing schools or other community groups such as brownies, scouts, or air cadets etc., the</b></p>	New paragraph inserted to improve the clarity of the Plan.	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)		
			<b>space makes a demonstrable contribution to local character, or where the replacement of sites could not be easily delivered locally, for example because of the density of surrounding urban development.</b>				
Local Green Space Policies							
M8	7	3.1	Many of the sites being proposed as Local Green Spaces already play an important role in the local community.	To correct typographical error	SDDC		
M9	11	3.15	Where opportunities arise the Council will work positively with others towards ensuring the appropriate management and stewardship of sites in order that their value can be conserved and enhanced to ensure that sites are capable of enduring beyond the end of the plan period.	To correct typographical error	SDDC		
Local Green Spaces							
M10	14	Local Green Spaces by Settlement Table. Pages (13-17)			For clarity and consistency with mapping.	SDDC	
			Settlement	Site Ref			Site Name
			Hilton continued	172			Amenity area south of the cycle route, <del>The Mease</del> <b>Avon Way</b>
				173			<del>Washford Road</del> <b>Amenity area adjoining cycle route, the Mease</b>
				174			Land between A5132 and New Road
				175			Bren Way
176	Land north of Egginton Road						

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .			Reasons for modification	Source of modification (including representation no. if applicable)
				177	Off Pegasus Way		
				178	Woodland, South of the Mease		
				180	Corner of Bren Way/Enfield Close		
				181	Land adjacent to Hilton Brook, The Mease		
				182	Enfield Close		
				196	Bancroft Close		
				197	Willowfields		
				198	Foss Road		
M11	16	Local Green Spaces by Settlement Table. Pages (13-17)	Settlement	Site Ref	Site Name	For clarity and consistency with mapping.	SDDC
			Midway	2	Aston Drive		
				3	South of Edgecote Drive		
				4	Off Lawns Drive		
				5	Spring <b>wood</b> Farm Road		
				6	Sandholes Open Spaces, Eastfield Road		
Back Cover							
M12	N/A	N/A	South Derbyshire <del>Proposed Submission</del> Local Green Spaces Plan  Published by South Derbyshire District Council Civic Offices, Civic Way, Swadlincote			To update the Plan and amend contact details to reflect the Council’s new web address.	SDDC

Modification Ref.	Document Page No.	Policy/ Paragraph/ Table	Modified text (deleted text shown as <del>struck through</del> , additional text shown in <b>bold</b> and SDDC comments shown in <i>italics</i> ). Modifications that arose through the Examination process are also <u>underlined</u> .	Reasons for modification	Source of modification (including representation no. if applicable)
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South

Derbyshire

District Council

Community and  
Planning Services

Local Development Framework

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# South Derbyshire District Council Local Development Framework

## Proposed Strategic Local Green Spaces Plan

### Non-Technical Summary



February 2019

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People Place Progress

South Derbyshire

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## **1.0 Introduction and Background**

- 1.1 This document is the non-technical summary of the Sustainability Appraisal Report (February 2018) for the South Derbyshire Local Green Spaces Plan (LGSP). It summarises how the Sustainability Appraisal has been carried out, the main findings and the next steps.
- 1.2 Sustainability Appraisal (SA) is a process that has been carried out as an integral part of developing the Plan with the aim of promoting sustainable development through the integration of environmental, social and economic considerations. It is required by the Government through legislation and is subject to public consultation and scrutiny in parallel with the LGSP.

## **2.0 The South Derbyshire Local Plan**

### **The Local Plan Part 1 (LP1)**

- 2.1 The Council has prepared its local Plan in a number of parts. The first part (the LP1) comprises the spatial vision and objectives and a spatial strategy that sets out the amount of growth required. It also includes strategic policies together with strategic housing and employment allocations. The LP1 was adopted on the 13<sup>th</sup> June 2016 and establishes a long-term strategy for growth in South Derbyshire to 2028 to manage development, provide services, deliver infrastructure and create sustainable communities.

### **The Local Plan Part 2 (LP2)**

- 2.2 The LP2 sets out a number of non-strategic policies to guide development management decisions. These cover a range of issues including heritage, retail, local green spaces and development in the countryside, (alongside a review of settlement boundaries that has been undertaken to support this policy). The LP2 also includes non-strategic housing allocations, which will deliver around 700 homes in the plan period. This was Adopted in November 2017.

### **Local Green Spaces Plan**

- 2.3 Once adopted this Plan will set out the location and number of local green spaces in the District (although 104 are currently proposed) and include two policies to control development on designated sites and support enhancements to designated sites including in respect of biodiversity and accessibility.

## **3.0 Habitat Regulations Assessment**

- 3.1 In addition to SA, the Council are also required to undertake a separate form of assessment under the Conservation of Habitats and Species Regulations (2017) when preparing the Plan. This assessment known as Habitat Regulations Assessment is required to ensure that a strategy or plan either alone or in combination with other plans or projects, would not have a significant effect on a European site.
- 3.2 Where the Plan could affect a European Site the Council is required to undertake an 'Appropriate Assessment'. European sites referred to include Special Areas of Conservation (SAC) and Special Protection Areas (SPA). Within South Derbyshire there is one SAC; the River Mease. There are a number of other SACs and SPAs located in surrounding Districts and Boroughs.
- 3.3 The Plan has been subject to a screening assessment by the planning team to help identify which European Sites could be affected by the proposals included within it. The results of the full screening report have been published on the District Council's website.

3.4 The conclusions from the Habitats Regulation Screening Assessment are:

- There is no likely significant impact on any SPAs or SACs located outside of the District as a result of implementing the LGS Plan.
- There is one local green space located in the catchment of the River Mease. The remainder (103 sites) are located outside of the catchment.
- The site located in the catchment is site 168 (Linton Orchard) and consists of a community orchard located in the southern part of Linton. It lies on the watershed for the catchment and is 4km from the SAC. Given that this LGS Plan seeks to ensure that this site is retained as a community orchard its designation is unlikely to have any effect on the SAC
- The designation of local green spaces will not increase surface water or foul water and would be unlikely to have any effect on water quality within the SAC.
- As the South Derbyshire Local Plan (Parts 1 & 2) have already been identified as having no effect on the SAC, it is unlikely that the adoption of this Plan will act in combination with these, or indeed the plans of neighbouring authorities adopted or under preparation.

3.5 Even though the Plan has been identified as unlikely to have any discernible effect on the River Mease SAC, the Council remains committed to working with the Environment Agency, Natural England, Severn Trent Water and adjoining Planning Authorities to improve water quality in the Mease Catchment.

**4.0 Sustainability Appraisal – Purpose and Requirements**

4.1 The purpose of the SA is to promote the objectives of sustainable development. This is often defined as:

*“Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”<sup>1</sup>.*

4.2 The SA allows the Council to create a Plan which is ‘sustainable’ by providing us with an understanding of the likely social, environmental and economic impacts of a Plan from the outset. We can therefore consider how development proposals interact with others in the Plan and also other plans prepared or being prepared by other neighbouring planning authorities. In reviewing these effects, we have an opportunity to try and reduce the effects the Plan could have on the environment, the economy or on society either by selecting less harmful development options, seeking to mitigate the negative effects of the Plan, or wherever possible enhancing the positive effects.

4.3 The SA process is governed by European and national legislation and supported by Government policy, which includes:

- The Planning and Compulsory Purchase Act.
- The requirements of European Directive 2001/42/EC (often known as the Strategic Environmental Assessment (SEA) Directive) which requires the preparation of an environmental report that considers the significant environmental effects of a plan or programme.

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<sup>1</sup> Our Common Future Brundtland Report, World Commission on the Environment and Development, 1987

- 4.4 This Sustainability Appraisal incorporates the requirements of the SEA Directive, by combining the environmentally-focused considerations of SEA with wider social and economic effects.

## **5.0 Sustainability Appraisal – Context and Objectives**

- 5.1 The context and objectives of the SA were established during an earlier stage (often referred to as the scoping stage) of the SA process. This involved compiling background information in order for SA to be undertaken. The establishment of an evidence base allowed ongoing appraisal work and culminated in a framework of sustainability objectives.
- 5.2 Key tasks in this scoping exercise involved:
- identifying relevant policies, plans and programmes which could influence the Plan
  - collecting baseline information
  - identifying key sustainability issues in South Derbyshire
  - establishing sustainability objectives.
- 5.3 This evidence base work was published by South Derbyshire District Council in a Scoping Report in May 2018 after a comprehensive and wide ranging public consultation exercise. The Scoping Report, although a separate document, forms part of the environmental report required by the SEA Directive.
- 5.4 The Scoping Report has been updated to reflect the comments received back during the scoping consultation and an updated version of the report together with a summary of comments received is available to view on the Council's website:

## **6.0 The Sustainability Appraisal Framework**

- 6.1 The SA Framework consists of sustainability objectives which were established during the scoping stage described above; these objectives allow for the effects of the Plan to be described, analysed and compared which forms the basis of the assessment of the Plan.
- 6.2 Sustainability Appraisal objectives are different in concept and purpose from the objectives of the Plan, though there is a degree of overlap. They are not necessarily intended to be fully achievable, but are more aspirational in nature, and address the full cross-section of sustainability issues.
- 6.3 The objectives are listed in the following table. The full framework is presented in Section 4 of the main Sustainability Appraisal Report, which includes more detailed 'decision –making criteria'.

<b>Sustainability Topic</b>	<b>Sustainability Objective</b>
Biodiversity, Flora and Fauna*	To enhance biodiversity and geodiversity across the District
Population and Human Health	To provide high quality places to live where residents feel safe.
	To improve the health and well-being of residents
	To improve educational achievement and access to locally valued educational resources
	To promote social inclusion, reduce inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).

Sustainability Topic	Sustainability Objective
Material Assets	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)
	To deliver economic growth and diversify and strengthen local urban and rural economies.
	To enhance the vibrancy and viability of the District's urban areas and villages
	To improve the quality of the existing built environment.
Soil, Water and Air	To reuse brownfield land and promote sustainable use of natural resources including soil.
	To reduce water, light, air and noise pollution
Climatic Factors	To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes
Cultural Heritage (including architectural and Archaeological Heritage)	To conserve, enhance and improve access to the historic environment, heritage assets and their settings
Landscape	To conserve and enhance the District's landscape and townscape character

## 7.0 Developing and Refining Policies and Reasonable Alternatives

7.1 The SEA Directive requires assessment of the likely significant effects of implementing the Plan, and "reasonable alternatives". Developing options and alternatives is an important part of both the plan-making and Sustainability Appraisal process. For development plan documents such as the LGSP, the reasonable alternatives are the different options identified during plan preparation that are capable of delivering the Plan objectives.

7.2 Given the duty on authorities preparing Local Plans to contribute to sustainable development, South Derbyshire District Council has sought to develop options early in the plan preparation process. However in respect of broad options for bring forward local green spaces these were considered as part of the LP2 process. In essence however the Council identified three potential options as follows:

- Option 1: Do not designate Local Green Spaces
- Option 2: Support the designation of appropriate greenspace through the Neighbourhood Planning process
- Option 3: Designate appropriate green spaces through Plan process

During the preparation of the LP2 the Council confirmed its intention to designate local green spaces through the local plan process and committed to do this through the preparation of a local green spaces document. SA in respect of these broad options has previously been undertaken by the Council and further broad options appraisal is not required.

## 8.0 Assessing the Significance of Effects

8.1 The SEA Directive requires an assessment of the "likely significant effects...taking into account the objectives and geographical scope of the plan or programme". It is, therefore, necessary to assess only those effects of the Plan that are likely to be significant, not all possible effects.

8.2 In the SA Report, the social, environmental and economic effects of the 'broad strategic options' and the 'preferred options' are outlined (this SA work having previously been undertaken during the preparation of LP2). An assessment has also been made of the policies included in the Plan. Prediction of effects involves identifying what changes might occur to the sustainability baseline over time – these changes are then evaluated for their likely significance, in terms of their probability, duration, frequency, geographical area and size of population likely to be affected. However, it is not always possible to accurately predict sustainability effects when considering plans,

especially where uncertainties exist or data gaps are uncovered that make evaluation difficult this has been acknowledged within the appraisal.

## **9.0 Likely Significance of Effects of the South Derbyshire LGSP**

9.1 The SA Report has acknowledged that effect. These are summarised as follows:

### **Biodiversity and Geodiversity**

9.2 Site designation will safeguard existing local green spaces sites and could support enhancements to existing sites including through changes to management, new planting or habitat creation, or supporting the designation of sites as Envirobank receptor sites. The Plan will also provide a core of local sites which can form the basis of community wide biodiversity improvements to its open spaces including through the creation of community nature partnerships such as that being considered in Hilton. Of the 104 sites proposed all have varying degrees of potential for biodiversity enhancements, although those with the greatest potential are considered to be sites at the Mease Meadow, Hilton, Land adjacent to Hilton Brook, the Mease, Hilton and Hilton Memorial Meadow, Hilton. The ponds to the rear of Aston Hall, Aston on Trent and Sandholes, Midway are also considered to have particular biodiversity interest. Away from these sites many of the proposed local green spaces consist of amenity grassland, within these areas opportunities for delivering biodiversity gain may be more limited but could include changes to mowing regimes or other management practices such as the creation of site management plans, new habitat creation, including the sowing of appropriate wildflower mixes or new tree planting or the installation of bird or bat boxes.

### **Population and Human Health**

9.3 Most green spaces are well related to existing communities as those dislocated from the communities they serve have been discounted from designation at an early stage. All are considered to have safe access to and from the site. A number of sites are located close to existing schools or youth groups such as the scouts and have been designated as they are known to be used by these organisations. Such sites include the Catherine Jonathon Playing field in Egginton, Sandy Pits Lane, Etwall, and Walton Playing Field. Around one quarter of proposed green spaces are identified as having beneficial effects in respect of health and wellbeing. Sites most likely to deliver such benefits are those which contribute to local formal or informal sports provision, or provide community space for local interest groups such as older person clubs or slimming clubs.

### **Material Assets**

9.4 All sites proposed for designation are publically accessible to some extent as previously highlighted. No sites more than 800m from the communities they serve (or 1200m where a playing field) have been proposed for designation. Almost all sites are within or adjacent to existing communities although a limited number of more isolated sites have been proposed. These include the Holy Well, Wards Lane, Melbourne and Ashby Road, Grass Triangle, Ticknall. However both these sites are accessible by public footpaths (Holy Well), or a metalled footway (Ashby Road Grass Triangle). Opportunities exist to potentially improve public access on many sites including in particular around the Ponds in Aston on Trent, land adjoining the Mill Wheel Car Park, Hartshorne, Lands adjacent to Hilton Brook, Hilton and the Woodland south of the Mease, Hilton. However where sites are in private ownership the Plan will not confer any obligations on landowners to make sites accessible or improve current access arrangements. However where landowners are amenable the Council will seek to work positively to improve access arrangements as set out in Policy LGS2.

9.5 A significant number of sites make a positive contribution to the local built environment. Sites in urban areas are often located in densely developed areas and provide important green gaps within housing estates or employment areas. Examples include Hilton, Swadlincote and Stenson Fields

which is an urban extension of Derby City located in South Derbyshire. In more rural areas many green spaces help preserve the character of the District's villages by providing green spaces along key transport routes, or within the historic core of settlements.

- 9.6 A number of sites are gateways to tourism and leisure facilities located within the District, for example sites around the entrance to Calke Abbey in Ticknall. It is also likely that local green spaces designation could in some instances help support access grant funding to enhance spaces for the benefit of local communities, or help support the ongoing use of community spaces such as community halls or events such as bonfire displays or well dressing festivals by safeguarding key sites used by local communities.

#### **Soil, Water and Air**

- 9.7 Almost all of the proposed sites are greenfield and designation could help to restrict development to those necessary for the site to continue to meet local community needs. Site designation is likely to restrict the nature and extent of new development and would therefore be likely to restrict the potential for sites to have any additional impacts in respect of noise, air or light pollution.
- 9.8 In respect of water quality a number of sites are adjacent to, or include watercourses, however the protections offered by the designation, including restrictions on the nature of new development allowed will help ensure that sites do not contribute to increased surface water flows. In respect of the River Mease Special Area of Conservation (SAC), there is only a single site located within the catchment (site 168 Linton Orchard). This is a small site which consists of a community orchard which itself is located around 4km from the SAC. Given the scale, nature and location of this designation the Plan will not have any adverse effect on the integrity of the SAC.

#### **Climatic Factors**

- 9.9 Most sites will not have any effect in respect of flood risk. However a small number of sites either include area set aside for flood defences or surface water attenuation, for example Mease Meadow, Hilton, Appletree Meadow and Harebell Lane (Stenson Fields), Etwall, or have potential to accommodate flood defences in the future (Catherine Jonathon Playing Field). A number of sites are also adjacent to watercourses including land adjacent to Hilton Brook, Hilton, Mease Meadow, Hilton, south of Askew Grove, Repton and Pinfold Lane (Repton). Designation could help keep these areas free of development and ensure development does not take place in areas which could be subject to flood risk.

#### **Cultural Heritage (including architectural and archaeological heritage)**

- 9.10 The Plan is unlikely to have any significant effect on the architectural and archaeological heritage of the District, but could have a number of locally important effects. In particular sites in Aston on Trent, Etwall, Findern, Melbourne, Repton, Milton, Ticknall, Shardlow, Walton on Trent and Willington will have beneficial effects where sites are located close to conservation areas or nearby listed buildings.

#### **Landscape**

- 9.11 All sites are likely to have a minor beneficial effect in respect of landscape or townscape character. This is because designation will further safeguard important gaps or amenity land in the District's urban areas and villages. However on a small number of sites designation was considered likely to have more significant effects where landscape were considered to be more significance, including because of the potential to help safeguard the setting of heritage assets or in conserving key vistas and views.

## **10.0 Mitigation Measures**

10.1 The policies included in both the LP1 and LP2 already seek to reduce the effects of development and fully meet housing and employment needs up to 2028. However the Council has sought to include a number of policies in it the LGSP to ensure that the Plan will not give rise to undue impacts and where appropriate seek enhancements to the quality of local green spaces. Together these policies will seek to minimise potential adverse effects of development and improve the performance of the Plan by ensuring improved management of sites through the inclusion of a policy to:

- protect the openness and essential qualities of spaces including through the control of the scale, design and location of new development
- protect biodiversity on sites and include policy to support enhancements including through improved management and new habitat creation as well as through supporting the designation of spaces as envirobank receptor sites so biodiversity losses elsewhere in the District can be offset by improvements to appropriate local green space sites.
- support development that can contribute towards community cohesion, for example by making sites more usable
- support improvements to accessibility within and to and from local green spaces

## **11.0 Overall Sustainability of the LGSP**

11.1 The SA Report has investigated the likely significant effects of implementing the LGSP and it has indicated impacts are unlikely to be significant. However where effects are likely these will be managed through compliance with existing planning policy requirements and through the use of policies in the emerging LGSP to deliver improvements to the condition of designated sites and to manage the nature and scale of future potential developments on designated sites.

## **12.0 Consultation**

12.1 Comments on the sites or policies proposed in the Draft Plan should be made in writing to and consultation forms to complete are available online at [www.south-derbys.gov.uk/localgreenspaces](http://www.south-derbys.gov.uk/localgreenspaces), at the District Council Offices in Swadlincote or at all South Derbyshire libraries as well as libraries in Sinfen and Borrowash.

Completed representation forms should be sent to:

Planning Policy  
South Derbyshire District Council  
Civic Offices  
Civic Way  
Swadlincote  
DE11 0AH

E-mail: [Planning.policy@south-derbys.gov.uk](mailto:Planning.policy@south-derbys.gov.uk)

If you have any questions regarding consultation responses, please contact the Planning Policy Team on 01283 595749

**Please submit your comments by 5pm on Tuesday 19<sup>th</sup> March 2019.**

12.2 Comments received during the consultation will be submitted to the Planning Inspectorate.

## **13.0 Monitoring Requirements**

- 13.1 The SEA Directive requires the significant environmental effects of plans and programmes to be monitored, in order to identify at an early stage unforeseen adverse effects and to be able to take appropriate action where necessary.
- 13.2 The monitoring undertaken on the LGSP will help to:
- monitor the significant effects of the plan.
  - track whether the plan has had any unforeseen effects.
  - ensure that action can be taken to reduce / offset the significant effects of the plan.
  - provide baseline data for future sustainability appraisals, and
  - provide evidence of how the environment / sustainability criteria of the area are evolving.
- 13.3 The requirements of the SEA Directive focus on monitoring the effects of the plan. This equates to both the plan's significant effects and also unforeseen effects. It may be difficult to implement monitoring mechanisms for unexpected effects, or to attribute such effects to the implementation of the Plan when they occur, as often other plans, projects or programmes could all effect the quality of environment, economic performance or the social aspects of the plan.
- 13.4 It is good practice for the monitoring of significant sustainability effects to be integrated with other monitoring of the Local Development Framework. For this reason, the Council will report significant sustainability effects as part of its existing monitoring regime. Proposed indicators are included in the SA Framework. These have been drawn from the baseline information and key sustainability issues identified within the SA Scoping Report and are identified to monitor potential significant adverse effects highlighted in the main report
- 14.0 Next Steps**
- 14.1 Following the consultation on the Proposed Submission Plan and Sustainability Appraisal Report responses will be submitted to the Planning Inspectorate. The Secretary of State will then appoint an Inspector to examine the Plan. Examination is likely to take place in summer 2019. The role of the Inspector during the examination process will be to consider the soundness of the LGSP, using the SA as part of the evidence base.
- 14.3 If any significant changes are made to the LGSP as a result of the examination process that may lead to additional significant effects not already covered in the SA it will be further updated, prior to Plan Adoption.



**South Derbyshire Sustainability Appraisal  
Proposed Sub-Region  
Local Green Spaces Plan  
Non Technical Summary December 2016**

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Website: [www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)



South  
Derbyshire  
District Council

Local Development Framework

SA

# South Derbyshire Sustainability Appraisal

PROPOSED SOUTH MIDLAND  
LOCAL GREEN SPACES PLAN

Main  
Report



2010



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## 1.1 SECTION 1: BACKGROUND

The parts of the SEA Directive Requirements considered in the section:

The Environmental (Sustainability) Report should provide information on:  
“an outline of the contents, main objectives of the plan and programme”;  
“A description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know how) in compiling the report”

1.1.1 This document is called a Sustainability Appraisal Report (sometimes called an Environmental Report). It is a key output of the sustainability appraisal and strategic environmental assessment (SEA) processes. It presents information on the social, environmental and economic effects of implementing the South Derbyshire Local Green Spaces Plan (LGSP) and the appraisal methodology adopted to identify these effects.

1.1.2 This report has been produced to meet the reporting requirements of both the strategic environmental assessment and the sustainability appraisal processes and will be updated to reflect any changes to the Plan and the green spaces as it moves towards adoption.

### 1.2 THE DEVELOPMENT PLAN PROCESS

1.2.1 The planning system provides a framework for managing the development and use of land. A key element of this system is the preparation of development plans, which establish where and what type of development might take place, and provides the basis for the consideration of planning applications.

1.2.2 Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act requires that the District Council prepare a Development Plan to manage growth across the District. This document together with the the Local Plan Part 1 and Local Plan Part 2 (LP1 and LP2) will seek to manage development within South Derbyshire up to 2028.

### 1.3 THE LOCAL PLAN PART 1 AND PART 2

1.3.1 LP1 establishes a long-term strategy to manage development, provide services, deliver infrastructure and create sustainable communities. It comprises the spatial vision and objectives, a spatial strategy (setting out how much growth is required and where strategic growth will be located), strategic policies to inform the detailed design of new development and a section setting out how we will implement and monitor the strategy.

1.3.2 LP2 sets out additional non strategic policies and guidance. It supplements and provides additional detail concerning how development will be managed in South Derbyshire up to 2028 including through the allocation of 14 non-strategic sites. This Plan also identified those locations within settlement boundaries where development is in principle accepted subject to conforming with the wider policies set out in LP1 and LP2.

### 1.4 THE LOCAL GREENSPACES DEVELOPMENT PLAN DOCUMENT

1.4.1 The LGSP seeks to identify the location of areas subject to a local green space designation in South Derbyshire.

1.4.2 It was anticipated that local green spaces would be identified as part of the LP2 process, although during the preparation of LP2 it became obvious that there was significant interest in protecting valued spaces within existing communities and the work required to identify appropriate green spaces could significantly delay the preparation of the LP2. Given the pressing need to identify housing to meet the

Council's housing requirement, the decision was taken following the June 2016 (regulation 18) consultation on LP2 to identify the location of local green spaces through a separate development plan document. This would allow the preparation of LP2 to be expedited and ensure that local green spaces could be appropriately considered through the preparation of a specific local plan document, which would be subject to the same regulatory requirements as the LP2.

- 1.4.3 However, whilst the decision was taken to not bring forward local green space designations through LP2, a policy was included in that Plan regarding local green spaces. This policy is set out 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.**

- 1.4.4 The Proposed Submission version of the Plan was published for consultation in February 2019. At this stage, changes occurring should be fewer but it may still be possible that changes occur to either the sites and/or policies before the Plan is found sound. Where such changes occur these will be documented and will be subject to further sustainability appraisal where these could have likely significant effects on the environment and on local communities or businesses.

- 1.4.5 The content of the emerging Plan, to which this report relates is summarised below in Table 1.1.

<b>Table 1.1 Contents of the Plan</b>		
<b>Section Number</b>	<b>Section Title</b>	<b>Included in this section</b>
1	Introduction and Policy Context	Summary of national and local policy related to green spaces and the process towards identifying local green spaces to date.
2	Review Process and Next Steps	Identifies the issues that will be considered in deciding which sites to designate as local green spaces and the process to be followed ahead of adopting the LGSP.
3	Local Green Spaces Sites	The sites identified as potential local green spaces including maps which are currently before the Council for consideration and the attributes that make these spaces demonstrably special to the local community.
4	Local Green Space Policies	Thematic policies to control future development and the management of designated local green spaces

## 1.5 LOCAL PLAN VISION

- 1.5.1 The vision for South Derbyshire is set out in LP1. As a daughter document of LP1 the LGSP will assist in the delivery of this vision. For the sake of completeness this is set out below.

The vision for South Derbyshire is one of sustainable growth, renewal and opportunity. By 2028, the economy will have grown with a more diverse business environment supported by a more skilled workforce. Local communities will be healthy and inclusive and will have access to a range of jobs, housing, education, health, shops, services, facilities and green space by a choice of travel options including public transport and other non-car modes. Climate change and adaption will lie at the heart of our strategy and residents and businesses will be supported to make efficient use of resources and cope with the effects of climate change which are already anticipated- such as reduced water availability and increased flooding.

The strategy for growth will have delivered at least an additional 12,618 homes over the plan period and ensured the District's housing stock is better aligned to the needs of – and available to - everyone, irrespective of their stage of life, income or circumstances. The countryside, rivers, green spaces and networks which connect them, together with the districts cultural and heritage assets will have been protected and enhanced and the quality and diversity of the District's wildlife habitats will have been improved. New development will reflect and reinforce the District's many distinct landscapes and will protect the integrity of our most sensitive wildlife sites, landscapes and heritage assets. South Derbyshire will have continued to be a major ingredient in the success of the National Forest and the District will have become an increasingly important tourist destination in the region.

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

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

Swadlincote will have become firmly established as a vibrant town in a high quality retail, residential, commercial, leisure and shopping environment. This will have been achieved through new development within and around the town and improved connections to the wider road network. In particular, substantial investment in leisure and civic facilities will have been developed to support the town's enhanced role as a major shopping and recreation destination. These developments will have complemented successful actions for encouraging investment into, and better management of, Swadlincote Town Centre – guided by a dedicated Vision and Strategy. Such measures will have included the completion of public realm improvements, supporting business development, developing the outdoor market and hosting major events.

Major urban renewal will also have taken place in the wider Swadlincote urban area with the reclamation and re-development of underused and derelict brownfield land south of Woodville. The environment and job opportunities in the area will have been significantly enhanced through the construction of the Woodville Regeneration Route bypassing - and providing relief from traffic congestion at - the Clock Roundabout, opening up land for development and providing better links between Swadlincote and the A42 to the east.

Substantial housing and/or economic growth, facilities and infrastructure will also have been delivered in the key villages of Hatton and Hilton to meet the particular needs of those communities. This will have supported and balanced the significant expansion of employment in Hatton whilst providing some HGV traffic relief and potentially providing the first phase of a Hatton Bypass in the much longer term if needed. Similarly, substantial new provision of local infrastructure will have taken place at Hilton which may have been enabled through a measure of house-building and/or other development.

The vitality and viability of Melbourne town centre will also have been sustained through a combination of careful control over land uses in the core shopping area and more widely through enhanced leisure and cultural facilities.

Meanwhile, sustainable living and working environments throughout the remainder of the villages and other rural parts of the district will have been maintained and through local scale development in keeping with their size, role and character. In tandem, the rich heritage, historic assets and distinctive character of our towns, villages and hamlets will continue to have been respected and enhanced.

## **1.6 LOCAL PLAN OBJECTIVES**

1.6.1 LP1 sets out the Council's Local Plan Objectives. As above the LGSP will assist in the delivery of these objectives which are as follows:

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

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

## **1.7 RELATIONSHIP WITH OTHER PLANS AND PROGRAMMES**

- 1.7.1 The LGSP will form part of the overall development plan which will guide many aspects of development up to 2028. It will outline the location of sites considered to be of local community value and protected as local green spaces.

## **1.8 DELIVERING SUSTAINABLE DEVELOPMENT**

- 1.7.1 In producing a Local Plan for South Derbyshire we are committed to the promotion of sustainable development. The Brundtland Report released by the World Commission on the Environment and Development defined sustainable development as:

- 1.7.2 *that meets the needs of the present without compromising the ability*

- 1.7.3 The key priorities for delivering sustainable development are set out in the UK Government's Sustainable Development Strategy (*Securing the Future*) published in March 2005. These are:

- § Sustainable Consumption and Production
- § Sustainable Communities
- § Natural Resource Protection and Environmental Enhancement
- § Climate Change and Energy.

- 1.7.4 The concept of sustainability lies at the heart of the planning process. To this end the Council is required to carry out a sustainability appraisal of all development plan documents proposed as part of its Local Plan.

- 1.7.5 However in respect of strategic environmental assessment (SEA), this process is only required where the Plan could give rise to likely significant effects. Given the nature of the Plan (which will not result in further development, but will confer added protection to sites already unlikely to be developed within the plan period) there may not be a requirement to undertake SEA as it is unlikely to have any notable effects let alone significant ones. Nonetheless inline with paragraph 32 of the National Planning Policy Framework which states *local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets appropriate to undertake sustainability appraisal.*

## **1.8 STRATEGIC ENVIRONMENTAL ASSESSEMENT**

1.8.1 The European Directive 2001/42/EC enacted in England under the Environmental Assessment of Plans and Programmes Regulations (2004) requires a strategic environmental assessment (SEA) be completed on all development plan documents that could have a significant effect on the environment.

1.8.2 The purpose SEA is to  
*to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable*  
(2001/42/EC Article 1). Put simply the SEA process requires that in preparing the Plan we consider its likely effects on a broad range of issues such as *biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archeological heritage and landscape* (2001/42/EC annex 1) and determine whether negative effects of implementing the Plan can be improved and positive effects enhanced.

1.8.3 By ensuring that local planning authorities consider these issues the SEA Directive seeks to ensure that environmental considerations are fully integrated in the preparation and adoption of plans and programmes which are likely to have a significant effect on the environment.

## **1.9 SUSTAINABILITY APPRAISAL**

1.9.1 Whilst SEA focuses upon environmental issues, sustainability appraisal (SA) widens the approach to include social and economic issues. The purpose of SA is to ensure that the principles of sustainable development are taken fully into account when preparing the Local Plan. In preparing all development plan documents that will be included within the Local Development Framework Section 19 (5) of the *Planning and Compulsory Purchase Act* (2004) as updated requires that we:

- (a) *Carry out an appraisal of the sustainability of the proposals in each document;*
- (b) *Prepare a report of the findings of the appraisal*

## **1.10 THE COMBINED PROCESS**

1.10.1 The combined SA and SEA processes will ensure that all relevant parts of the Plan are subject to appraisal before they are adopted in order that the environmental, social and economic effects policies and proposals can be adequately tested and modified prior to adoption.

## **1.11 HABITAT REGULATIONS ASSESSMENT**

1.11.1 In addition to the SEA and SA we are also required to undertake a separate form of assessment under the Conservation of Habitats and Species Regulations (2010). This assessment known as Habitat Regulations Assessment is required to ensure that:

- § A strategy or plan either alone or in combination with other plans or projects, would not have a significant effect on a European site, and where the plan being produced is not directly connected with the management of the site for nature conservation.

1.11.2 Where the Plan could affect a European site the Council is required to undertake and 'appropriate assessment'. European sites referred to include special areas of conservation (SAC) and special protection areas (SPA). Within South Derbyshire there is one special area of conservation; the River Mease SAC. There are a number of other SACs and SPA located in neighbouring districts and boroughs which also need to be considered.

1.11.3 This Plan has been subject to a screening assessment to help identify which European sites could be affected by the proposals included within it. The results of

the screening report have been published on the Districts Council's website.  
[www.south-derbys.gov.uk/localgreenspaces](http://www.south-derbys.gov.uk/localgreenspaces)

1.11.4 Put simply, the conclusions from the Habitats Regulation Screening Assessment are:

- There is no likely significant impact on any SPAs or SACs located outside of the District as a result of implementing the LGSP.
- There is one local green space located in the catchment of the River Mease. The remainder are located outside of the catchment.
- The site located in the catchment is site 168 (Linton Orchard) and consists of a community orchard located in the southern part of Linton. It lies on the watershed for the catchment and 4km from the SAC. Given that this LGSP seeks to ensure that this site is retained as a community orchard its designation is unlikely to have any effect on the SAC.
- The designation of local green spaces will not increase surface water or foul water and would be unlikely to have any effect on water quality within the SAC.
- As the South Derbyshire Local Plan (LP1 and LP2) have already been identified as having no effect on the SAC, it is unlikely that the adoption of this Plan will act in combination with these, or indeed the plans of neighbouring authorities adopted or under preparation.

## **1.12 PURPOSE OF THIS REPORT**

1.12.1 This report sets out the findings of the SA of the LGSP. It presents information on the social, environmental and economic effects of implementing the Plan and the appraisal methodology adopted to identify these effects.

## **1.13 REPORT STRUCTURE**

1.13.1 This report contains the following sections:

- Section 1** Background (this section)
- Section 2:** Appraisal Methodology
- Section 3:** Sustainability Objectives, Baseline and Context
- Section 4:** Sustainability Appraisal Framework
- Section 5:** Broad Options Appraisal
- Section 6** Policies Identified to Mitigate Effects and Policy Appraisals
- Section 7:** Preferred and Non Preferred Local Green Space Designations
- Section 8** Summary of Plan Effects (by Settlement)
- Section 9** Implementation and Monitoring
- Section 10** What Happens Next

1.13.2 Further detail on the content of this 'Sustainability Report' is set out in tables 1.2 and 1.3.

## 1.14 COMPLIANCE WITH THE SEA DIRECTIVE AND ENACTING REGULATIONS

1.14.1 The Strategic Environmental Assessment Directive sets out a prescriptive list of the information, which must be included within an 'Environmental Report' published for the purposes of satisfying the requirements of the Directive. The following table sets what these specific requirements are and where they have been addressed in this report.

<b>TABLE 1.2: COMPLIANCE OF THE SUSTAINABILITY (ENVIRONMENTAL) REPORT WITH THE SEA DIRECTIVE<sup>†</sup></b>	
<b>Requirement of the SEA Directive</b>	
An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes.	<b>Section 1</b> <b>Section 3</b>
The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme <sup>2</sup> ;	<b>Section 3</b>
The environmental characteristics of areas likely to be significantly affected;	<b>Section 3</b>
Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;	<b>Section 3</b> <b>Appendix 3</b>
The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;	<b>Scoping Report</b> <b>Section 7</b> <b>Section 8</b>
The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects)	<b>Section 8</b> <b>Section 6</b> <b>Section 8</b> <b>Appendix 3</b>
The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;	<b>Section 6</b> <b>Appendix 3</b>
An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how <sup>3</sup> ) encountered in compiling the required information;	<b>Section 2</b> <b>Section 5</b> <b>Section 7</b>
A description of measures envisaged concerning monitoring <sup>1</sup>	<b>Section 9</b>
A non-technical summary of the information provided under the above headings. <sup>1</sup>	<b>Included as separate document</b>

<sup>†</sup>Based on SEA checklist set out in *A Practical Guide to the Strategic Environmental Assessment Directive*, ODPM 2005

## 1.15 COMPATIBILITY WITH THE DCLG REQUIREMENTS FOR SUSTAINABILITY REPORT

1.15.1 Government guidance also provides a checklist to outline the content of the 'Sustainability Report'. This guidance largely mirrors the requirements of the SEA Directive in order to ensure that the information to be set out in a combined Sustainability Appraisal and Strategic Environmental Assessment 'Sustainability Report' contains the necessary information to satisfy the requirements of the SEA Directive and Regulations.

**TABLE 1.3: COMPATABILITY OF 'SUSTAINABILITY (ENVIRONMENTAL) REPORT' WITH DCLG REQUIREMENTS<sup>††</sup>**

Structure of the Report	Components of the SA Report which make up the Environmental Report for the purposes of the SEA Directive	Section in the Sustainability Appraisal Report
Summary and outcomes	<ul style="list-style-type: none"> <li>§ Non-technical summary;</li> <li>§ Statement of the likely significant effects of the plan statement on the difference the process has made to date.</li> <li>§ How to comment on the report</li> </ul>	<p>Attached as separate document</p> <p>Section 8</p> <p>Section 10</p>
Appraisal Methodology	<ul style="list-style-type: none"> <li>§ Approach adapted to the SA When the SA was carried out and by whom.</li> <li>§ Who was consulted, when and how?</li> <li>§ The difficulties encountered in compiling information or carrying out the assessment.</li> </ul>	<p>Section 2</p> <p>Section 2</p> <p>Section 2</p>
Background	<ul style="list-style-type: none"> <li>§ Purpose of the SA and the SA Report</li> <li>§ Plan objectives and outline of contents.</li> <li>§ Compliance with the SEA Directive/ Regulations</li> </ul>	<p>Section 1</p> <p>Section 1</p> <p>Section 5</p>
	<ul style="list-style-type: none"> <li>§ Links to other policies, plans and programmes and sustainability objectives and how these have been taken into account in appraisal.</li> <li>§ A description of the social, environmental and economic baseline characteristics and the predicted future baseline.</li> <li>§ The main social, environmental and economic issues and problems identified and the limitations of the information, assumptions made etc.</li> <li>§ The SA framework, including objectives, targets and indicators</li> </ul>	<p>Section 3</p> <p>Section 3</p> <p>Section /Scoping Report</p> <p>Section 4</p>
Plan issues and Options	<ul style="list-style-type: none"> <li>§ The main strategic options considered and how they were identified.</li> <li>§ A comparison of the social, environmental and economic effects of the options.</li> <li>§ How social, environmental and economic issues were considered in choosing the Preferred Options.</li> <li>§ Other options considered, and why these were rejected</li> <li>§ Any proposed mitigation measures</li> </ul>	<p>Section 5</p> <p>Section 5/ Appendix 3</p> <p>Section 6/Section 7/Section 8</p> <p>Section 7 Section 8</p> <p>Section 5 Appendix 3</p>
Plan policies	<ul style="list-style-type: none"> <li>§ Significant social, environmental and economic effects of the preferred policies</li> <li>§ How social, environmental and economic problems were considered in developing the policies and proposals</li> <li>§ Proposed mitigation measures</li> <li>§ Uncertainties and risks</li> </ul>	<p>Section 5 Appendix 2/Appendix 3</p> <p>Section 5/Appendix 3</p> <p>Section 5, section 8/ Appendix 3</p> <p>Section 2</p>
Implementation	<ul style="list-style-type: none"> <li>§ Links to other tiers of plans and programmes and the project level (EIA, design guidance etc.)</li> <li>§ Proposals for monitoring</li> </ul>	<p>Section 3</p> <p>Section 9</p>

<sup>††</sup> Based on *Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents*, ODPM 2005 (Appendix 15)



## SECTION 2: APPRAISAL METHODOLOGY

### 2.1 OVERVIEW OF THE SUSTAINABILITY APPRAISAL PROCESS

- 2.1.1 We have undertaken the SA (incorporating the requirements of the SEA Directive) of the LGSP in accordance with guidance published by the Office of the Deputy Prime Minister (ODPM) in November 2005<sup>1</sup>. However whilst we recognise that this guidance sets out information to assist local planning authorities to comply with the SEA Directive, it is not intended as a legal interpretation of the Directive. As such, in undertaking the SA the ODPM guidance has been considered in conjunction with the Directive<sup>2</sup>, the Regulations<sup>3</sup> which transpose the Directive into English law, The Planning Act<sup>4</sup>, The Localism Act<sup>5</sup>, and the Town and Country Planning Regulations 2004<sup>6</sup>, the National Planning Policy Framework and related guidance together with other relevant case law.

### 2.2 SUSTAINABILITY APPRAISAL STAGES

- 2.2.1 The SA process is broadly split into 5 key stages:

**Stage A:** Setting the context and sustainability objectives, establishing the baseline and deciding on the scope  
**Stage B:** Developing and refining options and assessing effects  
**Stage C:** Preparing the Sustainability Appraisal Report  
**Stage D:** Consulting on the emerging LGSP and the SA Report  
**Stage E:** Monitoring the implementation of the Plan

- 2.2.2 **Stage A** of the SA process requires that the Council collect detailed information on the character of the District. This information is gathered by reviewing general data and statistics on the environmental, economic and social characteristics of the plan area and by reviewing other relevant plans and programmes (and their objectives and targets) that are related to the Plan. This information is then used to identify key issues affecting the plan area, and to establish a sustainability appraisal framework (a set of sustainability objectives and indicators, against which plan options can be appraised). The information collected during this stage of the appraisal process is set out in the SA **Scoping Report** that was published for consultation in May 2018.

- 2.2.2 The Council has based its appraisal of the LGSP (and the sites included in that Plan) on the methodology outlined in the Scoping Report to reflect any comments received back from the Consultation Bodies and other interested stakeholders. The approach to SA is considered in further detail in section 4 of this report.

- 2.2.3 Having identified its approach to undertaking the assessment, the second stage of work (**Stage B**) has now been undertaken. During this stage of work the Council has identified sites which it considers are suitable for designation and reviewed whether these meet the requirements of national and local policy.

- 2.2.4 The likely impacts of designating different sites were set out in this interim report (**Stage C**) published alongside the Draft LGSP. In particular this report sought to identify the key impacts that could arise if each site was designated. Impacts are considered in terms of their magnitude, geographical scale, the period of time over

<sup>1</sup> ODPM (November 2005) *Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks: Guidance for Regional Planning Bodies and Local Planning Authorities*, ODPM, London.

<sup>2</sup> DIRECTIVE 2001/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 June 2001 on the assessment of the effects of certain plans and programmes on the Environment

<sup>3</sup> The Environmental Assessment of Plans and Programmes Regulations (Statutory Instrument 2004 No. 1633), The Stationery Office Limited

<sup>4</sup> The Planning and Compulsory Purchase Act (2004), the Stationery Office

<sup>5</sup> The Localism Act (2011), the Stationery Office

<sup>6</sup> The Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument 2004 No.2204) The Stationery Office Limited

which they will occur, whether they are permanent or temporary, positive or negative, frequent or rare, and whether or not there are likely to have cumulative and/or synergistic effects. Where potential effects on the environment or on the local communities or the economy are identified, mitigation measures (including avoidance, offsetting and enhancement measures) are suggested.

2.2.5 Following this stage of work, a Proposed Submission has been drawn up and this SA Report amended where required. The updated Plan and SA will be consulted on **(Stage D)**. The Plan and SA will then be submitted to the Secretary of State for independent examination. A Planning Inspector appointed by the Secretary of State will consider the Soundness of the Plan (and its designations), using the submitted SA Report to inform their opinion.

2.2.6 Once the LGSP is adopted the final part of the appraisal process will be to monitor the implementation of the Plan against the sustainability appraisal framework **(Stage E)**. This will allow the Council to identify and respond to any unforeseen adverse effects that arise from the implementation of the Plan.

## **2.3 WHO HAS CARRIED OUT THE SUSTAINABILITY APPRAISAL?**

2.3.1 South Derbyshire District Council's Planning Policy Team has undertaken the SA work. This has ensured that the results are fully integrated with the preparation of the Plan.

2.3.2 The appraisal has also been informed through liaison with other Council departments Parish Councils, local communities, site owners and developers.

2.3.3 Further detail on the SA process and how it links in with the local plan preparation process, including dates that the specific stages of work will be undertaken, is set out at Figure I.

## **2.4 WHEN WAS THE SUSTAINABILITY APPRAISAL CARRIED OUT?**

2.4.1 The SA for the LGSP commenced in February 2018. Work on the appraisal is on-going. This version of the SA has been updated and will be consulted on as part of the proposed submission document.

## **2.5 WHO HAS BEEN CONSULTED**

Local Green Spaces were initially to be designated through the Local Plan Part 2. Communities, stakeholders and developers were invited through the first consultation on the Local Plan Part 2 in December 2015 to express agreement or otherwise for the need to designate local green spaces, to raise any objections to the local green spaces being proposed, and to suggest other sites for designation that met the NPPF criteria. The Draft Local Plan Part 2 was published for consultation in June 2016 which again sought comments on the local green spaces being proposed and whether there were other sites that should be considered for designation.

The level of public interest in local green spaces remained high and a further Local Green Spaces Options document was published for consultation in June 2017 shortly after the examination of the Local Plan Part 2 closed. The Options consultation set out all of the spaces that had previously been considered or suggested for designation. For each of the spaces the document included the information known about each site, including land ownership, any specific support or objections, and what elements of the NPPF designation criteria had been evidenced to date. Further site suggestions were also sought. Following the generation of site options the Council sought to set out its proposed methodology for selecting sites and establish the scope of the Sustainability appraisal which would underpin site selection.

The Council consulted the Consultation Bodies (Natural England, the Environment Agency and Historic England) together with a range of other stakeholders listed in the scoping report on the scope of the appraisal in May 2018. and responses from this consultation, together with changes to the document are set out in Appendix 1

Subsequent to this the Council consulted on a draft version of the Local Plan and an interim version of this sustainability appraisal report in October 2018. This consultation was undertaken with statutory consultees, together with other key stakeholders and members of the public who have requested that they be notified of Local Plan consultations in the District. Documents were also deposited online, at local libraries and at the Council offices. A summary of all responses received back in respect of both the Local Green Spaces Plan and the interim report is set out in the consultation statement which accompanies this document.

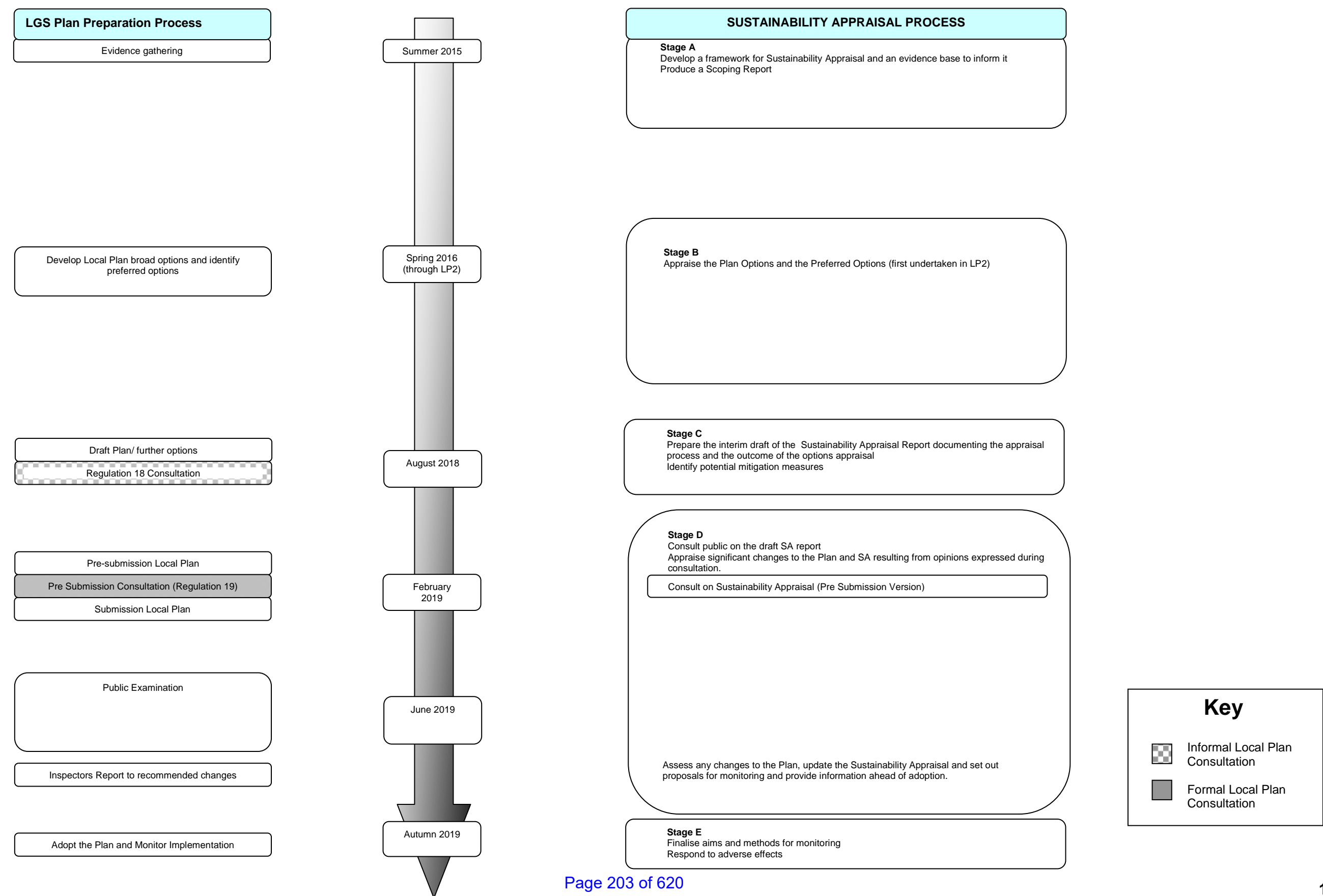
In total there were 49 representations made to the Draft Plan Consultation, most of which related to a particular site or sites within one settlement. A small number of responses were received regarding the wording of the policies included in the Draft Plan. No comments were made in respect of the content or scope of the interim sustainability appraisal report.

## **2.6 DIFFICULTIES ENCOUNTERED IN UNDERTAKING THE SUSTAINABILITY APPRAISAL**

### **2.6.1 Difficulties**

- § The high number of sites put forward for designation has provided a challenge to the Council. In order to allow appropriate time to review sites a decision was taken in Summer 2016 to bring forward local green space designations outside of the LP2. This allowed LP2 to be brought forward without unnecessary delay, but also presented the Council with additional time and officer resources to undertake appropriate additional consultation and a further review of potential sites submitted as potential local green spaces.
- § Potential local green spaces have, for the most part, been put forward by Parish Councils. As a result the distribution of potential sites was initially skewed towards rural villages rather than the urban area of Swadlincote which is unparished. In order to address this the Council has worked with members and other officers of the Council to ensure that sites which are valued by local communities and meet the necessary criteria for designation within the Swadlincote urban area are considered for adoption.
- § A number of Parish Councils are well advanced in bringing forward neighbourhood development plans (NDP). The most advanced is the Repton NDP which is running concurrently with the LGSP. In respect of the Neighbourhood Plan for Melbourne which is slightly less advanced and would be likely to be made after the LGS Plan is adopted. Hilton is much less advanced and therefore the Council has reviewed all identified sites and is seeking to designate those which it considers meet the national and local policy requirements.

Figure i: Local Green Spaces Plan and Sustainability Appraisal Processes.



## SECTION 3: SUSTAINABILITY BASELINE AND CONTEXT

### 3.1 LINKS TO OTHER POLICIES, PLANS AND PROGRAMMES AND SUSTAINABILITY OBJECTIVES

The parts of the SEA Directive Requirements considered in this section

The need for the Environmental (Sustainability) Report to provide information on:  
 “The relationship of the Plan with other relevant plans and programmes” (Annex I(a))  
 “the environmental protection objectives established at international [European] community or [national] level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation”.  
 (Annex I(e))

- 3.1.1 A fundamental part of undertaking a SA of the LGSP is the identification and assessment of the relationships between the Plan and other relevant plans and strategies established at international, European Community, national, and local levels.
- 3.1.2 The purpose of identifying and reviewing other plans and strategies is to allow us to identify potential synergies, or inconsistencies between the objectives set out in the proposed Plan and other policies, plans and programmes.
- 3.1.3 A list of plans, policies and programmes, relevant to the LGSP has been compiled and analysed by the District Council’s Planning Policy Team and is listed below:

**TABLE 3.1: OTHER POLICIES PLANS AND PROGRAMMES**

**BIODIVERSITY, GEODIVERSITY, FLORA AND FAUNA**

1	Lowland Derbyshire Biodiversity Action Plan
2	National Forest Biodiversity Action Plan
3	Derbyshire Wildlife Trust Strategic Plan 2015-20

**POPULATION AND HUMAN HEALTH**

4	National Planning Policy Framework
5	South Derbyshire Part 1 Local Plan
6	South Derbyshire Part 2 Local Plan
7	South Derbyshire Corporate Plan
8	South Derbyshire Design Supplementary Planning Document
9	South Derbyshire Economic Development Strategy 2016-20
10	National Forest Strategy 2014-24
11	6Cs Green Infrastructure Strategy 2010
12	The South Derbyshire Open Spaces, Sport and Community Facilities Strategy
13	Healthy Derbyshire 2015/17
14	South Derbyshire Community Safety Partnership Plan 2017-20
15	Repton Draft Neighbourhood Plan
16	Melbourne Draft Neighbourhood Plan
17	Hilton Emerging Neighbourhood Plan

**MATERIAL ASSETS**

18	Derbyshire Highways Asset Management Strategy
19	Derbyshire Rights of Way Improvement Plan. Statement of Action for 2013 to 2017
20	Derbyshire Greenways Strategy

**SOIL, WATER AND AIR**

21	Local Air Quality Management Annual Status Report (2017)
22	Dove Catchment Abstraction Management Plan
23	Lower Trent and Erewash Catchment Abstraction Management Plan
24	Tame, Anker and Mease Catchment Abstraction Management Plan
25	Humber River Basin Management Plan
26	Humber Flood Risk Management Plan (2016)

**CLIMATIC FACTORS**

27	Derbyshire Climate Change Charter 2014 – 2019
28	Derbyshire’s Local Flood Risk Management Strategy (LFRMS) 2015

<b>CULTURAL</b>	
<b>29</b>	<b>South Derbyshire Conservation Area Appraisals (22)</b>
<b>LANDSCAPE</b>	
<b>30</b>	<b>Landscape Character Area of Derbyshire</b>

- 3.1.4 The plans, policies, programmes and studies reviewed provide different types of information and fulfil several roles, for example:
- § The provision of baseline data
  - § The inclusion of objectives which the LGSP should have regard to
  - § A strategic or overarching policy steer that guides the 'nature' or format of policies to be included in the Plan
  - § An indication of the likely effects of implementing the Plan 'in combination' with other plans and strategies.

## 3.2 BASELINE CHARACTERISTICS

The parts of the SEA Directive Requirements considered in the section:

The need for the Environmental (Sustainability) Report to provide information on:  
 “relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme” and “the environmental characteristics of the areas likely to be significantly effected” (annex I(b) and (c))  
 “any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of particular environmental importance, such as designated pursuant to Directives 79/409/EEC and 92/43/EEC” (annex I(d))

- 3.2.1 Baseline information provides the basis for predicting and monitoring the effects of implementing the proposed Local Plan and helps identify sustainability problems (or key environmental, social and economic issues) and the possible options for dealing with them.
- 3.2.2 The baseline data collected by the Council was drawn largely from existing sources. Key sources included nationally or regionally produced data sets including:
- The Office of National Statistics website (including Census Data and NOMIS Statistics)
  - the East Midlands Observatory
  - Nature on the Map and other geographic information systems (GIS) data
- 3.2.3 This data has been supported by the collection of extensive locally produced data and studies as follows:

**TABLE 2: EVIDENCE BASE TO BE USED TO INFORM THE LOCAL GREEN SPACES PLAN**

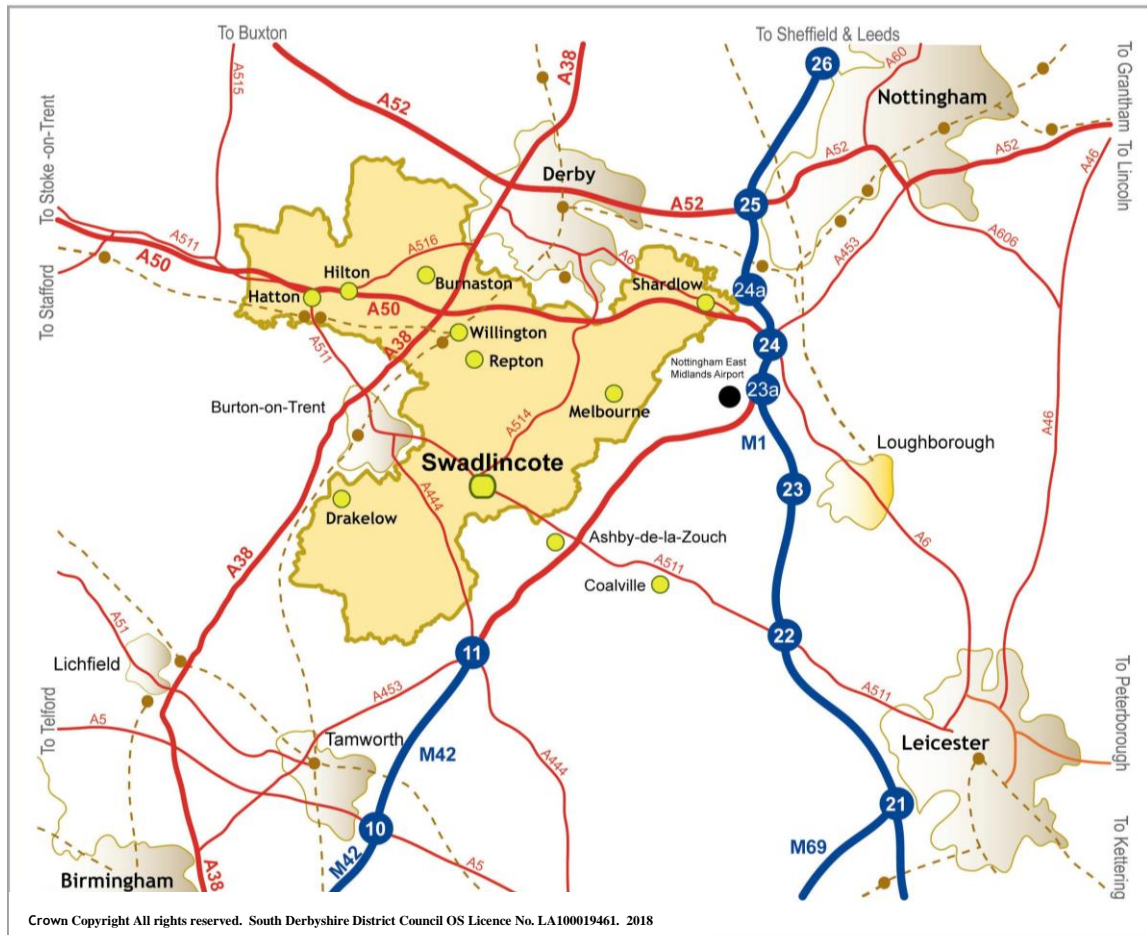
Type of Evidence	Date Collected
Strategic Housing Land Availability Assessment (SHLAA)	Ongoing
Strategic Site Summaries (for housing and employment sites)	Through Part 1 and Part 2 Sustainability Sustainability Appraisals
Assessment of the principal physical and environmental characteristics and needs of the local area	Local Green Space Topic Paper published June 2016
Identification of the principal economic and social characteristics and needs of the local area at the local level	Through Part 1 Sustainability Appraisal, and Authority Monitoring Report
District Wide Biodiversity and Geodiversity resources	Through Part 1 Sustainability Appraisal, and Authority Monitoring Report.
Open Space Audit (PPG17 Assessment) update	South Derbyshire Open Spaces, Sport and community facilities Strategy published 2016
6Cs Green Infrastructure Study	Published 2010
Review of conservation areas and additional conservation areas assessments/character appraisals	Ongoing as required
Derbyshire Landscape Character Assessment (including Areas of Multiple Environmental Sensitivity)	Published 2004 (updated in 2014)
Landscape Assessment of Key Villages	Published 2018
Level 1 Strategic Flood Risk Assessment	Published 2008
Level 2 Strategic Flood Risk Assessment	Only required for Strategic Site in Hatton: Completed November 2014
Infrastructure Delivery Plan	January 2019

### Borough Characteristics

- 3.3 The District of South Derbyshire covers an area of approximately 33,800 hectares and is bounded by the City of Derby to the north, Burton on Trent to the West and Ashby-de-la-Zouch to the East. The urban area making up Swadlincote has a population of around 35,000 and is the largest settlement and commercial centre for the District.

Figure 1: Location Map of South Derbyshire District:

### South Derbyshire Regional Setting



### BIODIVERSITY, GEODIVERSITY, FLORA & FAUNA

- 3.3.1 The District has a wide range of environmental assets. The National Forest covers around 12,870 ha (50 square miles) of the southern part of the District and is helping to create diverse landscape and wildlife habitats as well as contributing to the economic and social well-being of the district through the delivery of new tourism and leisure opportunities. In addition to the National Forest there are 6 sites of Special Scientific interest, one of which, (the River Mease) is a Special Area of Conservation, (combined area 164 ha). 90% of SSSIs by land area were recorded as being in either favourable condition or unfavourable but recovering condition in recent assessments published by Natural England<sup>7</sup>.
- 3.3.2 There are 160 wildlife sites (covering approximately 5% of the land area for the District) and 7 regionally important geological sites (combined area 248 ha). There are two local nature reserves within the District (Elvaston Castle and Coton Park). There are proposals to establish an additional local nature reserve at Swadlincote Woodlands within the southern part of the District. There is one National Nature Reserve located within the District at Calke Park.

<sup>7</sup> Natural England assesses the condition of SSSIs using standard methods that have been developed together with the Joint Nature Conservation Committee

- 3.3.3 Green infrastructure provision, including along the Trent Valley, and within the National Forest provides significant potential to improve and reconnect the district's biodiversity resource in the coming decades.

#### **POPULATION AND HUMAN HEALTH**

- 3.3.4 The District had a total population of 100,325 at 2016, this is forecast to increase to 111,326 by 2028 according to the 2014 based ONS Sub National Population Projections for the District but based on growth outlined in LP1 could be closer to 120,000 people reflecting the fact that the District will accommodate around 3,000 homes which are required to meet Derby City's housing need but cannot be accommodated in the City. South Derbyshire was identified in the 2011 census as the 13<sup>th</sup> fastest growing District in England and Wales by population growth in percentage terms and 3<sup>rd</sup> fastest in respect of household growth<sup>8</sup>. This reflects the fact that the area offers a high quality of life and is a place people want to live.
- 3.3.5 By 2028 ONS sub-national population projections indicate that around 22% of South Derbyshire residents will be 65 or older. In comparison around 26% of the County's residents will be aged 65 and over. However this will still represent an increase on the present where currently around 18% of people resident in South Derbyshire are aged 65 and over.
- 3.3.6 In terms of social profile the District is considered to be fairly affluent being ranked 220 out of 354 local authorities nationally (where the rank of one is most deprived). Life expectancy within the District (79.1 for men and 82.7 for women) is slightly lower than the national average for men and women (79.5 and 83.1 respectively)<sup>9</sup>. Just over 1/6 of the population of South Derbyshire have a limiting long term illness (17.5%). This is lower than the Derbyshire average and surrounding districts.
- 3.3.7 Access to natural green space is known to influence the health of people and effect health inequalities. Within South Derbyshire access to natural greenspace has been mapped within an updated open space assessment. This indicates that access to open space is best around the National Forest area including Swadlincote and along the Trent Valley where a number of larger villages are located close to historic minerals working which have been restored with public access. However a number of locations do not meet Natural England's Natural Green Space Standards and could therefore lead to health inequalities resulting from a lack of access to such areas.
- 3.3.8 Crime rates within the District are lower than the national average and have fallen in recent years. Similarly recent surveys undertaken by Derbyshire County Council indicate that the number of residents very worried or fairly worried about crime have generally fallen since 2011, although the number of people very worried or fairly worried about crime increased slightly between 2015 and 2016<sup>10</sup>.
- 3.3.9 With regard to educational attainment, the 2011 Census data indicated that 26.0% of residents aged 16-74 have higher-level qualifications (degree, HNC, HND or equivalent), 48.3% have lower level qualifications (GCSEs, A levels (NVQ level three or lower). A further 25.7% of the District's residents have no qualification or their educational attainment is unknown. The data indicates a significant dichotomy between educational attainment between the north and south of the District, with residents living in the northern part of South Derbyshire typically being educated to a higher level.

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<sup>8</sup> 2011 Census - Population and Household Estimates for England and Wales, March 2011. Available [here](#)

<sup>9</sup> South Derbyshire Health Profile 2017. Available [here](#)

<sup>10</sup> Derbyshire Citizens' Panel February 2016 – Feedback. Available [here](#)

- 3.3.10 The 2011 Census data indicated that 13.5% of households had no access to a car, whilst 40.9% and 45.6% respectively had access to either one car, or two or more cars. As such car ownership is considerably higher within the District than at the national level, no doubt reflecting the largely rural nature of the District. Superfast broadband coverage remains patchy although significant improvements to some rural communities and further improvements remain ongoing under the Digital Derbyshire scheme. More information on this can be found at: <http://www.digitalderbyshire.org.uk/>
- 3.3.11 Within the District, 78.5% of the working age population is economically active, which compares favourably to the national average of 77.4%. Unemployment rates within the District stood at 0.7% in January 2018<sup>11</sup>, although unemployment rates are slightly higher within the Swadlincote area than in the settlements located in the northern part of the District.
- 3.3.12 In order to meet the District's housing need the LP1 has made provision for around 11,000 new homes up to 2028. In respect of housing affordability homes in South Derbyshire were typically 7.08x average salary<sup>12</sup>. Affordability has declined in each of the last three years. House prices are comparatively expensive compared to surrounding districts such as Derby City, Amber Valley and East Staffordshire. However housing requirements for the period to 2028 will be fully met through existing commitments and the designation of green spaces will not affect housing delivery.
- 3.3.13 In respect of affordable housing there is a significant stock of affordable housing in the District. Affordable housing delivery in the 2017-18 monitoring period accounted to 19.5% of all completions (this equates to 180 affordable homes). The Local Plan seeks to ensure that overall around 30% of new homes up to 2028 will be affordable. Again this Plan will not affect affordable housing delivery.

## **MATERIAL ASSETS**

- 3.3.14 The 2001 Census (there is no more recent information) shows that, of South Derbyshire's 41,500 working residents, just 16,500 (40%) work in the District and 25,000 (60%) commute out to jobs elsewhere. Only 12,500 residents of other areas commute into the District. On balance, South Derbyshire is a net exporter of labour; its resident workers exceed the jobs located in the District by 12,500.
- 3.3.15 In 2015 there were 3,545 businesses located within the District, of which around 90% employ 9 people or less. Only 15 companies employ in excess of 250 people. Business start up's in the District each year currently stands at around 480 per annum.
- 3.3.16 Six shops were recorded as vacant in Swadlincote Primary Frontage during the twice yearly town centre survey in September 2018. The vacancy rate for the town is 4.7% by number of shops, or 2.7% if measured as a proportion of floor space.
- 3.3.17 Away from Swadlincote there has been some loss of local retail facilities including public houses. In contrast recent years have seen an increase in the number of small retail outlets serving smaller communities such as Hilton and some parts of the Swadlincote urban areas. Small retail facilities provide important facilities which meet top up needs locally. The LP1 includes commitments to provide new local centres on allocated strategic housing sites at Highfields Farm, New House Farm, Boulton Moor, Chellaston Fields, Wragley Way and Drakelow.

<sup>11</sup> Derbyshire Observatory data. Available [here](#)

<sup>12</sup> South Derbyshire AMR data

- 3.3.18 Significant new infrastructure provision (including green infrastructure such as open spaces) or enhancements to existing infrastructure will need to be delivered in the period to 2011- 2028 to support an increase in the number of homes in the District of around a third.

#### **SOIL WATER AND AIR**

- 3.3.19 Soil quality varies across the District. There is no grade 1 agricultural land in South Derbyshire, although significant areas of grade 2 agricultural land lie within the Trent Valley (mainly to the south of the river between Melbourne and Burton) and around Drakelow, Walton on Trent and Cauldwell), as well around the southern villages of Overseal, Netherseal and Lullington). Around Swadlincote, land is generally classified as being unsuitable for agriculture or is mainly Grade 4 of the agricultural land classification. Away from these areas most land is of average quality being grade 3a or 3b (Grade 3a falling within the Government's definition of best and most versatile land). During the plan period greenfield land losses associated with new development will be in the region of 500ha, these will mainly be on agricultural land on the edge of existing settlements.
- 3.3.20 The amount of household waste generated per person in South Derbyshire has increased slightly since 2000/01 rising from 440kg per head to 497kg per head in 2015/16. However the amount of waste composted or recycled has increased significantly in recent years. 13.19% of the District's household waste was composted or recycled in 2005/06 – by 2015/16 this had increased to 49%. In 2015/16 no waste from South Derbyshire was landfilled.
- 3.3.21 Additional minerals and waste capacity is likely to be needed within the plan period This is likely to lead to further greenfield land losses to accommodate these facilities, some of which may be in locations which have not historically seen such developments. Further information on Minerals and Waste Policy can be found on Derbyshire County Council's [website](#).
- 3.3.22 The District has a notable amount of previously developed (brownfield) land equating to around 373 hectares or just under 1% of the land area of the District, although this is likely to fall significantly in future years as housing sites at Drakelow, Hilton Depot and Aston Hall Hospital are built out. Brownfield land is likely to reduce further if gas fired power stations at Willington and Drakelow are built out and as other brownfield housing and employment allocations are developed. In 2017/18 only 11% of new homes were built on brownfield sites.
- 3.3.23 Water quality within the District's main rivers is generally classified as being of poor or moderate quality. Water quality in the River Mease catchment is of particular concern given the sites designation as a Special Area of Conservation. Joint working between local planning authorities, Severn Trent Water, the Environment Agency and Natural England has contributed to significant improvements in water quality in this river catchment although current water quality still poses a threat to the integrity of this site.
- 3.3.24 There are presently no air quality management areas within South Derbyshire. The air quality in South Derbyshire is relatively good compared with many cities and major built up areas across the country. This does not mean, however, there are no areas concern within the District. Emissions from traffic are a notable issue in some parts of the District and monitoring in respect of Nitrogen Dioxide is ongoing in a number of locations. Generally air quality remains within national target levels, although further monitoring is being undertaken along High Street, Repton - this road is a main road through the village and due to the volume of traffic using this road (around 6,200 movements per day) and the enclosed nature of the street which prevents dispersion of gases air quality is known to be variable in this area. Further information on localised quality monitoring in South Derbyshire is available to view [here](#).

## CLIMATIC FACTORS

- 3.3.25 There are around 3,800 buildings located within areas identified as being at medium flood risk (in Flood Zone 2), and 2,700 buildings located within areas identified as being at high flood risk (Flood Zone 3a) from fluvial sources (rivers and brooks). Although it should be noted that areas located in high flood risk will also be included in figures for areas at medium flood risk and may be defended by flood measures to a standard of protection equivalent to medium flood risk. These figure can change as modelled flood outlines on key watercourses are changed or updated. Recently completed works around the River Dove have improved flood protection to 1,619 homes in the District according to Environment Agency data. Further proposed works along the Derwent could also improve flood protection and deliver local biodiversity and green infrastructure benefits around the communities of Shardlow and Ambaston. Increasingly, flood risk is also arising from other sources such as surface water flooding and instances have occurred around Scropton, Ticknall and Woodville. Ground water flooding and sewer flooding are also an issue in much of the District.
- 3.3.26 Water usage in the Severn Trent Water resource area which serves the majority of South Derbyshire is notably lower than the England average being 130 litres per person per day (England 147 litres). Gas and electricity consumption are similar to national averages, although carbon dioxide emissions per person remain significantly higher than the England average. Annual rainfall within the District is slightly lower than the regional and national averages being around 700mm in 2018.
- 3.3.27 There is 24.7Mw of installed renewable energy capacity in South Derbyshire. Of the six operational schemes all but 1 scheme are solar photovoltaic schemes. The remaining scheme is a 1.6Mw landfill gas scheme located in Newhall.
- 3.3.28 New development planned in South Derbyshire to 2028, together with landscape scale green infrastructure provision planned along the Trent Valley could provide opportunities to manage the effects of climate change. This would be through ensuring that flood risk is managed effectively (for example through the provision of sustainable drainage systems, reconnecting rivers to the floodplains and improved land management), by helping to offset carbon emissions (tree planting in new development and within the National Forest and elsewhere) and through the provision of green spaces to influence local (micro) climates.

## CULTURAL HERITAGE

- 3.3.29 There are 710 listed building within South Derbyshire, of which 48 are grade 1 listed, 48 are grade 2\* and 614 are grade 2. The number of Heritage at Risk entries in the District totals 16, of which 8 are to buildings or structure, 5 are to places of worship, 2 to archaeological sites, 1 to a registered park and garden. Further detail of these is set out at appendix 2. In total there are 22 scheduled ancient monuments, 5 historic parks and gardens and 22 conservation areas within the District<sup>13</sup>. The location of cultural assets can be seen in Appendix 2.
- 3.3.30 The County Council has, as part of its landscape characterisation work for the District identified Areas of Multiple Environmental Sensitivity in South Derbyshire. This work includes consideration of areas of historic significance and identifies areas of historic sensitivity at a landscape scale. The areas identified as having the greatest value are concentrated around the Trent and Dove Valleys and the southern and central parts of the District. More information on Derbyshire County Council's Landscape Character of Derbyshire and Areas of Multiple Environment Sensitivity (AMES) is available to view [here](#). In respect of heritage environment records there are concentrations of records

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<sup>13</sup> Historic England Local Profile accessed 26 Feb 2018, available [here](#)

located along the River Valleys (Trent, Dove and Derwent) and around Swadlincote and to the South of the District.

## LANDSCAPE

- 3.3.31 There are 5 National Character Areas (NCAs) which fall within South Derbyshire; Melbourne Parklands, Mease and Sense Lowlands; the South Derbyshire Coalfield; the Trent Valley Washlands and the Needwood and South Derbyshire Claylands. The broad locations of these are set out at Appendix 2. The various landscape types within South Derbyshire were subject to a systemic assessment of how they have changed in 2003, but whilst dated, this information provides some context regarding the quality of landscapes within the District. The broad effects of this study are as follows:

Character Area	Condition
68 Needwood and South Derbyshire Claylands	Maintained
69 Trent Valley Washlands	Diverging
70 Melbourne Parklands	Enhancing
71 Leicestershire and South Derbyshire Coalfield	Enhancing
72 Mease and Sense Lowlands	Maintained

- 3.3.32 With the exceptions of the Trent Valley Washlands this assessment work identified that landscape character areas in South Derbyshire were stable (maintained) or showed changes that were generally consistent with existing character area descriptions or improving the overall quality of landscape (enhancing). The Trent Valley Washlands, has and continues to be affected by ongoing pressure from development and agricultural change. Further information on the assessments undertaken by Countryside Quality Counts can be found at:

<http://webarchive.nationalarchives.gov.uk/20101219012433/http://countryside-quality-counts.org.uk/index.html>

- 3.3.33 The National Character Areas are further subdivided by the County landscape character assessment into twelve detailed landscape character types, all of which are diverse landscapes with distinct characteristics. A list of the landscape character types is available to view below, whilst a map illustrating the area covered by these distinct landscapes set out in appendix 2.

National Character Area	Landscape Character Type
Needwood & South Derbyshire Claylands	Settled Farmlands Riverside Meadows
Trent Valley Washlands	Lowland Village Farmlands Wet Pasture Meadows Riverside Meadows
Melbourne Parklands	Estate Farmlands Wooded Estate Lands Sandstone Slopes and Heaths Riverside Meadows
Leicestershire & South Derbyshire Coalfield	Coalfield Village Farmlands
Mease/Sence Lowlands	Village Estate Farmlands Riverside Meadows

- 3.3.34 The main land use within the District is agriculture this occupies 24,095 ha or 71% of the District and reflects the District's predominantly rural nature. However, as previously stated there will be significant new development in the period to 2028, particularly on the fringes of Derby City, Burton on Trent and Swadlincote reflecting South Derbyshire's status as the fastest growing District in Derbyshire.

### **INTERACTIONS BETWEEN THE ABOVE ISSUES**

- 3.3.35 The natural environment provides many services that are valued by people. Sometimes referred to as ecosystem services these are often divided into four broad categories: provisioning, such as the production of food and water; regulating, such as the control of climate and disease; supporting, such as the recycling of nutrient and crop pollination; and cultural, such as the delivery of recreational benefits. In reality the natural environment is complex and in seeking to deliver one objective, wider impacts, either positive or negative, could occur in respect of other plan objectives. For example, the delivery of floodplain improvements through re-connecting a watercourse to a floodplain could reduce flood risk to local communities, improve biodiversity, create new recreation opportunities and improve local soil resources.
- 3.3.36 Further information on the current state of the environment and the likely effects of the plan are considered at sections 5 and 6 of this report and at Appendix 3 (Key Issues presented in the Scoping Report which can be found on the Council's website). The following section explains the key issues identified by the Council and sets out the SA objectives to address these.

### 3.4 KEY SUSTAINABILITY ISSUES AND SUSTAINABILITY OBJECTIVES TO TACKLE THESE

- 3.4.1 Following a review of the baseline data collected to inform the preparation of LP1 and LP2 the key environmental, social and economic issues currently affecting the District are summarised in table 3.1. Additional information explaining the nature of potential impacts and the likely evolution of key sustainability issues affecting the Plan area without the implementation of the LGSP are summarised at Appendix 3 of the updated scoping report.
- 3.4.2 The following table indicates the key issues identified and the SA objectives identified by the Council to address those issues.

<b>Table 3 Key Issues and SA Objectives</b>	
<b>Biodiversity, Geodiversity, Fauna and Flora</b>	
1	A relatively small area of the District is designated for ecology and geodiversity value.
2	There are two local nature reserves in South Derbyshire. These extend 24.7ha. This is below the suggested requirement of 100.3ha for the District based on 1ha of provision per 1000 people and the deficit will widen as the population continues to grow.
A single SA objective has been identified to tackle the above key issues	
- <b>To enhance biodiversity and geodiversity across the District</b>	
<b>Population and Human Health</b>	
3	Crime rates within the District are low but fear of crime remains a significant issue
4	41% of adults do not meet the physical activity guidelines to achieve optimum health benefits.
5	The District has an ageing population
6	Education Levels in the District are lower than average and many of the District's Schools currently lack the capacity to accommodate the large scale growth committed in some parts of the District up to 2028.
7	Levels of deprivation vary through the District with particular pockets of deprivation within the Swadlincote urban area.
8	The quality and range of retail, leisure recreation provision offered in the District's Rural areas and villages needs conserving and enhancing to ensure communities continue to have access to locally accessible services and facilities.
Four SA objectives have been identified to tackle the above key issues	
- <b>To provide high quality places to live where residents feel safe.</b>	
- <b>To improve the health and well-being of residents</b>	
- <b>To improve educational achievement and access to locally valued educational resources</b>	
- <b>To promote social inclusion, reduce inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).</b>	
<b>Material Assets</b>	
9	Urban areas are relatively well served by public transport, although provision in many rural communities is more limited.
10	The Council's Open Space, Sports and Community Facilities Strategy indicates there is a deficit in informal and formal open space and play space provision
11	Much of this District's open space and sports and leisure provision could be enhanced through qualitative improvements to facilities
12	New development will generate the need for additional open space, sports and informal leisure provision, although much of this will be centred around growth areas on the edge of Derby City, Burton on Trent, Swadlincote or a small number of Key Service Villages.
13	Tourism is an increasingly important sector in the District and the National Forest and other local attractions offer further opportunity to further strengthen urban and rural economies.
14	New development could lead to the loss of existing open space which has recreational value or benefits the character of the area.
Four SA objectives have been identified to tackle the above key issues	
- <b>To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)</b>	
- <b>To deliver economic growth and diversify and strengthen local urban and rural economies.</b>	
- <b>To enhance the vibrancy and viability of the District's urban areas and villages</b>	
- <b>To improve the quality of the existing built environment.</b>	

<b>Soil, Water and Air</b>	
15	There remains a significant amount of previously developed (brownfield) land within the District
16	New development committed to 2028 could give rise to increased air, water or light pollution or could reduce local tranquillity.
Two SA objectives have been identified to tackle the above key issues	
<ul style="list-style-type: none"> <li>- <b>To reuse brownfield land and promote sustainable use of natural resources including soil.</b></li> <li>- <b>To reduce water, light, air and noise pollution</b></li> </ul>	
<b>Climatic Factors</b>	
17	Much of the District lies within areas known to be at significant flood risk and this could be exacerbated by climate change or further development in existing settlements.
A single SA objective has been identified to tackle the above key issue	
<ul style="list-style-type: none"> <li>- <b>To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes of climate change</b></li> </ul>	
<b>Cultural Heritage</b>	
18	The archaeological or cultural heritage of the District (including the setting of heritage assets) could be affected by the scale and design of new development which can erode the quality of heritage features or sterilise or lead to the loss of existing resources.
A single SA objective has been identified to tackle the above key issues	
<ul style="list-style-type: none"> <li>- <b>To conserve, enhance and improve access to the historic environment, heritage assets and their settings</b></li> </ul>	
<b>Landscape</b>	
19	Uncontrolled or unsympathetic development could harm local landscape or townscape character
A single SA objective has been identified to tackle the above key issue	
<ul style="list-style-type: none"> <li>- <b>To conserve and enhance the District's landscape and townscape character</b></li> </ul>	

## **SECTION 4: THE SUSTAINABILITY APPRAISAL FRAMEWORK**

- 4.0.1 Following on from the review of other plans, policies and programmes, the review of baseline data and the identification of key sustainability issues considered earlier in this Report the Council developed a Sustainability Appraisal Framework against which the likely effects of designating individual sites can be reviewed. The 'framework' sets out a number of SA objectives, key questions and assessment criteria that the Council has used to identify and predict the effects of implementing the LGSP.

### **4.1 SUSTAINABILITY OBJECTIVES**

- 4.1.1 The sustainability objectives were identified during the scoping work. A copy of the updated scoping report is available to view on the Council's website.  
[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

### **4.2 DETAILED DECISION MAKING CRITERIA (SUB-OBJECTIVES)**

- 4.2.1 Detailed decision-making criteria or sub-objectives are also included within the SA Framework. The purpose of these sub-objectives is to provide prompts which allows the council to identify whether detailed objectives are being met. In total 24 detailed decision making criteria are included within the SA Framework.

### **4.3 INDICATORS**

- 4.3.1 The role of the SA Framework is to provide a mechanism against which the likely impacts of implementing the Plan can be predicted prior to implementation. In addition the framework also provides a way for the council to monitor the actual impacts of implementing the Plan following adoption. The performance indicators set out in the SA Framework are largely drawn from existing information sources and have in many cases formed part of the baseline collected to inform key issues considered previously.



**Table 4: The Sustainability Appraisal Framework**

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Biodiversity, Geodiversity, Flora and Fauna*	To enhance biodiversity and geodiversity across the District	Will it conserve and enhance internationally nationally and locally designated wildlife sites, or create new wildlife habitats?	<b>Number of County Wildlife Sites and Local Nature Reserves in South Derbyshire</b> <i>Annual Monitoring Report updated annually.</i>	By 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced
		Will it conserve protected species and habitats, UK and local BAP Priority Species and Habitats and enhance diversity?	<b>Performance against Lowland Derbyshire Biodiversity Action Plan Targets</b> <i>LDBAP Partnership</i>	Full list of targets available to view at: <a href="http://derbyshirebiodiversity.org.uk/">http://derbyshirebiodiversity.org.uk/</a>
		Will it protect sites of geological importance?	<b>Number and area of RIGS within District</b> <i>(South Derbyshire District Council)</i>	--
		Will it ensure current ecological networks are not compromised, and future improvements in habitat connectivity are not prejudiced?	<b>Number of Local Green Spaces where biodiversity improvements are secured through development.</b> <i>Annual Monitoring Report updated annually.</i>	--
Population and Human Health	To provide high quality places to live where residents feel safe.	Will it reduce crime, fear of crime and provide safe areas to play or exercise in locations with crime or safety issues?	<b>Community Safety: Crime rates within South Derbyshire</b> <i>Police Crime Map</i>	--
	To improve the health and well-being of residents	Will it promote healthy lifestyles?	<b>Life expectancy at birth (male and female)</b> <i>(NHS South Derbyshire Health Profile-updated annually)</i>	By 2016 achieve a 1% point increase in adult participation of 3 x 30 minutes, (from 2005 baseline of 20.9%).
	To improve educational achievement and access to locally valued educational resources	Will it contribute to the delivery or protection of existing educational resources or facilities utilised by local schools or other education facilities?	<b>Key stage 4: Percentage of school leavers achieving 5 or more grades A*-C at GCSE including maths and English</b> <i>APHO Health Profile South Derbyshire updated annually</i>	--
	To promote social inclusion, reduce inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).	Will it protect or enhance existing local green spaces valued by local communities?	<b>Index of Multiple Deprivation SOA and District level data (IMD)</b> <i>(DCLG updated periodically at irregular intervals) 2015</i>	--
Material Assets	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	Will it make best use of new infrastructure by providing opportunity to protect and enhance existing valued community spaces.	--	--

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Material Assets	To deliver economic growth and diversify and strengthen local urban and rural economies.	Will it support economic growth locally?	<b>Average income within the District by place of work</b> (ONS Annual Survey of Hours and Earnings (ASHE updated annually))	--
	To enhance the vibrancy and viability of the District's urban areas and villages	Will it improve existing, tourism, leisure or recreation facilities within Swadlincote, the Burton and Derby urban areas and the villages?	<b>New recreation, tourism or leisure development within villages and urban areas</b> South Derbyshire District Council to be collected as part of Annual Monitoring	--
	To improve the quality of the existing built environment.	Will it help protect an existing open space or gap in development that is important to the character of the local area?	--	--
Soil, Water and Air	To reuse brownfield land and promote sustainable use of natural resources including soil.	Will it contribute to the reuse or regeneration of brownfield land	<b>Number of entries and area of previously developed land recorded on the Council's Brownfield land register</b> South Derbyshire District Council to be collected as part of Annual Monitoring	
		Will it protect Best and Most Versatile Agricultural Land?	<b>Area in Ha of Best and Most Versatile Agricultural Land lost within sites designated as Local Green Spaces</b> South Derbyshire District Council to be collected as part of Annual Monitoring	
	To reduce water, light, air and noise pollution	Will it reduce water pollution?	<b>Number of planning applications granted contrary to Environment Agency advice on water quality</b> <b>South Derbyshire District Council AMR local Indicator</b> <b>Annual average (mg/l) Orthophosphate in Selected watercourses in District</b> Environment Agency updated annually	<b>Target</b> <b>0.05mg/l on River Mease</b> <b>0.12 mg/l on other watercourses</b>
		Will it reduce light pollution?	<b>Number of light pollution complaints received per 1000 residents</b> (South Derbyshire District Council to be collected as part of Annual Monitoring)	--
		Will it improve air quality?	<b>Population living within Air Quality Management Areas within the District</b> South Derbyshire District Council AMR local Indicator	--
		Will it reduce noise pollution?	<b>Number of noise pollution complaints received per 1000 residents</b> South Derbyshire District Council to be collected as part of Annual Monitoring	--

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Climatic Factors	To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes	Will it provide opportunity to address flood risk locally?	<b>Carbon dioxide emissions within Authority Area</b> <i>DECC updated annually</i>	<a href="#">20% of energy from renewable sources by 2020</a> 80% reduction in CO2 emissions by 2050.
		Will it provide opportunity for urban shading or cooling locally?	--	--
Cultural Heritage (including architectural and Archaeological Heritage)	To conserve, enhance and improve access to the historic environment, heritage assets and their settings	Will it protect and enhance historic, cultural, architectural and archaeological features and their settings?	<b>Number of listed buildings or structures in South Derbyshire</b> <i>SDDC AMR Local Indicator updated annually</i> <b>Proportion of Conservation Areas with an up to date character appraisal and management plan</b> <i>SDDC AMR local indicator updated annually</i>	Target 100% of Conservation Areas to have an up to date character appraisal and management Plan.
		Will it improve access to the public and the understanding of the District's historic and cultural facilities?	<b>Number and Proportion of major planning proposals which improve access to heritage features as part of the scheme.</b> <i>South Derbyshire District Council to be collected as part of Annual Monitoring</i>	--
Landscape	To conserve and enhance the District's landscape and townscape character	Does it respect and protect existing landscape character?	<b>The proportion of housing completions on sites of 10 or more) which have been supported, at the planning application stage by an appropriate and effective landscape character and visual assessment with appropriate landscape proposals.</b> <i>South Derbyshire District Council to be collected as part of Annual Monitoring</i>	--
		Will it protect and create open spaces, landscape features, woodlands, hedges and ponds?	<b>Number of planning application leading to a loss of open spaces</b> <i>South Derbyshire District Council to be collected as part of Annual Monitoring</i>	--

## SECTION 5: LOCAL GREEN SPACES BROAD OPTIONS

The parts of the SEA Directive Requirements considered in the section:

The need for the Environmental (Sustainability) Report to provide information on:

Relevant aspects of the current state of the Environment and the likely evolution thereof, without implementation of the Plan.

The environmental characteristics likely to be significantly affected

Any existing environmental problems which are relevant to the Plan or Programme including, in particular relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC

The environmental [Sustainability Appraisal] report... shall be prepared in which the likely significant effects on the environment<sup>14</sup> of implementing the plan or programme and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme are identified, described and evaluated (Article 5)

An outline of the reasons for selecting the alternatives dealt with, a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know how) encountered in compiling the required information

### **5 COMPATIBILITY OF THE LOCAL PLAN OBJECTIVES AGAINST THE SUSTAINABILITY OBJECTIVES.**

- 5.1 Government guidance on SA emphasises the importance of compatibility analysis as part of the appraisal process. By comparing the plan objectives with the SA Objectives the Council can ensure that wherever possible the Plan will deliver 'sustainable development' and will not have unforeseen negative impacts on the communities or environment of South Derbyshire. This is because where conflicts arise changes to the plan objectives or to the way the Plan is to be implemented can be made help resolve those conflicts.
- 5.2 It should be noted, however, that the plan objectives set out in the LGSP are distinct from the sustainability objectives (set out in the SA Framework) although in some cases there may be significant overlap between them.
- 5.3 Table 5.1 sets out the findings of the appraisal of the Plan objectives against the SA objectives. Information regarding identified conflicts is set out in table 5.2 together with consideration of how any conflicts can be best resolved.

<sup>14</sup> including issues such as biodiversity, population, human health, fauna, flora, water, soil, water, air, climatic factors, material assets, cultural heritage, including architectural and archaeological heritage, landscape and the interaction between the above factors; (these effects should include secondary, cumulative, synergistic, short medium and long-term, permanent and temporary, positive and negative effects. (SEA Directive Annex 1)

**Table 5.1 Appraisal of Plan Objectives against Sustainability Objectives**

	To ensure future development is locally distinctive and environmentally, socially and economically sustainable through the achievement of design excellence, addressing the causes and effects of climate change and reducing waste and pollution.	To ensure the needs of an ageing population, and a higher than average proportion of younger people, are recognised in shaping all aspects of our communities	To enable, support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	To ensure our communities can be safe, clean, vibrant, active and healthy	To ensure sustainable, living and working urban and rural communities	To reduce the need to travel and to encourage travel by sustainable modes of transport, providing access to jobs, shopping, leisure, services and facilities from all parts of the District.	To ensure the social, physical and green infrastructure needed to support strong growth levels is provided at an appropriate time and accessible to our communities	To respect and enhance the varied character, landscape, cultural, heritage and natural environment of our fast growing District	To make the most of the economic, social and environmental opportunities presented by the District's central location within the National Forest and promote the continued growth of local tourism and leisure offer across the whole of the District.	To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations	To enhance and develop the role of Swadlincote town centre and its wider urban area as a focus for living, working, shopping and leisure	To ensure growth in South Derbyshire is co-ordinated with development in adjoining areas both within and outside the Derby HMA
To enhance biodiversity and geodiversity across the District	✓	--	✓	--	✓	--	--	✓	✓	✓	?	--	✓
To provide high quality places to live where residents feel safe.	✓	✓	--	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
To improve the health and well-being of residents	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	--	✓	✓
To improve educational achievement and access to locally valued educational resources	--	✓	✓	--	✓	--	--	✓	--	✓	--	✓	✓
To promote social inclusion, reduce inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).	✓	✓	✓	✓	✓	✓	✓	✓	--	✓	--	✓	✓
To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
To deliver economic growth and diversify and strengthen local urban and rural economies.	--	✓	✓	✓	✓	✓	X	✓	--	✓	✓	✓	✓
To enhance the vibrancy and viability of the District's urban areas and villages	--	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
To improve the quality of the existing built environment.	✓	✓	--	?	✓	✓	--	✓	✓	✓	✓	✓	✓
To reuse brownfield land and promote sustainable use of natural resources including soil.	✓	--	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
To reduce water, light, air and noise pollution	✓	--	X	X	✓	X	✓	✓	✓	✓	✓	?	✓
To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes	✓	--	X	X	✓	X	✓	✓	✓	✓	✓	✓	✓
To conserve, enhance and improve access to the historic environment, heritage assets and their settings	✓	--	--	?	--	?	--	✓	✓	✓	?	?	✓
to conserve and enhance the District's landscape and townscape character	✓	--	--	?	--	?	--	✓	✓	✓	?	✓	✓

### Compatibility of the Plan Objectives and the Sustainability Objectives

As indicated above, there are a number of plan objectives which perform relatively poorly in terms of sustainability. In particular, new employment and housing development proposed through the Plan could give rise to a number of negative effects. Full consideration of these issues is set out below:

**Table 5.2 Plan Objectives which Conflict with Sustainability Objectives**

<b>Sustainability Objective</b>	<b>Plan Objective</b>	<b>Comment</b>
To enhance biodiversity and geodiversity across the District	To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations	Many brownfield sites provide important habitats to a range of notable flora and fauna. Similarly disused or underutilised buildings often support important fauna including bats or breeding birds. An objective to reuse such buildings could, depending on the nature of sites, lead to harmful biodiversity effects.
To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To ensure sustainable, living and working urban and rural communities	The delivery of new homes in rural locations could help support the delivery of limited rural services and facilities, however the scale of growth, if limited could still require communities to travel higher order goods or services in locations without a range of transport options available.
To deliver economic growth and diversify and strengthen local urban and rural economies.	To reduce the need to travel and to encourage travel by sustainable modes of transport, providing access to jobs, shopping, leisure, services and facilities from all parts of the District.	The delivery of new businesses in rural locations could help support the delivery of limited rural services and facilities, however the scale of growth, if limited could still require communities to travel higher order goods or services in locations without a range of transport options available.
To improve the quality of the existing built environment.	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The delivery of housing stock to meet local needs (both in respect of quantity and design) could erode local landscape or townscape character. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy
To reduce water, light, air and noise pollution	To enable, support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources	The creation of new businesses is likely to lead to increased resource use and will increase the generation of waste water, resources, light pollution and noise generation. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy.
To reduce water, light, air and noise pollution	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The delivery of new homes is likely to lead to increased resource use and will increase the generation of waste water, resources, light pollution and noise generation. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy
To reduce water, light, air and noise pollution	To ensure sustainable, living and working urban and rural communities	Supporting the delivery of development in urban and in particular rural areas is likely to lead to increase nuisance and pollution in the vicinity of new development. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy
To reduce water, light, air and noise pollution	To enhance and develop the role of Swadlincote town centre and its wider urban area as a focus for living, working, shopping and leisure	Developing the role of Swadlincote Town centre could potentially increase noise, light and air pollution, particularly where the evening economy is expanded.
To reduce and manage the	To enable, support and promote a	The delivery of new businesses and other economic development is likely to lead to increased resource use and transport usage and will

impacts of climate change including flood risk and the District's contribution towards the causes	robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources	increase the generation of air pollution, waste water and surface water generation. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy.
To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The delivery of new homes likely to lead to increased resource use and transport usage and will increase the generation of air pollution, waste water and surface water generation. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy.
To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes	To ensure sustainable, living and working urban and rural communities	Supporting the delivery of development in urban and in particular rural areas is likely to lead to increased transport usage which could contribute significantly to carbon dioxide emissions where transport choice is limited. Development away from Swadlincote and most urban extensions in the Derby Urban Area are affected by elevated levels of flood risk and development could increase flood risk in many of the Districts Communities.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The delivery of genuinely 'affordable' homes may not be fully compatible with the objective to protect cultural heritage.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings	To ensure sustainable, living and working urban and rural communities	Whilst objectives to deliver new growth in urban and rural areas could potentially harm cultural heritage, it also offer opportunity to potentially support the reuse or repurposing of heritage assets for tourism, education or economic uses.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings	To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations	Whilst objectives to optimise underused or derelict buildings and sites could potentially harm cultural heritage, it also offer opportunity to potentially support the reuse or repurposing of heritage assets for tourism, education or economic uses.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings	To enhance and develop the role of Swadlincote town centre and its wider urban area as a focus for living, working, shopping and leisure	Whilst an objectives to develop the role of Swadlincote could potentially harm cultural heritage in the town it also offer opportunity to potentially support the reuse or repurposing of heritage assets for tourism, education or economic uses.
to conserve and enhance the District's landscape and townscape character	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The delivery of housing stock to meet local needs (both in respect of quantity and design) could erode local landscape or townscape character. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy
to conserve and enhance the District's landscape and townscape character	To ensure sustainable, living and working urban and rural communities	Development in the District including that in the rural villages could erode local landscape quality. . Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy
to conserve and enhance the District's landscape and townscape character	To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations	Supporting development on previously used sites could result in the intensification of development including that in the rural villages could erode local landscape or townscape quality. Impacts are likely to be adverse, though can be partially mitigated through the adoption of appropriate policy

5.5 Overall it was concluded that the plan objectives and sustainability objectives were broadly compatible, although a small number of conflicts were recorded. The conflicts were mostly between plan objectives to deliver housing and employment growth and sustainability objectives to safeguard the natural and built environment.

## BROAD OPTIONS APPRAISAL

5.6 The Council has previously consulted upon a range of broad options in respect of Local Green Spaces as follows:

**Option 1: Do not designate Local Green Spaces**

**Option 2: Support the designation of appropriate greenspace through the Neighbourhood Planning process**

**Option 3: Designate appropriate green spaces through the Part 2 Local Plan**

5.7 These options have been identified by the planning policy team following a review of potential approaches based on a review of practices being proposed by other local authorities and having regard to the guidance in the NPPF.

5.8 During Plan preparation work on LP2 the Council appraised these three options and decided that its preferred option would be to designate local green spaces through that Plan. A copy of the appraisal work undertaken in support of this Plan is included in Appendix 4 of this Report for reference. The Council's preferred option is Option 3 which is to designate appropriate green spaces. This approach was identified as the preferred option as the Council considers that local green space designations could have a notable positive impact on many of the District's settlements including in respect of biodiversity, townscape, tranquillity, heritage and landscape. Option 2, was also identified as potentially being able to deliver similar positive effects, through designation within neighbourhood plans. However at the time of preparing the LP2 there were only two communities in South Derbyshire preparing a neighbourhood plan, so the positive effects of this option would be limited to the communities of Melbourne and Repton. Option 1, whilst not having any negative effects, was unlikely to offer further opportunities to protect small scale spaces which are valued by local communities.

5.9 However during the preparation of the LP2 it became obvious that the issue of local green spaces was more complex than first identified and that the designation of sites had the potential to slow down the adoption of the Plan. Given that the adoption of LP2 was critical to ensuring that the authority had sufficient housing sites to meet identified housing need including in respect of demonstrating a five year supply it was decided that the allocation of local green spaces would be undertaken through the preparation of a specific LGSP. The inclusion of Policy BNE8 in the Plan (see below) committed the Council to the preparation of the LGSP.

### **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.**

- 5.10 Put simply therefore the SA (in respect of broad options) that underpins the preparation of the Local Green Spaces Development Plan Document was considered during the preparation of LP2 . On this basis there is no requirement to reassess broad options at this stage as the Council has already identified and appraised the alternatives available and committed to its preferred approach to addressing local green spaces within Policy BNE8 of that Plan.

## 6 LOCAL GREEN SPACE POLICIES

- 6.1 There are 2 local green space policies proposed in the Draft LGSP. LGS1 sets out policy in respect of Development on a Local Green Spaces, LGS2 includes policy in respect enhancements on local green spaces.
- 6.2 Initial policies were drafted in April 2018 and updated in September 2018 following internal consultation. These were subject to initial sustainability appraisal in September 2018. The policies have been further consulted on in October 2018 and limited changes have been made to the policies following this appraisal. A summary of the likely effects of the policies included in the Draft Plan is set out in Figure 6.1 below. Appendix 2 includes the detailed wording of policies included in LGSP and detailed appraisals that should be read alongside this chapter of the SA report.

**Figure 6.1: Sustainability Appraisals of Local Green Spaces Policies**

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Policy LGS1: Development on a Local Green Space	✓	-	✓✓	✓	✓	✓✓	✓	✓	✓	X	X	X	X	✓
Policy LGS2: Enhancement of Local Green Spaces	✓✓	✓	✓	✓	✓	✓✓	-	-	-	X	X	X	-	-

### **Summary of Effects**

- 6.3 Policy LGS1 would have a beneficial effect in respect of the environmental and social objectives. In particular it would have a major beneficial effects in respect of objectives related to health and well-being and Infrastructure. However negative effects are likely in respect of objects related to brownfield land, pollution, climate change and the historic environment.
- 6.4 Policy LGS2 would have beneficial effects in respect of objectives to create high quality places, supporting educational achievement and infrastructure delivery. This policy is likely to have negative effects in respect of brownfield land, pollution, climate change and the historic environment. Policy LGS2 would be unlikely to have any adverse effects. This is because this policy does not seek to control development on sites but rather seeks to deliver biodiversity gain and improved management on site.

### **Amendments to Local Green Spaces Policies at this Stage**

- 6.5 No substantive changes have been made to policy LGS2 following consultation on the Draft Plan. There has, however, been a number of changes made to policy LGS1 to address a number of concerns:
- Criteria E to restrict the scale of new or extended built facilities, which conflicted with Policy BNE8 (Local Green Spaces) included in the Part 2 Local Plan has been deleted. This deletion will also address concerns expressed by Sport England who considered that paragraph E in particular could limit the extent of new facilities.
  - Criteria D has been removed as the Council considers that the more positive wording at the start of the policy supports all development subject to considerations of design scale and location. Specific support for tourism and leisure signage is therefore not warranted.
  - Criteria A has been deleted and the requirements to have regard the scale design and location of proposals has been moved from previous bullet A into the first paragraph of the policy and a more positive policy drafted to support appropriate growth that contributes to the function of the local green space.

## **7. LOCAL GREEN SPACES – THE SITE SELECTION PROCESS AND PROPOSED DESIGNATIONS**

- 7.1 In total around 200 potential sites have been identified as potential local green spaces. Most of these have been identified through consultations held by the Council in December 2015, June 2016, 2017 and October 2018, although a small number have been identified by officers of the Council subsequent to these consultations. The Council identified its methodology for assessing local green space proposals in a report to the Environmental and Development Services Committee on the 19th April 2018. This report set out a two stage approach that would be used to identify appropriate sites. The first stage has screened out sites that do not comply with the requirements of paragraph 100 of the NPPF (and supporting guidance in National Planning Policy Guidance), with the exception of the issue of how sites are demonstrably special to local communities. This issue is considered during a second stage of work discussed later in this chapter.

### **Stage 1 Assessment**

- 7.2 In order to pass through the first stage assessment the Council has considered the following:-

#### **The space is in reasonably close proximity to the community it serves.**

- 7.3 The Institute for Highways and Transportation recommended walking distances for non-commuting or school journeys is 800m or equivalent to 10 minute walk). However where a green space is proposed which provides playing pitches or outdoor sports provision within 1,200m (a 15 minute walk) will be considered acceptable in line with guidance provided by Fields in Trust (A charity that works to protect playing fields) and included in the Council's Design Supplementary Planning Document (SPD) adopted November 2017. Any sites located a greater distance from the edge of the settlement boundary or edge of the settlement they serve will be excluded from designation.

#### **The site is an extensive tract of Land.**

- 7.4 The National Planning Policy Guidance Paragraph 15 (ref ID 37-015-20140306) states the blanket designation of open countryside adjacent to settlements will not be appropriate. It is considered that any site in excess of 5ha could constitute an extensive tract of land. In identifying this threshold regard has been had to a number of examiners reports on local green spaces made through Neighbourhood Plans as well as a Counsel Opinion<sup>15</sup> drafted in response to Castlethorpe Neighbourhood Plan (published February 2016). However exceptionally there may be a need to set any agreed threshold aside and allow for smaller sites to be considered extensive within the context they sit. Similarly there may be exceptional circumstances where larger sites could be considered appropriate for designation. However any exceptions would need to be made as part of any nomination and supported by a strong and rational case explaining why the identified threshold should be set aside.

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<sup>15</sup> For Counsel Opinion see [here](#)

**The site is capable of enduring beyond the Plan period.**

- 7.5 Clearly sites allocated for development in the Adopted Local Plan (LP1 and LP2), or have planning consent or a resolution to grant planning consent should be excluded from consideration. Similarly sites included in the Council's Strategic Housing Land Availability Assessment (SHLAA) will ordinarily be excluded unless the SHLAA identifies that the site is unsuitable for development.

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

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

- 7.7 In detail the further criteria previously established are as follows:

**The site already benefits from protection through existing Local or National Policy**

- 7.8 Where the site is already protected by designations such as Green Belt, wildlife designations, or statutory heritage designations, or protected by established open spaces policies there is little merit in a further designation. Whilst it is acknowledged that such protections are often made in the interest of protecting one aspect of the site (such as important heritage features), in most cases the policy protections provided would offer a level of protection that would safeguard the site generally for the benefit of local communities. However, there are instances where there may be justification for already protected sites to be designated. This will only be considered where it can be demonstrated that additional and substantive local benefits can be secured as a result of the local green spaces designation which isn't otherwise conferred by national or local plan policy. One such example of such an occurrence could be where local sports provision is protected through local policy INF9. This is because this policy does allow for loss subject to replacement facilities being provided but in some instances there may be a locational imperative to maintain provision in its current location and relocated facilities may fail to have the same community benefits.

**Privately owned land and spaces**

- 7.9 Private residential land, gardens, paddocks or stables are not considered appropriate for designation as a local green space as they are not valued community spaces (but rather private spaces).

### **Public Memorial Sites**

- 7.10 Previous consultations indicated that the Council's view was not to include war memorial as local green spaces. Part of the rationale for this was such memorials did not require further protection against development, particularly as many are listed or located in otherwise protected area. However this is not universally the case and more detailed consideration of this issue indicates many spaces used as war or other memorials are informal spaces that are valued by local communities and are not necessarily protected through any other mechanism. War and other memorial sites will therefore be assessed on their merits against the other criteria previously listed above.
- 7.11 By reviewing all of the submitted sites against the above criteria the Council has been able to identify those sites, which in our view would conform with the requirements of the NPPF and are therefore appropriate for designation.

### **Stage 2 Assessments**

- 7.12 For all of those sites that pass the stage 1 assessment a further round of assessment will be undertaken. This will seek to address the outstanding requirement of the NPPF of considering how sites are demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife. These detailed site appraisal are included in this SA report and can be viewed in Appendix 3. However it should be noted that those sites progressing past stage 1 will not automatically be included for designation. In undertaking site appraisals, where it is clear that sites are not demonstrably special to the local community these will be discounted at this stage.

### **Results of the Stage 1 Assessment.**

- 7.13 Table 7.1 overleaf provides an indication of the sites considered by the Council, and sets out which sites have been screened out from designation early on (i.e. are not considered to represent suitable sites when considered against national policy requirements or local criteria outlined above). Sites screened out are shown in **Red Text**. Table 7.1 also shows those sites that do conform with the criteria outlined above and therefore progressed to stage 2 assessment. These are shown in **Green Text**. This table seeks to provide an outline of the reasons for discounting or including sites in line with the requirements of the SEA Directive and Regulations.

**Table 7.1 List of sites detailing those screened out during initial sieve, those progressed to stage 2 assessment and the reasons why.**

Site Reference	Site Name	Reason for progression to Stage 2 or exclusion
1	Darklands Lane, Swadlincote	SDDC owned allotments. Protected by policy INF9 of the adopted Local Plan
2	Aston Drive, Midway, Swadlincote	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
3	South of Edgecote Drive, Midway, Swadlincote	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
4	Off Lawns Drive, Midway, Swadlincote	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
5	Springwood Farm Road, Midway	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
6	Eastfield Road, Midway	The site includes amenity grassland and mature and semi mature trees. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
7	Upper Midway Allotments, Chestnut Avenue	SDDC owned allotments. Protected by policy INF9 of the adopted Local Plan
8	East of Thorn Tree Lane, Newhall	SDDC owned allotments. Protected by policy INF9 of the adopted Local Plan
9	Fairfield Crescent, Newhall	The site includes amenity grassland and mature and semi mature trees. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
10	Off The Rise (east of Oversetts Road), Newhall	SDDC owned allotments. Protected by policy INF9 of the adopted Local Plan
11	Arthur Street Recreation Ground, Mount Pleasant	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan
12	Mount Pleasant Recreation Ground, Mount Pleasant	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan
13	Castle Knob, Castle Gresley	No map provided defining extent - although based on description, it is assumed the site is the Scheduled Ancient Monument (ref 1011209) and wildlife site (SD306) and is protected by existing designations/local plan policy.
14	White Lady Springs, Castle Gresley	No map has been provided for this site. Although based on the description it

		is assumed that the site is the Wildlife Site known as White Lady Springs (SD360) in Castle Gresley. to the site is discounted from further assessment on the basis it is protected from development by policy BNE3 (Biodiversity) of the Adopted Local Plan.
15	War Memorial (1), Castle Gresley	This site consists of amenity grassland and areas of planting for Local Green Space designation it includes a war memorial and contributes to local character. Progress to phase 2 assessment.
16	War Memorial (2) Castle Gresley	No map has been provided. Possibly Linton Church but uncertain from description. In absence of submission or nomination outlining site extent it has not been passed to phase 2 assessment.
17	Off Gresley Wood Road, Church Gresley	This site consists of amenity grassland and mature and semi mature trees there is a wooded area to the east of the site. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
18	Gresley Wood, Gresley Wood Road, Church Gresley	This is a wooded site comprising of mature and semi mature trees. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
19	Lathkill Dale, Church Gresley	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
20	Wye Dale, Church Gresley	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
21	Fabis Close, Church Gresley	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
22	Sorrel Drive, Woodville	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
23	Falcon Way , Woodville	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
24	Kingfisher Avenue, Woodville	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
25	Tern Avenue, Woodville	Site consists of publically accessible amenity grassland. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
26	North of Ashby Road (A511) , Woodville	Allotments. Protected by policy INF9 of the adopted Local Plan

27	Aston Allotments, Weston Road, Aston On Trent	Allotments. Protected by policy INF9 of the adopted Local Plan
28	Long Walk Wood, Aston On Trent	<p>Site is larger than 5ha and is a Local Wildlife Site (SD163) and is subject to protection through Policy BNE3 of the Part 1 Local Plan.</p> <p>Site is part designated as a housing site in the Part 1 Local Plan. Policy H8 further protects Long Walk Wood and requires that woodland be retained, enhanced and appropriate public access provided.</p> <p>Given that the site is already allocated in the Local Plan 1, has been granted planning consent, in excess of 5ha and is a Local Wildlife Site protected through BNE3 LGS designation is not considered necessary or appropriate.</p>
29	Middle Wood, Aston on Trent	<p>Site designated as a housing site in the Part 1 Local Plan. Policy H8 requires that the woodland be retained, enhanced and appropriate public access provided within the site.</p> <p>Given that this site is an allocated housing site in the Adopted Local Plan and current policy provisions protect this part of the site. Further designation as a local green space is not considered necessary or appropriate.</p>
30	Ponds to the rear of Aston Hall, Aston On Trent	Large natural area which includes woodland and a large pond. It is publically accessible. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
31	Shardlow Road Recreation Ground, Aston on Trent	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan
32	Adjoining Moor Lane, opposite the cemetery, Aston on Trent	The site is in private ownership. Used for keeping of horses. The site is included in the SHLAA
33	Nature Reserve Area at Clover Leaf Farm, Aston on Trent	No map was included in the nomination and it has not been possible to identify the specific area. However much of the land in this area is included in the SHLAA and/or within the Green Belt. On this basis it is not proposed to take forward this area for designation.
34	Willow Park Way, (known as The Bull Field), Aston on Trent	No map was included in the nomination of this site however, it is considered that this is the site located at SK 4132 2924. Based on the best available evidence the site is around 5.3ha and is therefore an extensive tract of land. The site is in private ownership, not publically accessible and is subject to a blanket Tree Preservation Order which is likely to offer some protection from

		development as a result of protections included in Policy BNE7 of the Local Plan.
35	Brickyard Plantation and Claypit, Aston on Trent	Site is designated as a local wildlife site (SD167 Brickyard Plantation and Clay Pit) and is therefore protected by policy BNE3 of the Adopted Local Plan. It is considered an extensive tract of land and is located in the Green Belt.
36.	The Bowling Green, Aston on Trent	Site is in part a bowling green and so likely to be offered some protection from loss by policy INF9 of the adopted Local Plan in respect of the bowling green element. However a large component of the site comprises amenity grassland and scattered trees. The site includes a small number of protected trees in the South West Corner of the site. On balance it is considered appropriate to progress the site to phase 2 assessment.
37	Egginton Road, Etwall	Site consists of amenity grassland and mature and semi mature trees together with ornamental hedgerows to the boundary. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
38	Appletree Meadow, Etwall	Site consists of amenity grassland with occasional mature and trees around the site periphery and areas of younger planting within the site.
39	South of Sutton Lane, Etwall.	Site is a sports field and is protected by policy INF9 of the adopted Local Plan. On this basis site would ordinarily be screened out of inclusion into the phase 2 assessment. However community representations indicate the field is used for other non-sports based uses and therefore whilst policy INF9 could deliver replacement sports facilities there would be some uncertainty whether the wider community facilities would be delivered on a replacement sports facility site. Appropriate to test further through stage 2 assessment.
40	West of Main Street, Etwall.	Used for a range of community events in the village including well dressings. Site extended to include area opposite as used for the same purposes. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
41	East of Common End, Etwall	Allotments. Protected by policy INF9 of the adopted Local Plan
42	King George V Playing Field, Etwall	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan and by Fields in Trust.
43	Sandypits Lane Playing Field, Etwall.	Site is a sports field and is protected by policy INF9 of the adopted Local Plan. On this basis site would ordinarily be screened out of inclusion into the stage 2 assessment. However community representations as well as comments from

		the Council's Community Partnership officer indicate the field is used for other non-sports based uses including by the nearby scout group and on this basis any requirement to deliver a replacement site elsewhere in the village could limit access for the scout group. Progress to phase 2 assessment.
44	Chestnut Grove Play Area, Etwall	The site consists of amenity grassland with trees on the southern and western boundary. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
45	Field Avenue, Hatton	Maintained open space and mature trees. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
46	Hassall Road, Hatton	Informal recreation ground which may not be protected by Policy INF9 Designation supported by Community Partnership Officer. Lacks Fields in Trust protection.
47	QE2 Field, East of Hassall Road, Hatton	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan. The site is also protected as a result of its Fields in Trust designation.
48	QE2 South of Heathfields Primary School, Hatton	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan. The site is also protected as a result of its Fields in Trust designation.
49	East of Dove Side, Hatton	Allotments. Protected by policy INF9 of the adopted Local Plan
50	South of Egginton Road/Corner of Peacroft Lane, Hilton	This is a small finger of land within the adopted highway. Derbyshire County Council (the Highways Authority) have advised that future highways requirements would take priority over alternative proposals. However this area is used informally as a memorial to a number of local people, including a Former District Councillor and includes a locally important tree. The site is maintained by the Hilton Garden Club.
51	Humber Street/Welland Road, Hilton	Community representations as well as comments from the Council's Community Partnership Officer indicate the field includes native woodland planting (including memorial planting undertaken by primary school to fallen soldiers). Much of the site is currently an informal meadow area There is a war memorial on site.
52	Off Mill Lane, Hilton	The site is a private garden and in the view of the Authority is not demonstrably special to the local community.

53	South of Main Street, Hilton	Site is amenity grassland offering informal leisure opportunities but includes a children's play area. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
54	Sutton Lane, Hilton	Allotments. Protected by policy INF9 of the adopted Local Plan
55	Wellavon Playground, Welland Road/Avon Way, Hilton	Site includes a playground surrounded by amenity grassland. However site contributes to local townscape character and is located in a densely developed area. Such provision could be protected through Policy INF9, although the loss of any site is unlikely to be compensated in the immediate vicinity given the dense nature of development in the immediate vicinity.
56	South of Linton Heath, Linton	Allotments. Protected by policy INF9 of the adopted Local Plan
57	SHLAA site S/0050, Off Windsor Road, Linton	Site in the SHLAA and identified as potentially suitable for development. One objection to site inclusion made during 2017 consultation.
58	West of Packhorse Road, Melbourne	Maintained open space/amenity grassland. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
59	North of Station Road, Melbourne	Area of maintained grassland with recently planted trees and hedgerow. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
60	Washpit, Station Road, Melbourne	Grade 2 listed wellhead on part of site with mature trees. Supported by the Melbourne and Kings Newton NDP working group for designation during the 2017 consultation. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
61	Off Acacia Drive, Melbourne	This is an area of amenity grassland within a residential area. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
62	Lothian Gardens, south of High Street, Melbourne	Site is a recreation ground and is protected by policy INF9 of the adopted Local Plan.
63	Off the Pingle, Melbourne	Allotments. Protected by policy INF9 of the adopted Local Plan
64	Poolside, South of Penn Lane, Melbourne	The site is a private garden and in the view of the Authority is not demonstrably special to the local community.
65	Jawbone Lane, Melbourne	The site is an extensive tract of land extending some 16ha. Part of the site has planning consent for residential development. A further 5 ha is included in

		the Council's SHLAA (ref: S/0009 and S/0226). Land to the east of Jawbone Lane as well as land to the north of Oaklands Way is not included in the SHLAA although cumulatively this area would extend 13.5ha even excluding the site with planning consent at Bond Elm (ref: 9/2014/1141). Therefore allowing for the scale of the site (even if that part with planning consent were discounted) the size of the site would consist of an extensive tract of land. The site owner objects to the designation.
66	Robinson's Hill North, Melbourne	Site is contiguous with site 67 and 73 and together would be an extensive tract of land circa 20ha. Land is in private ownership and there is no public access to the site.
67	Robinson's Hill South, Melbourne	Site is contiguous with site 66 and 73 and together would be an extensive tract of land. Land is in private ownership and there is no public access to the site.
68	Blackwell Lane, Melbourne	Site is in the SHLAA (S/108) and in private ownership so on this basis would qualify for exclusion for consideration as a local green space against the defined criteria.
69	Kings Newton Hall Park	The site is an extensive tract of land extending 7.34ha.
70	Holy well, Wards Lane, Melbourne	Medieval Holy well largely restored by local community. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
71	Crow Park, Melbourne	The site is an extensive tract of land extending 14.38ha.
72	Chestnut Park, Melbourne	The site is an extensive tract of land extending 8.94ha. It is not well related to the settlement (being around 750m from the nearest part of the settlement boundary for Melbourne, although walking distance on the ground will be in excess of 800m via footpath FT13 or FT21).
73	Brown Fields and Bare Hills, Melbourne	The site is an extensive tract of land extending 15.76ha.
74	The Severn Trent Visitor Centre, Grassland and Washland, Melbourne	The site is in excess of 5ha and is considered an extensive tract of land.
75	Land Adjacent to Manor Oak, Kings Newton	This is a partially domesticated area in private ownership with no public access.
76	Field south of Elms Farm, Melbourne	No map has been provided in respect of the location or extent of the nominated site, although based on best available evidence it is likely this is a

		duplication of site 75 (above).
77	Church Close, Melbourne	Site is a war memorial surrounded by amenity grassland and planting. It is well maintained, publically accessible and contributes to the character of the area. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
78	The Pool, Melbourne	The site is an extensive tract of land extending 8.04ha. Much of the site comprises of a large pond which is a designated wildlife site (SD229 Melbourne Pool) and is therefore protected by policy BNE3 of the Adopted Local Plan.
79	Intake, Melbourne	The site is part of a larger site (ref 78: the Pool, Melbourne) an extending 8.04ha. However in isolation this area could be appropriate for designation. However the site is already designated as a Local Wildlife Site (SD229) and as such would be protected from inappropriate development by Policy BNE3 of the adopted Local Plan
80	Kings Field, Melbourne	No map has been provided in respect of the location or extent of the nominated site
81	Baptist Cemetery, Chapel Street, Melbourne	The site is protected by policy INF9 of the adopted Local Plan. It is noted that Melbourne NDP working group propose to take forward a LGS designation on this site.
82	Castle Street Cemetery, Melbourne	The site is protected by policy INF9 of the adopted Local Plan. It is noted that Melbourne NDP working group propose to take forward a LGS designation on this site.
83	Packhorse Road Cemetery, Melbourne	The site is protected by policy INF9 of the adopted Local Plan. It is noted that Melbourne NDP working group propose to take forward a LGS designation on this site.
84	The Bowling Green, Castle Street, Melbourne	This is a small site part of which is used as a bowling green and so is partially protected by policy INF9 of the adopted Local Plan. All of the land is privately owned. However community representations indicate the field is used for other non- sports based uses including garden clubs, WI summer and Christmas fairs, senior citizens Christmas party, Probus Club meetings, Melbourne produce show, plant sale and sewing circle. Hall is also used for

		fund raising activities. Appears to meet the criteria for Local Green Space designation.
85	Queensway, Melbourne	The site has historically been subject for a planning application (ref 9/2013/0222) for the formation of a hard surface for vehicular access. Land is required for access for nearby properties.
86	Rear of 78 Ashby Road, Melbourne	Site is in private ownership and is not publically accessible. The site is subject to a blanket Tree Preservation Order (377) which will confer protection of woodland on site in line with Policy BNE7 of the Local Plan.
87	Grange Close Recreation Ground, Melbourne	The site is protected by policy INF9 of the adopted Local Plan, although is surrounded on all sides by built development. Whilst policy INF9 would ensure replacement provision of any facilities lost, given the tight knit nature of the surrounding built development any loss would have wider impacts on local character. Appears to potentially meet the criteria for Local Green Space designation.
88	Jubilee Close Melbourne	No map has been provided in respect of the location or extent of the nominated site.
89	Old Tennis Courts, Lothian Garden, Melbourne	The Courts were overgrown and not maintained but have been purchased privately and incorporated into an existing residential garden . In light of the above the site does not meet the criteria for a Local Green Space designation.
90	Smith Avenue, Melbourne	No map has been provided in respect of the location/extent of nominated sites.
91	Edward Street, Overseal	Allotments. Protected by policy INF9 of the adopted Local Plan
92	Daisy Lane, Overseal	The site is in the ownership of the District Council. There are orchard trees planted to commemorate the fallen soldiers of WW1 and WW2. The site is used in the annual wassail and on this basis there may be merit in considering the site for local green space designation. However the site is designated as a local wildlife site (SD378 Overseal Church Meadow) and is therefore protected by policy BNE3 of the Adopted Local Plan.
93	East of High Street and south of Askew Grove, Repton	This is a pair of fields bordering the brook. It also has mature trees on its edges and more extensive collection of trees on its southern edge. Appears to meet the criteria for Local Green Space Designation. Proposed for allocation as a Local Green Space in the Repton NDP.

94	North of Milton Road, Repton	Site comprises amenity grassland with scattered trees. It is surrounded by houses on all sides. It is in regular use as a path from Milton Road to Monsom Lane. Appears to meet the criteria for Local Green Space designation. Proposed for designation in the Repton NDP.
95	Land at the Crescent, Repton	Amenity grassland with scattered trees. Appears to meet the criteria for Local Green Space designation. Proposed for designation in the Repton NDP. Appears to meet the criteria for Local Green Space designation. Proposed for designation in the Repton NDP
96	Mitre Drive, Repton	Informal sports field. This is the location of The Den (scout hut) and the main children's play equipment. It is used by children on a very regular basis. There is considered a locational imperative to retain informal sports provision in this location. Appears to meet the criteria for Local Green Space designation. Proposed for designation in the Repton NDP
97	Broomhills Playing Field, Repton	Site is a playing field and is protected by policy INF9 of the adopted Local Plan.
98	Pinfold Lane, Repton	Amenity grassland which borders the Repton brook and has a combination of mature willows and scattered trees. It provides an open aspect in a location surrounded by houses and is regularly used for games by local children. Appears to meet the criteria for Local Green Space designation. Proposed for designation in the Repton NDP
99	South of London Road, Shardlow	This is a small maintained play area. Loss of play equipment could be partially protected from inappropriate development by policy INF9 of the adopted Local Plan. Loss of surrounding amenity space could be difficult to compensate for given its purpose to serve surrounding built development. Review through stage 2 assessment.
100	Glenn Way, Shardlow	The site consists of amenity grassland with small trees planted mainly around the edge of the site. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
101	The Wharf, Shardlow	The site consists of amenity grassland and mature and semi mature trees and bushes. It appears to meet the criteria for Local Green Space designation. progress to phase 2 assessment
102	Wilne Lane, Shardlow	Allotments. Protected by policy INF9 of the adopted Local Plan
103	Long Row, Allotment	Parish Council/community allotments. Protected by policy INF9 of the adopted Local Plan

104	Millfield, Shardlow	The site is a private garden and in the view of the Authority is not demonstrably special to the local community.
105	South of the Trent and Mersey Canal, Willington	The site consists amenity grassland and mature and semi mature trees adjacent to the Trent & Mersey Canal. It appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment. Supported by 2 representations during the 2017 consultation.
106	East of Etwall Road (B5008), Willington	Allotments. Protected by policy INF9 of the adopted Local Plan
107	North of Twyford Road, Willington	The site is used as a sports ground and extends 1.63ha. It is owned by the Parish Council and RWE Generation UK PLC. The site is the subject of a village green application and would be partially protected by Policy INF9 of the Adopted Local Plan given its use for sports. However use of the site extends beyond these uses and the site is also recorded as being used for fireworks displays as well as carnivals. Pass to stage 2 assessment.
108	Village Hall, South of Twyford Road, Willington	Area is planned for a rebuild of the village hall located on the site. The site is currently protected by Policy INF6 of the adopted Local Plan. Site already has planning permission for the erection of an extension, alterations (ref 9/2017/0753).
109	North of River Trent, Willington	Majority of the site comprises of private residential gardens and the site is in multiple land ownership.
110	Hall Lane Recreation Area, Willington	Site is recorded as informal open space. It is unclear to what extent policy INF9 could protect this site given its informal nature. Progress to phase 2 assessment.
111	Trent Avenue Playing Field, Willington	The site consists of amenity grassland with trees and hedgerows around the site periphery of the site. Appears to meet the criteria for Local Green Space designation. progress to phase 2 assessment
112	South of Twyford Road, Willington	Amenity space unlikely to be protected by INF9. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
113	Coach Road to Sealey Close Playing Fields, Willington	Site is a playing field and is protected by policy INF9 of the adopted Local Plan. The site is also at flood risk (much of it is in the functional floodplain) and therefore national and local policy provisions seeking to restrict development in such locations apply. The site is included in the SHLAA (S/137), and

		identified as not suitable for development due to flood risk. It is in the ownership of the District Council and Restrictive Covenants apply.
114	West of Hillside, Findern	The site includes amenity grassland and mature trees. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
115	The Green, Findern	Amenity space not likely to be protected by INF9. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
116	East of The Hayes, Findern	The site includes amenity grassland. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
117	East of Porters Lane Farm Findern.	This site is in private ownership and is used for grazing/keeping horses. It does not meet criteria for designation.
118	West of Repton Road/Main Street, Hartshorne	Site is a cricket pitch and is protected by policy INF9 of the adopted Local Plan.
119	Tower Road, Hartshorne	Allotments. Protected by policy INF9 of the adopted Local Plan
120	East of Main Street /Ticknall Road, Hartshorne	Site is an extensive tract of land extending 5.58ha. It is included in the SHLAA, although this can be discounted as the site has been refused planning consent for housing (ref/9/2014/1140) and dismissed at appeal (APP/F1040/W/15/3119206).
121	Land North of Kendricks Close, Hartshorne	Site is largely used for the keeping of horses and is in private ownership. Public access through the site via a public right of way although access does not extend beyond this. Site has been fenced into parcels which gives the site a domesticated feel. Site does not meet the criteria for designation.
122	Land Adjoining Mill Wheel Car Park, Hartshorne	To date the District have been unable to contact landowners. This land parcel consists of scrubland. Land slopes from north to south falling towards the water course which marks the southern boundary of the site. The site is tranquil and lacks the domestication of sites 121 and 123. However it is unclear whether the landowner is amenable to public access or whether wildlife value of the site could warrant potential designation.
123	North of Repton Brook, east of Brook Street, Hartshorne	The site is included in the Council's SHLAA (S/215) and is identified as potentially suitable. There is a prow crossing the site which is used for grazing horses but beyond this right of access the land is in private ownership and not accessible.
124	Land at Junction of Brook Street, Repton Road, Hartshorne	This is a small triangle of land within the adopted highway. Derbyshire County Council (the Highways Authority) have advised that future highways requirements would take priority over alternative proposals. However site is

		amenity area and appears to meet the criteria for Local Green Space designation.
125	Land at Junction of Manchester Lane and Heath Lane, Hartshorne	This is a small triangle of land within the adopted highway. Derbyshire County Council (the Highways Authority) have advised that future highways requirements would take priority over alternative proposals. However site is an amenity area and appears to meet the criteria for Local Green Space designation.
126	Main Street/Church Street, Netherseal	This site is private property forming the grounds of a residential care home. Designation of the site as a local green space is not considered appropriate.
127	North of Yew Tree Road, Rosliston	Site is an informal open space used by the local preschool as well as the wider community. On this basis there is considered to be a locational imperative to maintain facilities in this location. Facilities on the site have been granted funded and site represents a local community focal point.
128	The Rec, Off Main Street, Rosliston.	This is a recreation area which includes a tennis court, play equipment and goal posts. This site is protected by policy INF9 of the adopted Local Plan.
129	Land East of Strawberry Lane, Rosliston	The site includes a playing field and goal posts and sports pavilion and is used by Pheonix Rangers Juniors FC. The site is protected by policy INF9 of the adopted Local Plan and is an asset of community valued (registered November 2016). The site is included in the SHLAA. On the basis of the above the site is not considered to meet the criteria for local green space designation.
130	North of Rose Lane, Ticknall	Local Green Space immediately adjacent to and supporting the use of the village hall, including use of the Hall as a wedding venue. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
131	North of Main Street, Ticknall	The site area has been reduced from that previously consulted upon and the remaining site area is in public ownership. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
132	North of A514, opposite Calke Abbey entrance, Ticknall	Amenity grassland with trees and benches. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
133	Area opposite the Vineyard, Main Street, (A514), Ticknall	The site is a designated wildlife site (SD392) Calke Abbey Parkland and protected through Policy BNE3 of the Adopted Local Plan.
134	Blank entry in database	
135	Ingleby Lane – east, Ticknall	Amenity grassland close to centre of the village. In private ownership but is publically accessible and includes a number of benches and also bins. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
136	Ingelby Lane – west, Ticknall	Amenity grassland close to centre of the village. In private ownership but is

		publically accessible. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
137	The Green, Ashby Road, Ticknall	Private land which is not publically accessible with limited views into the site from surrounding public spaces. The site has been subject to a recent planning application for a single dwelling which was refused.
138	Ashby Road Grass Triangle, Ticknall.	This is a small triangle of land within the adopted highway. It is clearly maintained by the local community and includes a bench and amenity planting. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment
139	The Vineyard, Main Street, Ticknall	Site is in mainly in private ownership and not publically accessible.
140	Main Street, entrance and verges to Calke Park, Ticknall	Amenity grassland with mature trees. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
141	Blank entry in database	
142	Slade House, Rose Lane, Ticknall	Site in private ownership and not publically accessible
143	King's Mills Lane, Weston On Trent	Site in private ownership and is not accessible to the public.
144	King's Mills Lane, adjoining school, Weston On Trent	Maintained informal amenity grassland adjacent to school. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
145	Sports Field of Twyford Road, Barrow on Trent	Site is a sports field and is protected by policy INF9 of the adopted Local Plan. The site is also at flood risk (It is in the functional floodplain) and therefore national and local policy provisions seeking to restrict development in such locations apply.
146	Chapel Lane, Barrow on Trent	Allotments. Protected by policy INF9 of the adopted Local Plan
147	South of Littlefield Road, Church Broughton	This site is in private ownership and is used as private residential garden.
148	Blacksmith's Lane, Egginton	Allotments. Protected by policy INF9 of the adopted Local Plan
149	Catherine Jonathon Playing Field, Egginton	Site is a sports field and is protected by policy INF9 of the adopted Local Plan. On this basis site would ordinarily be screened out of inclusion into the stage 2 assessment. However community representations indicate the field is used by the nearby Primary school and on this basis any requirement to deliver a replacement site elsewhere in the village could limit access for the school (in short there is a locational imperative to potentially protect site in current location – this is not reflected in INF9 policy). Moreover it is understood that other non-sports based uses are undertaken on this site.
150	Land Off Elmhurst, Egginton	Appears to meet the criteria for Local Green Space designation. progress to phase 2 assessment. 28 representations have been received supporting site

		designation in the 2017 consultation. These indicate that the site is locally important in respect of wildlife, heritage, and public access and recreation.
151	Land south of Stoke-Derby Railway Line, Egginton	Site is subject to development proposals through the NSIP process. It would therefore be inappropriate to seek LGS designation at this point
152	Village Green, Lees	Amenity grassland with mature trees and benches. Appears to meet the criteria for Local Green Space designation. Progress to phase 2 assessment.
153	Allotments, unnamed road between Long Lane and Dalbury Hollow	Allotments. Protected by policy INF9 of the adopted Local Plan
154	Blank entry in database	
155	Verge adjacent to Orchard, Milton	A wider site is listed in the Local Green Space policy in the Repton NDP (not currently made). The site proposed by South Derbyshire is reduced in size as that previously consulted upon included land in private ownership and used as garden. It is not publically accessible and boundary treatments prevent access. The smaller area now being considered is publically accessible and publically owned.
156	Mill Lane, Scropton	Allotments. Protected by policy INF9 of the adopted Local Plan
157	Piddocks Road, Stanton	Allotments. Protected by policy INF9 of the adopted Local Plan
158	South of Oak Road, Thulston	Allotments. Protected by policy INF9 of the adopted Local Plan
159	Walton Playing Field, Walton on Trent	Site is a sports field and is protected by policy INF9 of the adopted Local Plan. Information provided by the Council's Open Space team has confirmed that the field is used by the adjacent school and on this basis there is considered a locational imperative to retain provision in this location.
160	Blank entry in database	
161	98 Derby Road, Aston on Trent	Allotments. Protected by policy INF9 of the adopted Local Plan
162	Land opposite the arboretum on Pinfold Lane, Repton	This area has been allocated by SDDC and Repton Parish Council as an extension to the arboretum, as demand has exceeded the capacity of the existing area. The site is comprised of amenity grassland with recent tree planting. Site appears to meet criteria for LGS designation. It is a Proposed LGS in the Repton NDP.
163	Arboretum on Pinfold Lane, Repton	This small space has been planted with a variety of native trees, typically by families in memory of loved ones. Site appears to meet criteria for LGS designation. It is a Proposed LGS in the Repton NDP.
164	Village Green, Mount Pleasant Road,	This site is comprised of a small area has grass, trees and spring bulbs. It links the adjacent countryside with the village environment. Site appears to meet criteria for LGS designation. It is a Proposed LGS in the Repton NDP.

165	The Sandlands near Woodville	No map has been provided in respect of the location or extent of the nominated site. In the absence of this, and having regard to the fact that a significant area of land in the vicinity of Sandlands (circa 4.75ha) is included in the Councils SHLAA and subject to a blanket tree preservation order (TPO446) designation is not appropriate.
166	Woodland west of Leawood Road	No map has been provided in respect of the location or extent of the nominated site. In the absence of this, and having regard to the fact that a significant area of land in the vicinity of Sandlands is included in the Councils SHLAA and subject to a blanket tree preservation order (TPO446) designation is not appropriate.
167	Land between Goseley Estate and Woodville	No map has been provided in respect of the location or extent of the site. In the absence of this, and having regard to the fact that a significant area of land between Goseley Estate and Woodville is included in the SHLAA designation, is subject to a blanket tree preservation order or comprises a Local Wildlife Site (Woodville disused railway) designation is not appropriate.
168	Linton Orchard, Linton	Community Orchard. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
169	Diana Garden, Swadlincote	Amenity space and planting. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
170	Mease Meadow, Hilton	Wildlife area and amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
171	Amenity area to the south of Cycle route, Washford Road Hilton	Amenity space and planting. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
172	Amenity area to the south of Cycle route, at Avon Way Hilton	Amenity space and planting. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
173	Amenity area to the north of Cycle route at the Mease, Hilton	Amenity space and planting. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
174	Land between A5132 and New Road, Hilton	Important tree belt which softens a notable route into and out of the village which contributes to the character of the village. Publically accessible. Appears to meet the criteria for local green space designation.
175	Bren Way, Hilton	Amenity grassland with shrubs. Appears to meet the criteria for local green

		space designation. Progress to phase 2 assessment.
176	Land north of Egginton Road, Hilton	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
177	Off Pegasus Way, Hilton	Amenity grassland with mature trees. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
178	Woodland, South of the Mease, Hilton	This is an area of mature woodland between the Mease and a playing field. It includes footpaths and provides a significant area of woodland that adds to the rural feel of this part of the village.
179	Kings Newton Bowls Club, , Kings Newton	This is a bowling green with amenity land surrounding used for bowling and other community events. The green itself is partially protected by policy INF 9 of the adopted local plan. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
180	Corner of Bren Way/Enfield Close, Hilton	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
181	Land adjacent to Hilton Brook, The Mease, Hilton	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
182	Enfield Close, Hilton	Amenity grassland with public footpath on the site. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
183	Berwick Drive, Stenson Fields	The site consists of grassland, as well as mature trees and scrub located mainly to the north west of the site. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
184	South of Burnside Close, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
185	West of Chartley Road, Stenson Fields	Part of an allocated housing site that is still under construction and will be partly used for a community building. Area will be protected by adopted policy INF9.
186	Harebell Lane, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
187	West of Earls Drive, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
188	East of Earls Drive, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space

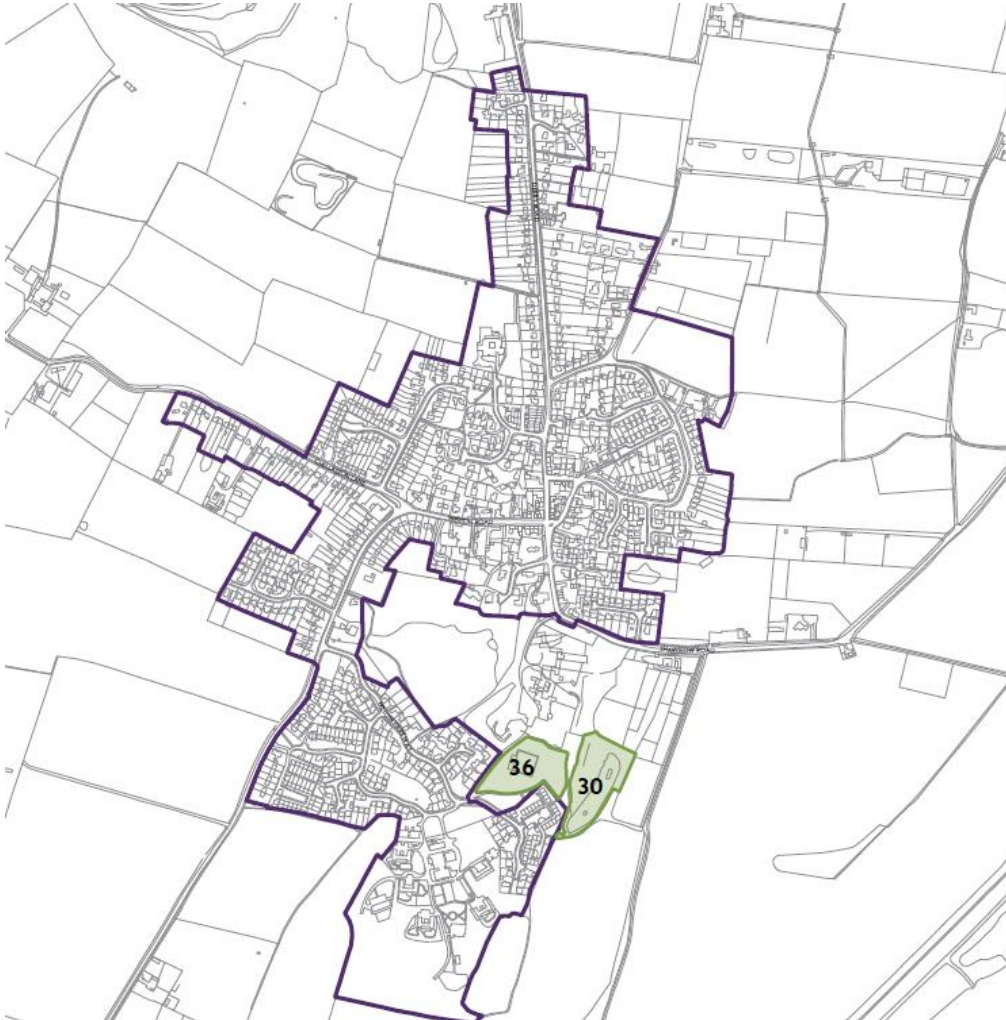
		designation. Progress to phase 2 assessment.
189	Outran Way/Jessop Drive, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
190	Wilton Close, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
191	Bicester Avenue, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
192	Pilgrims Way/Zetland Crescent, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
193	Beaufort Road, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
194	Wragley Way, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
195	Hambledon Drive, Stenson Fields	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
196	Bancroft Close, Hilton	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
197	Willowfields, Hilton	Amenity grassland. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
198	Foss Road, Hilton	Amenity grassland and childrens play area. Appears to meet the criteria for local green space designation. Progress to phase 2 assessment.
199	Witton Court, Stenson Fields	Site allocated for housing in Local Plan Part 2 (policy H23N) and therefore not suitable for progression to phase 2 assessments.
200	Mease Pavillion, Hilton	Playing Fields. Protected by policy INF9 of the adopted Local Plan
201	Back Lane Recreational Area, Hilton	Playing Fields. Protected by policy INF9 of the adopted Local Plan

### **Stage 2 Assessment of sites**

- 7.14 Having passed a total of 104 sites to phase 2 of the assessment the Council has sought to undertake an appraisal of individual sites against the SA Framework. (See section 8 and Appendix 4 of this report). The purpose of this stage of work is to identify the likely environmental, social and economic effects of designating specific local green spaces. The following section of work provides a summary of the sites appraised by settlement and seeks to outline the reasons for taking forward specific designations, or exceptionally discounting sites where these have been identified as not being demonstrably special to the local community.
- 7.15 The remaining part of this chapter comprises of a map to indicate the location and extent of proposed local green spaces by settlement, a summary of the completed appraisal for individual sites located within that settlement, together with a brief narrative explaining the conclusions reached and a table which explains which sites have been taken forward and why and list those sites discounted and the reasons for this. Settlements are listed in alphabetical order.

## SECTION 8: SUMMARY OF PLAN EFFECTS (BY SETTLEMENT) AND EXPLANATION OF WHY SITES ARE DEMONSTRABLY SPECIAL TO THE LOCAL COMMUNITY

### 8.1 MAP 1 ASTON ON TRENT



8.1.1 As shown in the above map, two sites have been considered through the stage two assessment in Aston on Trent as follows:

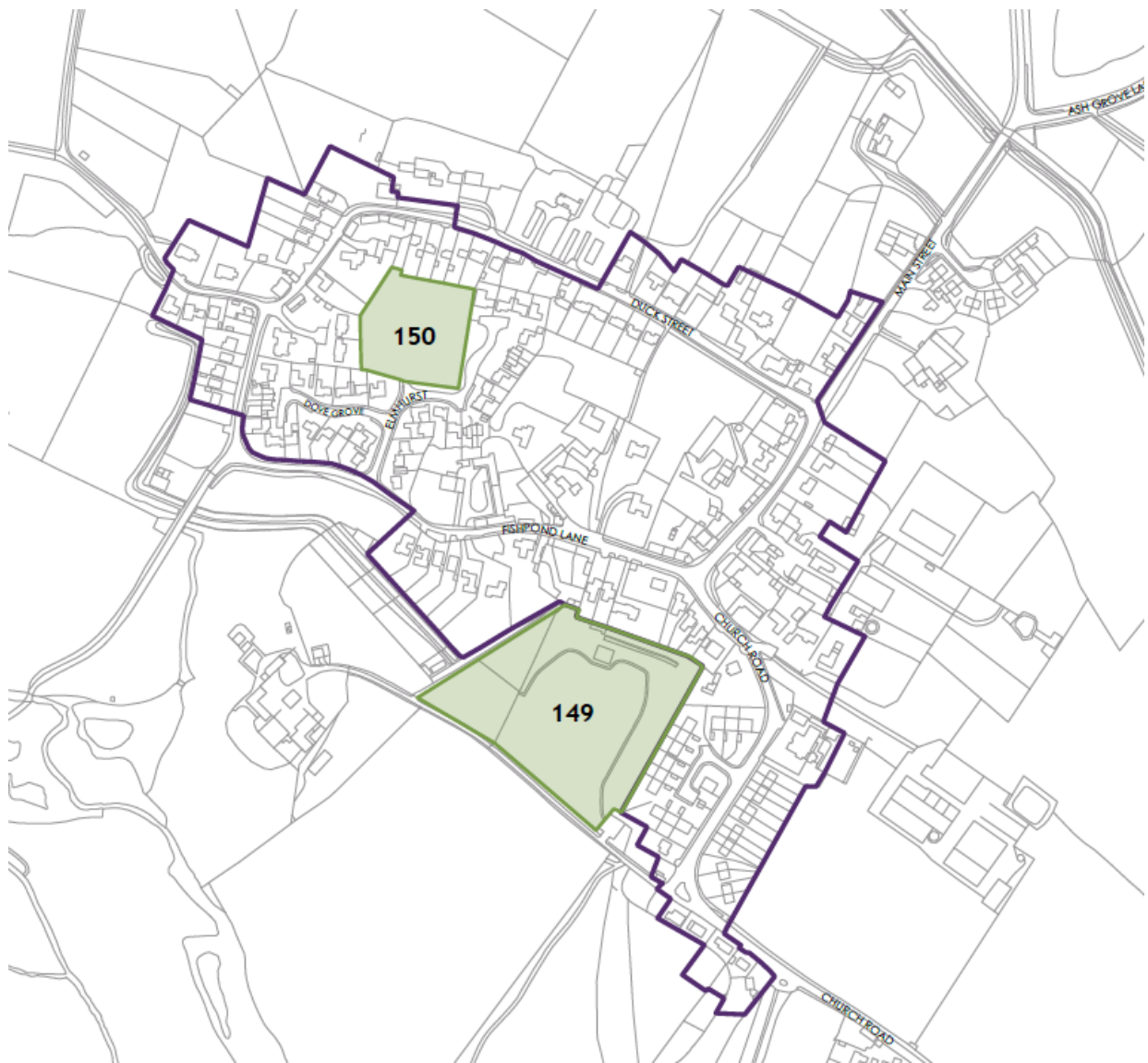
	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 30 Ponds to the rear of Aston Hall, Aston on Trent	✓	--	✓	--	✓	--	--	--	✓✓	✓	--	--	✓✓	✓✓
Site Ref 36: The Bowling Green, Aston on Trent	✓	--	✓	--	✓✓	✓	--	--	✓✓	✓	--	--	✓✓	✓✓

- 8.1.2 Both sites are likely to have a range of beneficial effects. In particular it is considered that sites would perform strongly in respect of SA objectives to help conserve the historic environment and the wider built environment of the village. This is because both sites contribute to the setting of Aston on Trent Conservation Area and the grade 2\* listed Aston Hall. Sites would also have beneficial effects in respect of SA objectives related to biodiversity and geodiversity, health and well-being, the protection of greenfield land, and protecting local landscape/townscape character.
- 8.1.3 Site designation in respect of these two sites is unlikely to have any adverse or uncertain effects. Both sites offer opportunity to deliver biodiversity improvements through enhanced site management and habitat creation. Both sites could also be enhanced in respect of public access and a new Policy to support appropriate improvements to biodiversity and access has been included in the Plan.

**Table 8.1: reasons for designating or discounting sites**

Site Reference	Site Name	Proposed	Reason
30	Ponds to the rear of Aston Hall	Yes	The site contributes to the rural setting of Aston Hall Hospital and the Conservation Area and forms a wild area widely used by dog walkers and other residents as it provides a tranquil space close to the heart of the village. The site provides access to wildlife, although it is acknowledged that paths around the large central pond are in poor condition and in part it is difficult for mobility impaired people to access the site. Nonetheless the site is considered worthy of designation given its importance to the setting of adjacent Conservation Area and listed hall and its biodiversity value.
36	The Bowling Green	Yes	The site is maintained by the users of the bowling green on an informal basis, whilst surrounding green spaces are maintained by the Parish Councils. The site contributes to the rural qualities of this part of Aston on Trent and in particular contributes to the rural and open setting of Aston on Trent Conservation Area and Aston Hall located to the immediate north of the site. Designation could also help preserve the rural feel of this part of the village which has seen significant recent urban development on the former of the Aston Hall Hospital site. The site is publically accessible.

## 8.2 MAP 2: EGGINTON



8.2.1 As shown in the above map, two sites have been considered through the stage two assessment in Egginton as follows:

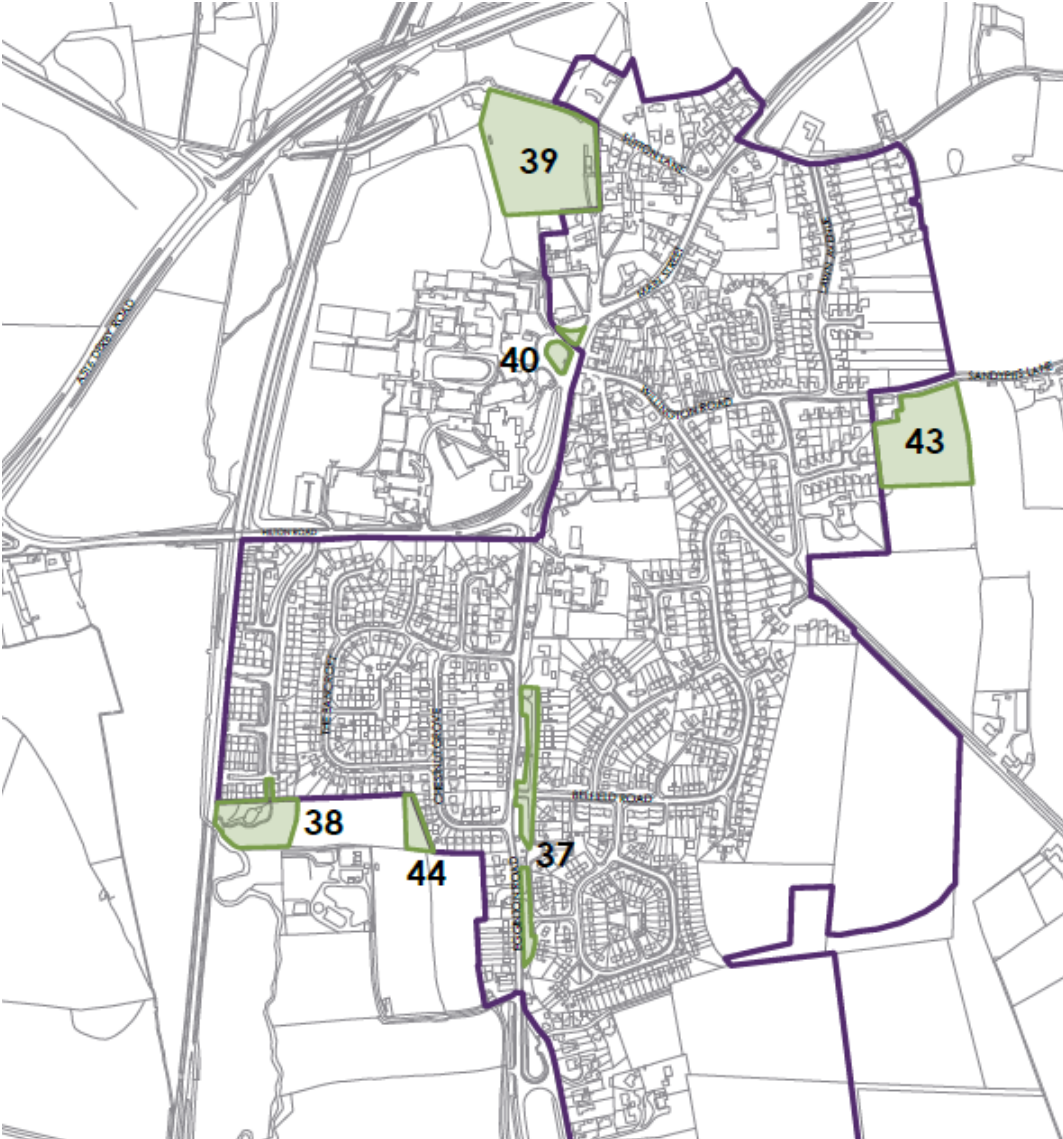
	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 149: Catherine Jonathan Playing Field, Egginton	✓	--	✓	✓✓	✓✓	✓✓	✓	--	✓	✓	?	✓✓	✓	✓
Site Ref 150: Off Elmhurst, Egginton	✓	--	✓	--	✓✓	✓✓	--	--	✓	✓	--	?	✓	✓

- 8.2.2 Both sites are likely to have a range of beneficial effects. The Catherine Jonathon playing field performs strongly in respect of objectives related to education, accessibility, infrastructure and climate change. Designation would also perform well in respect of objectives related to biodiversity, health and wellbeing, economic growth, the built environment, protecting greenfield land and heritage protection and landscape character.
- 8.2.3 The site at Elmhurst would have major beneficial effects in respect of objected related to accessibility and infrastructure. Other beneficial effects are identified in respect of biodiversity, health and wellbeing, the built environment, protecting greenfield land and heritage protection and landscape character. Uncertain effects are identified in respect of climate change and flood risk given that this site is located in an area identified at risk from surface water flooding.
- 8.2.4 Both sites offer opportunity to deliver biodiversity improvements through enhanced site management and habitat creation. In particular the site at Elmhurst could be enhanced in respect of public access (currently the site appears to be not publically accessible though is in public ownership). A new policy to support appropriate improvements to biodiversity and access has been included in the Plan.

**Table 8.2: reasons for designating or discounting sites - Egginton**

Site Reference	Site Name	Proposed	Reason
149	Catherine Jonathan Playing Field	Yes	In particular the use of this site by the school for sportsday and other uses weighs particularly in its favour, as whilst an argument could be made that policy in the Local Plan could protect a sports field (or at least secure alternative provision) provision elsewhere may not offer the same opportunity for use should it be located further away or in a more inaccessible location from the primary school. The site is considered to be of particular value in respect of biodiversity, heritage and scores well in respect of SA objectives related to education, social inclusion, infrastructure and climate change (flood risk).
150	Off Elmhurst	Yes	This case for designation rests on the contribution this site makes to the local character of the village and the opportunities the site offers for informal recreation. The site is considered to be of particular value in respect of biodiversity and heritage and scores well in respect of SA objectives related to social inclusion and infrastructure.

## 8.3



### 8.3.1

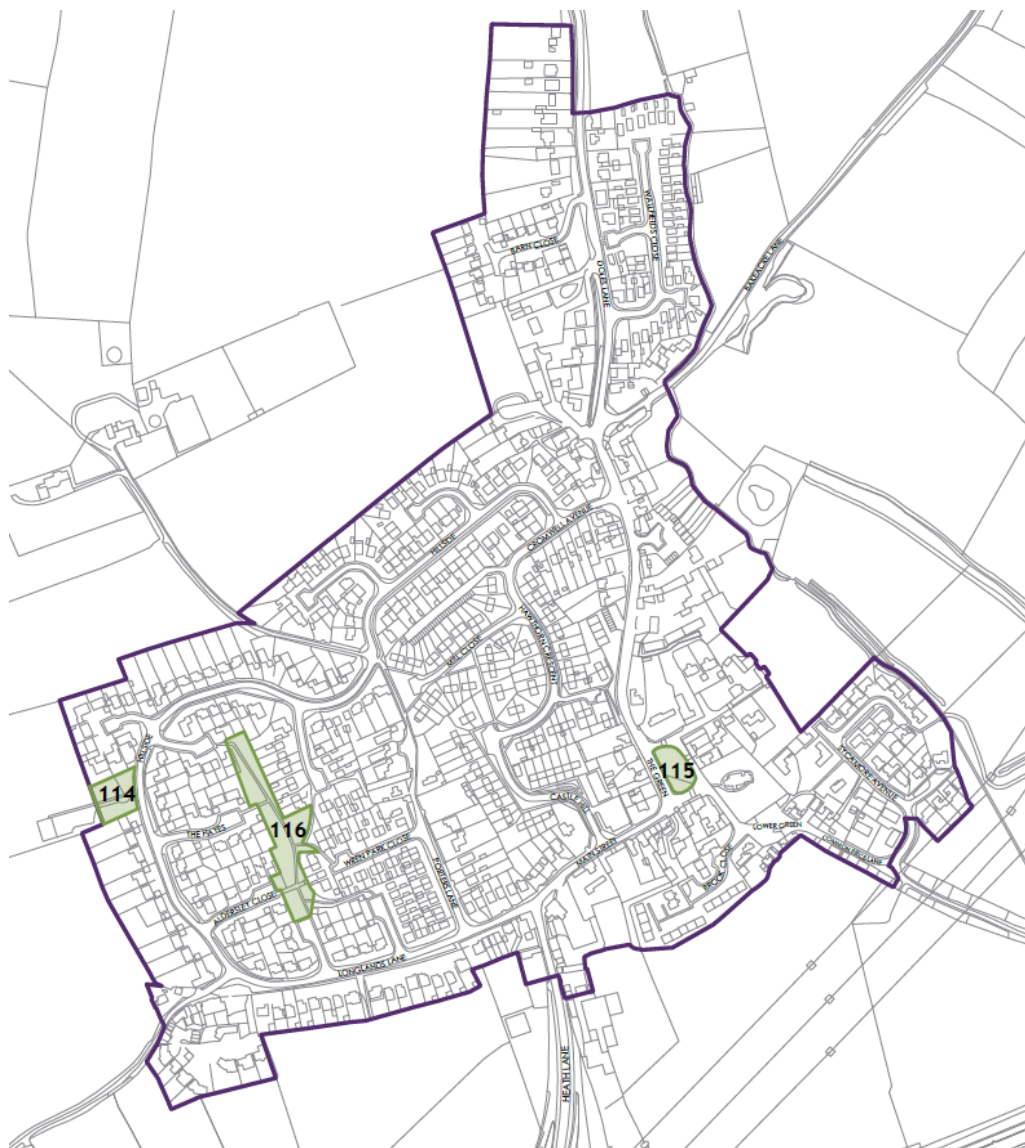
	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 37: Egginton Road, Etwall	✓	--	✓	--	--	--	--	--	✓	✓	--	--	--	✓
Site Ref 38: Appletree Meadow, Etwall	✓	--	✓	--	✓✓	✓	--	--	--	✓	--	?	--	✓
Site Ref 39: South of Sutton Lane Etwall	✓	?	✓	✓✓	✓	✓✓	✓	--	✓✓	✓	?	--	✓✓	✓✓
Site Ref 40: West of Main Street Etwall	✓	--	--	--	✓	--	✓	✓	✓✓	✓	--	--	✓✓	✓✓
Site Ref 43: Sandy Pits Lane Playing Field, Etwall	✓	--	✓	✓✓	✓	✓✓	✓	--	✓	✓	--	--	✓	✓
Site Ref 44: Chestnut Grove Play Area, Etwall	✓	--	--	--	✓✓	✓	--	--	--	✓	--	--	--	✓

- 8.3.2 Site would have generally beneficial effects against most objectives. In particular sites would have the most notable effects in respect of objectives relating to the built environment, heritage assets and landscape/townscape protection. Uncertain effects are identified in respect of pollution on the Sutton Lane site (this site is used extensively for local sports and other community use) and any further intensification of use could have possible amenity implications. Similarly there is uncertainty documented in respect of climate change at Appletree Meadow owing to a known history of surface water flooding in this location. It is unclear whether designation of this site could potentially contribute towards addressing flood risk here.
- 8.3.3 All of the sites considered have potential to contribute towards biodiversity gain, either through habitat creation or improved site management. A new policy to support biodiversity enhancements on site is included in the Plan to support biodiversity gain. In addition a number of sites in Etwall (Sandy Pits Lane and Sutton Lane) could benefit from improvements to access –mainly related to off site access arrangements) and a general policy to support the delivery of access improvements is also proposed. A further policy is also included in the Plan to support increased social cohesion and community activity. In particular this policy could support improvements to facilities located at Sandy Pits Lane, South of Sutton Lane and Chestnut Grove.

**Table 8.3: reasons for designating or discounting sites - Etwall**

Site Reference	Site Name	Proposed	Reason
37	Egginton Road	Yes	The site forms a green finger along Egginton Road and helps provide a rural feel to this busy part of the village. On balance it is considered that there is sufficient justification to designate this site in light of support from the parish council and other local people.
38	Appletree Meadow	Yes	This site contributes to local landscape/townscape character and is well related to, and contributes to informal leisure provision and connectivity to the National Cycle Route to the west.
39	South of Sutton Lane Etwall	Yes	Ordinarily sports pitches would be screened out for inclusion as a local green space as they receive some protection from Policy INF9 of the LP1. However there is sufficient evidence of the wider use of this site including for bonfire night, the summer music festival and well dressing. It is also understood this site hosts an annual 'badge night' for local cubs, scouts, brownies and guides. Based on the stage 2 review it is also clear that this site contributes significantly towards local townscape character and forms part of the setting of the conservation area and to a lesser extent listed buildings surrounding the site. On this basis there is considered to be a locational imperative to ensure that the site itself is protected given its importance to the wider aesthetic and historical value of the space.
40	West of Main Street Etwall	Yes	There is considered to be a good case for site designation, which is largely based on the value of this site in respect of heritage and townscape character. It is noted however that during consultation there was a suggestion that the site be enlarged to include a triangle of land in front of the church. Having undertaken this review there is considered some merit in this suggestion and this small area also be included. Designation of the original area has been supported by the Parish Council, as well as the Council's own community partnership officer. It is recognised that this site is used for the village well dressing festival amongst other uses and is a central part of the village both spatially and socially.
43	Sandy Pits Lane Playing Field, Etwall	Yes	This playing field is located adjacent to the air cadets and scout hut in the village and provides valuable open space to these groups. On this basis its loss (and replacement elsewhere as required through Policy INF9 of LP1) could restrict opportunities for the scouts or air cadets so there is a clear locational imperative for retaining open space in this area. The site is also important in framing the rural character of this part of the village and forms part of the setting of the Etwall Lodge and designation would help protect the rural and tranquil feel of this area.
44	Chestnut Grove Play Area, Etwall	Yes	This site is a small triangular piece of land and largely consists of grassland surrounded by hedgerow and a number of trees on the southern boundary. It is accessed from Chestnut Grove. The site is largely used for informal recreation and contributes to the character of the village.

## 8.4 MAP 4 FINDERN



8.4.1 As shown in the above map, three sites have been considered through the stage two assessment in Findern as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 114: West of Hillside Findern	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 115. The Green, Findern	✓	--	--	--	✓✓	--	✓	✓	✓	--	--	--	✓✓	✓
Site Ref 116: East of the Hayes, Findern	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--		✓

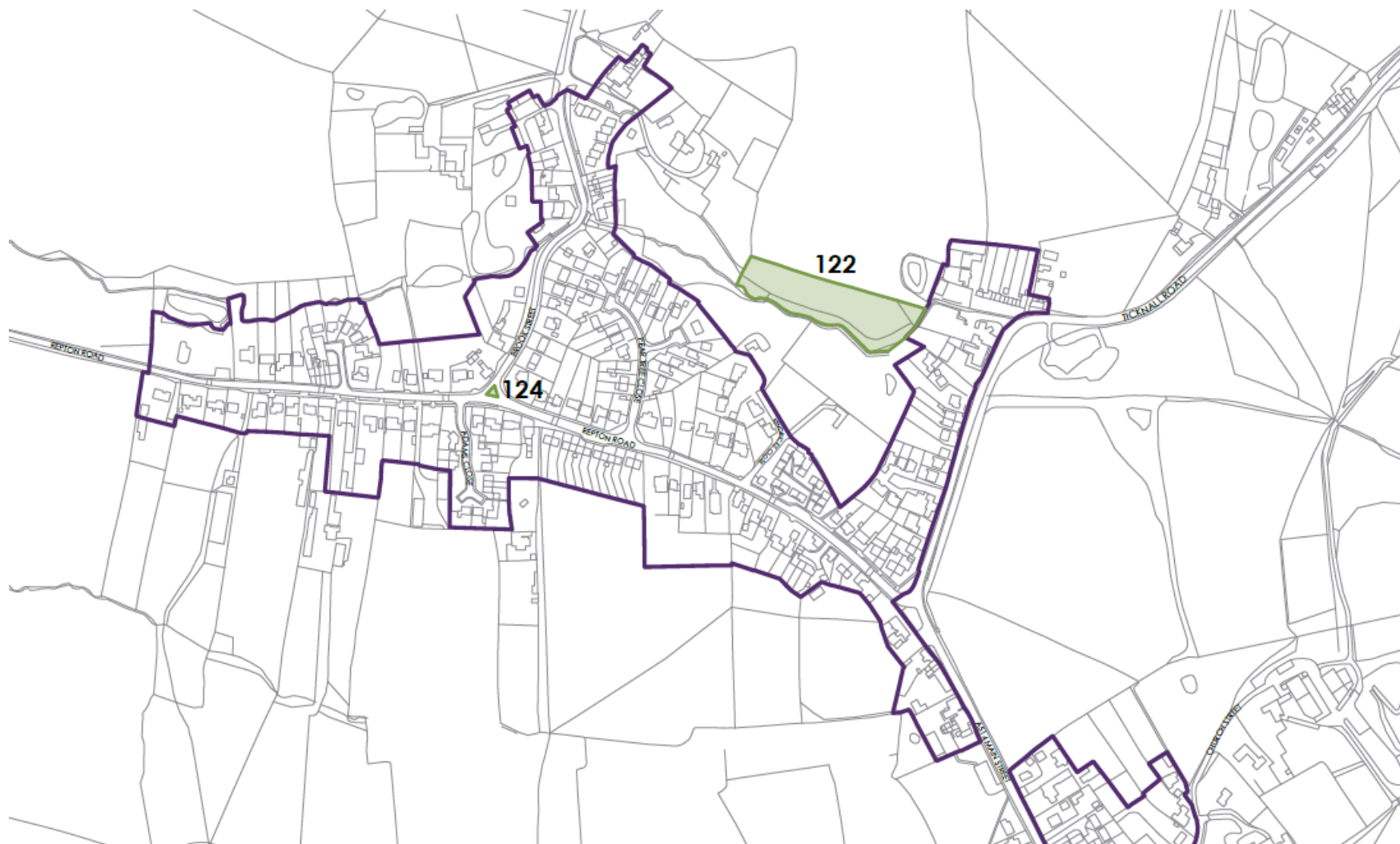
8.4.2 Site designation would have generally beneficial effects in respect biodiversity, the built environment, protecting greenfield land and landscape character. All sites are accessible to the local community and the site at the Green, Findern is likely to make a significant and positive contribution to conserving the setting of heritage assets in the village.

8.4.3 Site designation in respect of the three sites is unlikely to have any adverse or uncertain effects. All sites could offer opportunity to deliver biodiversity improvements through enhanced site management and habitat creation. Opportunities to improve accessibility are limited given the nature of sites in Findern and existing public access arrangements. Finally, it is noted that the site at the Green is important to the historic setting of the village. The inclusion of Policy LGS1 to protect the openness and essential quality of the space should help ensure that this site is protected from inappropriate development.

**Table 8.4: reasons for designating or discounting sites - Findern**

Site Reference	Site Name	Proposed	Reason
114	West of Hillside	Yes	This site contributes to the rural character of the village providing a accessible gateway to the local recreation ground.
115	The Green	Yes	This site is an archetypal village green. It is located to the immediate east of the Church of All Saints and together with the Church Yard provides this part of the village with a strong rural character. Designation will help preserve the setting of a number of immediately surrounding listed buildings and could support improvements to the space including in respect of biodiversity, or interpretation. The proposed designation of this site is supported by the Parish Council and the Council's Community Partnership Officer.
116	East of The Hayes	Yes	This site contributes to the rural character of the village providing a significant finger of land running north/south in a relatively modern and densely developed part of the village.

## 8.5 MAP 5: HARTSHORNE



8.5.1 As shown in the above Map, three sites have been considered through the stage two assessment in Hartshorne as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 122: Land Adjoining Mill Wheel Car Park	✓	--	--	--	✓	--	--	--	--	✓	--	--	--	✓
Site Ref 124: Land at the Junction of Brook Street and Repton Road	✓	--	--	--	✓✓	--	--	--	✓	--	--	--	--	✓
Site Ref 125: Land at the Junction of Manchester Lane and Heath Lane	✓	--	--	--	--	--	--	--	✓	--	--	--	--	✓

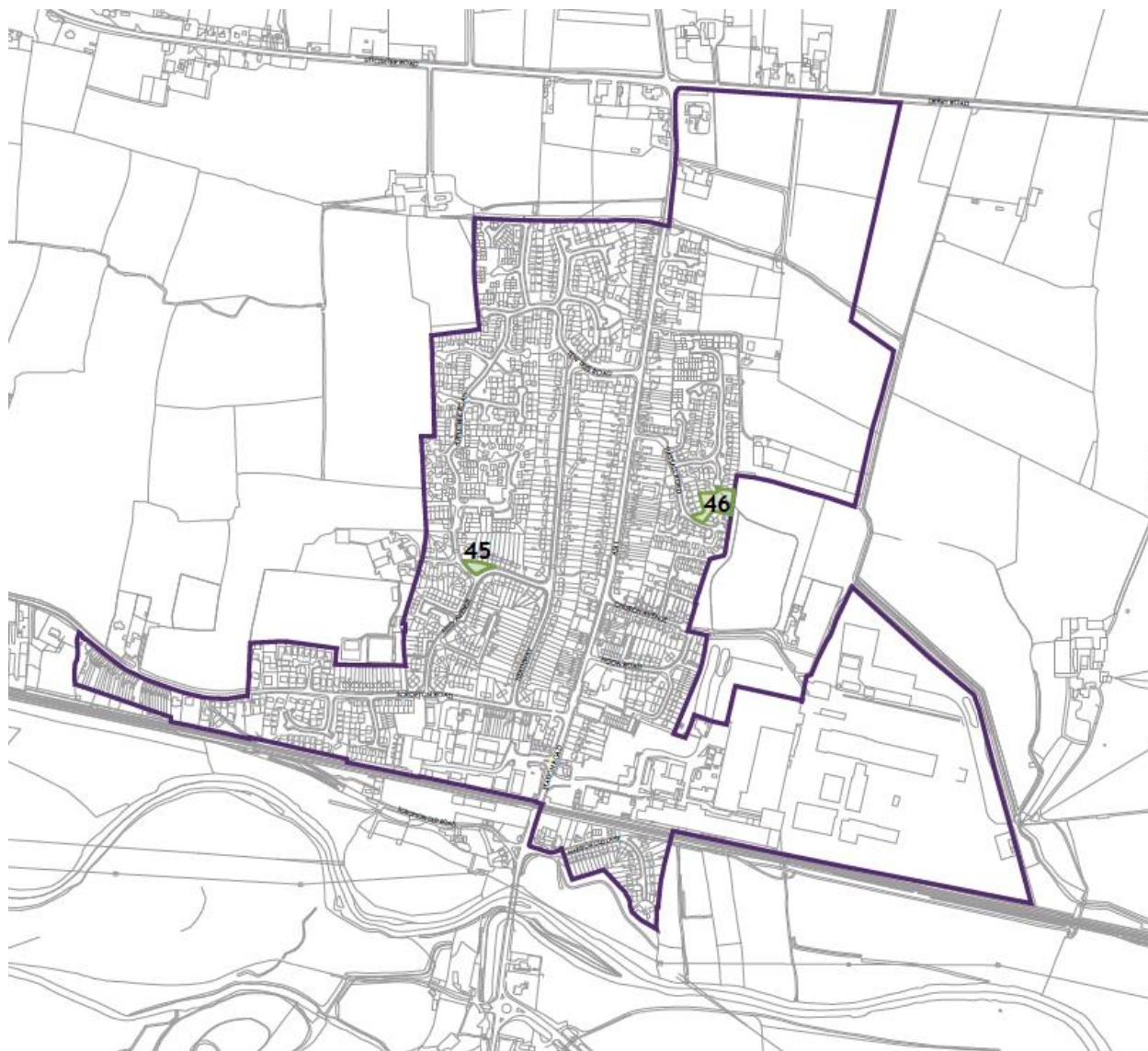
- 8.5.2 Site would have generally beneficial effects against biodiversity and landscape objectives. Sites at the Mill Wheel and Brook Street will have a beneficial effect in respect of accessibility. Uncertain effects are identified in respect of high quality places. This is because these sites are located within the highway and it is unclear whether designation could increase usage of small sites at busy junctions in the village.
- 8.5.3 Site 122 provides the greatest potential to deliver biodiversity gain either through new habitat creation and/or improved site management. Similarly this site offers significant opportunities to improve public access through improvements to the existing public right of way on the site. Opportunities to improve access and biodiversity gain are more limited on the small sites located in the highway although there may be some potential to improve biodiversity on these sites including through new planting.

**Table 8.5: reasons for designating or discounting sites - Hartshorne**

Site Reference	Site Name	Proposed	Reason
Site Ref 122	Land Adjoining Mill Wheel Car Park	Yes	The site is in private ownership but appears to be publically accessible. The sites value is potentially derived from its biodiversity value and the Wildlife Trust have confirmed that they consider this site to be of biodiversity value and worthy of designation.
124	Land at the Jct of Brook Street and Repton Road	Yes	The site is ownership of the County Council who are opposed to designation on the grounds that there may be a need for the site to be used for capacity or safety improvements to the Highway. This Authority considers that designating such sites, where these are of local importance or value would still be compatible with local green space designation. This is a very small, triangular piece of land. Its key contribution to the village is in respect of its value to local character. The site is maintained by the local community who have created a small civic area which includes a bench, ornamental planting and street light. Clearly this is a very small space, but its value, whilst limited is considered to be of importance to the character of this part of the village.

<b>125</b>	<b>Land at the Junction of Manchester Lane and Heath Lane</b>	<b>No</b>	The site is ownership of the County Council who are opposed to designation on the grounds that there may be a need for the site to be used for capacity or safety improvements to the Highway. It is considered that designating such sites, where these are of local importance or value would still be compatible with local green space designation. However having reviewed the site through the stage 2 process it is clear that this site is of limited value. It is not cared for in the same way as a similar triangular parcel of land located at Brook Street, Hartshorne. It is not planted, and does not include a seating area or other paraphernalia which would mark this out as a site which is demonstrably special to the local community or holds particular local significance. On this basis whilst this site meets the criteria of stage 1 of the selection process the Council does not consider it suitable for designation.
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## 8.6 MAP 6: HATTON



8.6.1 As shown in the above map, two sites have been considered through the stage two assessment in Hartshorne as follows:

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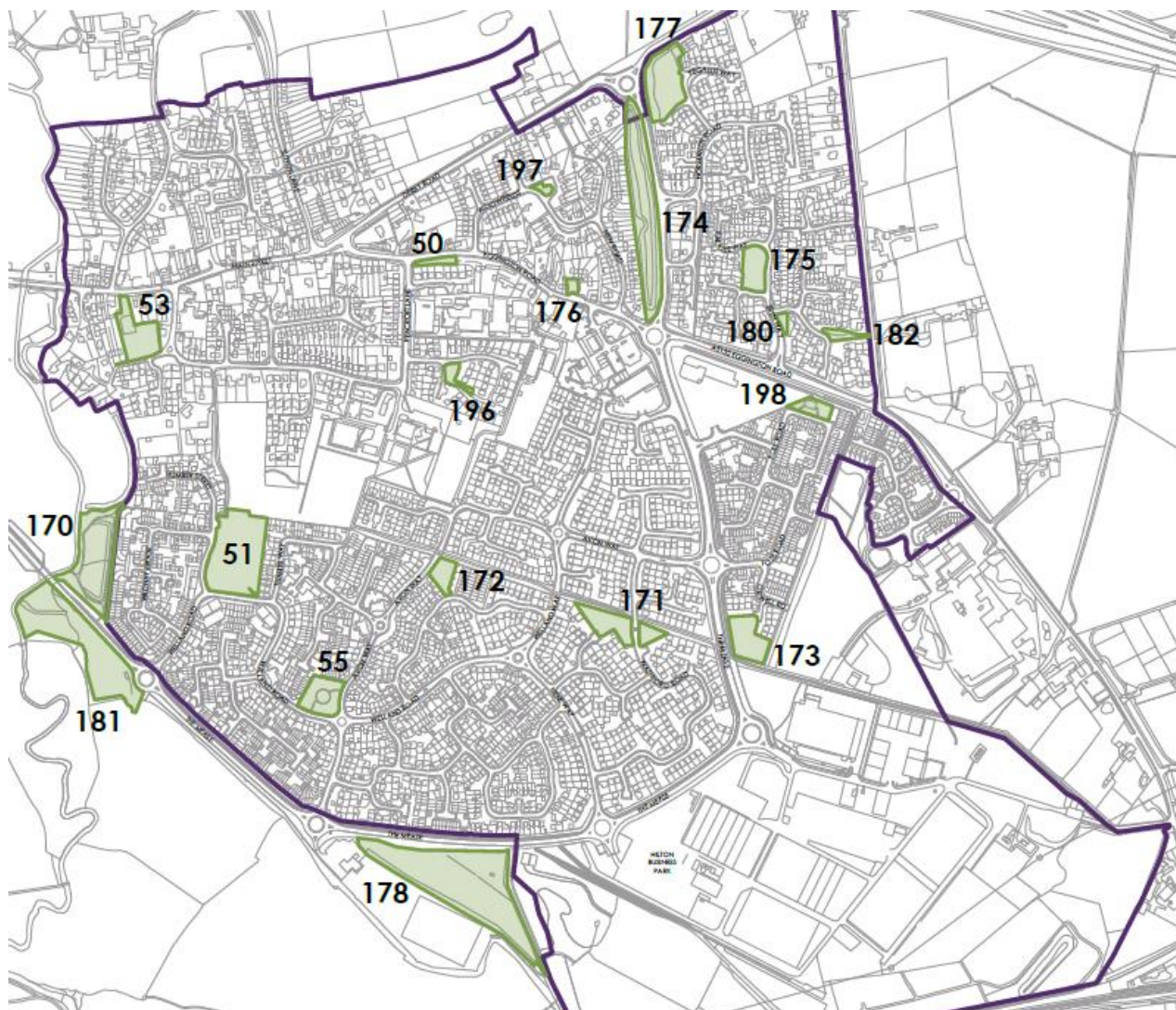
	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 45:Field Avenue, Hatton	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 46:Hassall Road, Hatton	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--	--	✓

- 8.6.2 Site would have generally beneficial effects against a range of objectives. In particular sites would have the most notable effects in respect of objectives relating to biodiversity though protecting existing amenity grassland and trees, accessibility, the built environment, natural resources and landscape and townscape character.
- 8.6.3 Both sites offer opportunity to deliver biodiversity improvements through enhanced site management and habitat creation. Opportunities to improve accessibility are limited given the nature of sites in Hatton and existing public access arrangements. A new policy to support appropriate improvements to biodiversity and access has been included in the Plan.

**Table 8.6: reasons for designating or discounting sites - Hatton**

Site Reference	Site Name	Proposed	Reason
Site Ref 45:	Field Avenue, Hatton	Yes	The District Council, as landowner is amenable to designation and the site offers some potential for biodiversity enhancement through improved site management. Furthermore small pockets of informal open space such as this, which are otherwise unprotected from development are considered of importance to the local area given the significant growth proposed to 2028.
Site Ref 46:	Hassall Road, Hatton	Yes	This site does not receive the same level of protection that the QE2 field receives through the Local Plan or as a result of its Fields in Trust status, however it provides a green space which penetrates into surrounding housing and provides public access from Hassall Road and Eaton Close. Recent planning consents for a further 400 homes to the north of the QE2 field will see the further erosion of the rural character of this area and designation of this area could safeguard a small plot of greenspace which is overlooked and provides opportunity for informal play. Site designation is supported by the Council's community support officer.

## 8.7 MAP 7: HILTON



8.7.1 As shown in the above map, 19 sites have been considered through the stage two assessment in Hilton as follows. In identifying these sites the Council has sought to work collaboratively with Hilton Parish Council who are currently preparing their own Neighbourhood Development Plan (NDP) which is likely to be prepared and made at around the same time the Local Green Spaces Plan is adopted. To this end the District Council has sought to ensure that the sites included in the LGSP and Hilton NDP are consistent.

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 50: South of Egginton Road, Hilton	✓	?	--	--	✓✓	--	✓	✓	✓	✓✓ <sub>1</sub>	--	--	--	✓
Site Ref 51: Humber Street, Welland Road, Hilton	✓✓	--	--	✓	✓✓	--	✓	✓	✓	✓	--	--	--	✓
Site Ref: 53 South of Main Street, Hilton	✓	--	✓	--	✓✓	--	✓	--	✓	✓	--	--	--	✓
Site Ref 55: Wellavon Playground, Welland Road, Hilton	✓	--	✓	--	✓✓	--	✓	--	✓	✓	--	--	--	✓
Site Ref: 170: Mease Meadow, Hilton	✓	--	--	--	✓✓	--	--	--	✓	✓	--	✓✓	--	✓
Site Ref :171: Amenity Area to the South of Cycle Route, Washford Road,	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 172: Amenity Area to the South of Cycle Route, Avon Way, Hilton	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 173: Amenity area to the north of Cycle route at the Mease	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 174 Land between A5132 and New Road, Hilton	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 175 Bren Way, Hilton	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 176: Land North of Egginton Road	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 177: Off Pegasus Way, Hilton	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 178 Woodland, South of the Mease, Hilton	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--	--	✓

Site Ref 180: Corner of Bren Way/Enfield Close	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 181: Land adj to Hilton Brook, The Mease	✓✓	--	--	--	✓	--	✓	--	✓	✓	--	✓	--	✓
Site Ref 182: Enfield Close	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 196: Bancroft Close	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 197: Willowfields	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 198 Foss Road	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓

- 8.7.2 Site would have generally beneficial effects. All of the sites proposed for designation in Hilton are easily accessible being served by lit and metalled walking routes with the exception of site 181 which is located to the south of the Mease and does not appear to be currently accessible by a metalled route. However this is perhaps unsurprising given all sites are either within or on the edge of the settlement. The inclusion of Policy LGS2 within the plan could help support the delivery of improvements to accessibility within and to the sites.
- 8.7.3 All sites offer potential for minor biodiversity enhancements although sites at the Mease Meadow, Mease Memorial Meadow, Woodland South of the Mease and Land adjoining Hilton Brook offer the greatest potential. A number of sites offer potential for improvements to informal leisure provision. These include the Wellavon Playground site, Foss Road and amenity areas adjacent to the cycleway at Avon Way, Washford Road and land north of the Mease. Land south of Main Street also provides potential opportunities for improvements in facilities. The inclusion of policy to support biodiversity enhancements (including the potential identification of a number of sites as envirobanks) could make a major contribution towards biodiversity in the village. Moreover wider proposals for wider joint working between the community and wildlife trust could also support improvements to biodiversity on appropriate sites.
- 8.7.4 It is considered that a number of sites have potential to be assisted by designation in respect of their eligibility for grant funding for improvements. These include the Wellavon Playground site, the play area south of Main Street, The Mease Memorial Meadow, Land at the Hilton Brook and the site to the South of Egginton Road. All sites are considered to contribute to the local built environment and designation would likely protect the sites, which are mainly greenfield in nature, from development. The exception to this is the land South of Egginton Road which is identified as being potentially brownfield land as it appears to form part of the highway. The site at the Mease Meadow forms part of the flood risk mitigation for the adjacent developments and a significant bund is located to the east of the site to protect modern development. The site is known to be subject to flooding and designation could help ensure further inappropriate development does not take place in the floodplain and could safeguard land which may be required for future flood defence works or maintenance of the existing defences.
- 8.7.5 All of the sites would have minor or moderate beneficial effects in respect landscape and townscape. However sites on the periphery of the settlement have the most notable beneficial effects, particularly sites at Mease Meadow, Land between A5132 and New Road, Off Pegasus Way

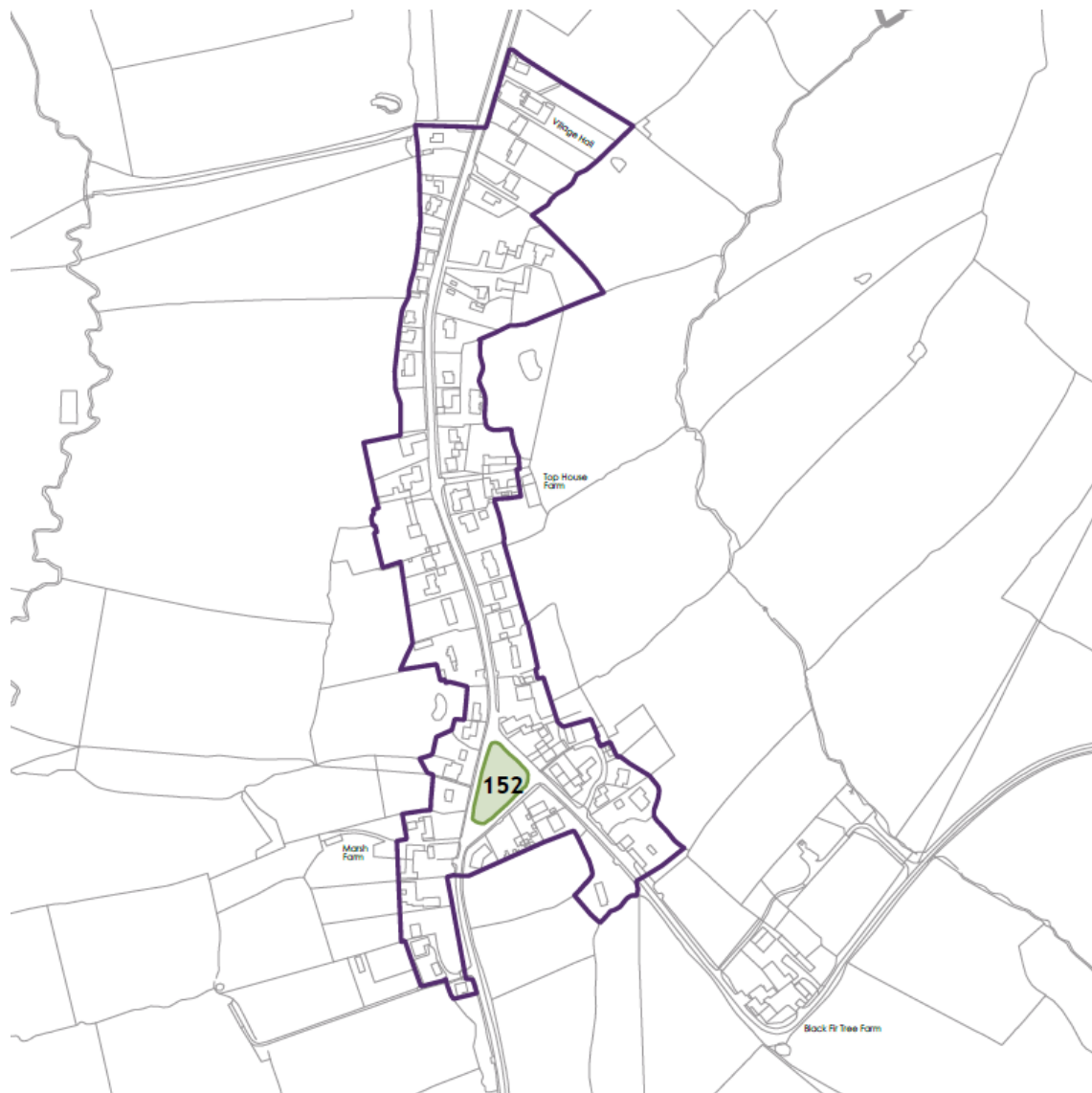
and Woodland to the South of the Mease. Sites at Mease Memorial Meadow (Humber Street, Welland Road) and Wellavon Playground (Welland Road) are also considered to be particularly important to local character owing to their nature and the dense nature of surrounding development.

**Table 8.7: Reasons for designating or discounting sites – Hilton**

Site Reference	Site Name	Proposed	Reason
<b>50</b>	<b>South of Egginton Road</b>	<b>Yes</b>	The site is within the highway. It includes a black poplar, which is not hybridised. It also provides an informal memorial to a local councillor and is maintained by the local gardening club. The space is clearly valued by the local community and contributes to local character.
<b>51</b>	<b>Humber Street, Welland Road</b>	<b>Yes</b>	The site is in the ownership of the District Council, although the Parish Council is keen to take this site on a long lease. The value of this site rests on the contribution this site makes to the local character of the village and the importance this site plays as a memorial to fallen soldiers being used for Remembrance Day Services. In addition, the site is known too have notable biodiversity value confirmed by Derbyshire Wildlife Trust and habitat creation to date could subject to appropriate management, contribute towards access to nature for local people.
<b>53</b>	<b>South of Main Street</b>	<b>Yes</b>	This is a area of amenity planting accessible from Main Street and Mill Lane with a footpath running between. There are with hedgerows and trees within or on the site boundary. The site is located in the historic part of the village (most of the housing in the village has been built on the former MOD site) and make a notable contribution to the rural feel of the settlement.
<b>55</b>	<b>Wellavon Playground, Welland Road</b>	<b>Yes</b>	Whilst it is acknowledged that the playground within the site could be partially protected by Policy INF9 of the local plan, the wider amenity grassland may not be subject to the same protection. However any loss of open space in this location would be difficult to replace in an area accessible to surrounding homes (given the high density nature of the wider development). Moreover any loss would remove one of the few open areas within this relatively densely developed part of Hilton.
<b>170</b>	<b>Mease Meadow</b>	<b>Yes</b>	This site make a significant contribution to local biodiversity and local landscape character. It is also includes a floodbank along the eastern edge of the site which protects modern development from the Hilton Brook which defines the western boundary of the site.
<b>171</b>	<b>Amenity Area South of Cycle Route, Washford Road,</b>	<b>Yes</b>	The case for designation largely rests on the position of this site adjacent to the cycle route that crosses Hilton from east to west. This site provides a large amenity area adjacent to the cycle route and offers potential for improving informal facilities and providing access to amenity space from the cycle path. Designation would also protect an area of open space in a largely built up area with only limited open space provision.
<b>172</b>	<b>Amenity Area to the South of Cycle Route, Avon Way</b>	<b>Yes</b>	The case for designation largely rests on the position of this site adjacent to the cycle route that crosses Hilton from east to west. This site provides a large amenity area adjacent to the cycle route and offers potential for improving informal facilities and providing access to amenity space from the cycle path. Designation would also protect an area of open space in a largely built up area with only limited open space provision.
<b>173</b>	<b>Amenity area to the north of Cycle route at the Mease</b>	<b>Yes</b>	The case for designation largely rests on the position of this site adjacent to the cycle route that crosses Hilton from east to west. This site provides a large amenity area adjacent to the cycle route and offers potential for improving informal facilities and providing access to amenity space from the cycle path. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

<b>174</b>	<b>Land between A5132 and New Road</b>	<b>Yes</b>	This site comprises a significant landscape buffer and area of amenity grassland running the length of the A5132 from the roundabout of the A5132 and Egginton Road and the Mease. The case for designation rests on the contribution this site makes to the local character by helping to soften the urbanising effect of this key route into and out of the village.
<b>175</b>	<b>Bren Way</b>	<b>Yes</b>	Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. Designation would protect an area of open space in a largely built up area with only limited open space provision.
<b>176</b>	<b>North of Egginton Road</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. The site consists of amenity grassland which is open to the road. Justification for designation rests on the value of this site to local character given the developed nature of the surrounding area.
<b>177</b>	<b>Off Pegasus Way</b>	<b>Yes</b>	There is considered to be a reasonable case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the surrounding area and general lack of amenity green space in the immediate vicinity. This site also provides a soft urban edge to countryside to the north of the site.
<b>178</b>	<b>Woodland, South of the Mease</b>	<b>Yes</b>	There is considered to be a reasonable case to justify designation of this site as a Local Green Space. The site consists of an area of plantation woodland which is locally uncommon. Justification for designation rests on the value of this site to local character given the developed nature of the surrounding area and the substantial contribution this site performs in providing a soft edge to the settlement boundary and protecting the rural feel of this part of the village.
<b>180</b>	<b>Corner of Bren Way/Enfield Close</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. The site consists of amenity grassland, shrubs and two mature trees on the eastern boundary. It forms an assemblage of green space together with other of amenity grassland located to the north (site ref 175) and east (site ref 182). that makes a contribution towards local townscape character in a largely developed part of the village.
<b>181</b>	<b>Land adj to Hilton Brook, The Mease</b>	<b>Yes</b>	There is considered to be a strong case to justify designation of this site as a Local Green Space. Site designation could have a notable beneficial effect in respect of biodiversity. The site consists of grassland, as well as mature trees and scrub located mainly to the north west of the site. The site is thought to be owned and managed by Derbyshire Wildlife Trust and will be managed in the interests of biodiversity.
<b>182</b>	<b>Enfield Close</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. The site consists of amenity grassland with semi mature trees to the northern boundary and a small area of hedgerow to the eastern boundary. Justification for designation rests on the value of this site to local character, and its importance as a well used foot path connecting Enfield Close and Lucas Lane. Given the developed nature of the surrounding area and the substantial contribution this site performs in providing a soft edge to the settlement boundary and protecting the rural feel of this part of the village
<b>196</b>	<b>Bancroft Close</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. The site consists of amenity grassland with mature trees. Justification for designation rests on the contribution this site makes towards local townscape character in a largely developed part of the village.
<b>197</b>	<b>Willowfields</b>	<b>Yes</b>	The site consists of amenity grassland. There is considered to be sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the village and general lack of green space in the immediate vicinity.
<b>198</b>	<b>Foss Road</b>	<b>Yes</b>	The site consists of amenity grassland although there is a small children's play area located within the site. There is a small ornamental edge on the eastern boundary of the site. There is considered to be sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the village and general lack of green space in the immediate vicinity.

## 8.8 MAP 8: LEES



8.8.1 As shown in the above map, 1 site has been considered through the stage two assessment in Lees as follows:

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	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 152: Village Green, Lees	✓	--	✓	--	✓✓	✓	--	--	✓	✓	--	--	?	✓

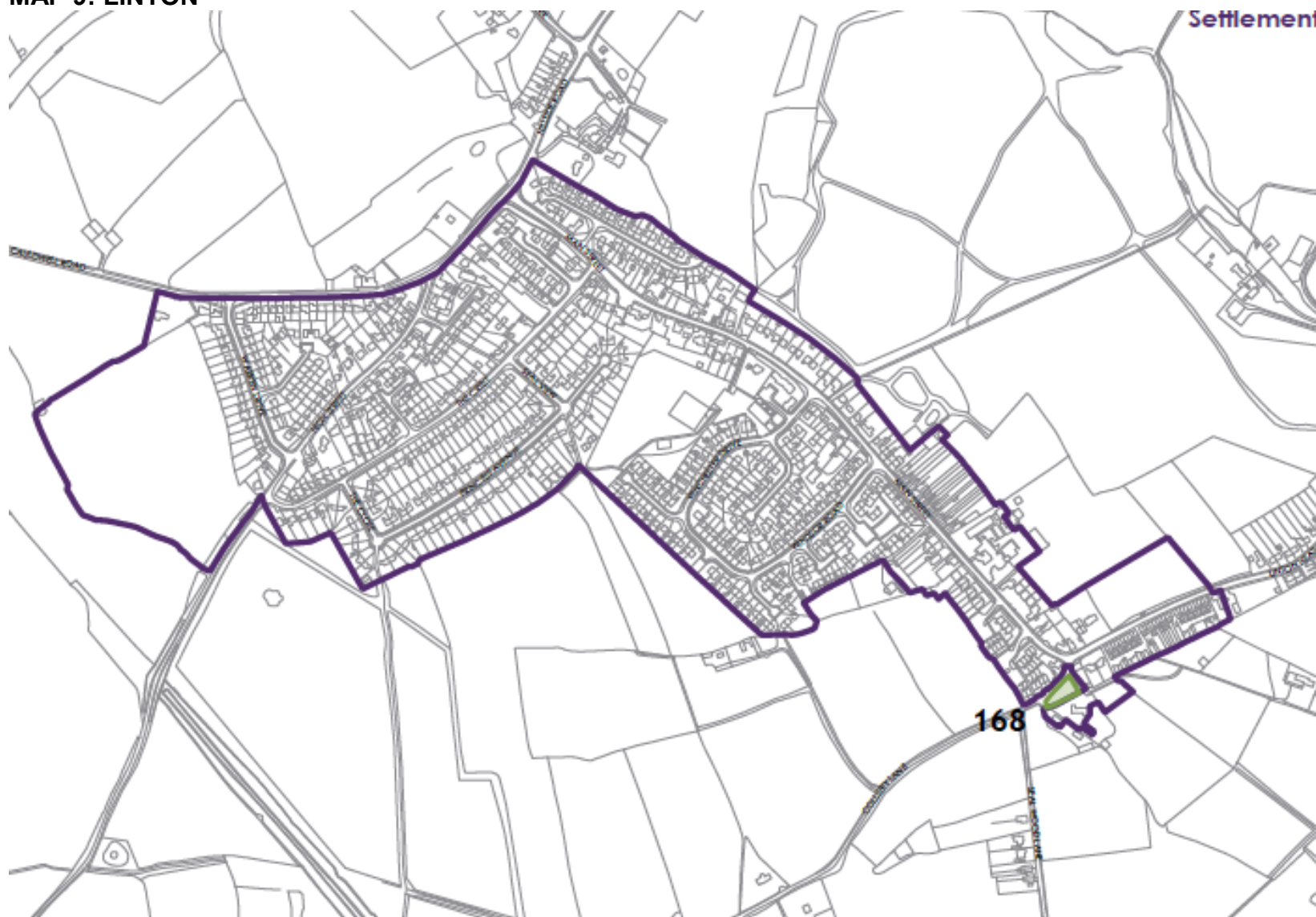
8.8.2 This site would have generally beneficial effects particularly in respect of accessibility, biodiversity, health and wellbeing, infrastructure, built environment, greenfield land and landscape objectives.

8.8.3 This site offers potential to deliver limited biodiversity enhancements on site including through new habitat creation or improved site management. Given the location and nature of the site it is unlikely that significant access improvements could be delivered to this site.

**Table 8.8: Reasons for designating or discounting sites - Lees**

Site Reference	Site Name	Proposed	Reason
152	Village Green, Lees	Yes	The case for designation on this site largely rests on the contribution it makes to the local character of the village and the opportunities the site offers for informal recreation. The site is also considered to be of limited value in respect of biodiversity and scores well in respect of SA objectives related to accessibility and infrastructure.

## 8.9 MAP 9: LINTON



8.9.1 As shown in the above map, 1 site has been considered through the stage two assessment in Linton as follows:

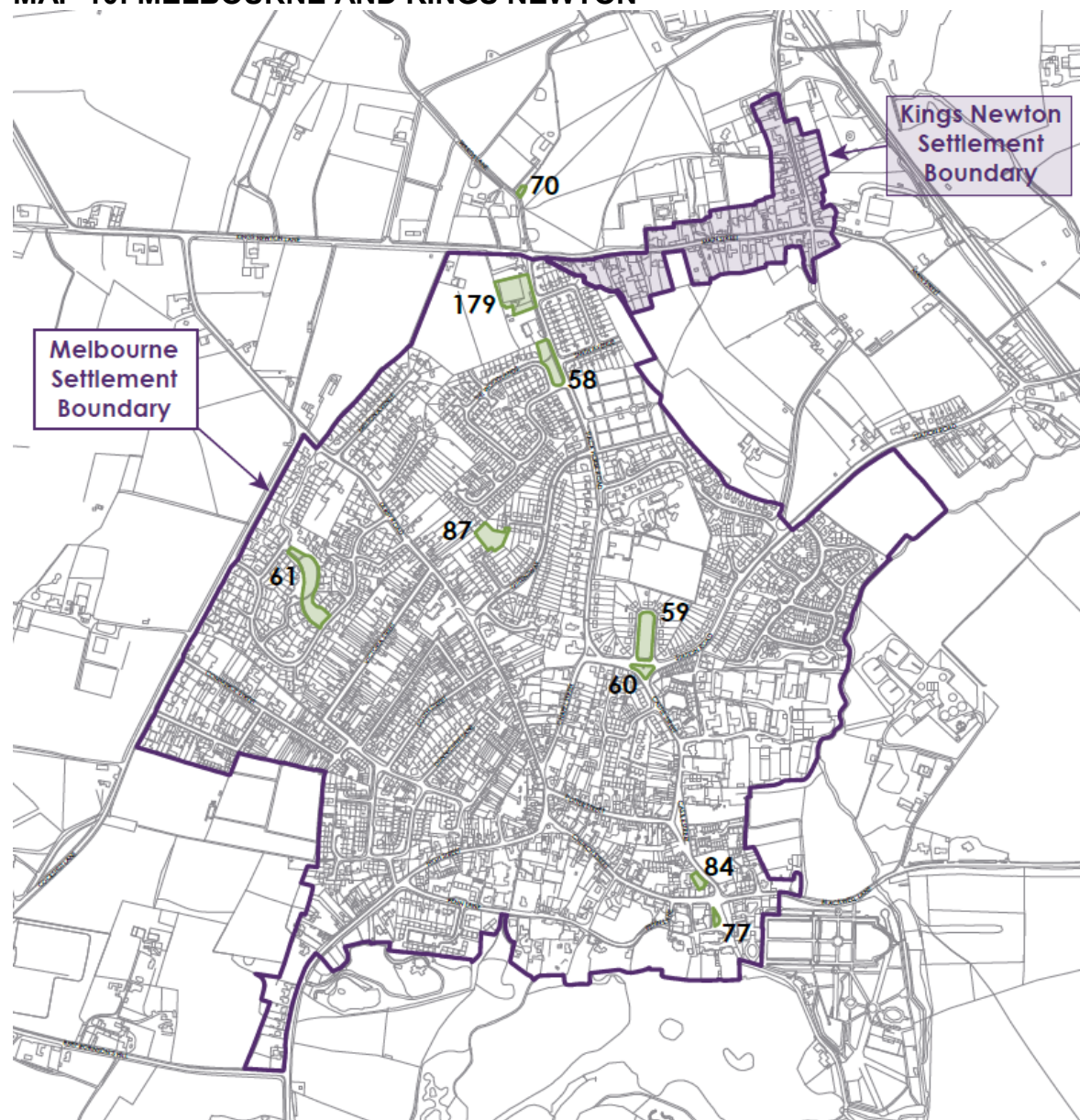
	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref: 168 Linton Orchard	✓	-	✓	-	✓✓	-	-	-	✓	✓	-	-	-	✓

- 8.9.2 Site would have generally beneficial effects particularly in respect of accessibility, biodiversity, health and well being, built environment, greenfield land and landscape objectives.
- 8.9.3 This site offers potential to deliver limited biodiversity enhancements including through changes to management, and potentially new habitat creation. Given the location and nature of the site it is unlikely that significant access improvements could be delivered to this site.

**Table 8.9: Reasons for designating or discounting sites - Linton**

Site Reference	Site Name	Proposed	Reason
168	Linton Orchard, Linton	Yes	This site is a small piece of land and largely consists of grassland and tree planting and is used as a community orchard. Its designation is supported by the Council's Community Partnership Officer. The site is accessed from Colliery Lane, is used for informal recreation and contributes to the character of the village.

## 8.10 MAP 10: MELBOURNE AND KINGS NEWTON



- 8.10.1 As shown in the above map, nine sites have been considered through the stage two assessment in Melbourne as follows. In identifying these sites the District Council has undertaken a review of sites put forward through the the Melbourne Neighbourhood Plan and well as those identified through consultation. A number of sites identified as proposed Local Green Spaces in the Melbourne Neighbourhood Plan have not been included in the LGSP. This is because whilst it is likely that a case can be made to demonstrate that these sites are demonstrably special to the local community, these sites failed to progress into the phase 2 assessments undertaken by the Council as they already receive some policy protection from the Adopted LP1. Of the nine sites proposed in the South Derbyshire LGSP 7 are in Melbourne and 2 are in Kings Newton.

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref: 58: West of Packhorse Road, Melbourne	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	✓	✓
Site Ref: 59: North of Station Road, Melbourne	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	✓	✓
Site Ref: 60: Washpit, Station Road, Melbourne	✓	--	--	--	✓✓	--	--	✓	✓	✓	--	--	✓✓	✓
Site Ref: 61 Off Acacia Drive, Melbourne	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref: 70: Holy Well, Wards Lane, Melbourne	✓	--	--	--	✓	✓	--	✓	✓	✓	--	--	✓	✓
Site Ref :77: Church Close, Melbourne	--	--	--	--	✓	--	--	--	✓✓	--	--	--	✓✓	✓✓
Site Ref:84: The Bowling Green, Castle Street, Melbourne	--	--	--	--	✓✓	✓	✓	--	✓	--	--	--	--	✓
Site Ref: 87: Grange Close Recreation Ground, Melbourne	✓	--	--	--	✓✓	--	✓	--	✓	✓	--	--	--	✓
Site Ref: 179: Kings Newton Bowls Club	✓	--	✓✓	--	✓✓	--	--	--	✓✓	✓	--	--	✓✓	✓✓

- 8.10.2 Sites passed through to the stage two assessment would have generally beneficial effects in respect of biodiversity, accessibility, the built environment, safeguarding greenfield land, and conserving the historic environment and landscape/townscape character. A few of the sites could have beneficial effects in respect of economic objectives included in the Sustainability Appraisal Framework.
- 8.10.3 Site designation in respect of the nine proposed sites is unlikely to have any adverse or uncertain effects. All sites could offer opportunity to deliver biodiversity improvements (although these would be very limited on sites 77 and 84) through enhanced site management and habitat creation. Policy LGS2 included in the Plan seeks to support biodiversity enhancements on designated Local Green Spaces. Opportunities to improve accessibility are limited on many of the sites in Melbourne and Kings Newton although there may be potential to improve access arrangements to and within sites 70 and 77. Finally, it is noted that a number of sites are important to the historic setting of the village (sites 60, 77 and 179). The inclusion of Policy LGS1 in the Plan to protect the openness and essential quality of the spaces should help ensure that such sites are protected from inappropriate development.

**Table 8.10: Reasons for designating or discounting sites – Melbourne and Kings Newton**

Site Reference	Site Name	Proposed	Reason
58	West of Packhorse Road	Yes	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the broader setting to a number of heritage assets locally. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
59	North of Station Road	Yes	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the broader setting to the wellhead to the immediate south. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
60	Washpit, Station Road	Yes	This case rests on the contribution this site makes to the local character of the village and the setting to the wellhead located within the site. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
61	Off Acacia Drive	Yes	Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village, which is relatively densely developed in this part of the village as well as opportunities this site affords in respect of access to informal open space locally.
70	Holy Well, Wards Lane, Kings Newton	Yes	There is considered to be a strong case to justify designation of this site as a Local Green Space. This case rests on the significant effort expended by the local community to restore this local monument and its use by local people for informal recreation. It continues to be maintained by the Civic Society who restored the Holy Well in 1985.
77	Church Close	Yes	There is considered to be a strong case for designation based on the contribution of this site to local character. However the site previously identified excludes a Lime Tree on an adjacent island of Green Space just in front of the Church. This tree is subject to a tree preservation order and consideration should be given to bring this area into the final designation.
84	The Bowling Green	Yes	There is considered to be an adequate case for designation. Designation would help maintain access to a facility used by the local community.

<b>87</b>	<b>Grange Close Recreation Ground</b>	<b>Yes</b>	There is considered to be a sufficient case to justify designation of this site as a Local Green Space. Whilst it is acknowledged that the playground within the site could be partially protected by Policy INF9 of the Local Plan, the wider amenity grassland may not be subject to the same protection. However any loss of open space in this location would be difficult to replace in an area accessible to surrounding homes (given the relatively densely developed nature of the surrounding area).
<b>179</b>	<b>Bowling Green Kings Newton</b>	<b>Yes</b>	The site consists of a bowling green and pavilion as well as other amenity areas and is used for other local community events including monthly games nights and annual open days. However the justification for designating this site largely rests on the contribution the site makes to local townscape character given its location in relation to a number of heritage assets. It is also noted that this site is proposed for designation through the emerging Melbourne Neighbourhood Development Plan.

8.10.4 Sites included in the Melbourne Neighbourhood Development Plan for designation as local green spaces (but not proposed by the District Council) includes site References 79 (the Intake) Site ref: 81 (Baptist Cemetery, Chapel Street, Melbourne); Site Ref 82 (Castle Street Cemetery, Melbourne); and Site Ref 83 (Packhorse Road Cemetery, Melbourne). These sites have been excluded from designation in the South Derbyshire LGSP as this Council's chosen selection criteria excludes sites that receive a level of protection through the Local Plan. In respect of these sites the cemetery sites are protected by the Council's Open Space policy (INF9) of the Adopted Local Plan, whilst the Intake site is protected by the Council's Biodiversity Policy (BNE3) as it is already designated as a Local Wildlife Site. Clearly however it is appropriate for the neighbourhood Development Plan Working group to use their own criteria to consider sites for allocation so long as they meet the necessary NPPF requirements in respect of green spaces. On this basis should these additional green spaces be identified as Local green Spaces in the Melbourne Neighbourhood Plan there will be a total of 11 Local GreenSpaces designated in Melbourne and 2 designated in Kings Newton.

## 8.11 MAP 11A MILTON



8.11.1 As shown in the above map, two sites has been considered through the stage two assessment in Milton as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 155: Verge adjacent to orchard	✓	--	--	--	✓✓	--	--	--	✓✓	✓	--	--	✓✓	✓✓
Site Ref 164: Village Green, Mount Pleasant Road	✓	--	--	--	✓✓	--	--	--	✓✓	✓	--	--	✓✓	✓✓

8.11.2 Sites passed through to the stage two assessment would have generally beneficial effects in respect of biodiversity, accessibility, the built environment, safeguarding greenfield land, and conserving the historic environment and landscape/townscape character.

8.11.3 Site designation in respect of the proposed sites is unlikely to have any adverse or uncertain effects. All sites could offer opportunity to deliver biodiversity improvements although these would be limited given the nature and scale of site proposed. Nonetheless policy LGS2 included in the Plan seeks to support biodiversity enhancements on designated sites. Opportunities to improve accessibility are also likely to be limited. The inclusion of Policy LGS1 in the Plan to protect the openness and essential quality of the space should help ensure that such sites are protected from inappropriate development and can continue to make a positive contribution of the setting of the village conservation area.

**Table 8.11: Reasons for designating or discounting sites – Milton**

Site Reference	Site Name	Proposed	Reason
155	verge adjacent to orchard	Yes	There is considered to be a sufficient case to justify designation of this site as a Local Green Space. The sites consists of a strip of amenity grassland with some small trees, a bench and bin. It is located opposite the village hall . There is a stone wall on the western side of the verge. The justification for designation rest on its contribution to local character and its proximity to the existing village hall. This site, together with an adjacent Orchard (which the Council understands is now in private ownership) is proposed for designation in the Repton NDP.
164	Village Green, Mount Pleasant Road	Yes	There is considered to be a sufficient case to justify designation of this site as a Local Green Space. The sites consists a triangular piece of amenity grassland with a small number of mature and semi mature trees. The site is bounded by road on all sides. The justification for designation rest on its contribution to local character including the setting of the village conservation area.

## MAP 11B REPTON

8.11.4 As shown in the above map, seven sites has been considered through the stage two assessment in Repton as follows:

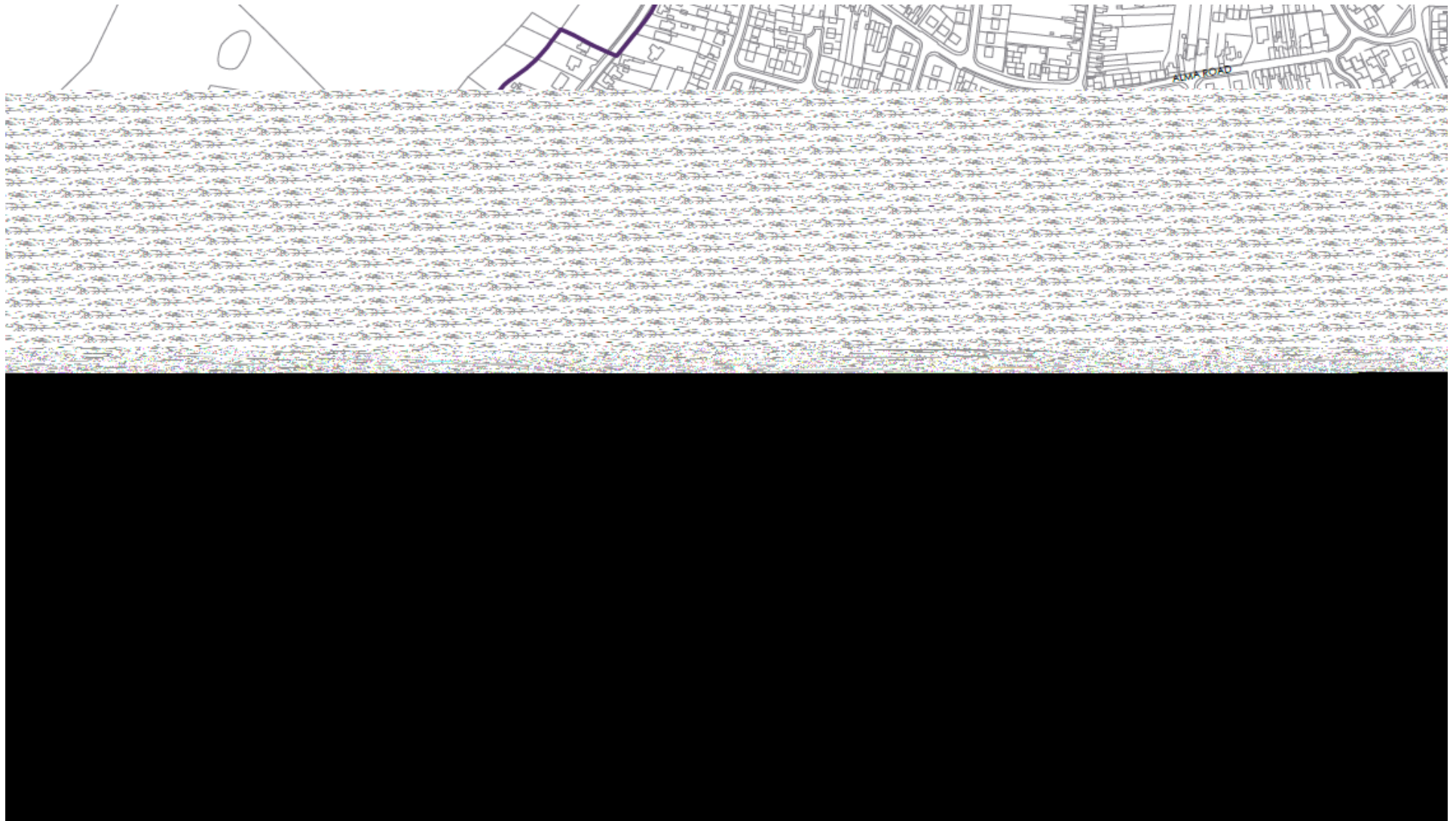
## MAP 17: MIDWAY



## MAP 18: SWADLINCOTE TOWN CENTRE



MAP 19: NEWHALL -



8.15.1 As shown in the above Maps 15 -20 a total of 17 sites have been considered through the stage two assessment in the Swadlincote Urban Area as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 02: Aston Drive, Midway, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 03: South of Edgecote Drive , Midway, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 04: Off Lawns Drive, Midway, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 05: Spring Farm Road, Midway, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 06: Sandholes Open Space, Eastfield Road, Midway, Swadlincote	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 09: Fairfield Crescent, Newhall, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 15: War Memorial (1), Castle Gresley	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 17: Off Gresley Wood Road, Church Gresley, Swadlincote	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 18: Gresley Wood, Gresley Wood Road, Church Gresley, Swadlincote	✓	--	✓	--	✓✓	--	--	--	✓	✓	--	--		✓
Site Ref 19: Lathkill Dale, Church Gresley, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 20: Wye Dale, Church Gresley, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 21: Fabis Close, Church Gresley, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓

Site Ref 22: Sorrel Drive, Woodville, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 23: Falcon Way, Woodville, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 24: Kingfisher Avenue, Woodville, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 25: Tern Avenue, Woodville, Swadlincote	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓
Site Ref 169: Diana Memorial Garden	✓	--	--	--	✓✓	--	✓	✓	✓✓	--	--	--	✓✓	✓✓

- 8.15.2 Sites proposed in the Swadlincote urban area mostly share very similar characteristics. Most are areas of public open space, whose value is derived from their contribution to local character. All tend to be very accessible to local communities and typically consist of amenity grassland with trees or shrubs scattered within or around the sites. A number of spaces offer opportunities for improvements in informal open space provision and designation could help ensure that these greenfield sites are not subject to further loss as a result of new development.
- 8.15.3 The exception to this the Sandholes site which consist of a fairly large informal recreation area and the Princess Diana Memorial Garden. These sites are not protected through existing designations in the Local Plan and provide opportunities for informal recreation or quiet reflection. In particular the Diana Memorial Garden has particular value in respect of its contribution to local townscape character. The site lies within the Swadlincote Town Centre Conservation Area and is adjacent to an assemblage of listed buildings in the vicinity of the Sharpes Pottery Site.
- 8.15.4 All sites offer potential to deliver some level of biodiversity gain although the Sandholes site in Midway and sites 17 and 18 in Church Gresley offer the most potential for delivering improvements to biodiversity. Policy LGS2 included in the Plan supports biodiversity improvements of local green space sites. Opportunities to deliver access improvements are limited given that sites are well related to existing built development and often form part of the amenity areas set aside at the time surrounding development took place. Policy LGS1 will offer a degree of protection to the Diana Memorial Garden given the requirement for new development to reflect the openness and essential qualities of local green spaces.

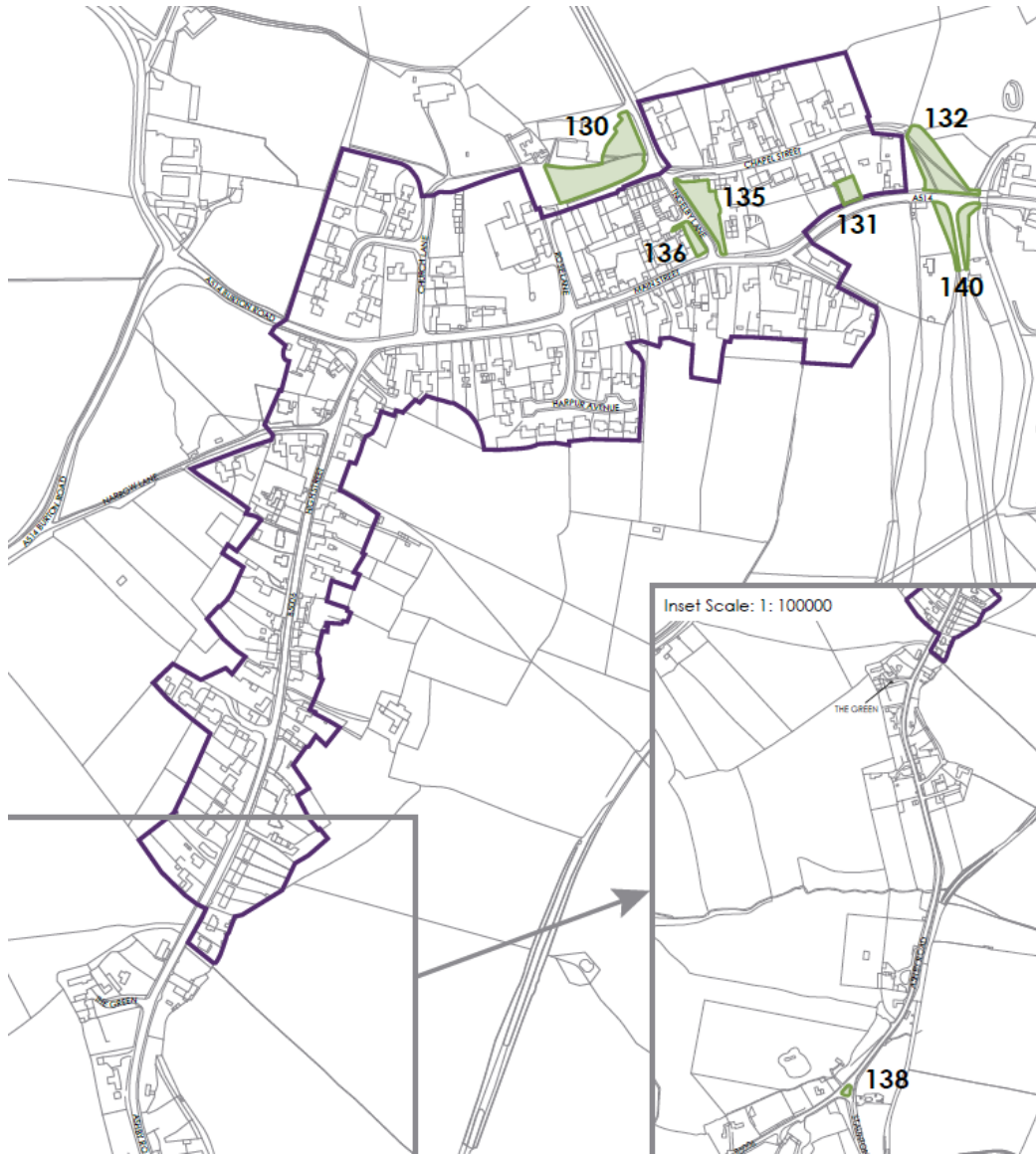
**Table 8.15: Reasons for designating or discounting sites – Swadlincote Urban Area**

Site Reference	Site Name	Proposed	Reason
02	Aston Drive, Midway	Yes	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
03	South of Edgecote Drive, Midway	Yes	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character in an otherwise developed area. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

<b>04</b>	<b>Off Lawns Drive, Midway</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
<b>05</b>	<b>Spring Farm Road, Midway</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
<b>06</b>	<b>Sandholes Open Space, Eastfield Road, Midway</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character and its contribution toward informal leisure and recreation provision locally. There may be opportunity to improve the biodiversity and recreation value of the site through improved management.
<b>09</b>	<b>Fairfield Crescent, Newhall</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character and its contribution toward informal leisure and recreation provision locally. There may be opportunity to improve the biodiversity and recreation value of the site through improved management.
<b>15</b>	<b>War Memorial (1), Castle Gresley</b>	<b>Yes</b>	There is considered to be sufficient case for designation given the urban nature of the surrounding area and the busy nature of the adjacent highways intersection. The site makes a contribution towards local townscape character and provides an accessible focal point for commemorating the fallen.
<b>17</b>	<b>Off Gresley Wood Road, Church Gresley</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
<b>18</b>	<b>Gresley Wood, Gresley Wood Road, Church Gresley</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
<b>19</b>	<b>Lathkill Dale, Church Gresley,</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
<b>20</b>	<b>Wye Dale, Church Gresley,</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

<b>21</b>	<b>Fabis Close, Church Gresley, S</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. And whilst it is acknowledged that the site could partially benefit from protection under policy INF9 of the Local Plan, there would be very limited opportunity to deliver replacements facilities locally given the extent of built development surrounding the site.
<b>22</b>	<b>Sorrel Drive, Woodville, Swadlincote</b>	<b>Yes</b>	There is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.
<b>23</b>	<b>Falcon Way, Woodville,</b>	<b>Yes</b>	This site forms part of an assemblage of amenity grassland in the vicinity of Falcon Way, Woodville. Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this and nearby site makes to local townscape character.
<b>24</b>	<b>Kingfisher Avenue, Woodville,</b>	<b>Yes</b>	This site forms part of an assemblage of amenity grassland in the vicinity of Falcon Way, Woodville. Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this and nearby site makes to local townscape character.
<b>25</b>	<b>Tern Avenue, Woodville,</b>	<b>Yes</b>	This site forms part of an assemblage of amenity grassland in the vicinity of Falcon Way, Woodville. Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this and nearby site makes to local townscape character.
<b>169</b>	<b>Diana Memorial Garden,</b>	<b>Yes</b>	There is considered to be a strong case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to the character of the town centre and the contribution this site makes to the local townscape character and the setting of heritage assets located in the town centre adjacent to the site. The site also provides a tranquil space for quiet reflect within the town centre.

## 8.16 MAP 21: TICKNALL



8.16.1 As shown in the above Map, 7 sites has been considered through the stage two assessment in Ticknall as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 130. North of Red Lane Ticknall	3	--	3	--	33	--	3	3	33	3	--	--	33	3
Site Ref 131 North of Main Street, Ticknall	3	--	--	--	--	--	--	--	33	3	--	--	33	33
Site Ref 132. North of A514, opposite Calke Abbey Entrance, Ticknall	3	--	3	--	33	--	3	3	33	3	--	--	33	33
Site Ref 135. Ingleby Lane east, Ticknall	3	--	3	--	33	3	3	--	33	3	--	--	--	33
Site Ref 136. Ticknall Ingleby Lane West,	3	--	--	--	33	--	--	--	33	3	--	--	--	33
Site Ref 138: Ashby Road, Grass Triangle, Ticknall	3	--	--	--	3	--	--	--	33	--	--	--	33	33
Site Ref 140: Entrance and Verges to Calke Abbey	3	--	--	--		--	--	3	33	3	--	--	33	33

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 144: King's Mills Lane, adjoining school, Weston On Trent	✓	--	✓	--	✓✓	--	✓	--	✓	✓	--	--	--	✓

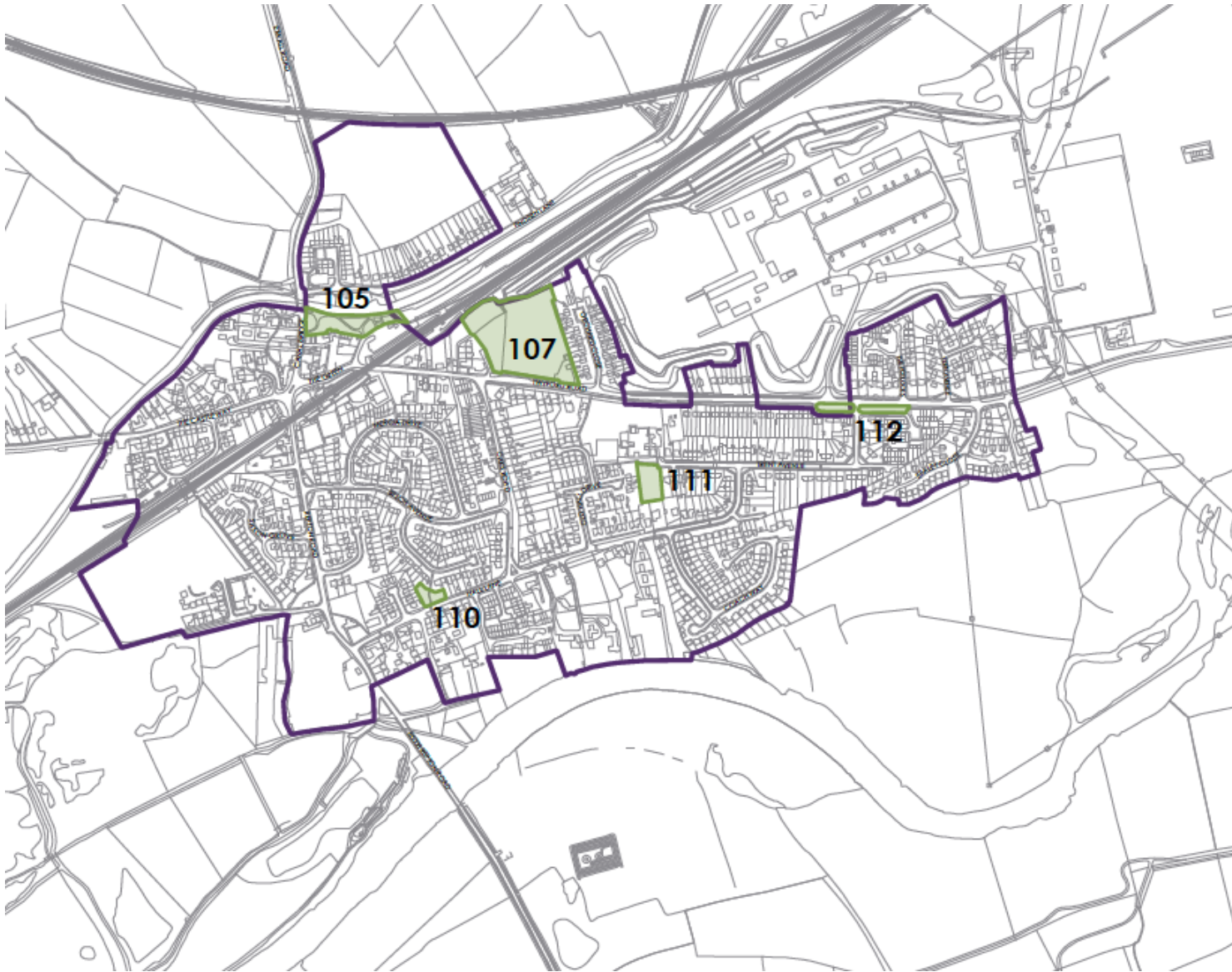
8.18.2 This site is identified as likely to have a range of beneficial effects against the Sustainability Objectives. These include in respect of biodiversity, health and well-being, accessibility, economic growth, the built environment, the protection of greenfield land and protecting local landscape/townscape character. No effects are identified in respect of other objectives. Site designation is not identified as likely to have any negative or uncertain effects.

8.18.3 Policy LGS1 would help preserve the openness and essential qualities of the site whilst policy LGS2 could support biodiversity and accessibility improvements within and to/from the site.

**Table 8.18: Reasons for designating or discounting sites – Weston on Trent**

Site Reference	Site Name	Proposed	Reason
144	King's Mills Lane, adjoining school	Yes	There is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character and its accessibility including proximity to the existing primary school.

## 8.19 MAP 24: WILLINGTON



8.19.1 As shown in the above Map, 5 sites have been considered through the stage two assessment in Willington as follows:

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	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 105: South of Trent Mersey Canal, Willington	✓	--	--	--	✓✓	--	✓	--	✓✓	✓	--	--	✓✓	✓✓
Site Ref 107: North of Twyford Road, Willington	✓	--	--	--	✓✓	--	✓	--	✓	✓	--	--	--	✓
Site Ref 110: Hall Lane Recreation Area Willington	✓	--	--	--	✓✓	--	✓	--	✓	✓	--	--	--	✓
Site Ref 111: Trent Avenue Playing Field, Willington	✓	--	--	✓	✓✓	--	✓	--	✓	✓	--	--	--	✓
Site Ref 112: South of Twyford Road, Willington	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	--	✓

8.19.2 Sites would have generally beneficial effects particularly in respect of biodiversity, accessibility, built environment, greenfield land and landscape objectives. The site to the south of the Trent Mersey Canal will have significant beneficial effects in respect the built environment, the historic environment and landscape and townscape character.

8.19.3 All sites offer opportunity to deliver biodiversity improvements through enhanced site management and habitat creation. Opportunities to improve accessibility are limited given the nature of sites in Hatton and existing public access arrangements. Nonetheless a new policy to support site enhancements in respect of biodiversity and accessibility has been included in the Plan. Policy LGS1 will also protect the openness and essential qualities of designated green spaces, therefore protecting them from inappropriate development.

**Table 8.19: Reasons for designating or discounting sites – Willington**

Site Reference	Site Name	Proposed	Reason
<b>105:</b>	<b>South of Trent Mersey Canal, Willington</b>	<b>Yes</b>	Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space, mainly due to its significance to local heritage and townscape character. The site is known to be used locally for picnics as well as other community events.
<b>107:</b>	<b>North of Twyford Road, Willington</b>	<b>Yes</b>	there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This is based mainly on its community value as an open space. The site is understood to be used for firework displays as well as local carnivals. There may be potential to improve biodiversity of the site through changes to management including the scrub area to the north of the site.
<b>110:</b>	<b>Hall Lane Recreation Area, Willington</b>	<b>Yes</b>	This is a small parcel of amenity grassland with some childrens play equipment. The site adds to the character of this area. It adds to the character of Willington and gives this part of the village a rural feel.
<b>111:</b>	<b>Trent Avenue Playing Field, Willington</b>	<b>Yes</b>	This site is used informally as a playing field including by school children who attend the adjacent school. This site, together with the fields of the school to the north forms an assemblage of open space and provides important green infrastructure in a largely built up part of the village. The Parish Council supports site designation, and whilst it is acknowledged that this site is partially protected by INF9 of the Local Plan Part 1 there is considered to be sufficient justification, given the sites proximity and relationship with the Primary School to the north to designate the site as a Local Green Space
<b>112:</b>	<b>South of Twyford Road, Willington</b>	<b>Yes</b>	Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This site provides a narrow finger of land between Twyford Road and Twyford Close and contributes to the rural character of this part of the village.

## **8.20 LIKELY SIGNIFICANCE OF EFFECTS OF THE SOUTH DERBYSHIRE LOCAL GREEN SPACES PLAN**

- 8.20.1 Due to the nature of the Plan which is not seeking to deliver built development, but rather more strictly control the nature of development on designated green spaces should developments come forward it is unlikely that the Local Green Spaces Plan will give rise to any significant harmful effects when judged against the sustainability objectives against which the sites have been considered. Nonetheless the SA still allow the Council to consider ways in which to improve the performance of the Plan. And whilst policies in the Plan will in some instances not provide mitigation per se (this is because in many cases there would be only very limited effects from designating sites as no subsequent development on sites would take place), it is worth noting that the SA process still allows the Council to look for ways to improve the performance of its Plan (i.e deliver enhancements to sites where opportunities arise). Opportunities for delivering such 'mitigation' or enhancement are set out below

### **Biodiversity and Geodiversity**

- 8.20.2 Site designation will safeguard existing local green space sites and could support enhancements to existing sites including through changes to management, new planting or habitat creation, or supporting the designation of sites as Envirobank receptor sites. The Plan will also provide a core of local sites which can form the basis of community wide biodiversity improvements to its open spaces including through the creation of community nature partnerships such as that being considered in Hilton. Of the 104 sites proposed all have varying degrees of potential for biodiversity enhancements, although those with the greatest potential are considered to be sites at the Mease Meadow, Hilton, Land adjacent to Hilton Brook, the Mease, Hilton and Hilton Memorial Meadow, Hilton. The ponds to the rear of Aston Hall, Aston on Trent and Sandholes, Midway are also considered to have particular biodiversity interest. Away from these sites many of the proposed local green spaces consist of amenity grassland. Within these areas opportunities for delivering biodiversity gain may be more limited but could include changes to mowing regimes or other management practices such as the creation of site management plans, new habitat creation, including the sowing of appropriate wildflower mixes or new tree planting or the installation of bird or bat boxes.

### **Population and Human Health**

- 8.20.3 Most green spaces are well related to existing communities as those dislocated from the communities they serve have been discounted from designation at an early stage. All are considered to have safe access to and from the site. A number of sites are located close to existing schools or youth groups such as the scouts and have been designated as they are known to be used by these organisations. Such sites include the Catherine Jonathon Playing field in Egginton, Sandy Pits Lane, Etwall, and Walton Playing Field. Around one quarter of proposed green spaces are identified as having beneficial effects in respect of health and wellbeing. Sites most likely to deliver such benefits are those which contribute to local formal or informal sports provision, or provide community space for local interest groups such as older person clubs or slimming clubs.

### **Material Assets**

- 8.20.4 All sites proposed for designation are publically accessible to some extent as previously highlighted. No sites more than 800m from the communities they serve (or 1200m where a playing field) have been proposed for designation. Almost all sites are within or adjacent to existing communities although a limited number of more isolated sites have been proposed. These include the Holy Well, Wards Lane, Melbourne and Ashby Road, Grass Triangle, Ticknall. However both these sites are accessible by public footpaths (Holy Well), or a metalled footway (Ashby Road Grass Triangle). Opportunities exist to potentially improve public access on many sites including in particular around the Ponds in Aston on Trent, land adjoining the Mill Wheel Car Park, Hartshorne, land adjacent to Hilton Brook, Hilton and the Woodland south of the Mease, Hilton.

However where sites are in private ownership the Plan will not confer any obligations on landowners to make sites accessible or improve current access arrangements. However where landowners are amenable the Council will seek to work positively to improve access arrangements as set out in Policy LGS2.

- 8.20.5 A significant number of sites make a positive contribution to the local built environment. Sites in urban areas are often located in densely developed areas and provide important green gaps within housing estates or employment areas. Examples include Hilton, Swadlincote and Stenson Fields which is an urban extension of Derby City located in South Derbyshire. In more rural areas many green spaces help preserve the character of the District's villages by providing green spaces along key transport routes, or within the historic core of settlements.
- 8.20.6 A number of sites are gateways to tourism and leisure facilities located within the District, for example sites around the entrance to Calke Abbey in Ticknall. It is also likely that local green spaces designation could in some instances help support access grant funding to enhance spaces for the benefit of local communities, or help support the ongoing use of community spaces such as community halls or events such as bonfire displays or well dressing festivals by safeguarding key sites used by local communities.

### **Soil, Water and Air**

- 8.20.7 Almost all of the proposed sites are greenfield and designation could help to restrict development to those necessary for the site to continue to meet local community needs. Site designation is likely to restrict the nature and extent of new development and would therefore be likely to restrict the potential for sites to have any additional impacts in respect of noise, air or light pollution.
- 8.20.8 In respect of water quality a number of sites are adjacent to, or include watercourses, however the protections offered by the designation, including restrictions on the nature of new development allowed will help ensure that sites do not contribute to increased surface water flows. In respect of the River Mease Special Area of Conservation (SAC), there is only a single site located within the catchment (site 168 Linton Orchard). This is a small site which consists of a community orchard which itself is located around 4km from the SAC. Given the scale, nature and location of this designation the Plan will not have any adverse effect on the integrity of the SAC.

### **Climatic Factors**

- 8.20.9 Most sites will not have any effect in respect of flood risk. However a small number of sites either include area set aside for flood defences or surface water attenuation, for example Mease Meadow, Hilton, Appletree Meadow and Harebell Lane (Stenson Fields), Etwall, or have potential to accommodate flood defences in the future (Catherine Jonathon Playing Field). A number of sites are also adjacent to watercourses including land adjacent to Hilton Brook, Hilton, Mease Meadow, Hilton, south of Askew Grove, Repton and Pinfold Lane (Repton). Designation could help keep these areas free of development and ensure development does not take place in areas which could be subject to flood risk.

### **Cultural Heritage (including architectural and archaeological heritage)**

- 8.20.10 The Plan is unlikely to have any significant effect on the architectural and archaeological heritage of the District, but could have a number of locally important effects. In particular sites in Aston on Trent, Etwall, Findern, Melbourne, Repton, Milton, Ticknall, Shardlow, Walton on Trent and Willington will have beneficial effects where sites are located within or close to conservation areas or nearby listed buildings.

### **Landscape**

8.20.11 All sites are likely to have a minor beneficial effect in respect of landscape or townscape character. This is because designation will further safeguard important gaps or amenity land in the District's urban areas and villages. However on a small number of sites designation was considered likely to have more significant effects where landscape were considered to be more significance, including because of the potential to help safeguard the setting of heritage assets or in conserving key vistas and views.

### **Mitigation Measures**

8.20.12 The policies included in both the LP1 and LP2 already seek to reduce the effects of development and fully meet housing and employment needs up to 2028. However the Council has sought to include a number of policies in it the LGSP to ensure that the Plan will not give rise to undue impacts and where appropriate seek enhancements to the quality of local green spaces. Together these policies will seek to minimise potential adverse effects of development and improve the performance of the Plan by ensuring improved management of sites through the inclusion of a policy to:

- protect the openness and essential qualities of spaces including through the control of the scale, design and location of new development
- protect biodiversity on sites and include policy to support enhancements including through improved management and new habitat creation as well as through supporting the designation of spaces as envirobank receptor sites so biodiversity losses elsewhere in the District can be offset by improvements to appropriate local green space sites.
- support development that can contribute towards community cohesion, for example by making sites more usable
- support improvements to accessibility within and to and from local green spaces

## 9.0 SECTION 9: IMPLEMENTATION AND MONITORING

### **Links to Other Tiers of Plans and Programmes and the Project Level.**

- 9.1 As previously noted in Section 1 the LGSP document will, once adopted form part of the District Council's Local Plan.
- 9.2 The key purpose of this document is to protect those green spaces used by local communities. However the purpose of this Plan is not to halt all development on areas designated as local green spaces. Instead the Plan seeks to balance the need to protect designated local green spaces whilst allowing for limited and appropriate development that can ensure that spaces can continue to change to meet community aspirations. To this end the Plan includes two policies to ensure growth can be carefully controlled and balanced with the need to improve spaces or enhance their value to local communities including through limited development where appropriate.

### **Developing a Monitoring Framework**

- 9.3 The SEA Directive requires the significant environmental effects of plans and programmes to be monitored, in order to identify at an early stage unforeseen adverse effects and to be able to take appropriate action where necessary. The Draft LGSP includes a number of specific green space policies to control the development and future management of spaces together with around 85 local green spaces designations. However in order to understand whether these policies and designations are delivering the necessary level of protection to sites, it is necessary to monitor the performance of the Plan. In order to do this the Council will seek to development a monitoring framework prior to the adoption of the LGSP .
- 9.4 The monitoring undertaken on the Plan will help to:
- monitor the significant effects of the plan
  - track whether the plan has had any unforeseen effects
  - ensure that action can be taken to reduce / offset the significant effects of the plan
  - provide baseline data for future sustainability appraisals, and
  - provide evidence of how the environment / sustainability criteria of the area are evolving.
- 9.5 It is good practice for the monitoring of significant sustainability effects to be integrated with other monitoring of the Local Plan. For this reason, the Council will report significant sustainability effects as part of its existing monitoring regime. Proposed significant sustainability effects indicators included in the SA Framework. These have been drawn from the baseline information and key sustainability issues identified within the Sustainability Appraisal Scoping Report and are identified to monitor potential significant adverse effects highlighted in this report

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## **SECTION10: WHAT HAPPENS NEXT**

### **10.0 What Happens Next**

- 10.1 This Draft Sustainability Appraisal Report accompanies the Draft LGSP and is a key output of the appraisal process, presenting information on the likely effects of the plan. The appraisal has been undertaken prior to the Regulation 19 Pre-submission Local Plan Consultation, with the likely scope and content of the Plan informed by earlier consultations on the emerging document.
- 10.2 Following the Pre-submission consultation the Authority will review any comments made on the Plan and will submit the Pre-submission Plan alongside any modifications to the Secretary of State for Examination. The Secretary of State will then appoint an Inspector to examine the Plan. Examination is likely to take place in 2019. The role of the Inspector during the examination process will be to consider the soundness of the LGSP, using the sustainability appraisal as part of the evidence base.
- 10.3 If any significant changes are made to the Plan as a result of the examination process that may lead to additional significant effects not already covered in the SA, the report may need to be reviewed and updated, with changes documented ahead of Plan Adoption.

#### **How to Comment**

The consultation period is for 6 weeks, commencing on Tuesday 5th February and closing on Tuesday 19th March 2019.

The Proposed Submission Local Green Space DPD and consultation response forms is available to view:

- online at [www.south-derbys.gov.uk/localgreenspaces](http://www.south-derbys.gov.uk/localgreenspaces)
- at the District Council offices, see address below
- at all South Derbyshire libraries as well as Sinfen and Borrowash Library .

Representation forms can be completed by hand or electronically.

All comments received will be passed onto the appointed Planning Inspector for their consideration. Response forms should be sent to:

Planning Policy  
South Derbyshire District Council  
Civic Offices  
Civic Way  
Swadlincote  
DE11 0AH

E-mail: [planning.policy@south-derbys.gov.uk](mailto:planning.policy@south-derbys.gov.uk)

If you have any questions, please contact the Planning Policy Team on 01283 595749.

Please submit your comments by 5pm on Tuesday 19th March.

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**South Derbyshire Sustainability Appraisal  
Proposed Sub-Region  
Local Green Spaces Plan**

**March Report February 2016**

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**South  
Derbyshire**  
District Council

Local Development Framework

**SA**

# South Derbyshire Sustainability Appraisal

**PROPOSED SUBMISSION  
LOCAL GREEN SPACES PLAN**

**Technical  
Appendices**



**FEBRUARY 2019**

## **LOCAL GREEN SPACES SUSTAINABILITY APPRAISAL – TECHNICAL APPENDICES.**

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Appendix 1 Scoping Report Changes				
Scoping Report Changes in response to the consultation held in September and October 2016				
Organisation	Response	Implemented		Reasoning/Justification
		Yes	No	
Environment Agency	<p>Whilst this scoping report is for a narrow scope of Local Green Spaces, and not for a wider Local Plan which has already been adopted, I would highlight the following documents that may be pertinent in regards of water quality, biodiversity and flood risk improvements. Whilst the scope of the proposed document will be focussed on Local Green Spaces, areas next to main rivers and watercourses could be designed to help reduce flood risk to the site and others, in line with the NPPF, as well as improving biodiversity and water quality in line with the requirements of the Water Framework Directive.</p> <ul style="list-style-type: none"> <li>- Dove CAMS</li> <li>- Lower Trent and Erewash CAMS</li> <li>- Tame, Anker and Mease CAMS</li> <li>- Humber River Basin Management Plan</li> <li>- Humber Flood Risk Management Plan (2016)</li> </ul>	X		A number of sites are closely related to watercourses. Given the comments received back from the EA who are a statutory consultation body consideration of these plans will be integrated into the SA.
Highways England	<p>Highways England welcomes the opportunity to provide comments on the Draft Scoping Report which constitutes the first stage of the sustainability appraisal (SA) for the South Derbyshire Local Green Spaces Plan. We understand that the SA provides an objective means of assessing the likely environmental, economic and social effects of implementing any given development option or proposal.</p> <p>Highways England has been appointed by the Secretary of State for transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street</p>		X	Comments are noted. However given this is a letter of support no changes to the scope of the appraisal are required.

	<p>authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as delivery partner to national economic growth. In relation to South Derbyshire District our principal interest is in safeguarding the operation of the A38 and A50 which route through the District.</p> <p>As the Local Green Spaces Plan primarily relates to the designation of local green spaces we do not have any specific comments to provide. However we support the notion to make best use of existing infrastructure; reduce the need to travel and increase opportunities for non-car travel such as the use of public transport, walking and cycling. These measures will encourage modal shift away from the car and help to reduce congestion on the road network. We have no further comments to provide and trust that the above is useful in the progression of the Local Green Spaces Plan.</p>			
Derbyshire Wildlife Trust	I have checked the number of designated wildlife sites (160) on the scoping report is given in row 1.2 and in Appendix 2 but both section 3.4.2 and Biodiversity Geodiversity Flora and Fauna in appendix 3 are incorrect in stating that there are only 156	X		This is clearly an error and will be corrected in the SA report and appendices. A review of the local wildlife site information will be undertaken and accurate and up to date data used.
Derbyshire Wildlife Trust	Regarding Local Wildlife Sites Surveys this year – are there any specific South Derbyshire Local Wildlife Sites you would like us to request survey permission for?		X	<p>The Wildlife Trust have been notified of sites which the Authority consider should be subject to a degree of assessment as part of evidence collecting to support the preparation of the LGS DPD. These sites are:</p> <ul style="list-style-type: none"> <li>• LGS 90 Daisy Lane Overseal,</li> <li>• LGS133 Area opposite the Vineyard, Main Street, (A514), Ticknall :ā</li> <li>• LGS XX Mease Meadow, Hiltonā</li> </ul>

				<ul style="list-style-type: none"> <li>• LGS30 Pond to the Rear of Aston Hall Aston on Trentā</li> <li>• LGS51, Hilton Memorial Meadow/ Land at Humber Street/Welland Road, Hiltonā</li> <li>• LGS122 Land Adjoining Mill wheel Car Park.</li> </ul> <p>Email dated 22<sup>nd</sup> June has been sent to DWT and results of survey work will inform subsequent site appraisals and decision-making.</p> <p>No changes to the scoping report required. ā</p>
National Forest	Thank you for consulting us on the scoping report. We have no comments to raise at this time. I would be grateful if we could continue to be consulted on this document.		X	Comments are noted.
Historic England	Thank you for your consultation on the above. Historic England has the following comments to make on the scoping report: Para 1.5.2 typo in respect of Amber Valley BC	X		Noted. Clearly this is an error and will be corrected in the main report.
Historic England	Page 22 – Historic England supports the inclusion of cultural heritage as an SA objective.		X	Comments are noted.
Historic England	Page 25 Table 5.1. we support the decision making criteria and indicators for cultural heritage		X	Comments are noted.
Historic England	Page 26-30 Table 5.2. The Criteria for identifying the likely effects of the Plan on cultural heritage are appropriate in relation to this local green spaces plan.		X	Comments are noted.
Historic England	Para 5.2.3 Historic England supports the suggested format of the final SA report.		X	Comments are noted.
Historic England	Appendix 1 We recommend that Historic Landscape Character (HLC) data is referred to in respect of cultural heritage in addition to the information already set out. Interrogation of HLC data could assist in revealing historic locations of green spaces which may inform the appropriateness of such spaces and assist in enhancing	X		The County Council have been approached to provide the historic characterisation work they hold. Sites identified as having historic value in respect of this data will be clearly identified as this information will be considered in reviewing sites in respect of cultural heritage objective.

	and better revealing such assets.			
Historic England	With regard to key issues we agree with the indicated impact outcomes in relation to cultural heritage.		X	Comments are noted.
Historic England	I hope this information is of use to you at this time. Please do not hesitate to contact me if you have any queries.		X	Comments are noted.
Coton in the Elms Parish Council	A conservation area is noted in Coton as badgers hollow within the Plan. We also noted that the open space playing field requirement for the district is in the negative and the south of the region requires a junior playing field – football or cricket		X	Comments are noted. There is a Local Nature Reserve (Badgers Hollow) rather than conservation area referenced in the Plan. The report also highlights deficits in open space provision as noted by the Parish Council.
Coton in the Elms Parish Council	There are many more points within the scoping report where South Derbyshire is below the guidelines, biodiversity and green space per head of population to mention just a couple. It is recognised as the population increases, greater demands will be put on green space which inevitably leads to a contradictory argument.		X	Comments are noted.
Coton in the Elms Parish Council	The Parish Council is pleased to read that the District recycles or composts some 49% of household waste and in 2015/2016 no waste was sent to landfill. It didn't give detail as to the 51% of waste not recycled or not destined for a hole in the ground – however it is good to see that the District is doing well in these areas		X	Comments are noted. For the sake of completeness waste not recycled was used for energy generation.
Natural England	Thank you for your consultation on the above dated 01 May 2018.  Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.	X		Additional plans concerning river basin management have been bought into the scope of the appraisal in line with comments from the Environment Agency. Other strategies referred to by NE have been reviewed or are not available or relevant to this Authority.

	<p><b>Policies, plans and programmes relevant to Local Green Spaces Plan</b></p> <p>Natural England has not reviewed the plans listed. However, we advise that the following types of plans relating to the natural environment should be considered where applicable to your plan area;</p> <ul style="list-style-type: none"> <li>• Green infrastructure strategies</li> <li>• Biodiversity plans</li> <li>• Rights of Way Improvement Plans</li> <li>• River basin management plans</li> <li>• AONB and National Park management plans.</li> <li>• Relevant landscape plans and strategies</li> </ul>			
Natural England	<p><b>Collection of baseline information</b></p> <p>Please see attached annex for our advice on sources of local plan evidence on the natural environment</p>		X	The attached annex has been reviewed and the environmental information highlighted as, for the most part been used to inform the scope of appraisal work. The exception to this is data relating to natural capital maps. However this information is displayed on 1km grid squares and is considered of limited value in respect of the designation of LGS due to their local (non-strategic) nature.
Natural England	<p><b>Health or Green infrastructure:</b> There are questions relating to enhancing provision of recreational resources, but none relating to impacts on existing recreational assets (quality and or extent). We suggest adding to the 3rd bullet point “...and avoids impacts on the quality and extent of existing recreational assets, such as formal or informal footpaths</p>		X	There is an SA objective included in the SA framework to promote social inclusion, reduce inequalities and improve local accessibility to recreational resources including open spaces and sports facilities. The framework further includes a detailed decision making criteria to protect and enhance existing local green spaces valued by local communities. As such it is considered that the effect of the Plan in respect of existing recreational assets is considered due consideration in the Scoping Report. No further changes are proposed.
Natural England	<p><b>Soils and agricultural land:</b></p> <p>There no soil related sub objective under this objective. We suggest one should be added such as “Avoidance of the loss of best and most versatile agricultural land?”</p>	X		A decision making criteria considering best and most versatile agricultural land has been added to the SA framework.
Natural England	<p><b>Ecological connectivity:</b> There is a risk that in some situations, development on land of limited biodiversity</p>	X		A decision making criteria considering ecological connectivity has been added to the SA framework.

	value in its own right can lead to the creation of islands of biodiversity, permanently severed from other areas. We thus suggest adding “Ensure current ecological networks are not compromised, and future improvements in habitat connectivity are not prejudiced?			
Natural England	<p>As set out in Planning Practice Guidance, you should be monitoring the significant environmental effects of implementing the current local plan. This should include indicators for monitoring the effects of the plan on biodiversity (NPPF para 117).</p> <p>The natural environment metrics in the baseline information are largely driven by factors other than the plan’s performance. They are thus likely to be of little value in monitoring the performance of the Plan. It is important that any monitoring indicators relate to the effects of the plan itself, not wider changes. Bespoke indicators should be chosen relating to the outcomes of development management decisions.</p> <p>Whilst it is not Natural England’s role to prescribe what indicators should be adopted, the following indicators may be appropriate.</p> <p><b>Biodiversity:</b>  Number of planning approvals that generated any adverse impacts on sites of acknowledged biodiversity importance.  Percentage of major developments generating overall biodiversity enhancement.  Hectares of biodiversity habitat delivered through strategic site allocations.</p>		X	<p>The baseline included in this report prevents information to allow the key issues relevant to the Plan and the District to be identified. The SA framework outlines specific and detailed indicators that will be collected by the Authority in monitoring this plan upon adoption. However at this stage there is only a requirement to provide an outline of the measures envisaged to monitor the Plan.</p> <p>The Council will look to finalise its approach to monitoring upon adoption and will have regard to the comments received from Natural England at this point</p>

	<b>Green infrastructure:</b> Percentage of the city's population having access to a natural greenspace within 400 metres of their home. Length of greenways constructed. Hectares of accessible open space per 1000 population.			
Charles Cuddington	Discuss response with Charles and Karen.			



## Appendix 2: Plan Policy Appraisals

POLICY LGS1: DEVELOPMENT ON LOCAL GREEN SPACES			
Development will be supported on local green spaces where it will not unduly effect 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:			
<p>A. Protect, restore and enhance biodiversity and/or access to biodiversity</p> <p>B. Improve community cohesion through considerations such as increased social activity.</p>			
Sustainability Objective	Assessment of Effects		Potential for Mitigation
To enhance biodiversity and geodiversity across the District	✓	Policy will, allow for limited types of development on local green spaces although the policy will explicitly seek to protect, restore and enhance biodiversity or access to it. On this basis it is considered that the policy would have <b>minor</b> or <b>moderate beneficial effects</b> in respect of this objective.	None Identified
To provide high quality places to live where residents feel safe.	--	No effects are identified.	None Identified.
To improve the health and well-being of residents	✓✓	This policy would directly support opportunities to provide enhanced formal leisure facilities and support development which improves community cohesion and increased social activity. A <b>major beneficial effect</b> is identified.	None Identified.
To improve educational achievement and access to locally valued educational resources	✓	This policy would help ensure that designated Local Green Spaces support the enhancement of existing built facilities on sites, a small number of which are known to be used by local schools or youth organisation. As such this policy could have a <b>minor beneficial effect</b> against this objective.	None Identified.
To promote social inclusion, reduce inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).	✓	This policy supports development that improves community cohesion through considerations such as increased social activity. A <b>moderate beneficial effect</b> is identified.	None Identified.
To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public	✓✓	Site designation would provide opportunity to safeguard existing and secure the delivery of improvements to leisure facilities most of which are within existing or close to existing communities. A <b>moderate to major beneficial effect</b> is identified.	Inclusion of additional policy to address accessibility to, from and within sites. See Policy HGS2

transport walking and cycling)			
To deliver economic growth and diversify and strengthen local urban and rural economies.	✓	This policy could help support the provision of enhanced built leisure facilities on local green space sites. A <b>minor beneficial</b> effect is identified.	None Identified.
To enhance the vibrancy and viability of the District's urban areas and villages	✓	This policy has limited potential to improve the attractiveness of the site to visitors through the delivery of improvements to existing facilities used for leisure purposes. A <b>slight to potentially minor beneficial effect</b> is identified.	None Identified.
To improve the quality of the existing built environment.	✓	This policy will contribute towards improvements in existing leisure facilities which in many instances could ensure that older or inappropriate buildings or facilities are replaced by more appropriate facilities. Moreover the policy specifically requires that development does not give rise to undue effects on the openness and essential qualities of the space through the consideration of scale, design and location of proposals.	Include a requirement in an updated policy to ensure that new or replacement built facilities safeguard local townscape or landscape character.
To reuse brownfield land and promote sustainable use of natural resources including soil.	✗	Policy would allow for some loss of sites (which are mainly greenfield in nature) to facilitate new development which could include replacement facilities as well as extensions to existing facilities. However effects would be partially mitigated through proposed policy wording ensure the scale, design and location of the proposal inform proposals. A <b>minor negative</b> effect is identified.	None Identified.
To reduce water, light, air and noise pollution.	✗	Policy would allow for potentially harmful effects associated with the intensification of leisure uses on site through its support for the development appropriate to the use of greenspaces. Effects in respect of light pollution (which in turn could extend the hours of operation on sites and hence have noise effects also) could be particularly harmful. A <b>minor to potentially moderate negative</b> effect is identified.	None Identified.
To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes of climate change.	✗	This policy could have an uncertain effect against this objective. This is because this policy could support new or replacement development in locations with higher levels of flood risk. Sports and leisure uses are water compatible development and is permissible development in areas at flood risk in national and local planning policy but nonetheless development could lead to the intensification of sites or lead to the delivery of new development in areas at flood risk. A <b>minor negative effect</b> is identified.	None Identified.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings.	✗	This policy has the potential to harm heritage assets or their settings on a limited number of sites close to identified heritage assets where new or increased leisure and recreation development is supported. A <b>minor to potentially moderate effect</b> is identified.	None Identified
To conserve and enhance the District's landscape and townscape character	✓	This policy could support improvements in existing leisure facilities which in many instances could ensure that older or inappropriate buildings or facilities are replaced by more appropriate facilities. Moreover the policy specifically requires that development does not give rise to undue effects on the openness and essential qualities of the space through the consideration of scale, design and location of proposals. A <b>minor beneficial effect</b> is identified.	None Identified

**Commentary**

This is a thematic policy that will help to ensure limited but appropriate development which improves community value can be accommodated on local green spaces where the openness and essential qualities of the space can be safeguarded including through the consideration of scale, design and location.

**Key Effects**

This policy would be likely to have harmful effects in respect of a number of environmental objectives. Notably those relating to protecting existing resources (as it could lead to the loss of greenfield land), reducing water and noise pollution, by supporting the potential intensification of sports and leisure sites increasing flood risk and conserving and enhancing the historic environment (by potentially supporting development in locations where it come harm heritage assets or the setting of heritage assets).

Beneficial effects in respect of biodiversity, the provision of high quality places, supporting educational achievement, improving accessibility, delivering economic growth and enhancing built quality and landscape and townscape quality are identified. More significant beneficial effects are identified in respect of objectives to improve the health and wellbeing of local communities and make the best use of infrastructure.

**Amendments to the Policy Appraised**

No amendments have been proposed to this policy, although the inclusion of a further policy to address accessibility has been included in the Plan. The policy was subject to change following consultation on the draft plan. Changes have removed a number of criteria to simplify the policy and to address a conflict with adopted policy BNE8 of the Part 2 Local Plan. It is considered that changes will allow a more permissive approach to development within local green spaces where this supports the purpose for which the space is designated.

## POLICY LGS2: ENHANCEMENT OF LOCAL GREEN SPACES

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

### Accessibility

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

Sustainability Objective	Assessment of Effects		Potential for Mitigation
To enhance biodiversity and geodiversity across the District	✓✓	This policy seeks to support the improved management of local green space sites particularly in respect of biodiversity. <b>A major beneficial effect is identified.</b>	None Identified.
To provide high quality places to live where residents feel safe.	✓	This policy will support improvements to infrastructure including highways infrastructure, public footpaths and other public rights of way. <b>A minor or potentially moderate beneficial effect is identified.</b>	None Identified.
To improve the health and well-being of residents	✓	This policy will support general accessibility to sites as well as support improvements to site management which could have limited beneficial effects on wellbeing. <b>A minor beneficial effect is identified.</b>	None Identified.
To improve educational achievement and access to locally valued educational resources	✓	This policy explicitly supports the delivery of biodiversity enhancements on sites well related to or within existing communities. Many sites are located close to schools or other children's/youth groups. <b>A minor beneficial effect is identified.</b>	None Identified.
To promote social inclusion, reduce	✓✓	This policy explicitly seeks to support improvements to accessibility to green	None Identified.

inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).		spaces most of which provide formal or informal opportunities for recreation and leisure use. A <b>moderate or potential major beneficial effect</b> is identified.	
To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	✓✓	This policy seek to improve access to and the value of local green spaces within or adjacent to existing villages or urban communities. It will therefore help maximise the value and use of existing green infrastructure. A <b>major beneficial effect</b> is identified.	
To deliver economic growth and diversify and strengthen local urban and rural economies.	--	<b>No significant effects</b> are identified.	None Identified.
To enhance the vibrancy and viability of the District's urban areas and villages	--	<b>No significant effects</b> are identified.	None Identified.
To improve the quality of the existing built environment.	--	<b>No significant effects</b> identified.	None Identified
To reuse brownfield land and promote sustainable use of natural resources including soil.	X	Designation could lead to consequential development that lead to the loss of greenfield land as a result of the creation of new, or enhancement of existing footpaths or cycle ways (particularly metalled routes). Impacts would be unlikely to be significant given the scale of losses likely. <b>Limited or minor adverse effects</b> are identified.	None Identified.
To reduce water, light, air and noise pollution.	X	Policy has the potential to have an adverse effect in in respect of light or water pollution where hard surfaced (metalled) footways are installed alongside lighting which lead to increased runoff, or require the construction of culverts or other watercourse crossings. However the extent of impacts is likely to be moderated through appropriate design and construction and the limited extent to which metalled footpaths or cycle ways are likely to be used on local green space sites. A <b>minor adverse effect</b> is identified.	None Identified.
To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes of climate change.	X	Development could lead to an increased use of impermeable surfaces or construction of culverts on site which could lead to changes in hydrology and drainage on site. Impacts would be likely to be limited given existing safeguards and policy provisions included in the Local Plan and National Planning Policy Framework however given the potential for this policy to support metalled footpaths and cycle routes a <b>minor adverse effect</b> is identified.	None Identified.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings.	--	<b>No significant effects</b> identified.	None Identified.
To conserve and enhance the District's	--	<b>No significant effects</b> identified.	None Identified.

landscape and townscape character			
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### **Commentary**

This is a thematic policy that will help ensure that local green spaces can be managed effectively and in the interests of the community that uses them. The policy is largely focused on enhancements associated with biodiversity and accessibility.

### **Key Effects**

This policy would be likely to have significant beneficial effects against objectives to enhance biodiversity, making the best use of (green infrastructure) and improving accessibility to local facilities. It would have more limited beneficial effects in respect of objectives to provide high quality places to live; improve health and wellbeing and improve educational achievement. Limited negative effects are identified in respect of objectives to protect greenfield land; reducing water light and noise pollution and in respect of climate change/flood risk. This policy would give rise to no effects against a number of SA objectives.

### **Amendments to the Policy Appraised**

No amendments have been proposed to this policy as a result of this Sustainability Appraisal. A number of very minor amendments have been made to this policy (as proposed at draft stage) to improve clarity.

### APPENDIX 3 SIGNIFICANCE CRITERIA FOR IDENTIFYING LIKELY EFFECTS OF THE PLAN

Sustainability Objective	Detailed decision making criteria	Assumptions/ Notes	Potential Significance Criteria	
To enhance biodiversity and geodiversity across the District	<ul style="list-style-type: none"> <li>- Will it conserve and enhance internationally nationally and locally designated wildlife sites, or create new wildlife habitats?</li> <li>- Will it conserve protected species and habitats, UK and local BAP Priority Species and Habitats and enhance diversity?</li> <li>- Will it protect sites of geological importance?</li> </ul>	<ul style="list-style-type: none"> <li>- Sites would be unlikely to be required for housing or commercial development within the period to 2028 given that the Adopted Local Plan makes appropriate provision for such uses. Direct losses of sites attributable to development are therefore unlikely</li> <li>- Site would have to be an existing biodiversity/geodiversity site and likely to negatively affect the features for which site is designated to a have major effect</li> <li>- Site would have to be within 100m of an existing biodiversity/geodiversity site and likely to harm existing wildlife sites, or BAP habitat or species as a result of designation to record a minor adverse effect.</li> <li>- Protected species or sites covered by legislation will be safeguarded in line with these protections.</li> <li>- Where there is potential for sites to deliver enhancements in biodiversity through enhancements or management, but these are not confirmed through a formal plan a minor or moderate beneficial effect should be recorded</li> <li>- Where enhancements are confirmed within a detailed plan a major beneficial effect should be recorded.</li> </ul>	XX	Site designation would have a significant negative effect on biodiversity/geodiversity and is likely to lead to the loss or partial loss of a European site, SSSI, Local Wildlife site, Regionally Important Geological Site, National or Local Nature Reserve, or harm integrity of a site (for example due to increased visitor numbers)
			X	Site designation is within close proximity and could lead to intensification or development on sites which could adversely effect a European site, SSSI, Local Wildlife Sites, Regionally Important Geological Site, National or Local Nature Reserve or BAP Habitat unless mitigation measures are identified to fully mitigate likely effects of development.
			?	Uncertain effect (for example because information regarding BAP habitat or species on sites is not available)
			--	No significant impact identified.
			✓	Site designation has potential to deliver biodiversity gain including the delivery of new habitats (including BAP habitat), or improved management of existing open space or contribute towards enhanced connectivity between wildlife areas.
			✓✓	Development will make a major positive contribution towards the management, or condition of the green space and could provide opportunity for significant long term biodiversity gain.
To provide high quality places to live where residents feel safe.	-Will it reduce crime, fear of crime and provide safe areas to play or exercise in locations with crime or safety issues?	<ul style="list-style-type: none"> <li>- Given the nature of Local Green Spaces proposed it is unlikely that any would have major effects against this SA objective.</li> <li>- In reviewing sites particular regard will be had to parking and road safety issues and the potential for site designation to affect highways safety locally.</li> </ul>	XX	Site has the potential to have a major negative effect in respect of safety or significantly increase crime or fear of crime.
			X	Site has the potential to have a minor negative effect in respect of safety or increase crime or fear of crime.
			?	Uncertain effect (it is unclear whether site would have any effect in respect of safety or crime or fear of crime).
			--	No effects identified.
			✓	Plan option (or site) has the potential to have a minor positive effect in respect of safety or reduce crime or fear of crime.
			✓✓	Plan option (or site) has the potential to have a major positive effect in respect of safety or significantly reduce crime or fear of crime.

To improve the health and well-being of residents	Will it promote healthy lifestyles?	<ul style="list-style-type: none"> <li>- Negative effects are unlikely but could occur where site designation lead to changes in public access or changes to how spaces are managed for use by the local community (for example where sports pitches are improved and informal access to local communities is lost.</li> <li>- For a positive effect to be identified facilities should be within 800m of the community it serves and accessible by foot.</li> </ul>	XX	Site designation would remove opportunities for formal leisure use locally.
			X	Site designation could reduce opportunities for informal leisure use locally
			?	Uncertain effect (it is unclear whether site would deliver any potential for new or enhanced leisure provision or will be publically accessible) .
			--	No effects identified.
			✓	Sites would offer opportunities to provide new or enhanced informal leisure and recreation facilities (for example allotment, permissive walking routes etc.)
			✓✓	Site would offer opportunities to provide new or enhanced formal leisure and recreation provision accessible to local communities
To improve educational achievement and access to locally valued educational resources	Will it contribute to the delivery or protection of existing educational resources or facilities utilised by local schools or other education facilities?	<ul style="list-style-type: none"> <li>- Negative effects are unlikely but could occur where site designation lead to changes in public access or changes to how spaces are managed for use by the local community (for example where sports pitches are improved and informal access to local communities is lost.</li> </ul>	XX	Site designation would lead to the loss of spaces currently used by local schools or youth groups
			X	Site designation would reduce opportunities for use by local schools or youth groups.
			?	Uncertain effects (No information available).
			--	No effects identified
			✓	Site designation could help safeguard or enhance open space or facilities used infrequently by local schools and youth organisations locally.
			✓✓	Site designation could help safeguard or enhance open space or facilities regularly used by local schools and youth organisations locally.
To promote social inclusion, reduce inequalities and improve local accessibility to recreational resources (including open spaces and sports facilities).	Will it protect or enhance existing local green spaces valued by local communities?	<ul style="list-style-type: none"> <li>- Negative effects are unlikely but could occur where site designation lead to changes in public access or changes to how spaces are managed for use by the local community (for example where sports pitches are improved and informal access to local communities is lost.</li> </ul>	XX	Site designation could lead to the loss of local green space currently accessible to local communities.
			X	Site designation would reduce opportunities for use of local green spaces by local communities
			?	Uncertain (for example because information on public access to sites is unavailable)
			--	Designation would not lead to any changes in accessibility
			✓	Site designation would provide long term protection to an accessible local green space within 400m of an existing village or urban area which is accessible by unmetalled footpath or permissive route.
			✓✓	Site designation would provide long term protection to an accessible local green space within 400m of an existing village or urban area and accessible by metalled footpaths that are lit.

To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	Will it make best use of new infrastructure by providing opportunity to protect and enhance existing valued community spaces.	<ul style="list-style-type: none"> <li>- It is highly unlikely that designating Local green spaces would have any negative effects in respect of making best use of existing infrastructure.</li> <li>- Positive effects are more likely where designation supports communities to access funds to improve or enhance existing infrastructure provision such as pavilions or improved facilities or sports pitches.</li> <li>- In order to assign a major beneficial effect evidence of well advanced plans to improve facilities will need to be demonstrated.</li> </ul>	XX	Not applicable
			X	Not applicable
			?	Uncertain effects (for example due to lack of information)
			--	No effects identified
			✓	Site designation could potentially safeguard or provide opportunity to provide new or enhanced infrastructure such as open space, flood works or built leisure facilities within 800m of an existing community
To deliver economic growth and diversify and strengthen local urban and rural economies.	Will it support economic growth locally?	<ul style="list-style-type: none"> <li>- It is unlikely that designating Local green spaces would have a major effect (positive or negative) in respect of this objective.</li> <li>- Sites included as potentially suitable in the Shlaa or Selaas will be 'scored' as having a minor negative effect given that sites could contribute to future economic development beyond 2028.</li> <li>- A minor beneficial effect is likely to be assigned where a designation could protect an established or create a new recreation or leisure facility which could attract increased visitors to the site or improve access to grant funding.</li> <li>- A major beneficial effect will only be assigned where there is clear evidence that designation could significantly affect visitor numbers to a site.</li> </ul>	XX	Site designation could affect an employment or housing site already subject to planning consent, or allocated in the Local Plan.
			X	Site designation could affect potentially suitable housing and employment sites that could contribute to meeting economic and housing needs after 2028.
			?	Uncertain effects (for example due to lack of information)
			--	No effects identified
			✓	Site designation could improve visitor numbers by enhancing recreation and leisure facilities and provision or improve access to grant and other funding and
To enhance the vibrancy and viability of the District's urban areas and villages	Will it improve existing, tourism, or visitor attractions within Swadlincote, the Burton and Derby urban areas and the villages?	<ul style="list-style-type: none"> <li>- It is highly unlikely that designating Local green spaces would have any negative effects in respect of this objective.</li> <li>- In order to assign a major beneficial effect evidence of well advanced plans to improve facilities will need to be demonstrated.</li> </ul>	XX	Not applicable
			X	Not applicable
			?	Uncertain effects (for example due to lack of information)
			--	No effects identified
			✓	Site designation has potential to improve the attractiveness of a site to visitors including through enhanced interpretation, accessibility or connectivity with existing tourism and leisure attractions.
			✓✓	Site designation will improve the attractiveness of a site to visitors including through enhanced interpretation, accessibility or connectivity with existing tourism and leisure attractions.

To improve the quality of the existing built environment.	Will it help protect an existing open space or gap in development that is important to the character of the local area?	- It is highly unlikely that designating Local green spaces would have any negative effects in respect of this objective.	XX	Not applicable
			X	Not applicable
			?	Uncertain effects (for example due to lack of information)
			--	No effects identified
			✓	Site is located within or on the edge of an existing settlement and will safeguard local townscape character valued by the community.
			✓✓	Site is located within or on the edge of an existing settlement and is within a conservation area, or its setting or is in an area where an article 4 direction is in force.
To reuse brownfield land and promote sustainable use of natural resources including soil.	Will it safeguard undeveloped land?	- It is highly unlikely that designating Local green spaces would have a major negative effects in respect of this objective. - Where consequential development is likely as a result of designation (for example new built facilities are proposed on a recreation site a minor negative effect is likely to be assigned unless development is on substantially the same footprint as an existing facility.	XX	Not applicable.
			X	Site designation could lead to consequential development that could lead to the loss of greenfield land.
			?	Uncertain effects (for example due to lack of information)
			--	No effects identified
			✓	Site designation will safeguard previously undeveloped land
			✓✓	Site designation could contribute towards the environmental regeneration or remediation of previously developed land.
To reduce water, light, air and noise pollution	-Will it reduce water pollution? -Will it reduce light pollution? -Will it improve air quality? -Will it reduce noise pollution?	- Significant effects would have to be confirmed and given the nature of the Local Green Space designation major effects are unlikely in most instances.	XX	Site designation will have a confirmed major negative effect on water, air, noise or light pollution locally, for example due to intensification of use, changes in site management or installation of flood lighting.
			X	Site designation has potential for a negative effect on noise, light, air or water pollution due to intensification of use, changes in site management or installation of flood lighting.
			?	Uncertain effects (for example due to lack of information)
			--	No effects identified
			✓	Site designation has potential for a positive effect on noise, light, air or water pollution locally due to changes in land use management, new habitat creation or changes in how the site is used.
			✓✓	Site designation will have a confirmed major beneficial effect on noise, light, air or water pollution locally due to changes in land use management, new habitat creation or changes in how the site is used.

To reduce and manage the impacts of climate change including flood risk and the District's contribution towards the causes of climate change	<ul style="list-style-type: none"> <li>- Will it provide opportunity to address flood risk locally?</li> <li>- Will it provide opportunity for urban shading or cooling locally?</li> </ul>	Most sites would be unlikely to have major effects.	XX	Site is located in an area at high flood risk (3b or 3a) and could exacerbate flood risk through the delivery of new development to support the green space designation
			X	Site is located in areas at moderate flood risk, or in an area with potential for surface water flooding (all risk levels) and could lead to the delivery of new development to support the green space designation.
			?	Uncertain effects (for example due to lack of information)
			--	Site is located in Flood zones 3b, 3a, 2 or 1 but will not lead to the intensification of use on the site.
			✓	Site is located in an area at identified flood risk but could contribute to changes in land use or management which could reduce flood risk locally
			✓✓	Site is located in an area in an area at identified flood risk but will contribute to changes in land use or management, or the delivery of local flood management measures which could reduce flood risk locally.
To conserve, enhance and improve access to the historic environment, heritage assets and their settings	<p>Will it protect and enhance historic, cultural, architectural and archaeological features and their settings?</p> <p>Will it improve access to the public and the understanding of the District's historic and cultural facilities?</p>	Significance it likely to be determined based on the importance of the heritage assets and its proximity/relationship to the proposed Local Green Space	XX	Site designation has potential to cause harm to heritage assets and/or their setting where it is unlikely these can be adequately mitigated.
			X	Site designation has the potential to cause harm to heritage assets or their setting but can be mitigated.
			?	Uncertain effects (for example due to lack of information)
			--	Site is unlikely to have any effect on any heritage assets or their setting
			✓	Site designation has the potential to safeguard or enhance undesignated heritage assets and their setting
			✓✓	Site designation has the potential to safeguard or enhance designated heritage assets and/or their settings.
To conserve and enhance the District's landscape and townscape character	<p>Does it respect and protect existing landscape character?</p> <p>Will it protect and create open spaces, landscape features, woodlands, hedges and ponds?</p>	--	XX	Site is identified as being of primary sensitivity in the AMES or is within a conservation area or its setting and will lead to development that will harm local landscape and townscape.
			X	Site is identified as being of secondary sensitivity in the AMES study or could affect a conservation area or its setting due to an intensification in use of the site
			?	Uncertain effects (for example due to lack of information)
			--	Site is unlikely to have any effect
			✓	Site will make a contribution towards safeguarding local landscape and townscape character including in areas of secondary sensitivity (or lower) or within the setting of identified heritage assets
			✓✓	Site will make a major contribution to local landscape or townscape character including in areas of primary sensitivity (AMES) or within a conservation area or within the setting of other heritage assets.

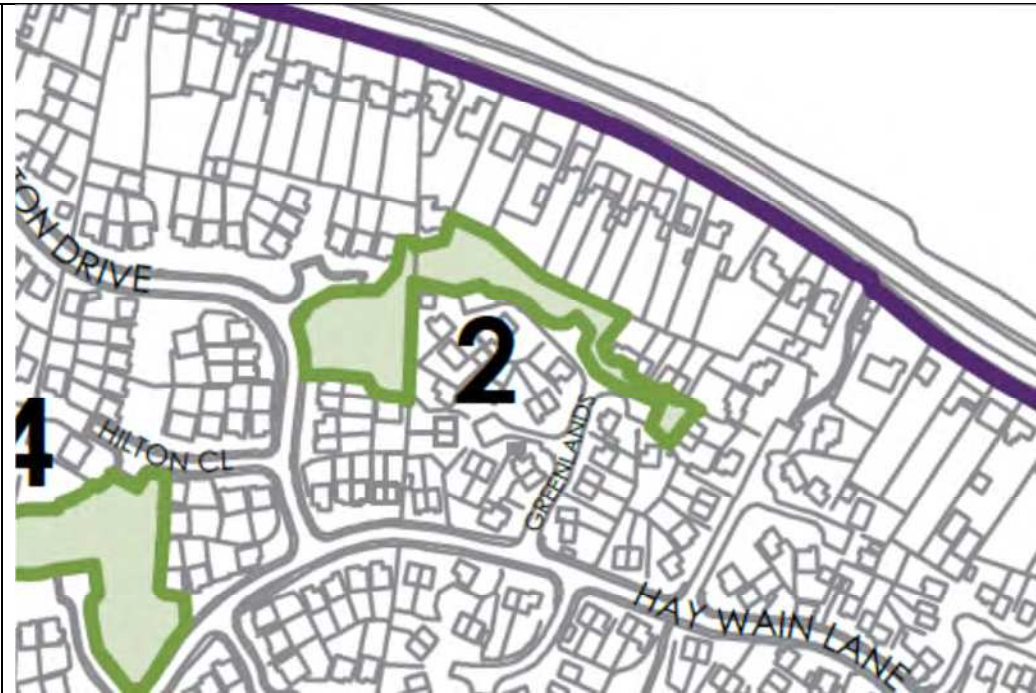
## APPENDIX 4: Site Appraisals

### Site Ref 02: Aston Drive, Midway, Swadlincote

This site is located within Midway which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Midway.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮		✓



**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as semi mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Midway and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

**Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 03: South of Edgecote Drive, Midway, Swadlincote**

This site is located within Midway which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Midway.

Midway is part of the Swadlincote Urban Area. It has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮		✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as semi mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Midway and accessible to local residents and is surrounded by metalled footpaths and street lighting. There are lit paths through the site
- The site contributes towards the wider built environment. It is surrounded by built development and provides a notable area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character in an otherwise developed area. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 04: Off Lawns Drive, Midway, Swadlincote**

This site is located within Midway which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Midway.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮		✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as semi mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Midway and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 05: Spring Farm Road, Midway, Swadlincote**

This site is located within Midway which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Midway.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮		✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as semi mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Midway and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

**Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 06: Sandholes Open Space, Eastfield Road, Midway, Swadlincote**

This site, is located within Midway which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Midway.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature and semi mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Given the scale of the site, it is considered to offer opportunities to provide new or enhanced informal leisure and recreation provision.
- Site is located within Midway and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character and its contribution toward informal leisure and recreation provision locally. There may be opportunity to improve the biodiversity and recreation value of the site through improved management.

**Site Ref 09: Fairfield Crescent, Newhall, Swadlincote**

This site is located within Newhall, which forms part of the Swadlincote Urban Area and is the only site passed to the second stage of assessment through the sustainable appraisal in Newhall, (other identified sites are protected from development through the Local Plan).

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a notable beneficial effect in respect of biodiversity. The site includes amenity grassland and mature and semi mature trees. There is potential to support enhanced site management in the interests of biodiversity given the size of this site.
- Given the scale of the site, it is considered to offer limited opportunities to provide new or enhanced informal leisure and recreation provision.
- Site is located within Newhall and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

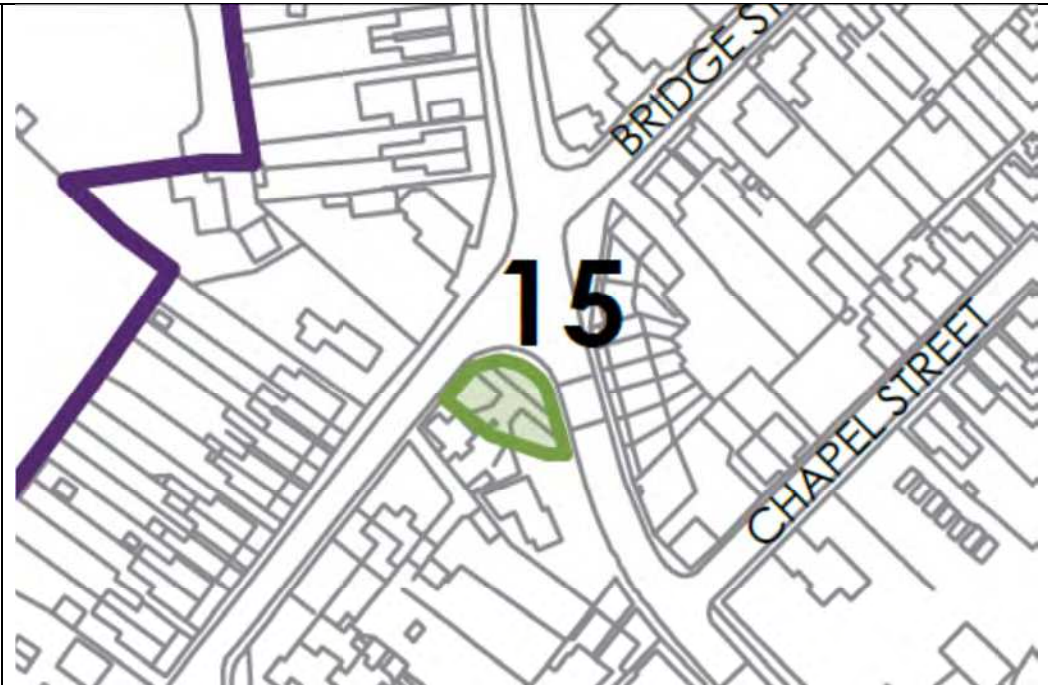
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character and its contribution toward informal recreation provision locally. There may be opportunity to improve the biodiversity and recreation value of the site through improved management.

**Site Ref 15: War Memorial (1), Castle Gresley**

This site is located in Castle Gresley and is a listed war memorial surrounded by amenity planting.

Castle Gresley is part of the Swadlincote Urban Area. It has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is in public ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓



## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes amenity grassland and areas of planting. The site has potential for improved management in the interests of biodiversity.
- Site would help provide long-term protection of an accessible green space within 400m of an existing settlement and accessible by a metalled and lit footpath
- Site is located within an existing settlement and will safeguard an established open space valued by the community which contributes to local character.
- Site designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to make a contribution towards safeguarding local townscape character.

## Conclusions

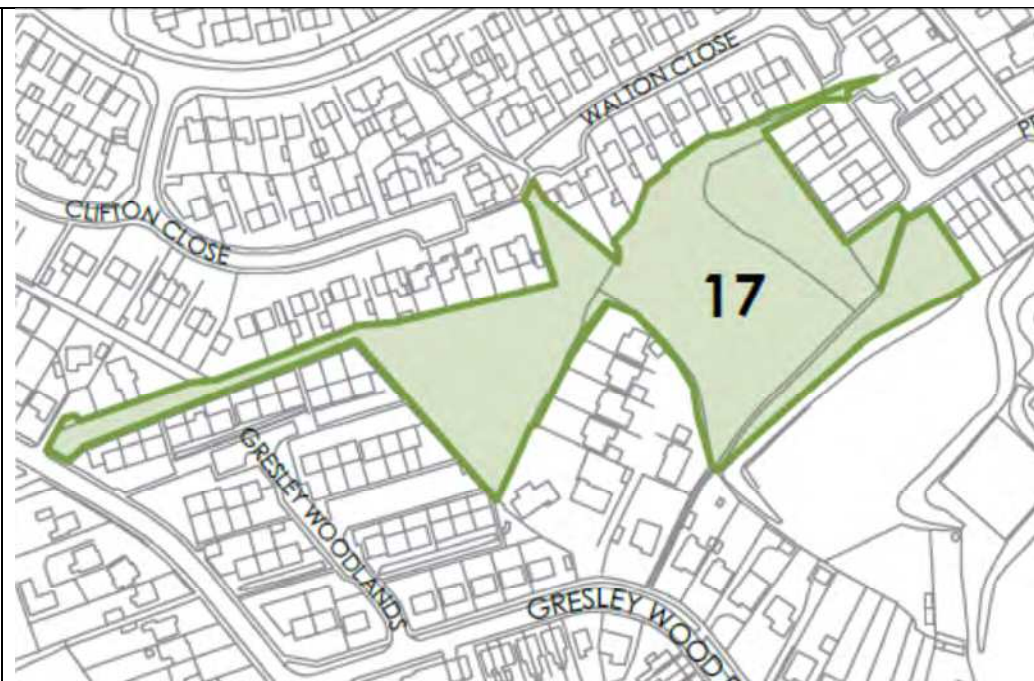
Having reviewed this site through the stage 2 assessment, there is considered to be sufficient case for designation given the urban nature of the surrounding area and the busy nature of the adjacent highways intersection. The site makes a contribution towards local townscape character and provides an accessible focal point for commemorating the fallen.

**Site Ref 17: Off Gresley Wood Road, Church Gresley, Swadlincote**

This site is located in Church Gresley which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Church Gresley.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮		✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature and semi mature trees there is a wooded area to the east of the site. There is potential to support enhanced site management in the interests of biodiversity.
- Site could offer opportunity to safeguard or enhance informal leisure and recreation facilities.
- Site is located within Church Gresley and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

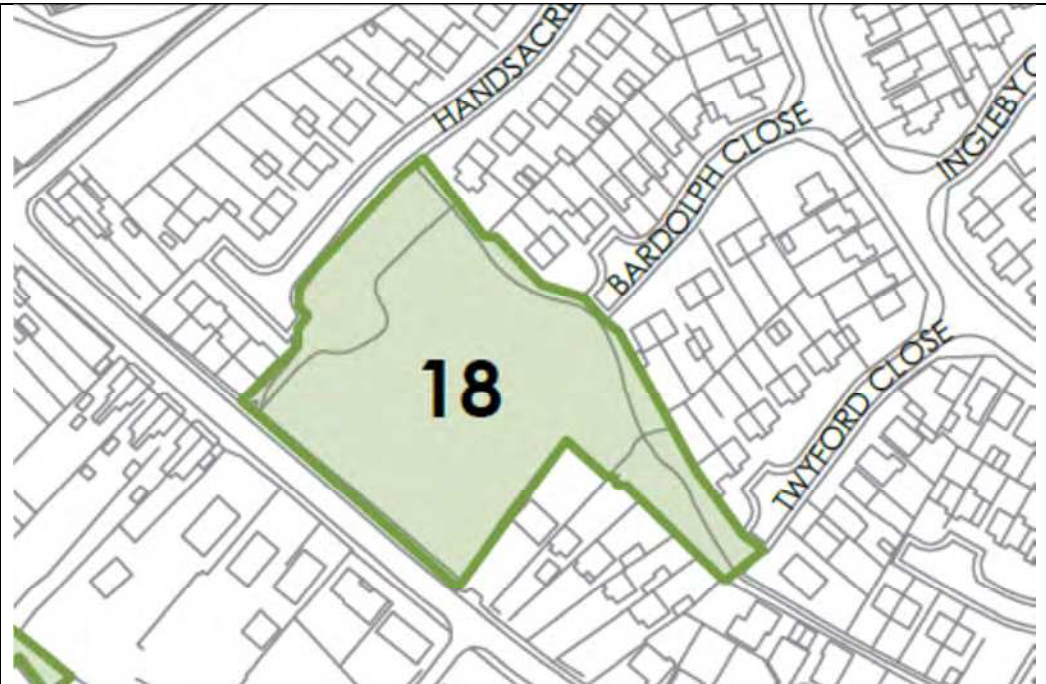
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 18: Gresley Wood, Gresley Wood Road, Church Gresley, Swadlincote**

This site is located in Church Gresley which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Church Gresley.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓	::	✓✓	::	::	::	✓	✓	::	::		✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. This is a wooded site comprising of mature and semi mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site could offer opportunity to safeguard or enhance informal leisure and recreation facilities.
- Site is located within Church Gresley and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 19: Lathkill Dale, Church Gresley, Swadlincote**

This site is located in Church Gresley which forms part of the Swadlincote Urban Area and is one of five sites passed through to the second stage of assessment through the sustainable appraisal in Church Gresley.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of amenity grassland with occasional mature and semi mature trees mainly around the site periphery. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Church Gresley and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

**Conclusions**

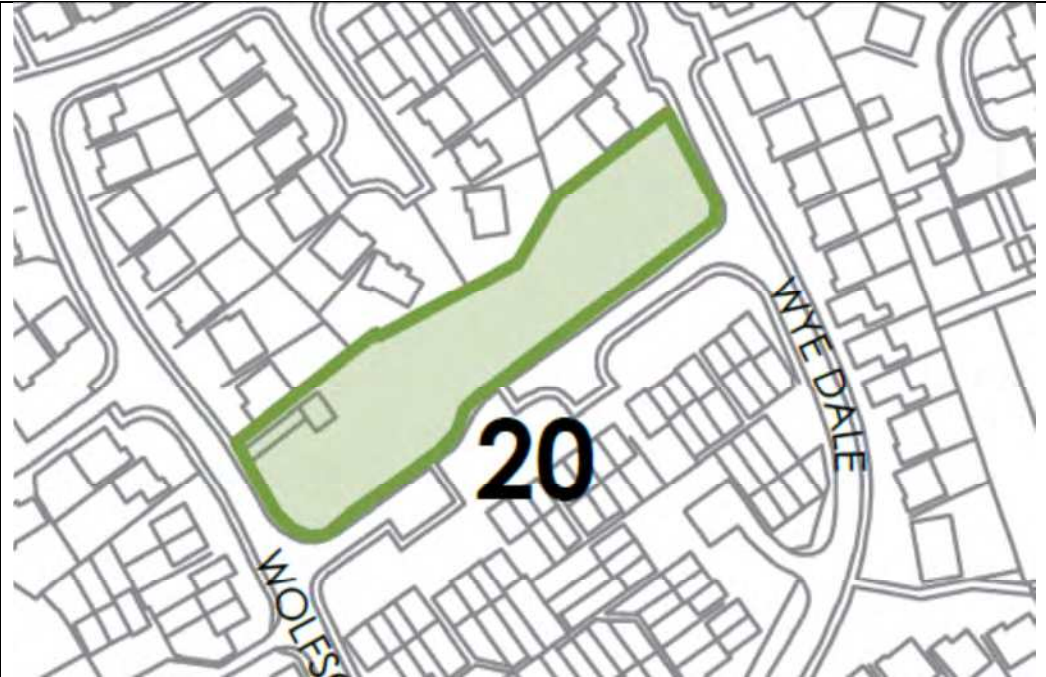
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 20: Wye Dale, Church Gresley, Swadlincote**

This site is located in Church Gresley which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Church Gresley.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of amenity grassland with occasional semi mature trees mainly around the site periphery. There is a large tree subject to a tree preservation order adjacent to the site, although this is located on private land. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Church Gresley and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 21: Fabis Close, Church Gresley, Swadlincote**

This site is located in Church Gresley which forms part of the Swadlincote Urban Area and is one of five sites passed to the second stage of assessment through the sustainable appraisal in Church Gresley.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with tree around the periphery and a small play park located centrally within the site. Biodiversity value could be enhanced through additional planting or improved maintenance.
- The site is accessible by a metalled and lit footways from Fabis Close
- The site provides a publically accessible local space that makes a notable contribution towards local townscape character in a largely developed part of the urban area.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character in a largely developed part of the urban area.

**Conclusions**

Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

**Site Ref 22: Sorrel Drive, Woodville, Swadlincote**

This site is located in Woodville which forms part of the Swadlincote Urban Area and is one of four sites passed to the second stage of assessment through the sustainability appraisal in Woodville.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of amenity grassland with semi mature trees along the north eastern boundary. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Woodville and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 23: Falcon Way, Woodville, Swadlincote**

This site is located in Woodville which forms part of the Swadlincote Urban Area and is one of four sites passed to the second stage of assessment through the sustainability appraisal in Woodville.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of amenity grassland with semi mature trees. It is closely related to an area of woodland to the north which is subject to a tree preservation order (TPO 207) and designated as a local wildlife site (Woodville Disused Railway). There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Woodville and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

**Conclusions**

This site forms part of an assemblage of amenity grassland in the vicinity of Falcon Way, Woodville. Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There is potential for enhanced site management in the interests of biodiversity.

**Site Ref 24: Kingfisher Avenue, Woodville, Swadlincote**

This site is located in Woodville which forms part of the Swadlincote Urban Area and is one of four sites passed to the second stage of assessment through the sustainable appraisal in Woodville.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of amenity grassland with mature and semi mature trees. It is adjacent to an area of woodland to the north which is subject to a tree preservation order (TPO 207) and designated as a local wildlife site (Woodville Disused Railway) There is considered potential to support enhanced site management in the interests of biodiversity.
- Site is located within Woodville and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides an area of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

### **Conclusions**

This site forms part of an assemblage of amenity grassland in the vicinity of Falcon Way, Woodville. Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. The site is contiguous to a wildlife site and area of protected woodland and could be managed to deliver biodiversity enhancements locally.

**Site Ref 25: Tern Avenue, Woodville, Swadlincote**

This site is located in Woodville which forms part of the Swadlincote Urban Area and is one of four sites passed to the second stage of assessment through the sustainable appraisal in Woodville.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of a small area of amenity grassland with a small number of trees. There is considered potential to support enhanced site management in the interests of biodiversity.
- Site is located within Woodville and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and forms part of an assemblage of green space within a largely residential area.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area. The site is located within the National Forest area.

**Conclusions**

This site forms part of an assemblage of amenity grassland in the vicinity of Falcon Way, Woodville. Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space in combination with other amenity areas in the vicinity. This case rests on the contribution this and nearby sites makes to local townscape character.

**Site Ref 30: Pond to the rear of Aston Hall, Aston on Trent**

This site is located in the village of Aston and is one of two sites passed to the second stage of assessment through the sustainable appraisal in the village.

Aston is a medium to large village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 850 homes as well as a Care Village located in Aston. The number of homes in the village will increase to around 930 by 2028. In addition there is a primary school, doctors, shops, community centre and outdoor sports provision within the settlement. There is a conservation area in the village, this is located to the north of this site.

The site is in mixed private and public ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of areas of grassland, scrub, and mature and semi mature trees together with a large central pond. There is a small watercourse on the eastern boundary of the site. There is notable opportunity improved management in the interests of biodiversity.
- Site provides opportunities to enhance health and wellbeing, in particular by improvements to the existing footpaths around the site which are currently difficult to traverse due to fallen trees, encroachment by vegetation including nettles and uneven ground.
- Site is located within the village and accessible to local villagers, although not via metalled paths.
- The site is within the setting of a conservation area and the grade 2\* listed Aston Hall.
- Site designation will safeguard previously undeveloped land.
- Site designation could help preserve the setting of the grade 2\* Aston Hall and the setting of the Conservation Area which is located around 50m from the site.
- Site is identified as being less sensitive in AMES study though forms part of the setting for Aston Hall and Aston on Trent Conservation Area

## Conclusions

Having reviewed this site through the stage 2 assessment, the case for designation is considered good. The site contributes to the rural setting of Aston Hall Hospital and the Conservation Area and forms a wild area widely used by dog walkers and other residents as it provides a tranquil space close to the heart of the village. The site provides access to wildlife, although it is acknowledged that paths around the large central pond are in poor condition and in part it is difficult for less able people to access the site. Nonetheless the site is considered worthy of designation given its importance to the setting of adjacent conservation area and listed hall and its biodiversity value.

**Site Ref 36: The Bowling Green, Aston on Trent**

This site is located in the village of Aston upon Trent and is one of two sites passed to the second stage of assessment in the village.

Aston is a medium to large village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 850 homes as well as a Care Village within the settlement, although this will increase to around 930 homes by 2028. In addition there is a primary school, doctors, shops, community centre and outdoor sports provision. This site is located outside of the settlement. There is a conservation area in the village located to the north of this site

The site is in mixed ownership and is understood to be maintained by the bowls club, and Aston and Weston on Trent Parish Councils.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓	::	✓✓	✓	::	::	✓✓	✓	::	::	✓✓	✓✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature and semi mature trees, a number of which are subject to tree preservation orders. The site provides opportunity for further tree planting or improved management in the interests of biodiversity.
- Site provides opportunities to enhance health and wellbeing, through the provision of well-maintained and accessible bowling facilities for local residents.
- Site is located within the village and accessible to local villagers accessible via metalled and lit footpaths including off Willow Park Way.
- Designation could help safeguard existing maintained open space and sports provision in the village.
- The site is within the setting of a conservation area and the grade 2\* listed Aston Hall.
- Site designation will safeguard previously undeveloped land.
- Site designation could help preserve the setting of the grade 2\* Aston Hall and the setting of the Conservation area which is located around 50m from the site.
- Site is identified as less sensitive in respect of the AMES study but forms part of the setting of Aston Hall and the village conservation area.

## Conclusions

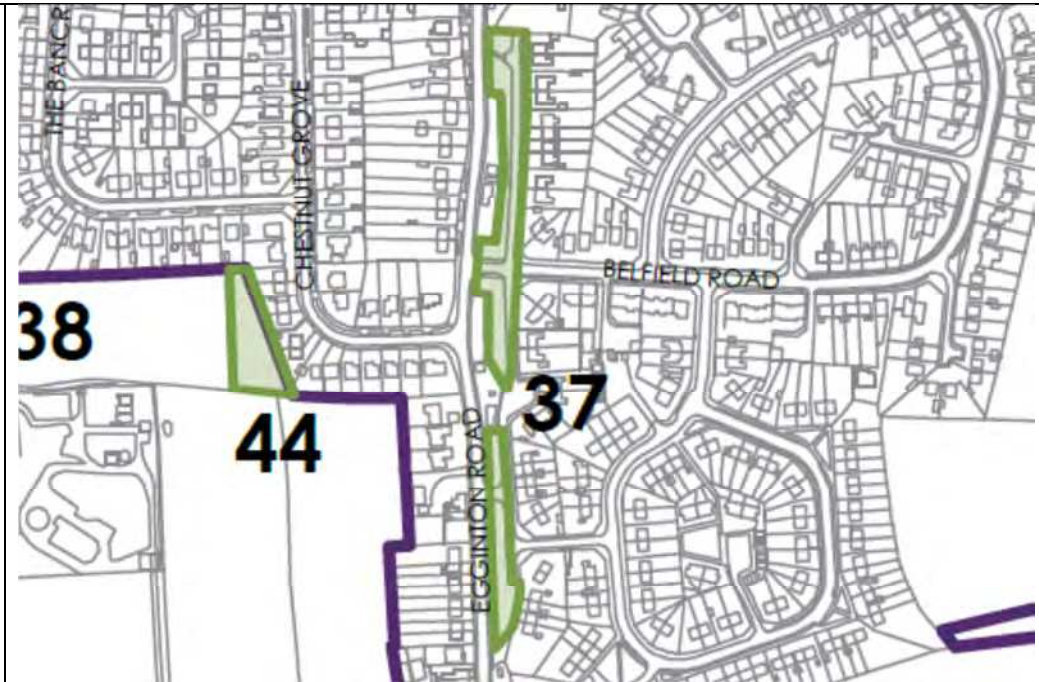
Having reviewed this site through the stage 2 assessment, the case for designation for this site is good. The site is maintained by the users of the bowling green on an informal basis, whilst surrounding green spaces is maintained by the Parish Councils. The site contributes to the rural qualities of this part of Aston and in particular contributes to the rural and open setting of Aston on Trent Conservation Area and Aston Hall located to the immediate north of the site. Designation could also help preserve the rural feel of this part of the village which has seen significant recent urban development on the former of the Aston Hall Hospital site. The site is publically accessible.

**Site Ref 37: Egginton Road, Etwall**

This site is located in the village of Etwall and is one of six sites passed to the second stage of assessment in the village.

Etwall is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 1,100 homes in the village, although this is likely to increase to around 1,350 by 2028. In addition there is a secondary and primary school, leisure centre, shops, library, community centre and outdoor sports provision. This site is located within the settlement. There is a conservation area in the village although this is located around 300m to the north of the site.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes amenity grassland and mature and semi mature trees together with ornamental hedgerows to the boundary of private residences and the site provides opportunity for further tree planting or improved management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers. Site provides alternative walking areas away from the road and could be potentially enhanced.
- Site is located within an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land.
- Site designation is unlikely to have a notable effect in respect of pollution although the informal path through the site provides some opportunity for pedestrians to use a walking route away from the public highway.
- Site is likely to make a limited contribution towards safeguarding local townscape character.

### **Conclusions**

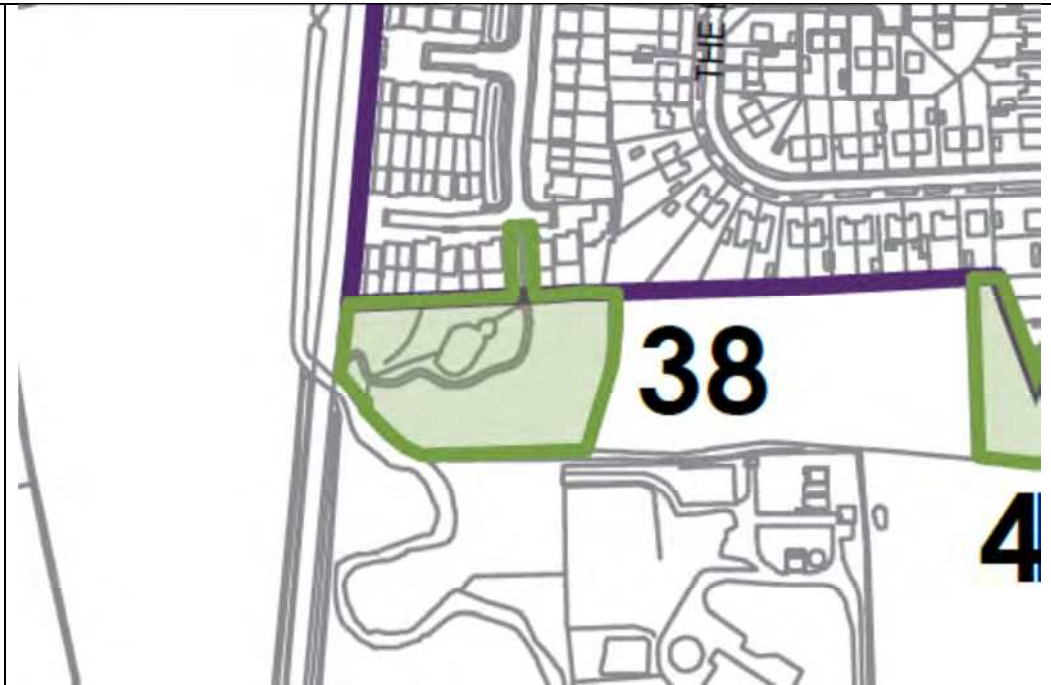
Having reviewed this site through the stage 2 assessment, there is considered adequate case for designation of this site. This judgement has regard to the increasingly developed nature of Etwall, and the nature and location of the site which forms a green finger along Egginton Road. Designation of this site has received some community support as well as support from Etwall Parish Council. However any designation will need to exclude those parts of the site in use as private homes and gardens.

**Site Ref 38: Appletree Meadow, Etwall**

This site is located in the village of Etwall and is one of six sites passed to the second stage of assessment in the village.

Etwall is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 1,100 homes in the village, although this will increase to around 1,350 by 2028. In addition there is a secondary and primary school, leisure centre, shops, library, community centre and outdoor sports provision. This site is located immediately adjacent to the settlement settlement. There is a conservation area in the village.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	✓	⋮	⋮	⋮	✓	⋮	⋮	⋮	*✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of amenity grassland with occasional mature and semi mature trees around the site periphery and areas of younger planting within the site. Mapping indicates there is a pond located centrally in the site, although this was not visible during a site visit. There is potential to support enhanced site management in the interests of biodiversity.
- Site could offer opportunity to safeguard or enhance informal leisure and recreation facilities.
- Site is located within Etwall and accessible to local residents and is surrounded by metalled footpaths and street lighting accessible off Old Station Close. Site provides an important connection to the national cycle route located to the west of the site.
- Site designation could offer opportunity to provide new or enhanced infrastructure including improvements to the access to the adjacent cycle route.
- Site designation will safeguard previously undeveloped land.
- There is evidence of historic flooding in the vicinity of Old Station Close and this site recorded in the Council's Strategic Flood Risk Assessment. It is unclear whether designation could address flood risk locally.
- Site will safeguard local landscape character by preserving an area which helps screen built development on the edge of the settlement in a location identified as of secondary importance in the County Council's Areas of Multiple Environmental Sensitivity Study.

### **Conclusions**

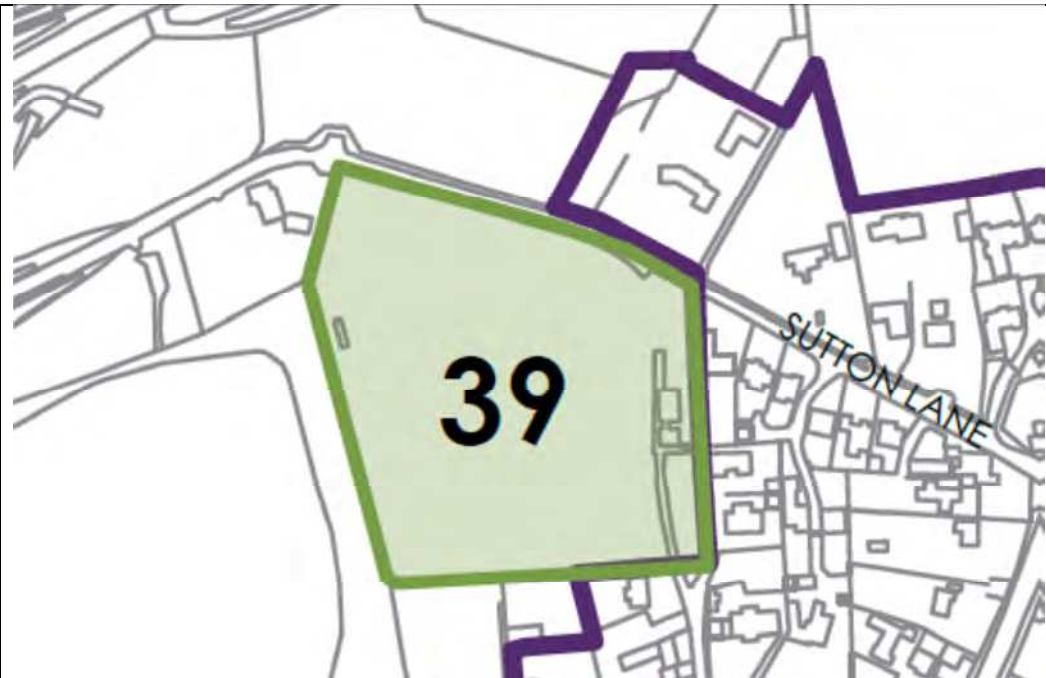
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local landscape/townscape character and to its contribution the sites make to informal leisure provision and connectivity to the National Cycle Route to the west.

**Site Ref 39: South of Sutton Lane Etwall**

This site is located in the village of Etwall and is one of six sites passed to the second stage of assessment in the village.

Etwall is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 1,100 homes in the village, although this will increase to around 1,350 by 2028. In addition there is a secondary and primary school, leisure centre, shops, library, community centre and outdoor sports provision. This site is located within the settlement. There is a conservation area in the village, and this forms part of the southern and eastern boundary to this site.

The site is owned by Sir John Port Trust and the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	?	✓	✓✓	✓	✓✓	✓	:-	✓✓	✓	?	:-	✓✓	✓✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity and rough grassland and mature and semi mature trees on the boundary, particularly along the western and north western boundary where there is a small copse. There are also well established hedgerows along Sutton Lane which has historically been identified as species rich together with amenity hedgerows on the eastern and south eastern edge of the site. There is moderate potential to improve biodiversity interest on this site subject to improved management.
- An uncertain effect is identified in respect of safety due to the lack of defined footpath to the site.
- Site designation could support enhancement of existing facilities on the site.
- Site is occasionally used by scouts groups. The Cricket Club does have its own youth and children's teams.
- Site is located within the village and accessible to local villagers. Site is accessible from Church Hill which whilst partially lit does not have a separate road and pavement. Site has moderate or major potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community
- Designation could help improve the potential for the existing club to access grant funding to improve local facilities and support increased site usage
- Site is located within an existing settlement and is immediately adjacent to Etwall Conservation Area and so site designation would help conserve the setting of this area.
- Site designation will safeguard previously undeveloped land.
- It is unclear whether site designation could lead to an intensification of use of the land which could lead to increased noise, or pressure for floodlighting etc.
- Site designation will help conserve the setting of the Etwall Conservation Area which lies adjacent to the site and may have limited beneficial effects in respect of conserving the setting of the grade 1 listed St Helens parish church and the grade 1 listed Almshouses (Etwall hospital)
- Site will safeguard local townscape character and will protect the setting of nearby heritage assets. The Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity.

## Conclusions

Having reviewed this site through the stage 2 assessment, the case for designation for this site is considered strong. However, through the review for this site it is clear that there is uncertainty regarding the potential for increase site usage and the effects this could have in respect of noise and light pollution. Ordinarily sports pitches would be screened out for inclusion as a local green space as they receive some protection from Policy INF9 of the Part 1 Local Plan. However there is some evidence of the wider use of this site including for bonfire night, the summer music festival and well dressing. It is also understood this site hosts an annual 'badge night' for local cubs, scouts, brownies and guides. Based on the stage 2 review it is also clear that this site contributes significantly towards local townscape character and forms part of the setting of the conservation area and to a lesser extent listed buildings

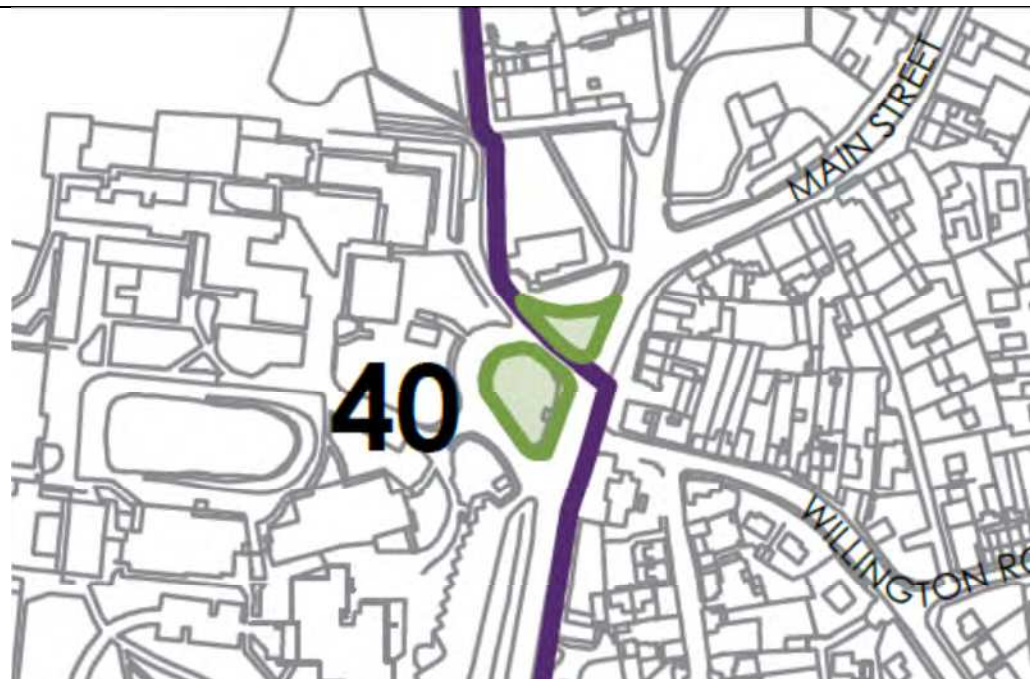
surrounding the site. On this basis there is considered to a locational imperative to ensure that the site itself is protected due to its wider aesthetic and historical value to the wider village.

**Site Ref 40: West of Main Street Etwall**

This site is located in the village of Etwall and is one of six sites passed to the second stage of assessment in the village.

Etwall is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 1,100 homes in the village, although this will increase to around 1,350 by 2028. In addition there is a secondary and primary school, leisure centre, shops, library, community centre and outdoor sports provision. This site is located within the settlement. There is a conservation area in the village.

The site is slightly enlarged compared to that previously identified and includes a triangle of land to the south of the Church yard. The site is in multiple ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	--	--	--	✓✓	--	--	--	✓✓	✓	--	--	✓✓	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature trees. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers. Site is accessible from Main Street which is lit and metalled.
- Site is located within an existing settlement and is within the Etwall Conservation Area and so site designation would help conserve the setting of this area.
- Site designation will safeguard previously undeveloped land.
- Site designation will help conserve the character of the Etwall Conservation Area given its location within this area. Designation will also help conserve the setting of the grade 1 listed St Helens Parish Church which is immediately adjacent to the northern part of the site.
- Site will safeguard local townscape character and will protect the setting of nearby heritage assets.

### **Conclusions**

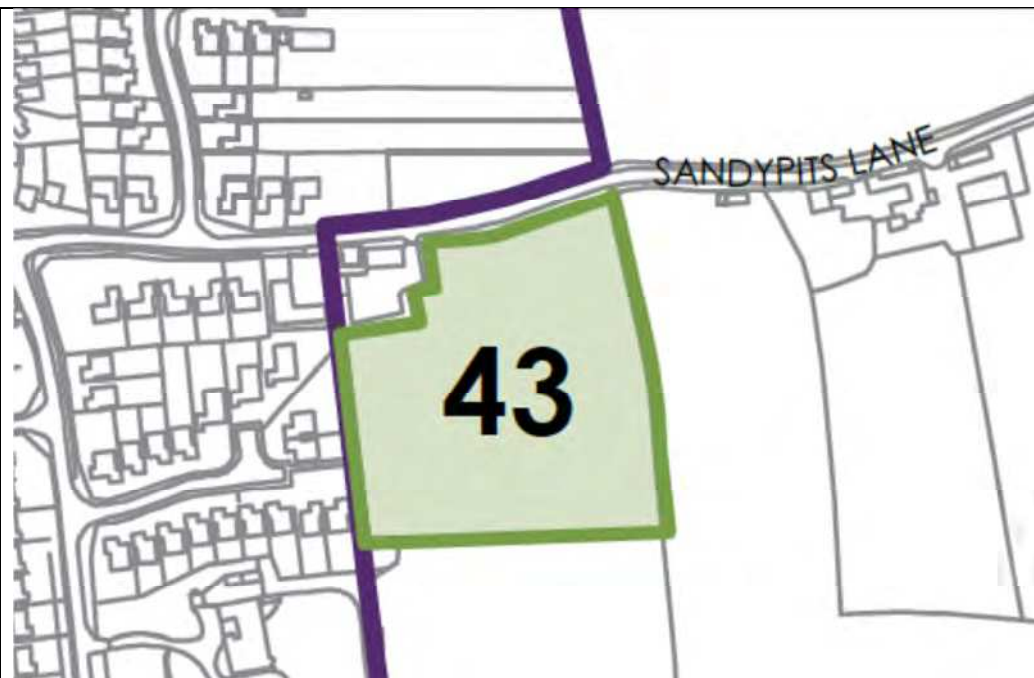
Having reviewed this site through the stage 2 assessment, there is considered to be a good case for site designation, which is largely based on the value of this site in respect of heritage and townscape character. It is noted however that during consultation there was a suggestion that the site be enlarged to include a triangle of land in front of the church, following further consultation at the draft stage the Council has determined to include this area also. Designation has been supported by the Parish Council, as well as the Council's own community partnership officer. It is recognised that this site is used for the village well dressing festival and is a central part of the village both spatially and socially. The site is located in the Etwall Conservation Area and forms an important part of the setting of the grade 1 listed St Helens Church as well as the setting of the wellhead located within the site. The site also forms part of the setting of non-designated buildings which contribute positively to the special or historical character of the Conservation Area within which the site is located.

**Site Ref 43: Sandy Pits Lane Playing Field, Etwall**

This site is located in the village of Etwall and is one of six sites passed to the second stage of assessment in the village.

Etwall is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 1,100 homes in the village, although this will increase to around 1,350 by 2028. In addition there is a secondary and primary school, leisure centre, shops, library, community centre and outdoor sports provision. This site is located adjoining the settlement. There is a conservation area in the village, and this forms part of the southern and eastern boundary to this site.

The site is owned by Etwall Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	✓✓	✓	✓✓	✓	⋮	✓	✓	⋮	⋮	✓	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature trees and out grown hedgerow on the site periphery which is likely to be species rich. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site designation could offer opportunities to safeguard the existing informal leisure use and support the delivery of new or improved informal leisure opportunities within the village and accessible by foot
- Site designation would safeguard and potentially support enhancements to a field located adjacent to, and used by the local scouts group and air cadets.
- Site is located on the edge of the village and accessible to local villagers. Site is accessible via Sandypits Lane which is lit and paved as far as the Scout Hut located on the western edge of the site.
- Site has potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community
- Designation could help improve access grant funding to improve local facilities and support increased site usage by the local community
- Site is located on the edge of an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Site designation could help conserve the setting of the grade 2 listed Etwall Lodge (built 1812) which is located around 40m to the south west of the site.
- Site will safeguard local townscape character and will protect the setting of nearby heritage assets. The Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity.

## Conclusion

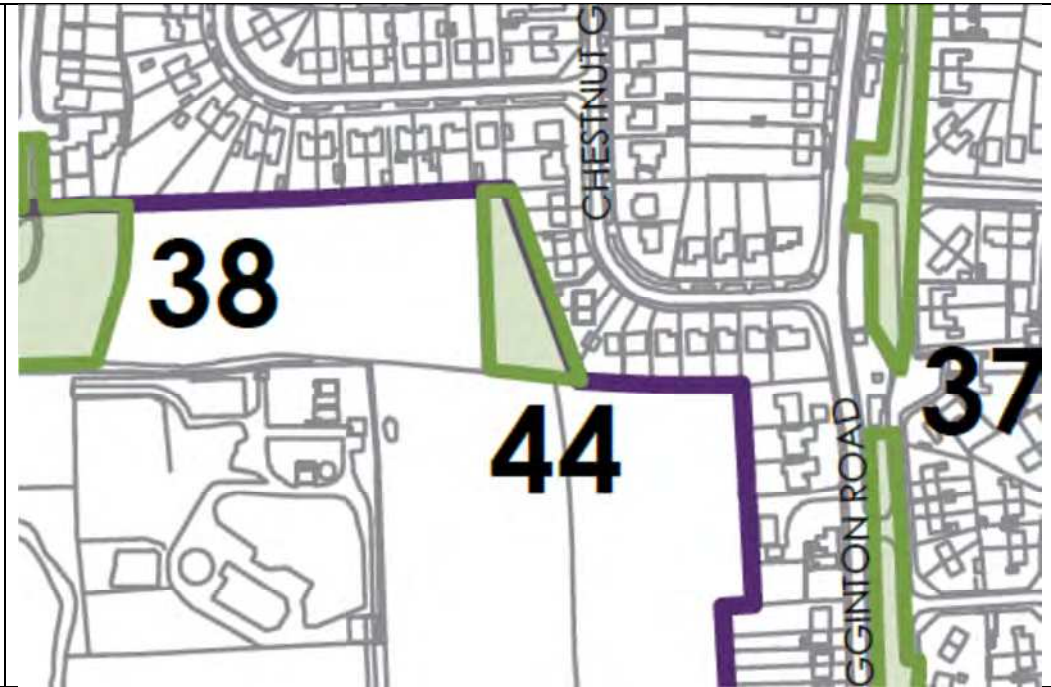
Having reviewed this site through the stage 2 assessment, there is considered to be a good case for site designation. It is supported by the Parish Council and the Council's Community Partnership Officer. This playing field is located adjacent to the air cadets and scout hut in the village and provides valuable open space to these groups. On this basis its loss (and replacement elsewhere as required through Policy INF9 of the Local Plan) could restrict opportunities for the scouts or air cadets so there is a clear locational imperative for retaining open space in this area. The site is also important in framing the rural character of this part of the village and forms part of the setting of the Etwall Lodge and designation would help protect the rural and tranquil feel of this area.

**Site Ref 44: Chestnut Grove Play Area, Etwall**

This site is located in the village of Etwall and is one of six sites passed to the second stage of assessment in the village.

Etwall is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 1,100 homes in the village, although this will increase to around 1,350 by 2028. In addition there is a secondary and primary school, leisure centre, shops, library, community centre and outdoor sports provision. This site is located immediately adjacent to the settlement. There is a conservation area in the village.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	⋮	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a moderate beneficial effect in respect of biodiversity. The site consists of amenity grassland with trees on the southern and western boundary
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes which are publically lit. There is however a fairly narrow jitty by which the site is connected to Chestnut Grove, this is lit at the entrance although is quite narrow.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Designation would safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local landscape townscape character, by helping to protecting existing vegetation that helps screen properties on Chestnut Grove which otherwise presents a hard settlement edge to the surrounding countryside.

### **Conclusions**

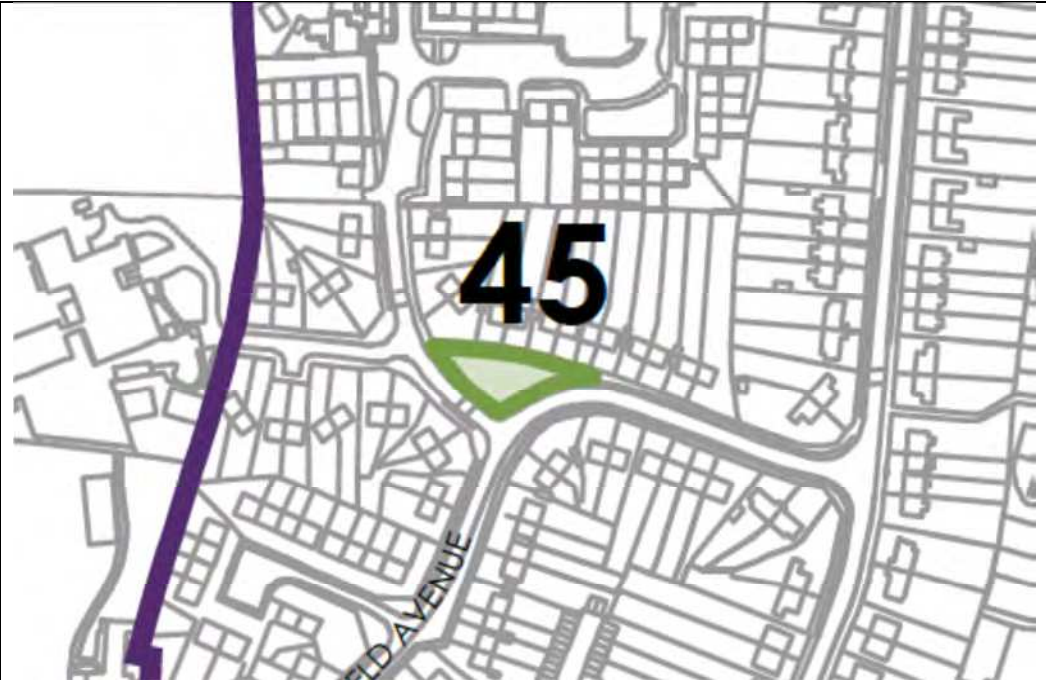
Having reviewed this site through the stage 2 assessment there is considered merit in designating this site. This case rests on the accessibility of this site to local villagers and the contribution it makes to ensuring there is a soft settlement edge to the village.

**Site Ref 45: Field Avenue, Hatton**

This site is located in the village of Hatton and is one two sites passed to the second stage of assessment in the village.

Hatton is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are currently around 1,200 homes in the village, although this will increase to around 1,600 by 2028. In addition there is a primary school, shops, community centre and outdoor sports provision. This site is located within the settlement. There is no conservation area in the village,

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as well as a small number of mature trees. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers and is surrounded by metalled footpaths and street lighting.
- Site is located within an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area and will help preserve the rural feel of this part of the village.

**Conclusion**

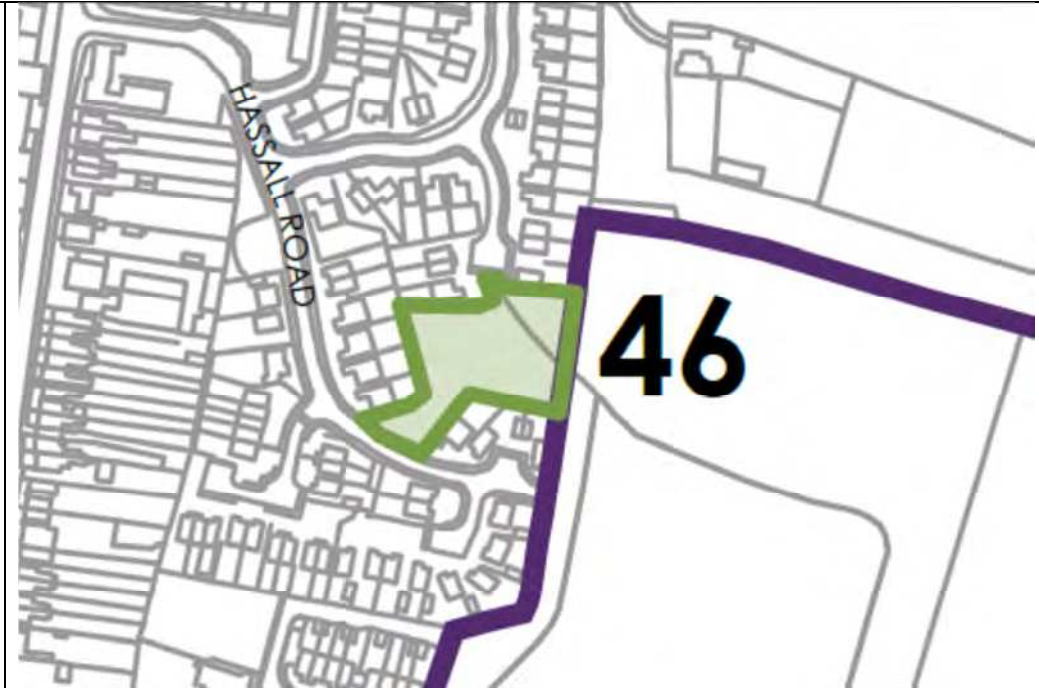
Having reviewed this site through the stage 2 assessment it is concluded that there is sufficient case to justify designation. However the District Council, as landowner is amenable to designation and the site offers some potential for biodiversity enhancement through improved site management. Furthermore small pocket of informal open space such as this, which are otherwise unprotected from development are considered of importance to the local area given the significant growth proposed in the village to 2028.

**Site Ref 46: Hassall Road, Hatton**

This site is located in the village of Hatton and is one two sites passed to the second stage of assessment in the village.

Hatton is larger village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are currently around 1,200 homes in the village, although this will increase to around 1,600 by 2028. In addition there is a primary school, shops, community centre and outdoor sports provision. This site is located within the settlement. There is no conservation area in the village.

The site is owned by South Derbyshire District Council and Haslam Homes Limited.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as well as a mature and number of semi mature trees. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site designation could offer opportunities to safeguard the existing informal leisure use and support the delivery of new or improved informal leisure opportunities within the village and accessible by foot
- Site is located within the village and accessible to local villagers. Site is accessible via Hassall Road and Eaton Close both of which are lit and paved. The site itself provides a green linkage to the wider Hassall Road QE2 playing field.
- Site has limited or no potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community as it is likely new investment would be targeted to the adjacent and much larger playing field.
- Site is located on the edge of an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Site will safeguard local townscape character and ties local development to the wider QE2 playing field.

### **Conclusion**

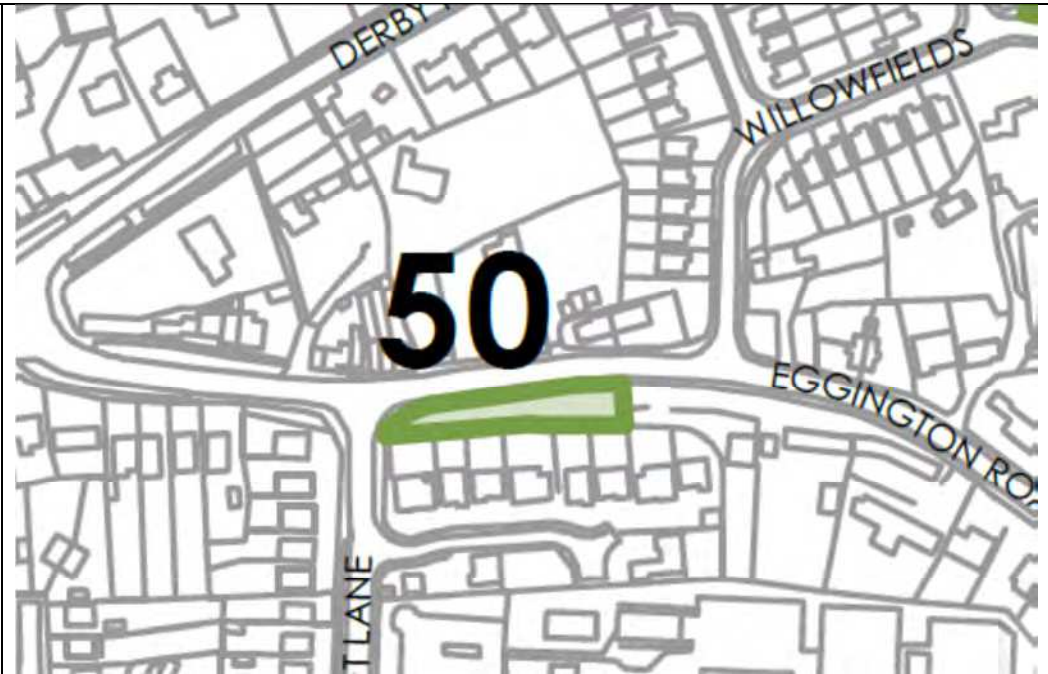
Having reviewed this site through the stage 2 assessment it is concluded that there is merit in designating this site as a local greenspace. It does not receive the same level of protection that the QE2 field receives through the local plan or as a result of its Fields in Trust status, however it provides a green space which penetrates into surrounding housing and provides public access from Hassall Road and Eaton Close. Recent planning consents for a further 400 homes to the north of the QE2 field will see the further erosion of the rural character of this area and designation of this area could safeguard a small plot of greenspace which is overlooked and provides opportunity for informal play. Site designation is supported by the Council's Community Support Officer.

**Site Ref 50: South of Egginton Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is owned by Derbyshire County Council



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	?	--	--	✓✓	--	✓	✓	✓	✓✓ <sup>1</sup>	--	--	--	✓

<sup>1</sup>Based on assumption that the site forms part of the highway and is previously developed.

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes areas of planting as well a number of mature trees (including a non-hybridised black poplar) as well as more recently planted trees and areas of ornamental planting. Continued planting, and potentially enhanced management could improve the biodiversity value of this site.
- Site designation is not considered likely to frustrate future highways works where these are necessary to improve capacity or deliver safety improvements.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes which are publically lit
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation has potential to improve the attractiveness of the site including through enhanced interpretation.
- Site designation could continue to allow this community area to develop and as new tree planting and other ornamental areas continue to mature could make a contribution to local townscape character.
- Site forms part of the adopted and publically maintainable highway and designation will safeguard previously undeveloped land.
- Site designation is unlikely to have a notable effect in respect of pollution although the informal path through the site provides some opportunity for pedestrians to use a walking route away from the public highway.
- Site designation will ensure that the site continue to contribute towards safeguarding local townscape character.

## Conclusions

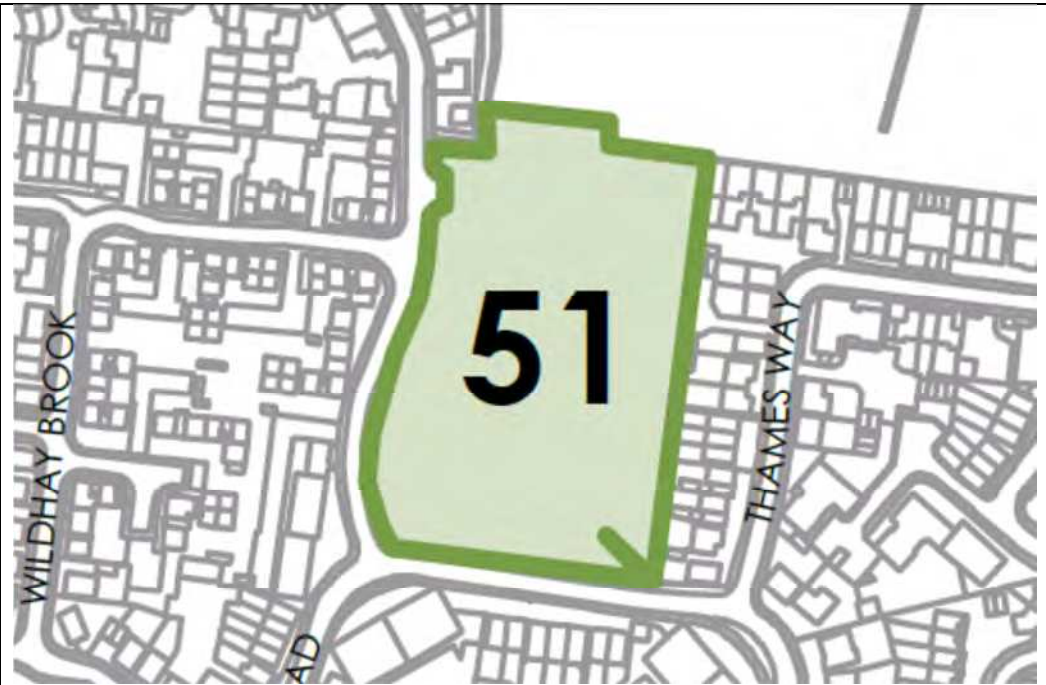
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community, local Councillors and the Council's Community Partnership officer there is considered to be a strong case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the importance this site plays as a memorial to a prominent former Councillor and local school teacher. It is noted that there is a Black Poplar on this site. Site designation is supported by the Parish Council and the Hilton Gardening Club which maintains the site. However, this site is identified as being held by the County Council as part of the adopted highway and could be required to support local highways improvements. However designation is unlikely to hamper future improvements where there is a clear and demonstrable need on safety or capacity grounds.

**Site Ref 51: Humber Street, Welland Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is owned by the District Council



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓✓	⋮	⋮	✓	✓✓	⋮	✓	✓	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a notable beneficial effect in respect of biodiversity. The site has been planted to include native trees/woodland, wildflower meadow and scrapes. Continued or enhanced site management could improve the biodiversity value of this site.
- Site has been subject to planting by the local primary school and residents and is used for memorial services.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes which are publically lit
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation has potential to improve the attractiveness of the site including through enhanced interpretation.
- Site designation could continue to allow this community area to develop and as new tree planting and other habitat creation continues to mature will make an increasingly significant contribution to local townscape character.
- Designation would safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character.

### **Conclusions**

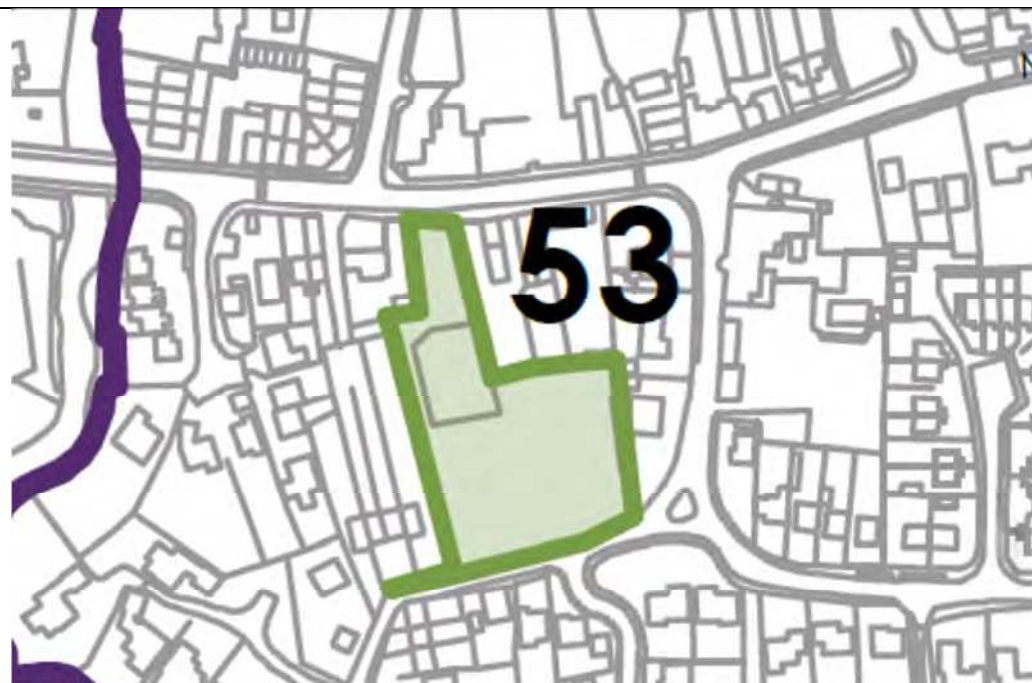
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community including a local councillor and the Council's Community Partnership Officer and Open Space and Facilities Manager the site is considered to demonstrably special to the local community. The site was unveiled by the Chair of the Council and the British Legion and is considered to make a significant contribution to the local character of the village. The site's importance also rests on its use as a memorial to fallen soldiers being used for Remembrance Day Services. In addition, the site is already known to be of notable biodiversity value, potentially being eligible for local wildlife site designation in the future, and subject to appropriate management could make a significant contribution towards access to nature for local people.

**Site Ref 53: South of Main Street, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is unregistered but is managed and maintained by Hilton Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	:-	✓	:-	✓✓	:-	✓	:-	✓	✓	:-	:-	:-	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with trees on the periphery. Additional planting, and potentially enhanced management could improve the biodiversity value of this site.
- Site designation could offer opportunities to support improvement to existing play equipment, or the delivery of further recreation facilities on site.
- Site designation would provide long term protection of a site within the village and accessible by metalled walking routes which are publically lit
- Site designation will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continue to contribute towards safeguarding local townscape character.

## Conclusions

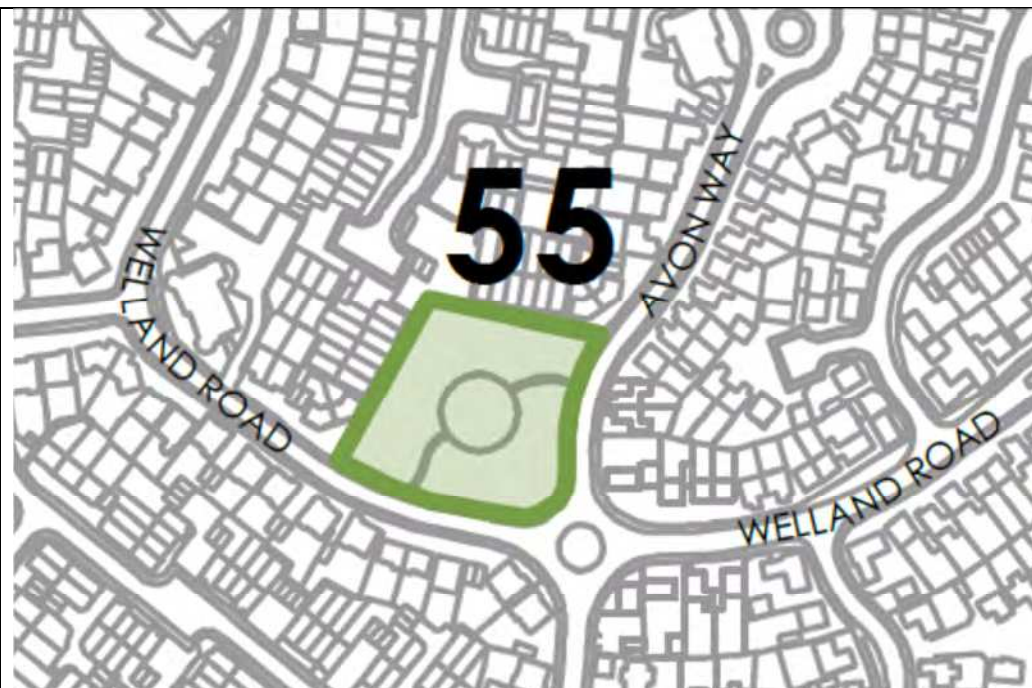
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community, there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character. This site is a registered village green and is proposed for designation in the Hilton Neighbourhood Development Plan.

**Site Ref 55: Wellavon Playground, Welland Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in private ownership and maintained by the Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of a children's play area, although this is surrounded by amenity grassland, with amenity hedgerows surrounding the northern and western boundaries and occasional semi mature trees on the site edges facing Welland Road and Avon Way.
- Site designation could offer opportunities to support improvement to existing play equipment, or the delivery of further informal recreation facilities on site.
- Site designation would provide longterm protection of a site within the village and accessible by metalled walking routes which are publically lit
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide longterm protection to this site and allow existing planting to mature will make an increasingly significant contribution to local townscape character, which consists of relatively high density residential homes in this location.
- Designation would safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character.

## Conclusions

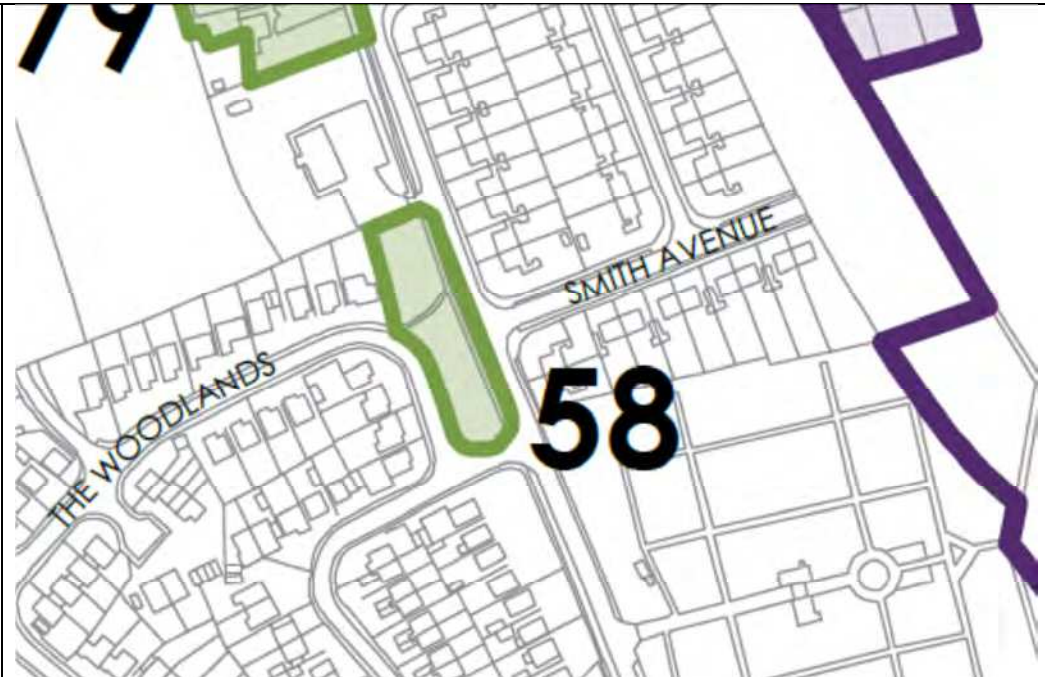
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community including a local councillor, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. Whilst it is acknowledged that the playground within the site could be partially protected by Policy INF9 of the local plan, the wider amenity grassland may not be subject to the same protection. However any loss of open space in this location would be difficult to replace in an area accessible to surrounding homes (given the high density nature of the wider development). Moreover any loss would remove one of the few open areas within this relatively densely developed part of Hilton.

**Site Ref 58: West of Packhorse Road, Melbourne**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is unregistered but maintained by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	✓	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as well as a small number of mature trees. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers and is surrounded by metalled footpaths and street lighting.
- Site is located within an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- The site is around 100m from the Kings Newton Conservation area and 60m from the gates and walls to Melbourne Cemetery which are grade 2 listed. The site is around 100m from the cemetery building itself and forms part of the setting of those structures
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area and will help preserve the rural feel of this part of the village. The site is also forms part of the north easterly edge of the National Forest.

### **Conclusions**

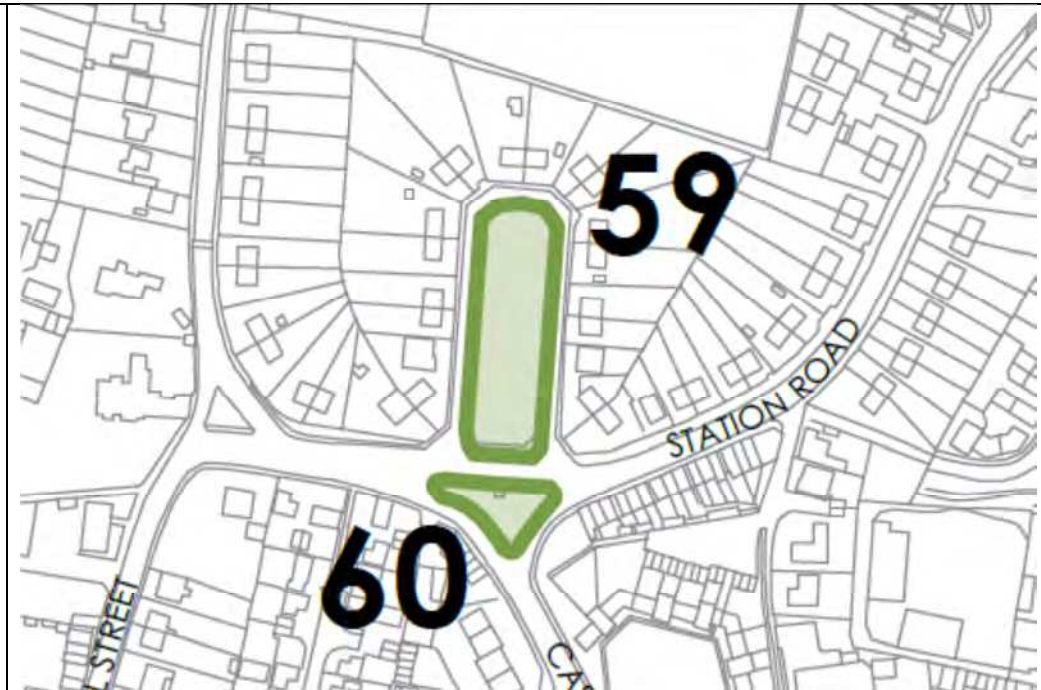
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the broader setting to a number of heritage assets locally. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

### Site Ref 59: North of Station Road, Melbourne

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	✓	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland. There is a mature tree on the northern part of the site and around 20 or so smaller trees around the edge of the site planted by the Civic Society believed to have been planted around 10 years ago. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers and is surrounded by metalled footpaths and street lighting.
- Site is located within an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- The site is located to the immediate north of the grade II listed wellhead which is located on the site to the immediate south. Designation would make a contribution towards preserve the setting of this well head.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area and will help preserve the rural feel of this part of the village.

### **Conclusions**

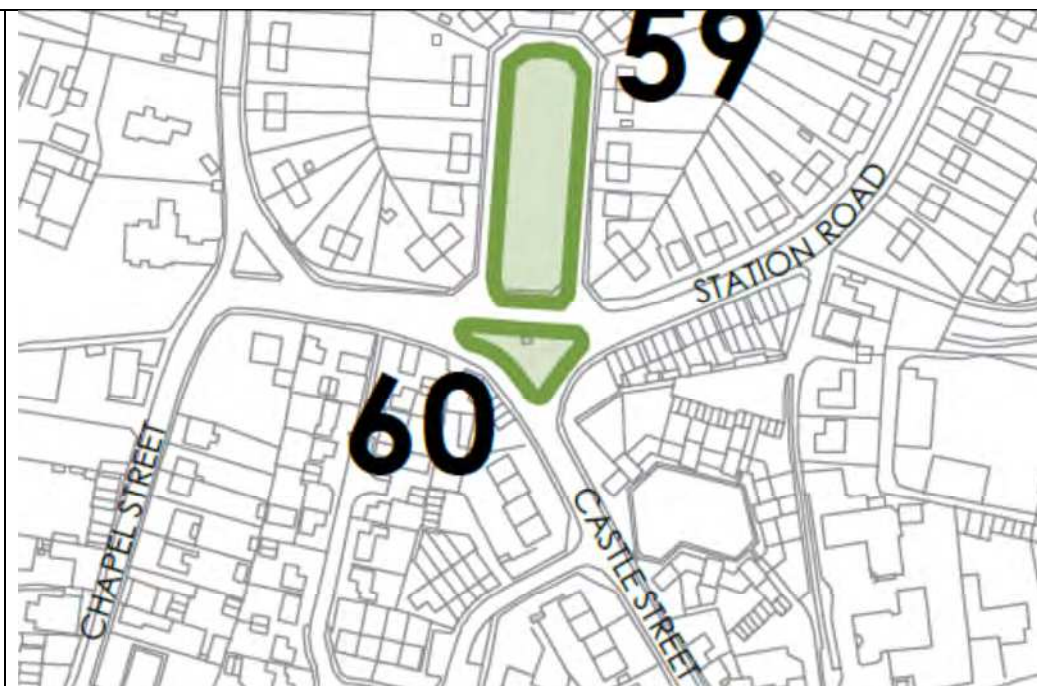
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community there is considered to be sufficient case to justify designation of this site as a Local Green. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 60: Washpit, Station Road, Melbourne**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is in private ownership but is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	✓	✓	✓	::	::	✓✓	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland, two mature trees and a recently planted tree. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers and is surrounded by metalled footpaths and street lighting.
- Designation could support improved interpretation of the wellhead which historically was a washpit for local market gardeners.
- Site is located within an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- The site contains a grade II listed wellhead which is located centrally in the site adjacent to Station Road. Designation will make a significant contribution towards preserve the setting of this well head.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area and will help preserve the rural feel of this part of the village.

### **Conclusions**

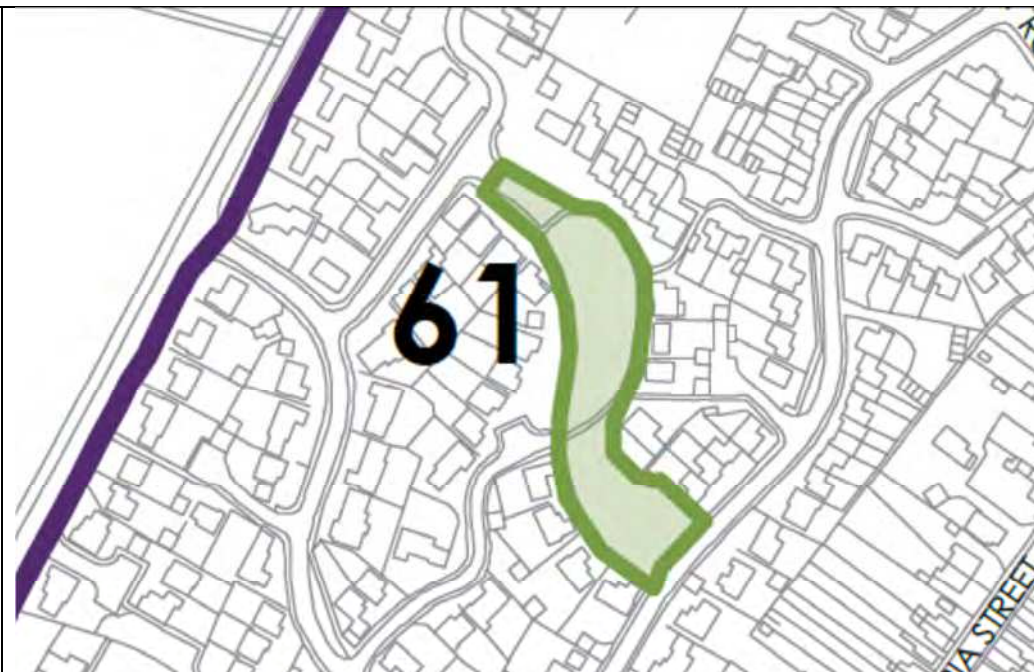
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the setting to the wellhead located within the site. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 61: Off Acacia Drive, Melbourne**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland, semi mature trees and shrubs. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located within the village and accessible to local villagers and is surrounded by metalled footpaths and street lighting.
- Site is located within an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area of the village.

**Conclusions**

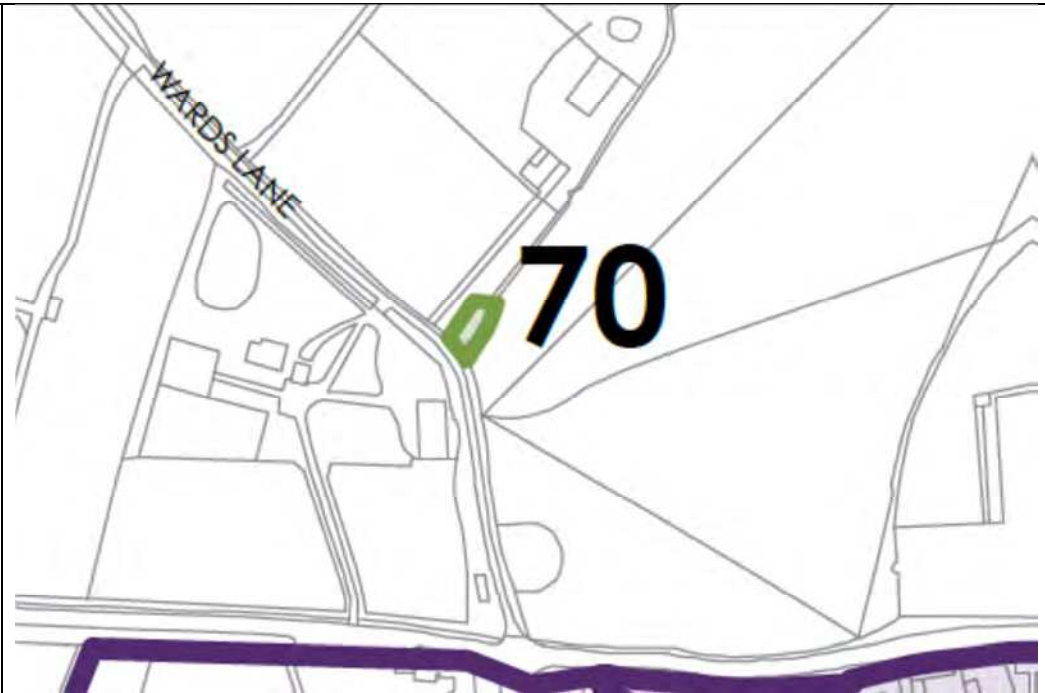
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village, which is relatively densely developed in this part of the village as well as opportunities this site affords in respect of access to informal open space locally.

**Site Ref 70: Holy Well, Wards Lane, Kings Newton**

This site is located in Kings Newton and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the villages.

This site is located close to Melbourne is the districts second largest village and is identified as a Key Service village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is not within the settlement boundary.

The site is in private ownership although is accessible to the public.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓	✓	⋮	✓	✓	✓	⋮	⋮	✓	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site comprises of a small copse with hedgerow to the north west and stream to the south east. There are trees subject to preservation orders to the immediate south of the site. There may be limited potential to support enhanced site management in the interests of biodiversity.
- Site is located on Wards Lane, and though lightly trafficked does not have metalled footpaths and street lighting.
- Designation has the potential to increase visitor numbers to the site and could help the civic society to access funding to enhance the site.
- Designation could support improved interpretation of the Holy Well.
- Site is located between and close to the villages of Melbourne and Kings Newton and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- The site consists of a rebuilt 17 century Holy Well which collapsed in the 1950s. It is unlisted although was rebuilt in 1985 following significant effort over a number of years by the local community. It remains a locally important landmark which retains its historic interest. <sup>1</sup> The site is listed as an asset of community value.
- Site will safeguard local character by preserving an historic part of the local area. It provides a tranquil setting which is visited by significant number of people annually.

## Conclusions

Having reviewed this site through the stage 2 assessment and having regard to comments from the local community there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the significant effort expended by the local community to restore this local monument and its use by local people for informal recreation. It continues to be maintained by the Civic Society who restored the Holy Well in 1985.

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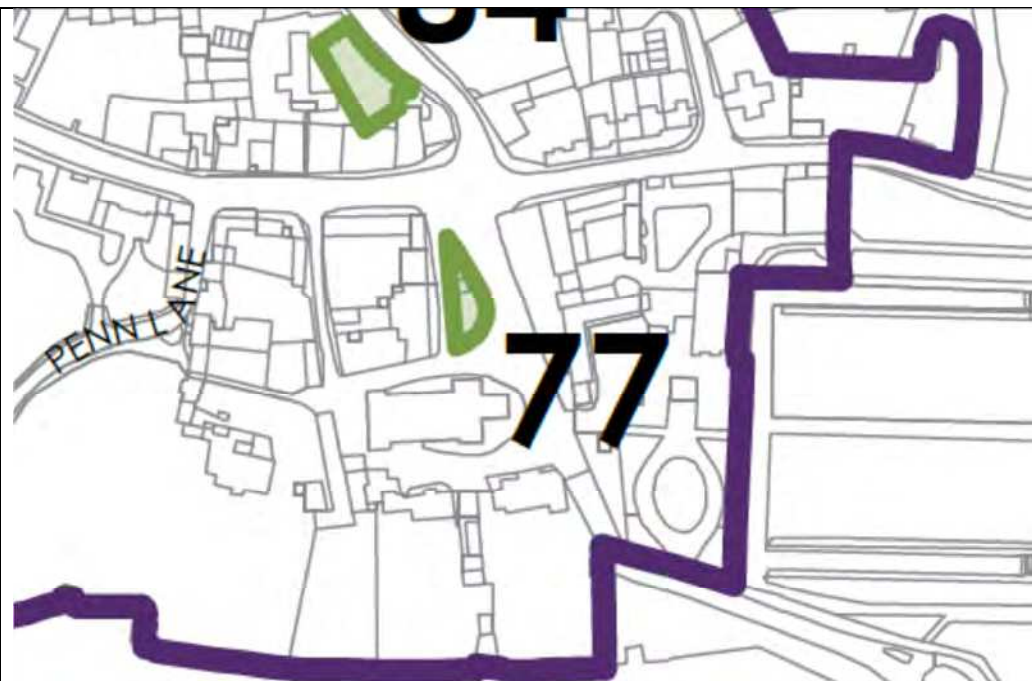
<sup>1</sup> <http://people.bath.ac.uk/liskmj/living-spring/sourcearchive/fs4/fs4hu1.htm>

**Site Ref 77: Church Close, Melbourne**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service Village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is unregistered, and includes the village war memorial. It is accessible to the public.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
::	:	:	:	✓	:	:	:	✓✓	:	:	:	✓✓	✓✓

### **Comments**

- Site designation as currently proposed is unlikely to have any discernible effect in respect of biodiversity. The site comprises of war memorial surrounded by a border of small plants the remainder being amenity grassland open to the highway.
- Site is located off Church Close. This street is metalled and lit, though there is no dedicated footpath and pedestrians have to share the highway which is generally quiet in the vicinity of the space.
- The site contributes to open and rural character of the settlement in this location. It is located within Melbourne Conservation as well as within the setting of a number of listed buildings
- The site is located in the Conservation area and forms part of the setting of a number of listed buildings including the Church of St Michael and St Mary (grade 1), Hall Cottages and Stables at Melbourne Hall (grade 2\*), aisled barn attached to north of stables at Melbourne Hall (grade 1) and Melbourne Hall (grade 2\*).
- The site contributes to rural character of the settlement in this location and is located within a conservation area and setting of other heritage assets.

### **Conclusions**

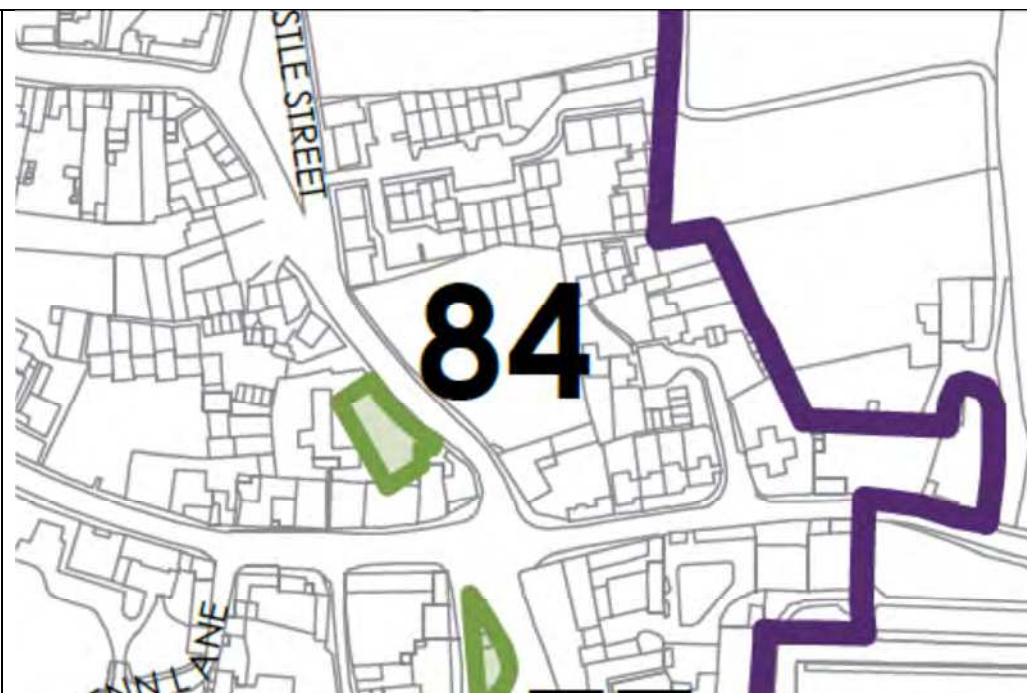
Having reviewed this site through the stage 2 assessment it is clear that this site makes a significant contribution towards local character of this part of Melbourne. There is considered to be a strong case for designation. However the site previously identified excludes a Lime Tree on an adjacent island of Green Space just in front of the Church. This tree is subject to a tree preservation order and consideration should be given to bring this area into the final designation.

# **Site Ref 84: The Bowling Green, Melbourne**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service Village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is in private ownership although is used for local community activities.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
::	::	::	::	✓✓	✓	✓	::	✓	::	::	::	::	✓

**Comments**

- Site designation as currently proposed is unlikely to have any discernible effect in respect of biodiversity.
- Site is located off Church Street and Castle Street. Both streets have a metalled footpath and street lighting.
- Designation could safeguard existing community infrastructure.
- The site contributes to open and rural character of the settlement in this location.
- The site contributes to open character of the settlement in this location.

**Conclusions**

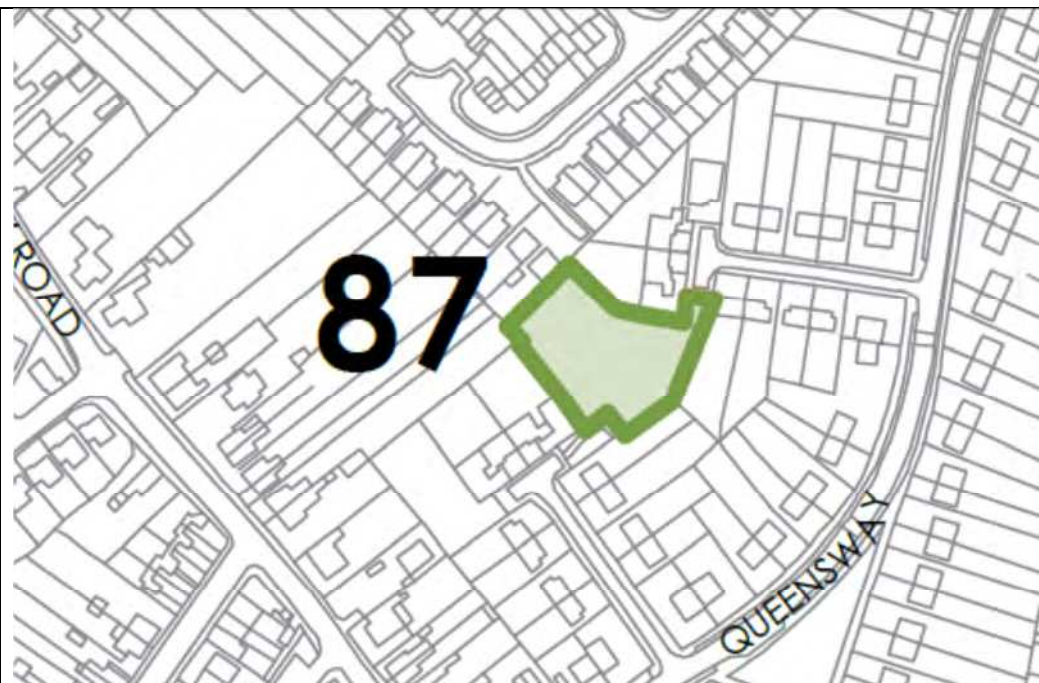
Having reviewed this site through the stage 2 assessment the case for this site is less well developed than a number of other sites in the community. However it would help maintain access to an existing facility used by local community groups.

**Site Ref 87: Grange Close Recreation Ground, Melbourne**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Melbourne is the districts second largest village and is identified as a Key Service Village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is owned by South Derbyshire District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of a children's play area, although this is surrounded by amenity grassland with occasional trees.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes off Coronation Close which is lit.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- The local area consists of relatively high density residential homes and the site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation would safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character.

### **Conclusions**

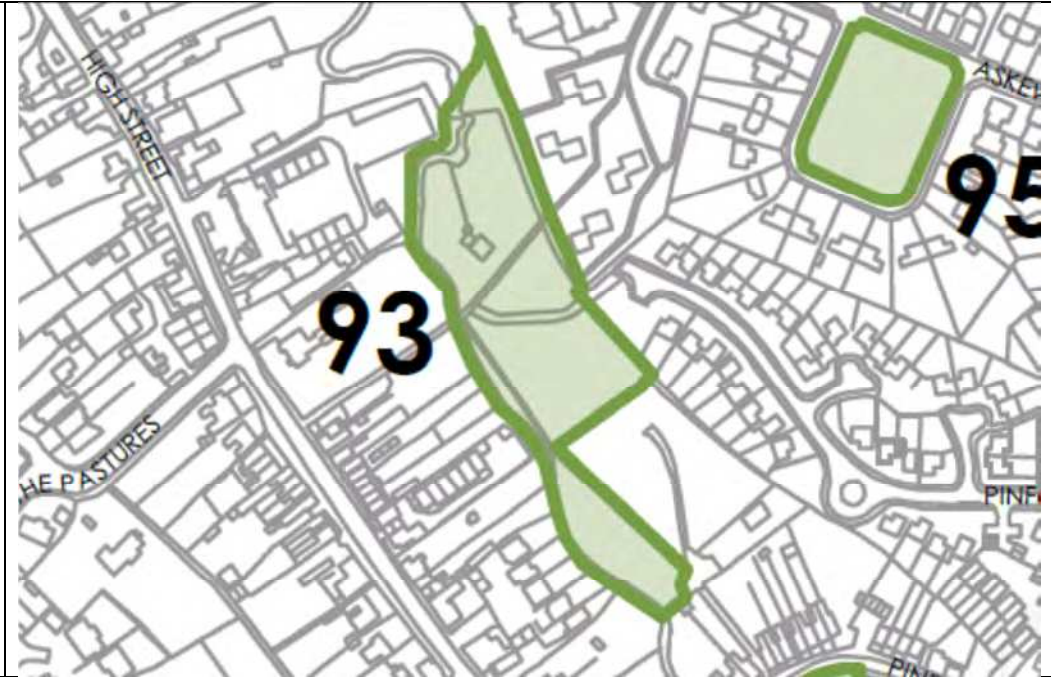
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. Whilst it is acknowledged that the playground within the site could be partially protected by Policy INF9 of the Local Plan, the wider amenity grassland may not be subject to the same protection. However any loss of open space in this location would be difficult to replace in an area accessible to surrounding homes (given the densely developed nature of the surrounding area).

**Site Ref 93: East of High Street and South of Askew Grove**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan. The site is multiple ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

### **Comments**

- Site could have a limited beneficial effect in respect of biodiversity. The site comprises of a number of fields with trees on the periphery. In places there is scrub and which in places gives way to small areas of copse.
- The site is located centrally within the village and is accessible via a number of local footpaths.
- The site contributes to open and rural character of the settlement in this location. It is located within the Repton Village conservation areas
- Site designation will safeguard previously undeveloped land.
- The site is located in the Conservation area and potentially forms part of the setting of Hazeldine (45 High Steet) which is a grade II listed.
- The site contributes to rural character of the settlement in this location and is located within a conservation area and setting of other heritage assets.

### **Conclusions**

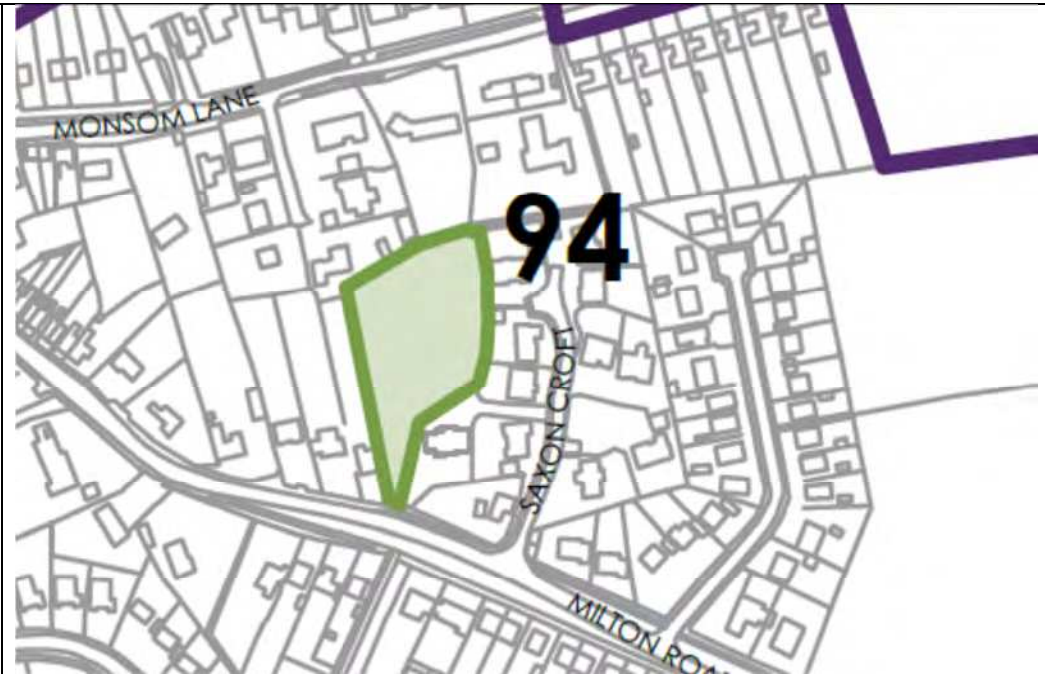
Having reviewed this site through the stage 2 assessment it is clear that this site makes a significant contribution towards local character of this part of Repton. There is considered to be a strong case for designation.

**Site Ref 94: North of Milton Road, Repton**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan and is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	✓	✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. It consists of an area of amenity grassland with scrub and trees on the site periphery and located centrally within the site.
- The site is located centrally within the village and is accessible via Milton Road and Monsom Lane.
- The site contributes to open and rural character of the settlement in this location.
- Site designation will safeguard previously undeveloped land.
- The site is located around 30m from the Repton Conservation Area and potentially forms part of the setting of this.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

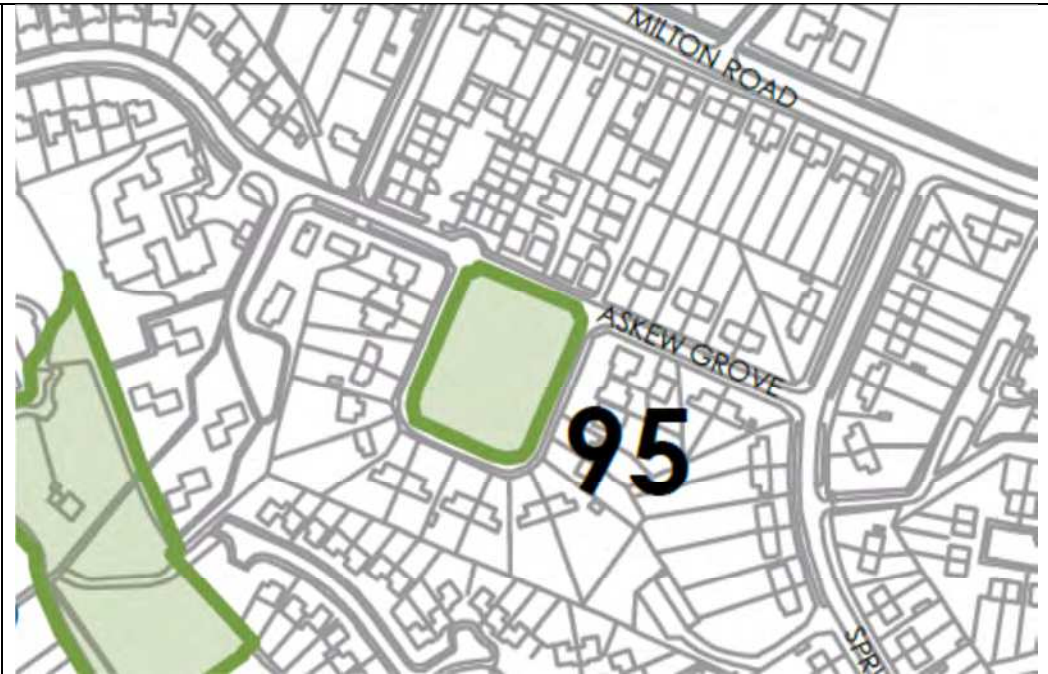
Having reviewed this site through the stage 2 assessment it is clear that this site makes an appreciable contribution towards local character of this part of Repton. There is considered to be a sufficient case for designation of this site as a local green space.

**Site Ref 95: Land at the Crescent, Repton**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan and is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. It consists of an area of amenity grassland with semi mature trees planted around the periphery.
- The site is accessible via the crescent which is metalled and lit.
- The site contributes to open and rural character of the settlement in this location.
- Site designation will safeguard previously undeveloped land.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

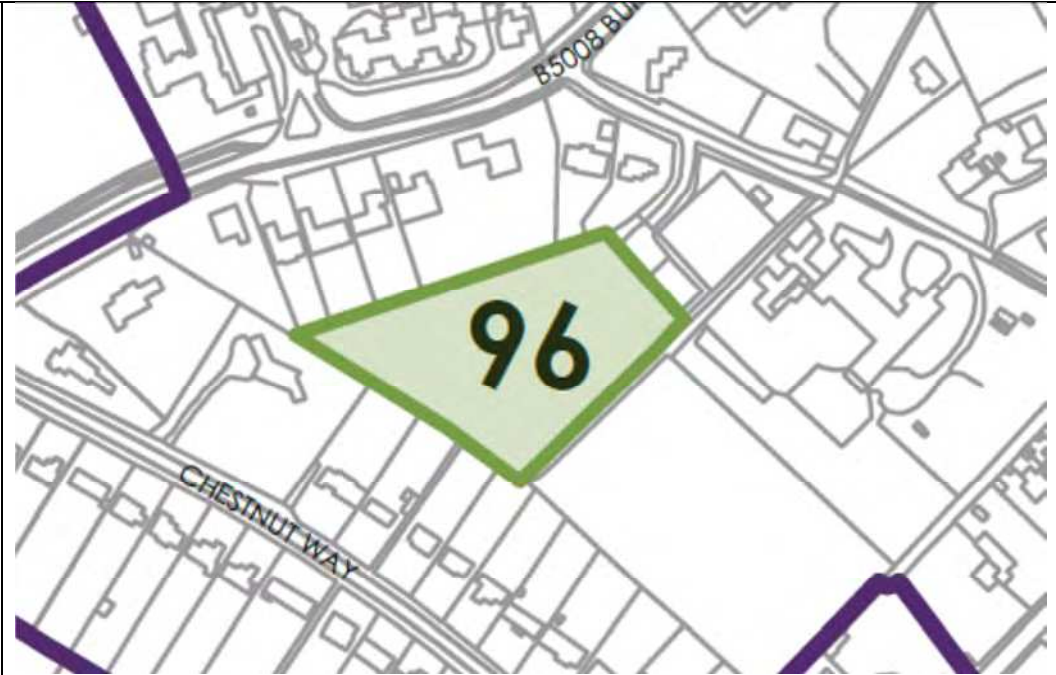
Having reviewed this site through the stage 2 assessment it is clear that this site makes an appreciable contribution towards local character of this part of Repton. There is considered to be a sufficient case for designation of this site as a local green space.

**Site Ref 96: Mitre Drive, Repton**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan. This site is understood to be private ownership although is publically accessible and used as a playing field.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	✓✓	✓✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. It consists of an area of amenity grassland trees and hedgerow around the site periphery.
- Site includes children's play equipment and provides an informal playing field accessible to the local community and the scout hut located on the site.
- Site accommodates a scout hut and provides an accessible green space for use by this group.
- The site is accessible via Mitre Drive which is metalled and lit. The entrance to scout hut and open space is also metalled.
- The site contributes to open and rural character of the settlement in this location and is located within the Repton Conservation Area
- Site designation will safeguard previously undeveloped land.
- Site is located within the village conservation area and is considered to contribute towards its setting.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

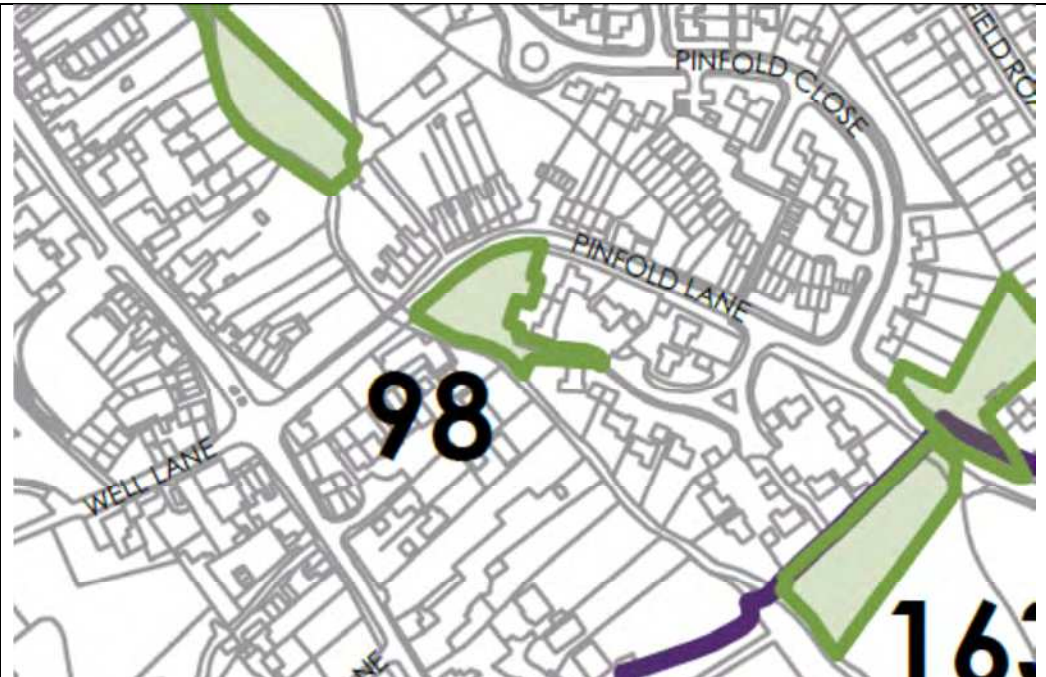
Having reviewed this site through the stage 2 assessment it is clear that this site makes a notable contribution towards local character of this part of Repton and provides accessible green space to the Scout hut located within the site. There is considered to be a strong case for designation of this site as a local green space.

**Site Ref 98: Pinfold Lane, Repton**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan and is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓✓	::	::	✓✓	✓✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. It consists of an area of amenity grassland with mature and semi mature trees. Repton Brook forms the south western boundary of the site.
- The site is accessible via Pinfold Lane which is metalled and lit.
- The site contributes to open and rural character of the settlement in this location and is located within the Repton Conservation Area
- Site designation will safeguard previously undeveloped land.
- Site is located within the village conservation area and is considered to contribute towards its setting.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

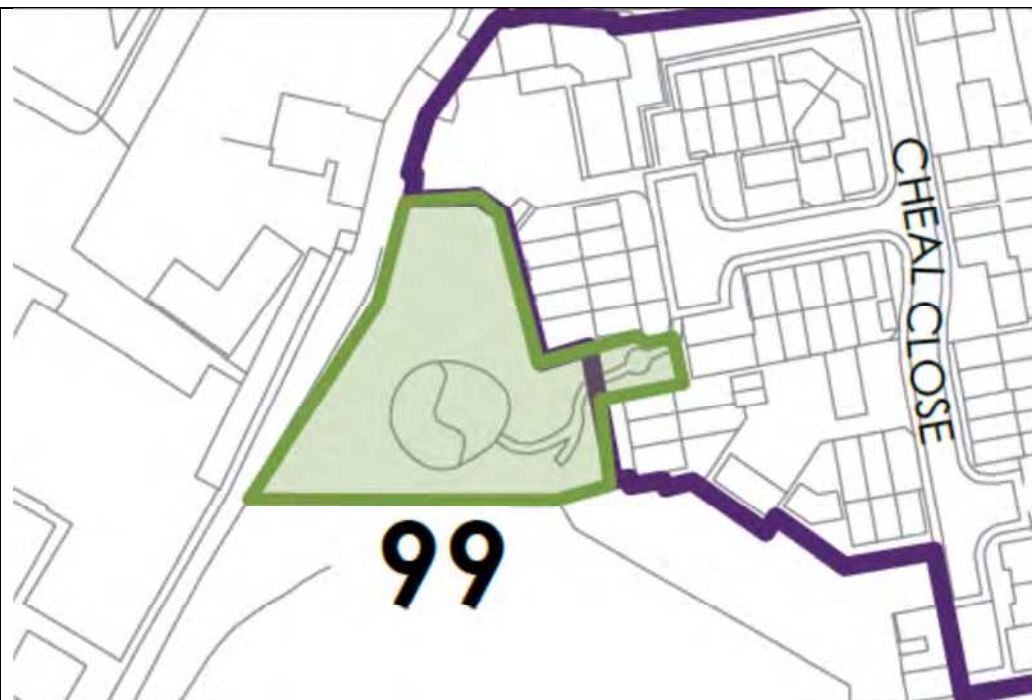
Having reviewed this site through the stage 2 assessment it is clear that this site makes an notable contribution towards local character of this part of Repton. There is considered to be a strong case for designation of this site as a local green space.

**Site Ref 99: South of London Road Shardlow**

This site is located in the settlement of Shardlow and is one of 3 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Shardlow is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,030 homes in the village. There were no allocations made in the settlement to 2028 owing to Green Belt and Flood Risk constraints. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is adjacent to the settlement boundary. There is a conservation area in the village although this is located a significant distance from the site. .

The site is owned by a private landowner who is supportive of designation.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of a children's play area, although this is surrounded by amenity grassland. There are mature and semi mature trees on the eastern and western site edges. Trees on the north eastern edge are subject to a tree preservation order.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes on Cheal Close which are publically lit.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide long-term protection to this site and allow existing planting to mature will make an increasingly significant contribution to local townscape character, which consists of relatively high density residential homes to the north and east and an established business park to the west.
- Designation would safeguard previously undeveloped land.
- The closest heritage asset is a mile post located 50m to the north of the site on London Road, although there is no intervisibility between the two areas.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character.

## Conclusions

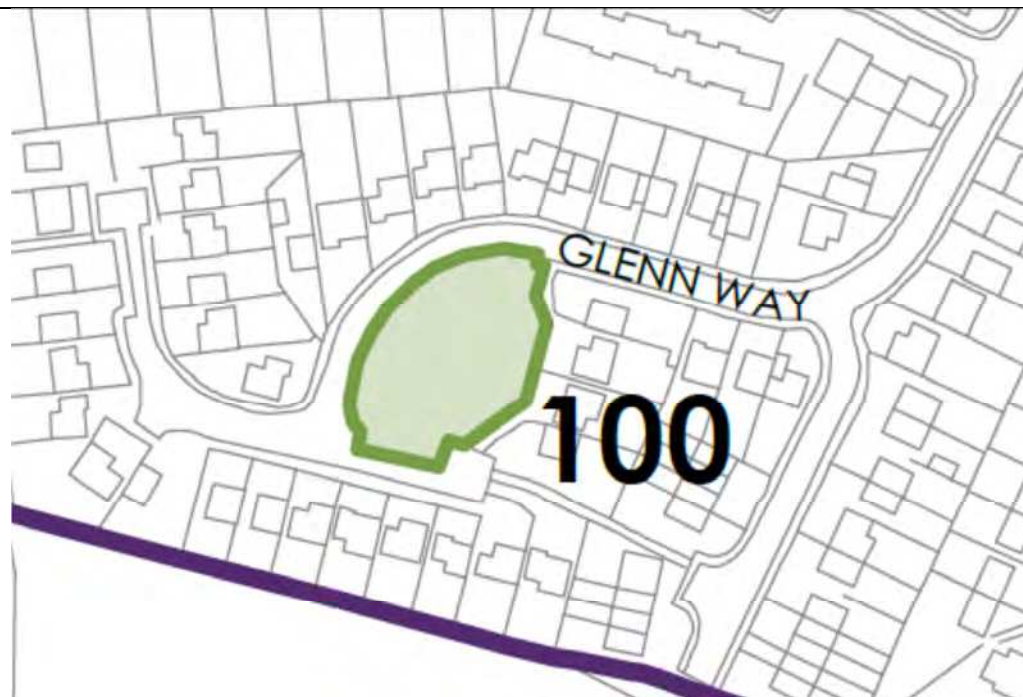
Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. Whilst it is acknowledged that the playground within the site could be partially protected by Policy INF9 of the local plan, the wider amenity grassland and mature and semi mature trees may not be subject to the same protection. However any loss of open space in this location would be difficult to replace in an area accessible to surrounding homes.

**Site Ref 100: Glenn Way, Shardlow**

This site is located in the settlement of Shardlow and is one of 3 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Shardlow is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,030 homes in the village. There were no allocations made in the settlement to 2028 owing to Green Belt and Flood Risk Constraints. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is adjacent to the settlement boundary. There is a conservation area in the village although this is located a significant distance from the site. .

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with small trees planted mainly around the edge of the site.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking route from Glenn Close which are publically lit.
- Site designation could provide long-term protection to this site and allow existing planting to mature will make an increasingly significant contribution to local townscape character, which consists of modern homes which surround the site.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character.

**Conclusions**

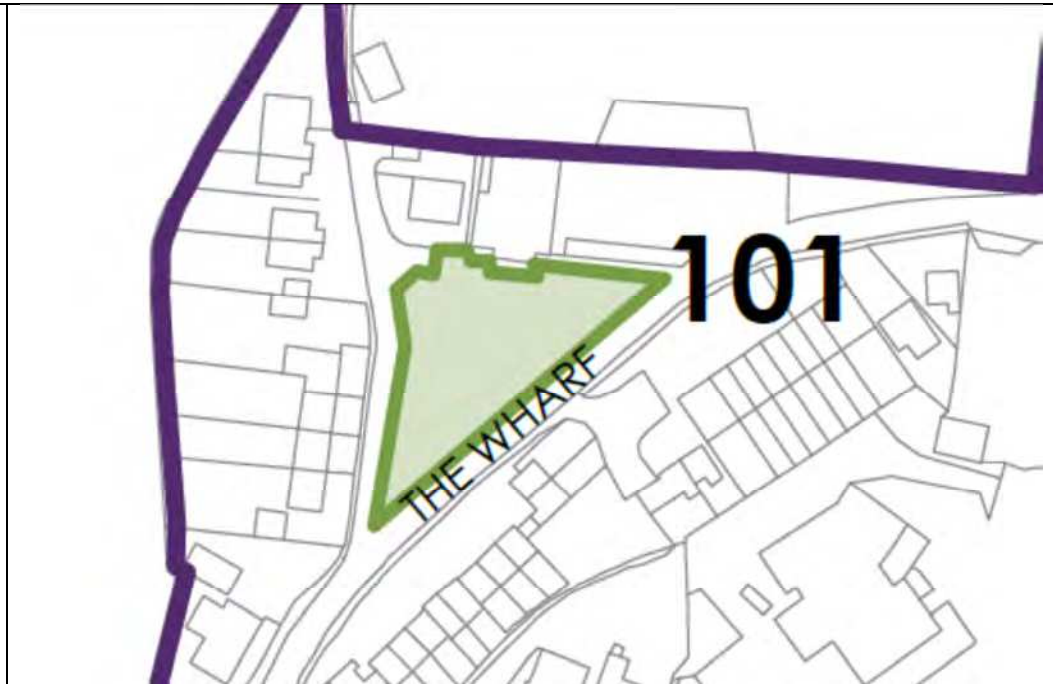
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to local townscape character. There may be opportunity to improve the biodiversity value of the site through appropriate management for nature.

**Site Ref 101: The Wharf Shardlow**

This site is located in the settlement of Shardlow and is one of 3 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Shardlow is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,030 homes in the village. There were no allocations made in the settlement to 2028 owing to Green Belt and Flood Risk Constraints. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is within the settlement boundary. The site is within the Conservation Area.

Shardlow and Great Wilne Parish Council have stated this land is in their ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓✓	✓	::	::	✓✓	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists amenity grassland and mature and semi mature trees and bushes.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes on the Wharf.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide long-term protection to this site and allow existing planting to mature will make an increasingly significant contribution to local townscape character, which is attractive and has a historic rural character in this location.
- Designation would safeguard previously undeveloped land.
- The site lies within the conservation area and is surrounded by an assemblage of listed buildings on the wharf. This space contributes towards the setting of these assets.
- This site makes a significant contribution towards the setting of the Conservation Area in Shardlow as well as a number of listed buildings located on the wharf. There are also a number of protected trees located at number 9 and 17 the Wharf.

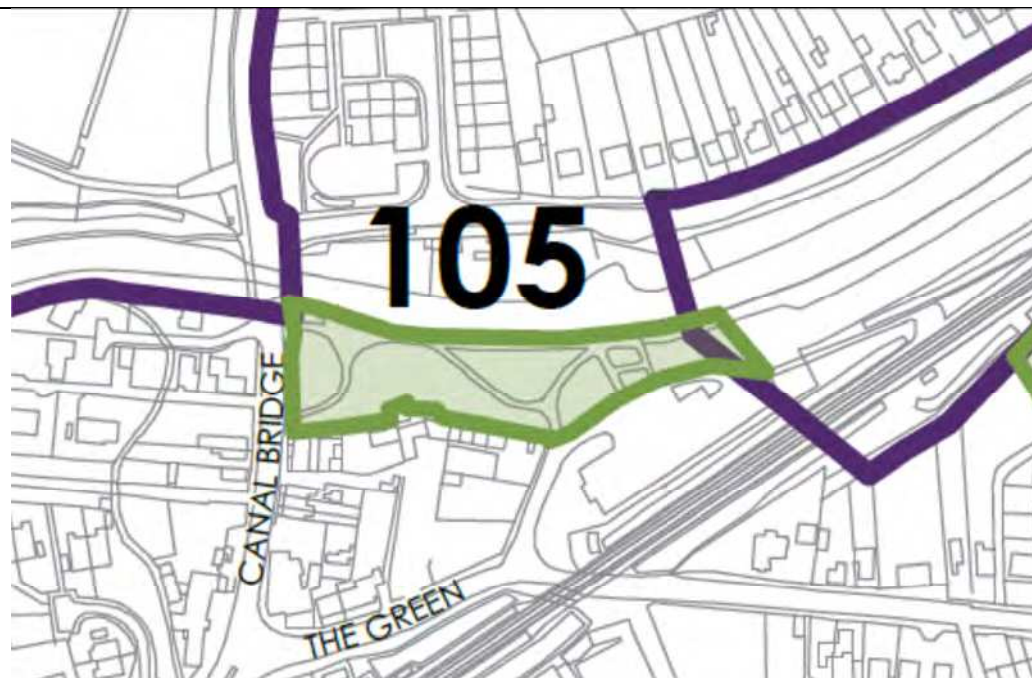
### **Conclusions**

Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space, mainly due to its significance to local heritage and townscape character. Site designation is supported by the Parish Council.

**Site Ref 105: South of Trent Mersey Canal, Willington**

This site is located in the settlement of Willington and is one of five sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Willington is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,050 homes in the village. There was a single allocation made in the settlement to 2028, although a number of small to medium sized developments have been consented in the village in recent years. These are under construction or recently built out. It is likely that there will be around 1,250 homes in the village by 2028. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is within the settlement boundary and Conservation Area. The site is owned by Derbyshire County Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	✓	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and mature and semi mature trees adjacent to the Trent & Mersey Canal.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes along the B5008 as well as the towpath to the south of the Trent & Mersey Canal.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide long-term protection to this site which contributes to local townscape character, which is attractive and has a historic rural character in this location.
- Designation would safeguard previously undeveloped land.
- The site lies within the conservation area and contributes towards the setting of the Trent and Mersey Canal.
- This site makes a significant contribution towards the setting of the Conservation Area

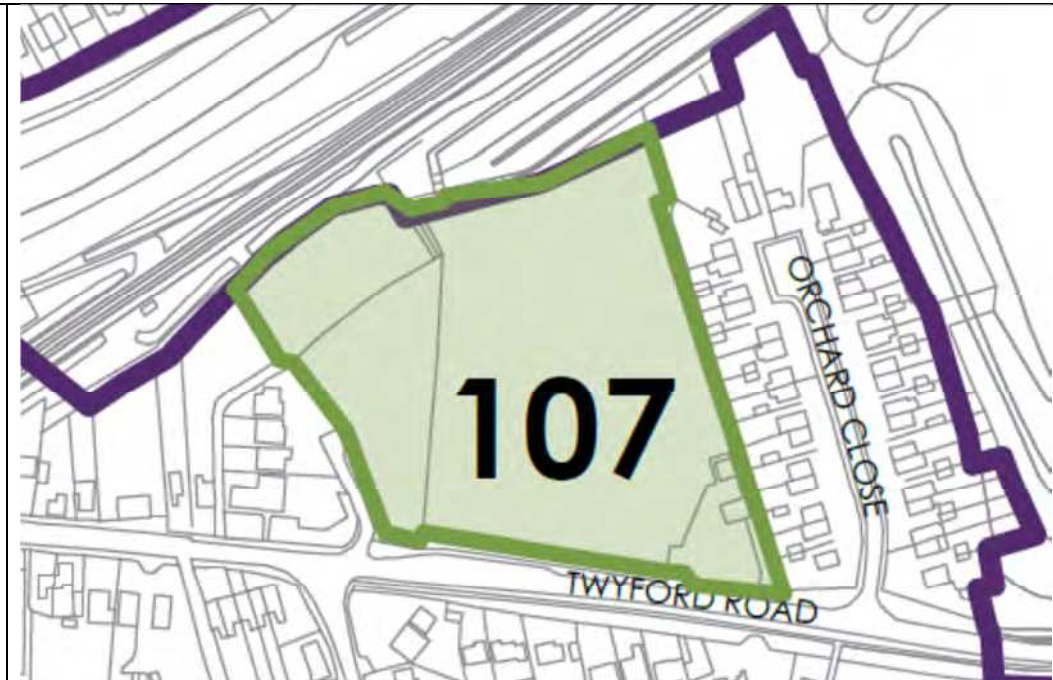
**Conclusions**

Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space, mainly due to its significance to local heritage and townscape character. The site is known to be used locally for picnics as well as other community events.

**Site Ref 107: North of Twyford Road, Willington**

This site is located in the settlement of Willington and is one of five sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Willington is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,050 homes in the village. There was a single allocation made in the settlement to 2028, although a number of small to medium sized developments have been consented in the village in recent years. These are under construction or recently built out. It is likely that there will be around 1,250 homes in the village by 2028. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is within the settlement boundary. The site is owned by RWE Npower and the Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists amenity grassland which is used as a sports pitch with trees around the site periphery. There is an area of scrub to the north of the site which is partially within the site, this runs east to west alongside the railway line. A number of trees along the frontage of the site with Twyford Road are subject to a tree preservation order.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes along Twyford Road.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide long term protection to this site which makes a modest contribution to local character.
- Designation would safeguard previously undeveloped land.
- This site makes a limited contribution towards the character of the village in this location.

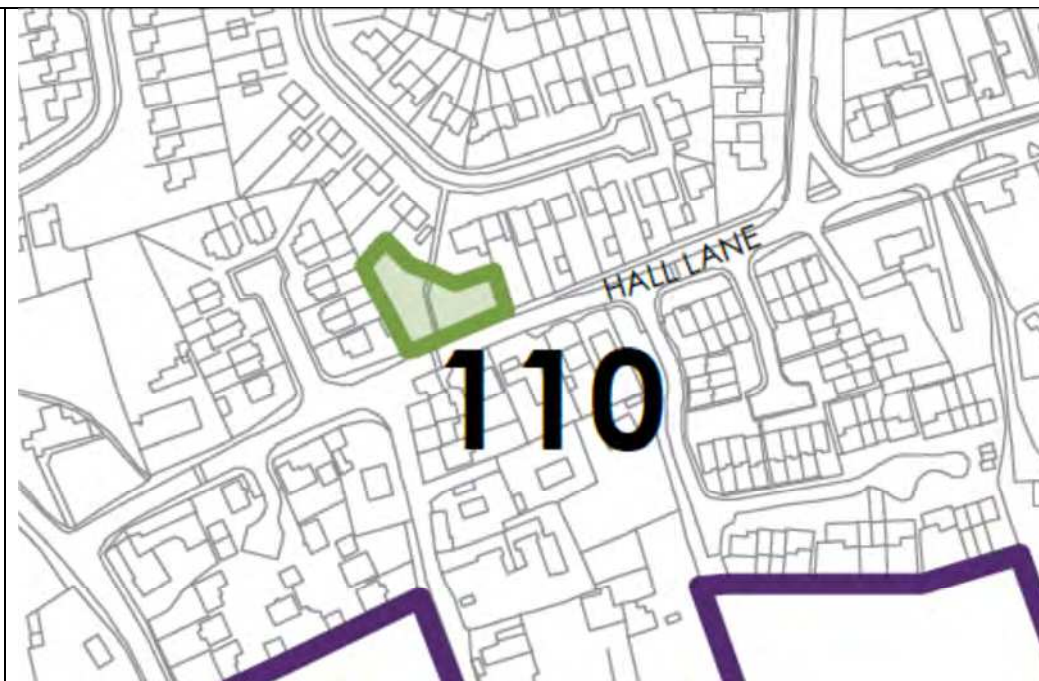
### **Conclusions**

Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This is based mainly on its community value as an open space. The site is understood to be used for firework displays as well as local carnivals. There may be potential to improve biodiversity of the site through changes to management including the scrub area to the north of the site.

**Site Ref 110: Hall Lane Recreation Area, Willington**

This site is located in the settlement of Willington and is one of five sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Willington is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,050 homes in the village. There was a single allocation made in the settlement to 2028, although a number of small to medium sized developments have been consented in the village in recent years. These are under construction or recently built out. It is likely that there will be around 1,250 homes in the village by 2028. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is within the settlement boundary and is unregistered.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and includes childrens play equipment. There is a hedgerow on the site frontage.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes along Hall Lane.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide long-term protection to this site which makes a modest contribution to the rural character of this part of the village
- Designation would safeguard previously undeveloped land.
- This site makes a limited contribution towards the character of the village in this location.

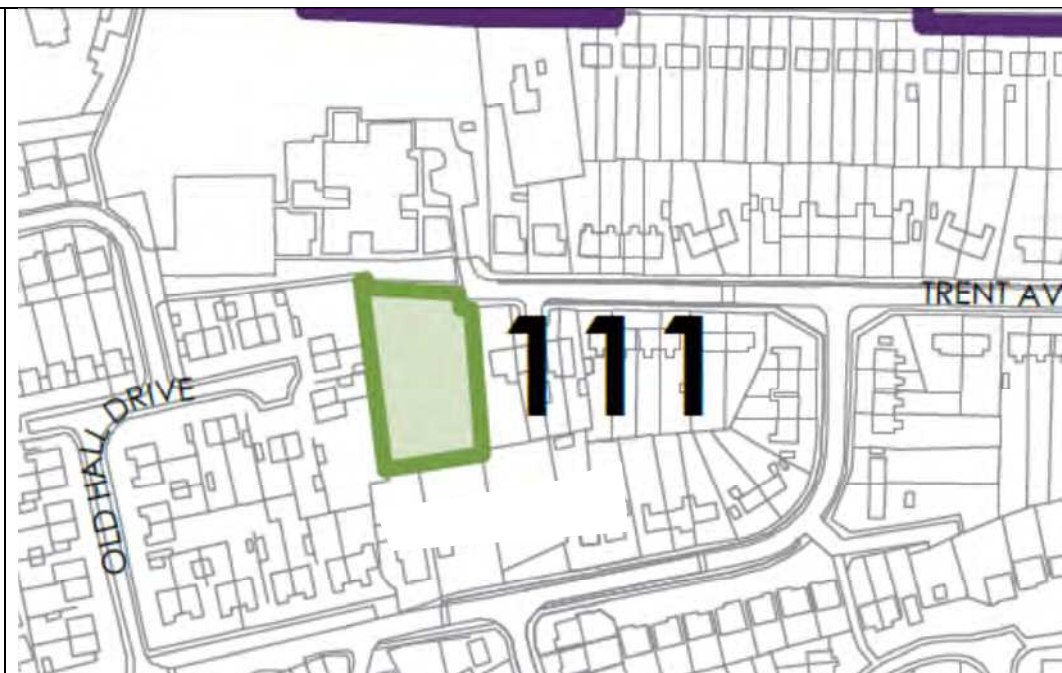
### **Conclusions**

Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This site includes play equipment and amenity grassland. and adds to the character of the villages and gives this part of the village a rural feel.

**Site Ref 111: Trent Avenue Playing Field, Willington**

This site is located in the settlement of Willington and is one of five sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Willington is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,050 homes in the village. There was a single allocation made in the settlement to 2028, although a number of small to medium sized developments have been consented in the village in recent years. These are under construction or recently built out. It is likely that there will be around 1,250 homes in the village by 2028. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is within the settlement boundary and is owned by the Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	✓	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with trees and hedgerows around the periphery of the site.
- The site is immediately adjacent to the school and provides space accessible to the school, as well as local school age children before or after school.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes along Trent Avenue.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could provide long-term protection to this site which makes a modest contribution to the rural character of this part of the village and provides a wider area of green space in addition to the school site to the north.
- Designation would safeguard previously undeveloped land.
- This site makes a limited contribution towards the character of the village in this location.

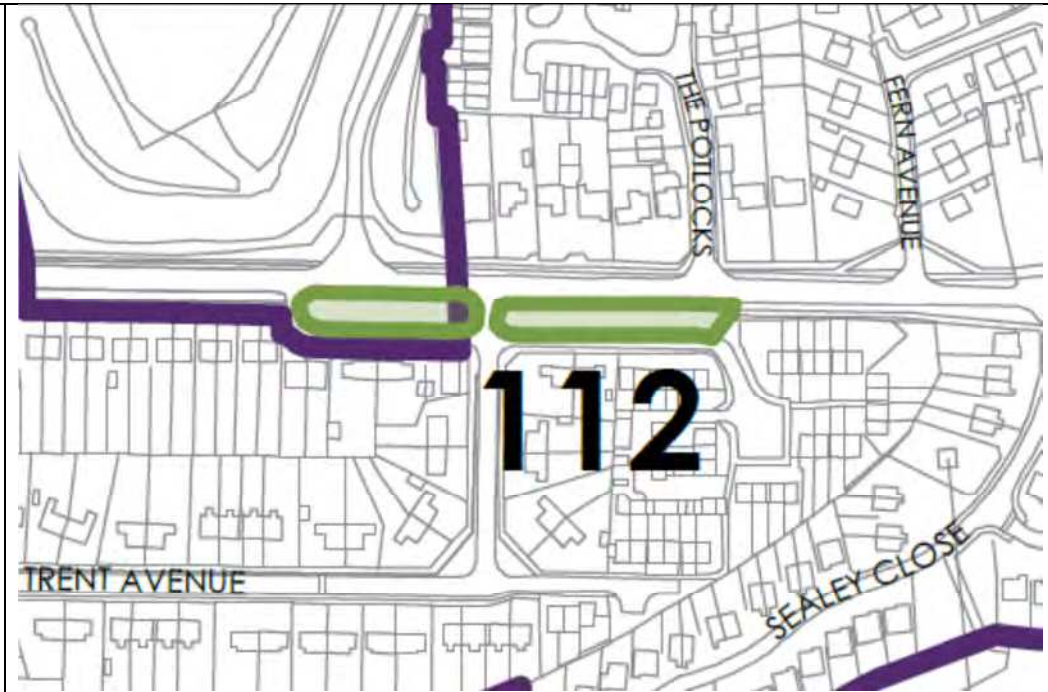
### **Conclusions**

Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This site is used informally as a playing field including by school children who attend the adjacent school. This site, together with the fields of the school to the north forms an assemblage of open space and provides important green infrastructure in a largely built up part of the village. The Parish Council supports site designation, and whilst it is acknowledged that this site is partially protected by INF9 of the Local Plan Part 1 there is considered to be sufficient justification, given the sites proximity and relationship with the Primary School to the north to designate the site as a Local Green Space.

**Site Ref 112: South of Twyford Road, Willington**

This site is located in the settlement of Willington and is one of five sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Willington is a medium to large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 1,050 homes in the village. There was a single allocation made in the settlement to 2028, although a number of small to medium sized developments have been consented in the village in recent years. These are under construction or recently built out. It is likely that there will be around 1,250 homes in the village by 2028. Facilities include a primary school, community centre and outdoor sports provision, shops and post office. This site is within the settlement boundary and is in public ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with trees and hedgerows around the site periphery of the site.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes along Tywford Road.
- Site designation could provide long-term protection to this site which makes a modest contribution to the rural character of this part of the village and provides a linear green space between Twyford Close and Twyford Road.
- Designation would safeguard previously undeveloped land.
- This site makes a limited contribution towards the character of the village in this location.

### **Conclusions**

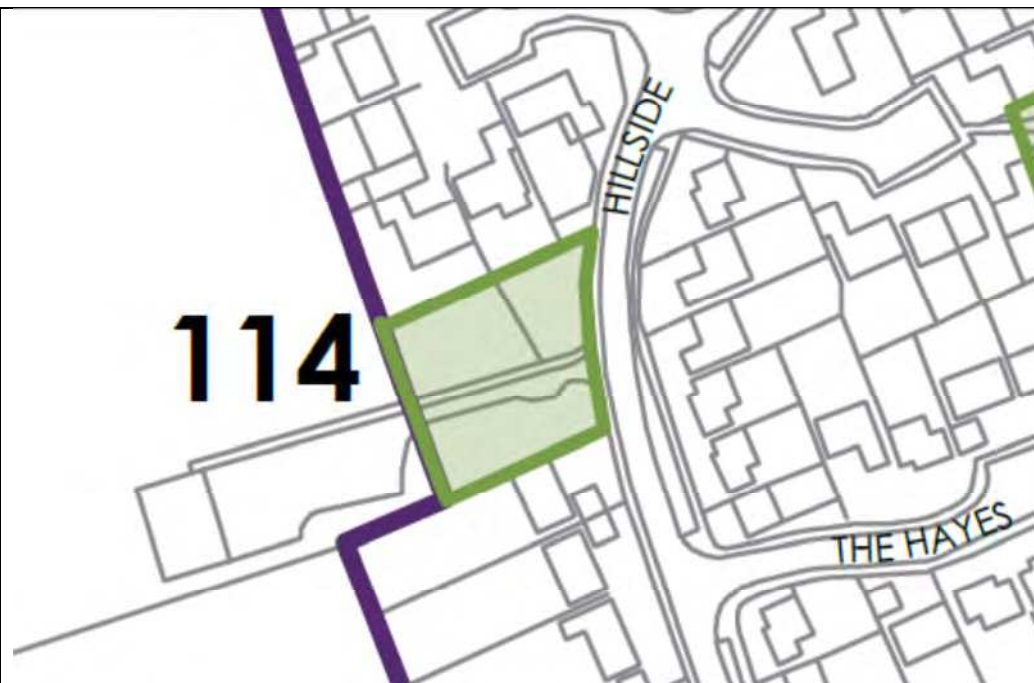
Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This site provides a narrow finger of land between Twyford Road and Twyford Close and contributes to the rural character of this part of the village.

**Site Ref 114: West of Hillside Findern**

This site is located in the settlement of Findern and is one of 3 sites in the village passed to the second stage of assessment through the sustainable appraisal.

Findern is a medium sized village and is identified as a Local Service village in the Part 1 Local Plan. There are around 650 homes in the settlement. No allocations were made for development in the village in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a primary school, community centre, outdoor sports provision, and shops.

This site is within the settlement boundary and is leased to the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::		✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Findern and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development along Hillside, and provides a pleasant entrance to public open space located to the west of the site.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving the rural character of this part of the village.

**Conclusions**

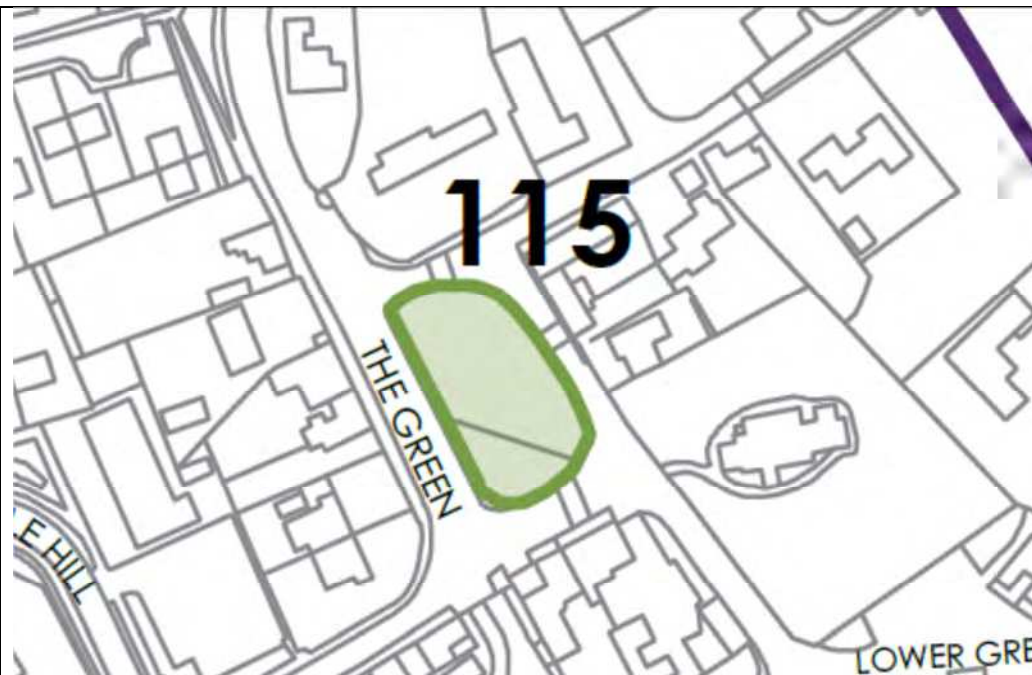
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the character of the village.

**Site Ref 115. The Green, Findern**

This site is located in the settlement of Findern and is one of 3 sites in the village passed to the second stage of assessment through the sustainable appraisal.

Findern is a medium sized village and is identified as a Local Service village in the Part 1 Local Plan. There are around 650 homes in the settlement. No allocations were made for development in the village in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a primary school, community centre, outdoor sports provision, and shops.

This site is within the ownership of the Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	✓	✓	✓	⋮	⋮	⋮	✓✓	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with a small number of mature and semi-mature trees.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking route along the northern edge of the site. The remaining sides are surrounded by public highway.
- Site will safeguard an established open space valued by the community and used for community events such as the May Day event and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could improve the community value of the site through supporting the delivery of further interpretation boards or new community infrastructure.
- Site designation could provide long-term protection to this site which makes a notable contribution to the rural character of this part of the village and provides a wider area of green space in addition to the Church Yard to the west .
- Site designation will help preserve or enhance the setting of a number of immediately surrounding listed buildings including the grade 2 listed Cornerhouse and grade 2 listed Church of All Saints.
- This site makes a notable contribution towards the character of the village in this location.

## Conclusions

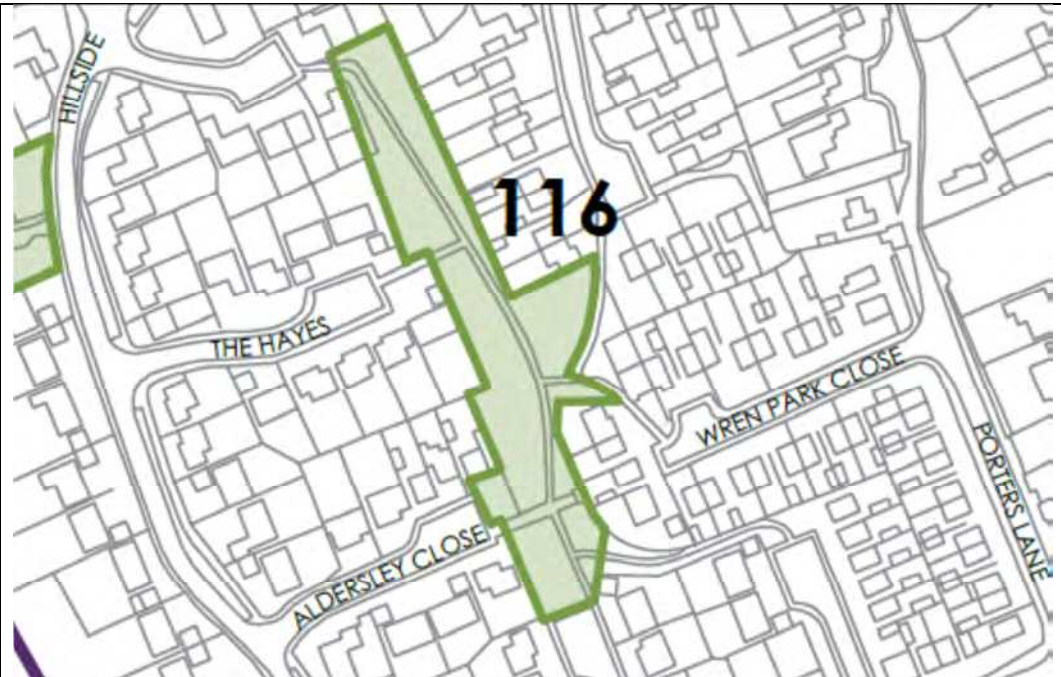
Having reviewed this site through the stage 2 assessment, there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This site is an archetypal village green. It is located to the immediate east of the Church of All Saints and together with the Church Yard provides this part of the village with a strong rural character. Designation will help preserve the setting of a number of immediately surrounding listed buildings and could support improvements to the space including in respect of biodiversity, or interpretation. The proposed designation of this site is supported by the Parish Council and the Council's Community Partnership Officer.

**Site Ref 116: East of the Hayes, Findern**

This site is located in the settlement of Findern and is one of 3 sites in the village passed to the second stage of assessment through the sustainable appraisal.

Findern is a medium sized village and is identified as a Local Service village in the Part 1 Local Plan. There are around 650 homes in the settlement. No allocations were made for development in the village in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a primary school, community centre, outdoor sports provision, and shops.

This site is within the settlement boundary and is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮		✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland and mature trees. There is potential to support enhanced site management in the interests of biodiversity.
- Site is located within Findern and accessible to local residents and is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It penetrates modern housing and provides access to a number of local residential streets.
- Site designation will safeguard previously undeveloped land.
- Site will safeguard local townscape character by preserving the rural character of this part of the village.

**Conclusions**

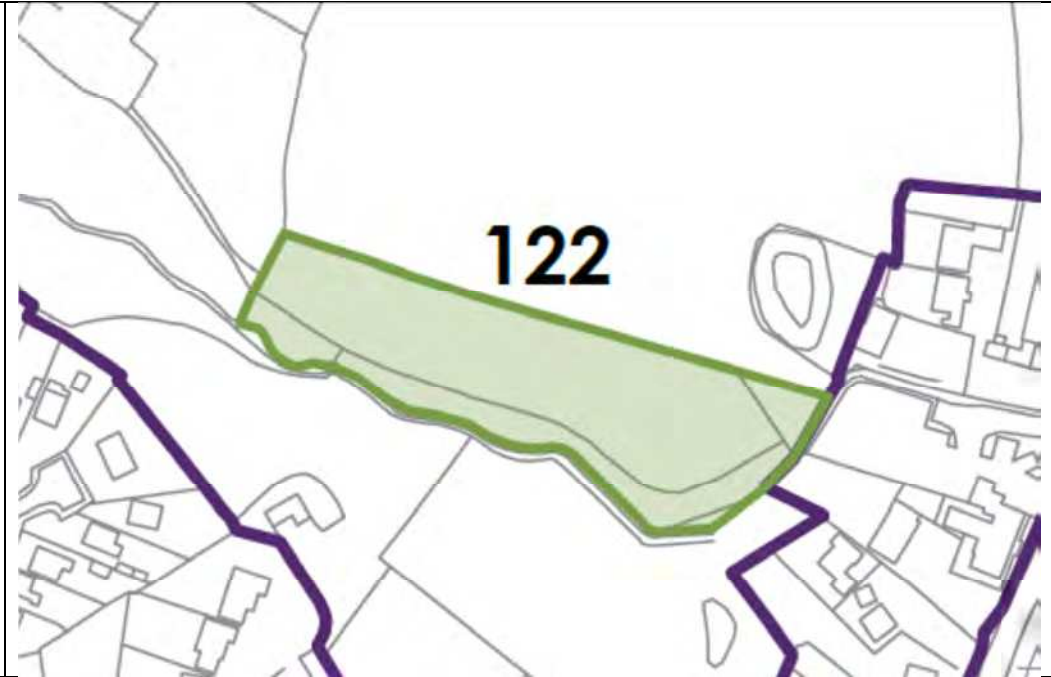
Having reviewed this site through the stage 2 assessments there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the character of the village.

**Site Ref 122: Land Adjoining Mill Wheel Car Park**

This site is located in the settlement of Hartshorne and is one of three sites passed to the second stage of assessment through the sustainability appraisal in the settlement.

Hartshorne is small to medium sized village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 320 homes in the village. Facilities include a primary school, community centre and outdoor sports provision and a public house.

This site is adjoining the settlement boundary, and is in private ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓	⋮	⋮	⋮	⋮	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could help preserve an area of scrub located to the north of Hartshorne
- Site designation would provide long-term protection of a site within the village and accessible by informal walking routes and public footpaths.
- Designation could help preserve the green field nature of the site.
- Site designation will ensure that the site continue to contribute towards safeguarding local townscape character.

**Conclusions**

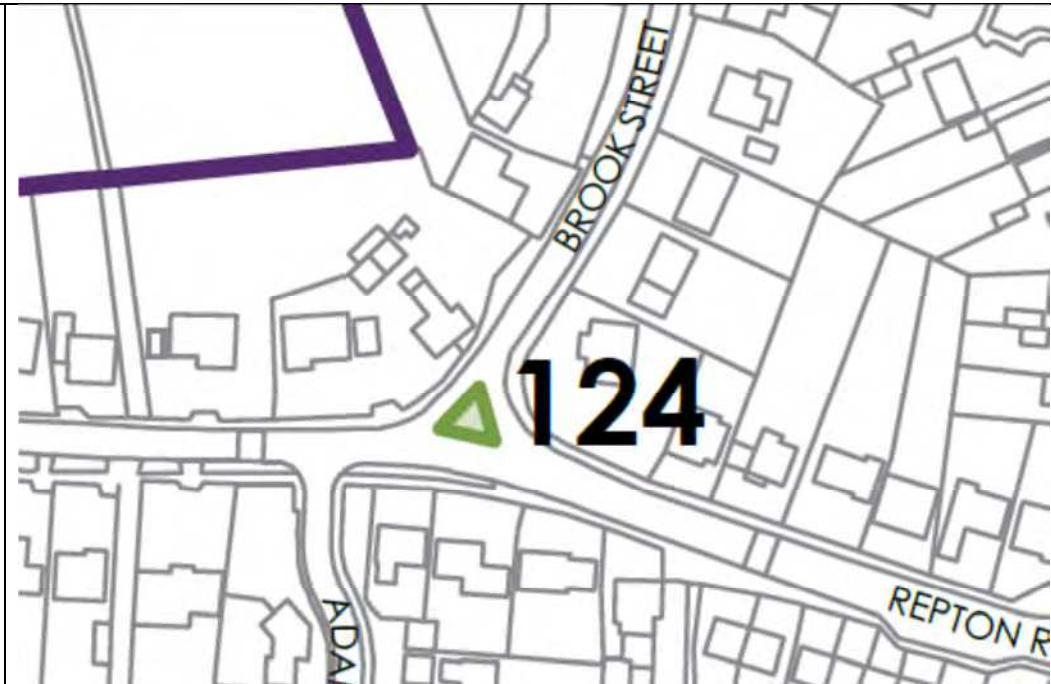
The site is in private ownership but appears to be publically accessible via the footpaths located within it. The sites value is potentially derived from its biodiversity value and the Wildlife Trust have reviewed the biodiversity value of the site and confirmed that there are some habitats and species of interest on the site.

**Site Ref 124: Land at the Junction of Brook Street and Repton Road**

This site is located in the settlement of Hartshorne and is one of three sites passed to the second stage of assessment through the sustainability appraisal in the settlement.

Hartshorne is small to medium sized village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 320 homes in the village. Facilities include a primary school, community centre, outdoor sports provision and a public house.

This site is within the settlement boundary and is owned by Derbyshire County Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	::	::	::	::	✓

### **Comments**

- Site designation could help preserve an small area of amenity grassland and ornamental planting
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes which are publically lit
- Site designation could continue to allow this community area to be enhanced and will preserve a site that makes a noteworthy contribution to local character.
- Site forms part of the adopted and publically maintainable highway and designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continue to contribute towards safeguarding local townscape character.

### **Conclusions**

The site is in the ownership of the County Council who are opposed to designation on the grounds that there may be a need for the site to be used for capacity or safety improvements to the highway. This Authority considers that such a use would still be compatible with local green space designation which offers a level of protection similar to Green Belt policy. (Clearly highways works routinely take place on sites in the Green Belt). Setting aside this issue, this is a very small, triangular piece of land. Its key contribution to the village is in respect of its value to local character. The site is maintained by the local community who have created a small civic area which includes a bench, ornamental planting and street light. Clearly this is a very small space, but its value, whilst limited is considered to be of importance to the character of this part of the village.

**Site Ref 125: Land at the Junction of Manchester Lane and Heath Lane, Hartshorne**

This site is located in the settlement of Hartshorne and is one of three sites passed to the second stage of assessment through the sustainability appraisal in the settlement.

Hartshorne is small to medium sized village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 320 homes in the village. Facilities include a primary school, community centre and outdoor sports provision and a public house.

This site is within the settlement boundary and is owned by Derbyshire County Council



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	::	::	::	::	✓	::	::	::	::	✓

**Comments**

- Site designation could help preserve a small area of grassland.
- Site forms part of the adopted and publically maintainable highway and designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to make a very limited contribution towards local character.

**Conclusions**

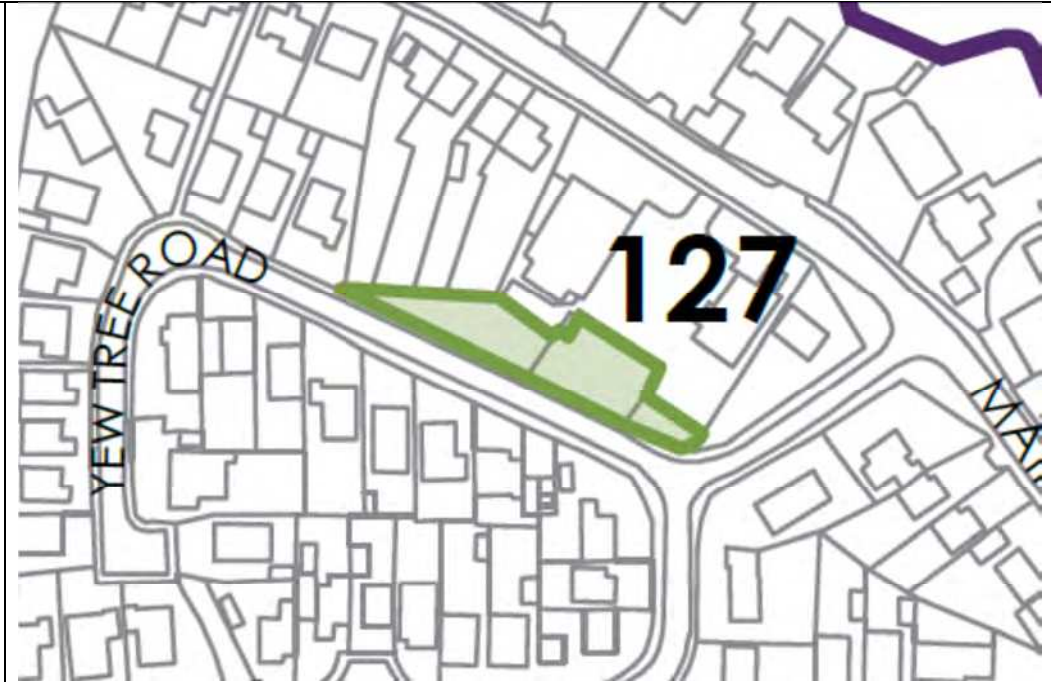
The site is ownership of the County Council who are opposed to designation on the grounds that there may be a need for the site to be used for capacity or safety improvements to the Highway. This Authority considers that designating such sites, where these are of local importance or value would still be compatible with local green space designation, however having reviewed the site through the stage 2 process it is clear that this site is of limited value. It is not cared for in the same way as a similar triangular parcel of land located at Brook Street, Hartshorne. It is not planted, and does not include a seating area or other paraphernalia which would mark this out as a site which is demonstrably special to the local community or holds particular local significance. On this basis whilst this site meets the criteria of stage 1 of the selection process the Council does not consider that it is suitable for designation.

**Site Ref: 127: North of Yew Tree Road, Rosliston**

This site is located in the settlement of Rosliston and is the only site in the village passed to the second stage of assessment through the sustainability appraisal.

Rosliston is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 240 homes in the settlement. No allocations were made for development in the village in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include shops, primary school, community centre, outdoor sports provision, and a shop and public houses.

The site is in the ownership of the trustees of Rosliston and Caldwell Village Hall.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	✓✓	✓✓	⋮	✓	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with a number of mature and semi-mature trees, as well as shrubs and ornamental planting.
- Site designation could provide support for improved informal leisure facilities.
- Site is used as a play area by the local preschool.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking route along Yew Tree Lane
- Site will safeguard an established and managed informal open space valued by the community immediately adjacent to the village hall and available to hall users. Designation could support continued and formal improvements to the site, for example through supporting access to grants etc.
- site designation could safeguard local townscape character.
- Site designation could help safeguard previously undeveloped land.
- Site designation could provide long-term protection to this site which makes a notable contribution to the rural character of Rosliston.
- This site makes a minor contribution towards the character of the village in this location.

### **Conclusions**

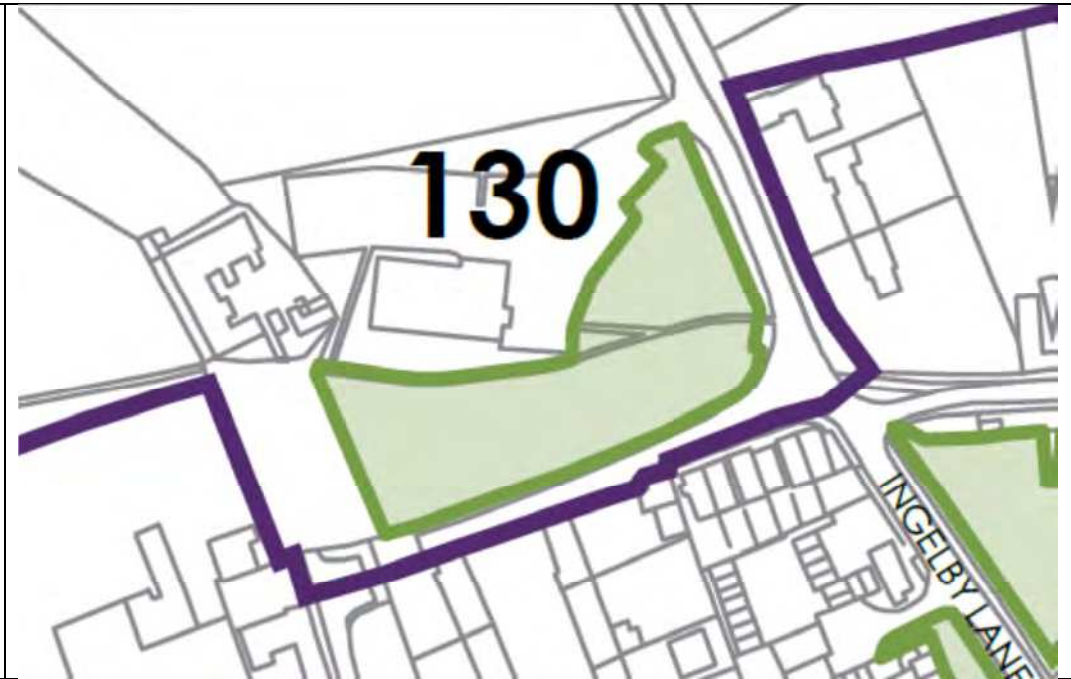
Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space. This site preserves the rural and open character of this part of the village and provides an area of informal open space used by the local preschool and users of the adjacent village hall.

**Site Ref 130. North of Rose Lane Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainable appraisal in the settlement.

Ticknall is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the settlement in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre and outdoor sports provision, a shop and public houses.

This site adjoins the settlement boundary and is owned by the Trustees for Ticknall Social Welfare Hall.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	✓	✓	✓✓	✓	⋮	⋮	✓✓	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with a number of mature and semi-mature trees, particularly along Rose Lane and Ingleby Lane. There is a hedgerow located along the Ingleby Lane boundary.
- Site designation could provide support for improved informal leisure facilities.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking route along Ingleby Lane and Rose Lane. There is an unlit footpath to the site from Church Lane.
- Site will safeguard an established and managed informal open space valued by the community immediately adjacent to the village hall and available to Hall Users. Designation could support continued and formal improvements to the site, for example through supporting access to grants etc.
- Site designation could improve the community value of the site through supporting enhancements to the site and the facilities associated with the village Hall and preserving the connectivity of the site with wider tourism resources such as Calke Abbey. The site is also the starting point for a number of local walks such as the village trails and the Ticknall Milton Circular Walk.
- Site designation could provide long-term protection to this site which makes a notable contribution to the rural character of Ingleby Lane which is a notable route into the village. The site straddles the conservation area boundary for Ticknall Conservation with most of the site falling within the Conservation Area.
- Site designation will help preserve or enhance the setting of Ticknall Conservation. The site also lies within the setting of a number of other heritage assets including a Scheduled Ancient Monument (Medieval church and cross 45m south of St George's Church) and a number of listed buildings including Slade Farm House (grade 2) and the Church of St George (grade 2).
- This site makes a notable contribution towards the character of the village in this location being located mostly within a conservation area and within the setting of a number of other heritage assets.

## Conclusions

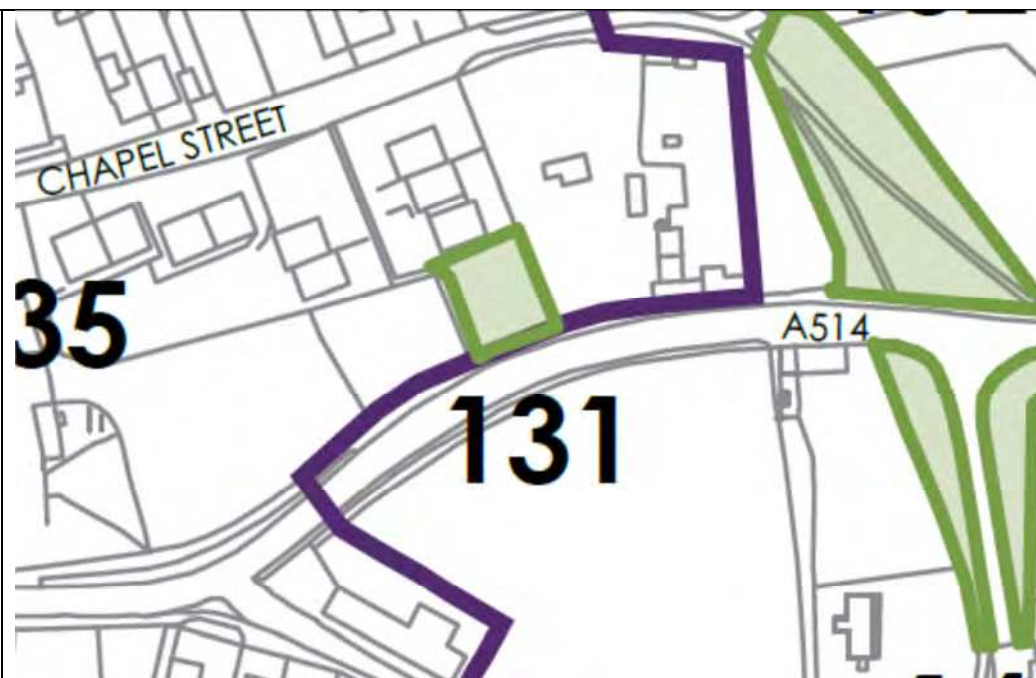
Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space. This site preserves the rural and open character of a notable gateway into the village and provides a pleasant backdrop to a number of local heritage assets. The site is also immediately adjacent to the village hall and provides the starting point for many visitors to the village wishing to make use of local tourism and leisure resources.

**Site Ref 131. North of Main Street, Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainable appraisal in the settlement.

Ticknall is a small village and is identified as a Local Service village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the village in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre and outdoor sports provision, and a shop and public houses.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	⋮	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of grassland and occasional trees on the west and east boundary.
- Site designation would provide long term protection of a site within the village and accessible by metalled and walking route along Main Street.
- Site designation could provide long-term protection to this site which makes a notable contribution to the rural character of this part of Main Street (the A514) which is the Key Route through the village. The site is fully within the Ticknall Conservation Area and is within the setting of Hayes Farmhouse (grade 2 listed), the Baptist Chapel (grade 2) and a number of pillar fountains around the site.
- Site designation will help preserve or enhance the setting of Ticknall Conservation Area. The site also lies within the setting of a number of other heritage assets.
- This site makes a significant contribution towards the character of the village in this location being located within a conservation area and within the setting of a number of other heritage assets.

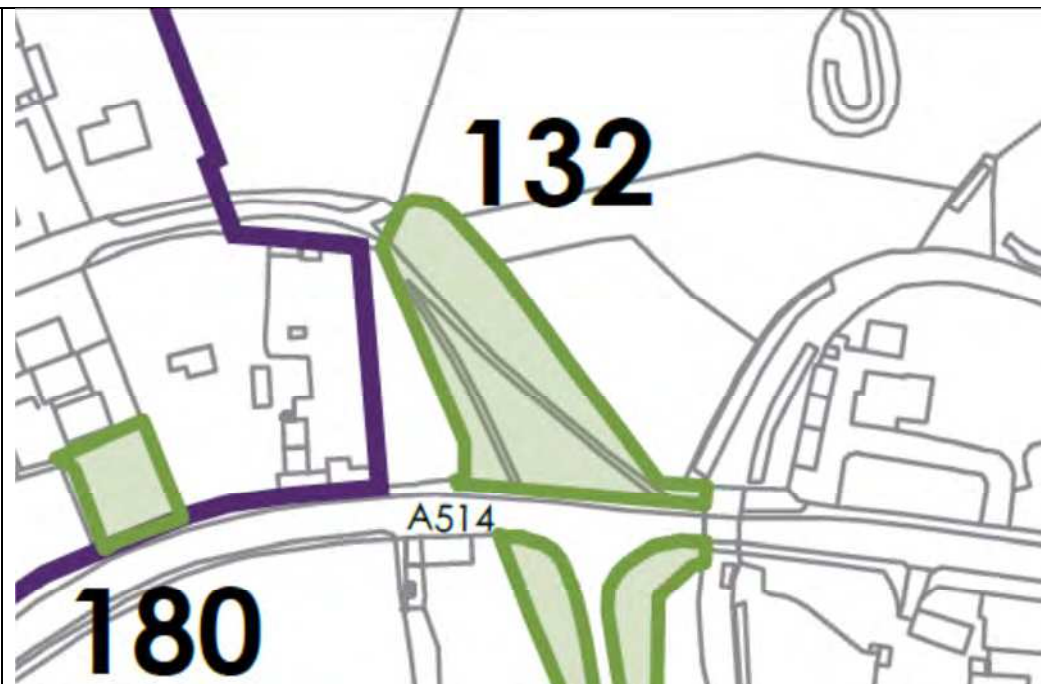
### **Conclusions**

Having reviewed this site through the stage 2 assessment, there is considered to be a case to justify designation of this site as a Local Green Space. This site preserves the rural and open character of a notable route through the village and provides a pleasant backdrop to a number of local heritage assets. The site located close to the entrance to Calke Abbey and is one of a number of green gaps fronting local roads within the village.

**Site Ref 132. North of A514, opposite Calke Abbey Entrance, Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainability appraisal. Ticknall is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the settlement in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre, outdoor sports provision, a shop and public houses.

This site is within the settlement boundary and is owned by the National Trust. It is located within Ticknall Conservation Area.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	✓	✓	✓✓	✓	⋮	⋮	✓✓	✓✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland which is open to the road with mature trees on the eastern and western boundary of the site.
- Site designation could provide support for improved informal leisure facilities such as additional seating areas.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking route along Main Street, but also connects with Chapel Street to provide a link between this site and the entrance to Calke Abbey and the Village Hall.
- Site will safeguard an established and managed informal open space valued by the community immediately adjacent to the entrance to Calke Abbey which is owned and managed by the National Trust.
- Site designation could improve the community value of the site through supporting enhancements to the site, for example through the further/enhanced provision of notice boards for interpretation of the site or through other improvements such as planting.
- Site designation could provide long-term protection to this site which makes a notable contribution to the rural character of this part of Main Street (the A514) which is the Key Route through the village. The site is fully within the Ticknall Conservation Area.
- Site designation will help preserve or enhance the setting of Ticknall Conservation Area. The site also lies within the setting of a number of other heritage assets including Arch View Cottage (grade 2) and Ticknall Arch (grade 2)
- This site makes a notable contribution towards the character of the village in this location being located within a conservation area and within the setting of a number of other heritage assets.

## Conclusions

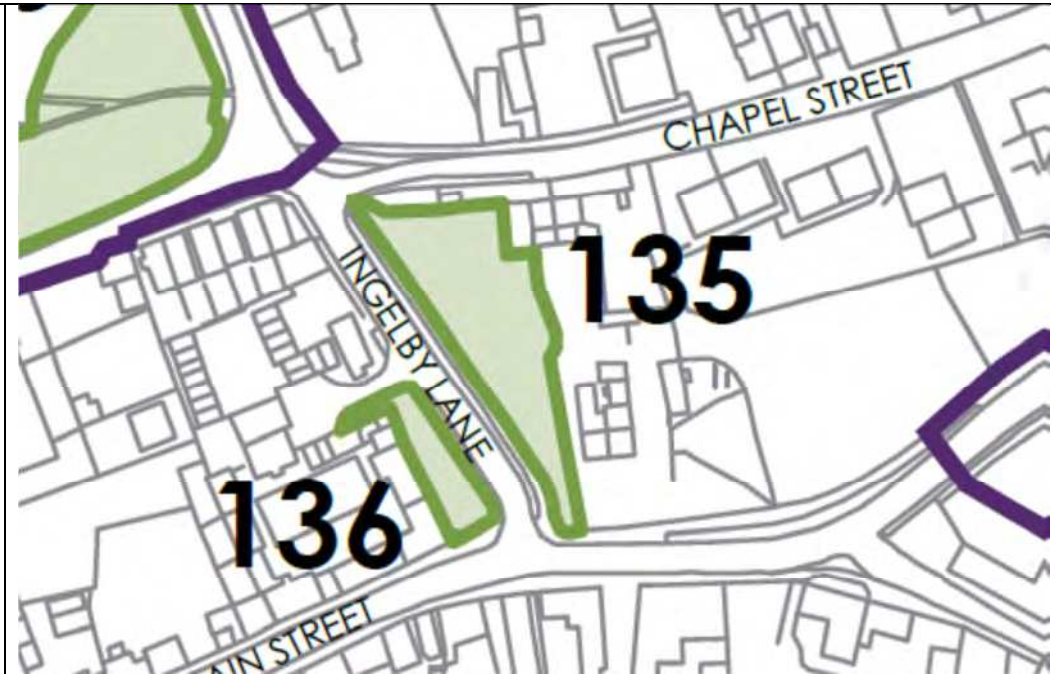
Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space. This site preserves the rural and open character of a notable route through the village and provides a pleasant backdrop to a number of local heritage assets. The site is adjacent to Calke Abbey, which is a significant tourism and leisure resource and is an important link between the Village Hall and the Calke Abbey estate.

**Site Ref 135. Ingleby Lane - east, Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainability appraisal.

Ticknall is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the settlement in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre, outdoor sports provision, a shop and public houses.

This site is within the settlement boundary and is owned by Harpur Crewe LLC.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	--	✓	--	✓✓	✓	✓	--	✓✓	✓	--	--	--	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with a number of mature and semi-mature trees located centrally and along Chapel Lane to the northern boundary of the site. There is a hedgerow along the Chapel Lane boundary of the site.
- Site designation would provide long term protection of a site within the village and accessible along Ingleby Lane via a metalled and lit footpath and via Chapel Lane which provides segregated walking and vehicular access immediately outside of the site, although the footpath stops within this Lane and pedestrian access is via the road.
- Site designation could potentially provide opportunity to provide new or enhanced community infrastructure including enhanced seating areas or other community infrastructure.
- Site will safeguard an established and managed informal open space valued by the community close to the village hall. Designation could support continued and formal improvements to the site, for example through supporting access to grants etc.
- This site makes a notable contribution towards the character of the village in this location and presents a rural aspect to the junction of Ingleby Lane (which is a secondary route into the village) and the A514.

### **Conclusions**

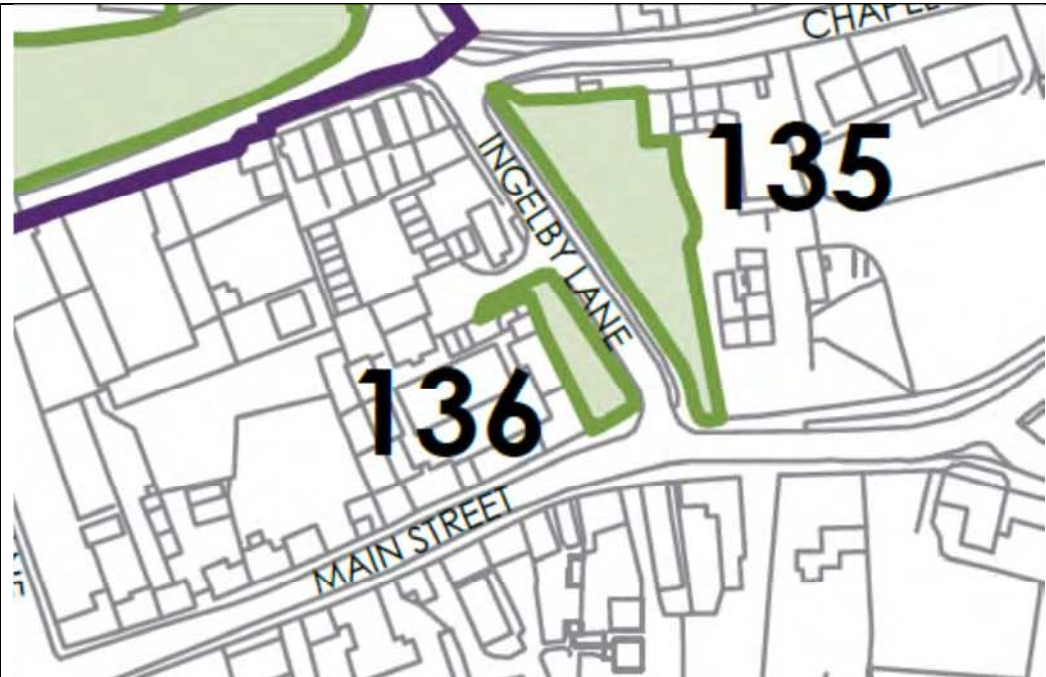
Having reviewed this site through the stage 2 assessment, there is considered to be sufficient case to justify designation of this site due to its contribution to the rural character of the village. The site is located close to the village hall and includes benches and bins together with amenity open space accessible to the wider community and leisure users parking in the village hall car park and walking into the Calke Estate.

**Site Ref 136. Ingleby Lane - west, Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainability appraisal.

Ticknall is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the settlement in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre, outdoor sports provision, a shop and public houses.

The site is located within Ticknall Conservation Area, is within the settlement boundary and is owned by David M. Adams (homes) Ltd. but is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓✓	✓	::	::	::	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with a single mature tree located roughly centrally in the site.
- Site designation would provide protection of a site within the village and accessible along Ingleby Lane which is metalled and lit.
- Site designation could provide long-term protection to this site which makes a significant contribution to the rural character of Ingleby Lane which is a notable route into the village. The site is within the conservation area boundary for Ticknall. A number of listed buildings and structures including a pillar fountain opposite Nos 55 and 57 Main Street (grade 2), 55 and 57 cottages at 55 and 57 Main Street (grade 2) and the Wheel Public House (grade 2) are located close by.
- Designation could protect a greenfield site from development.
- This site makes a notable contribution towards the character of the village in this location being within a conservation area and within the setting of a number of other heritage assets.

### **Conclusions**

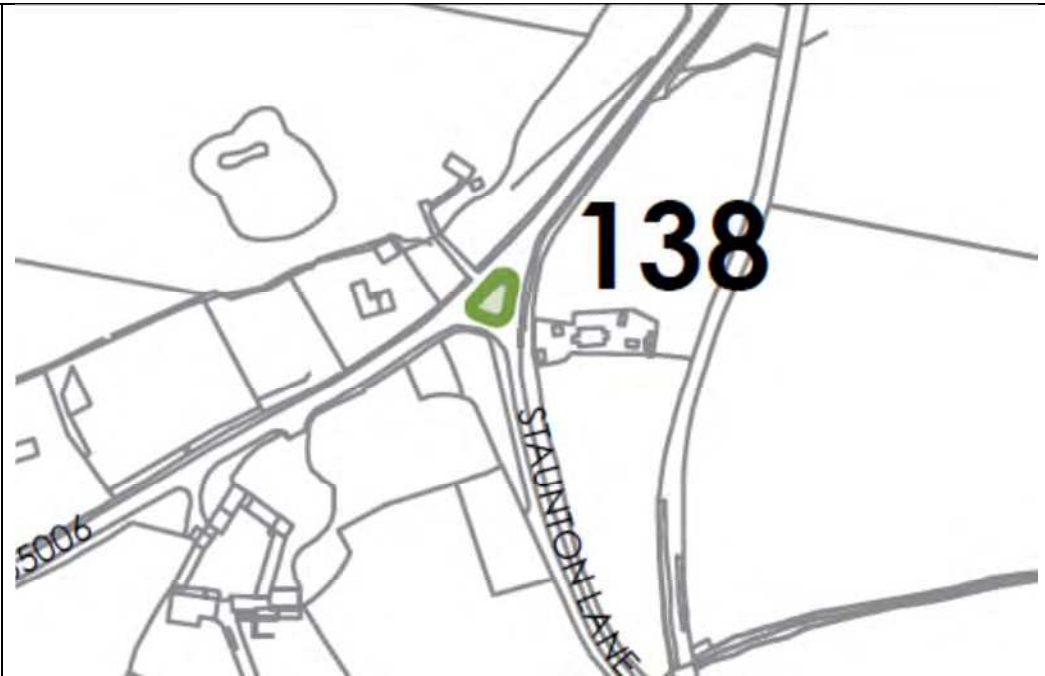
Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space on heritage grounds. This site preserves the rural and open character of a notable gateway into the village and provides a pleasant backdrop to a secondary route into the village. The site is located close to the village hall amenity open space accessible to the wider community.

**Site Ref 138: Ashby Road, Grass Triangle, Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainability appraisal.

Ticknall is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the settlement in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre, outdoor sports provision, a shop and public houses.

This site is located some way outside of the settlement boundary although is located within the Conservation Area for the village. The site is unregistered in respect of land ownership.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓✓	✓✓

### **Comments**

- Site designation could help preserve a small area of grassland.
- Site is located around 700m from the settlement edge of Ticknall. There is a metalled, though unlit footway between this site and the edge of the village.
- Site is within the Conservation Area for Ticknall.
- Site forms part of the adopted and publically maintainable highway and designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local character

### **Conclusions**

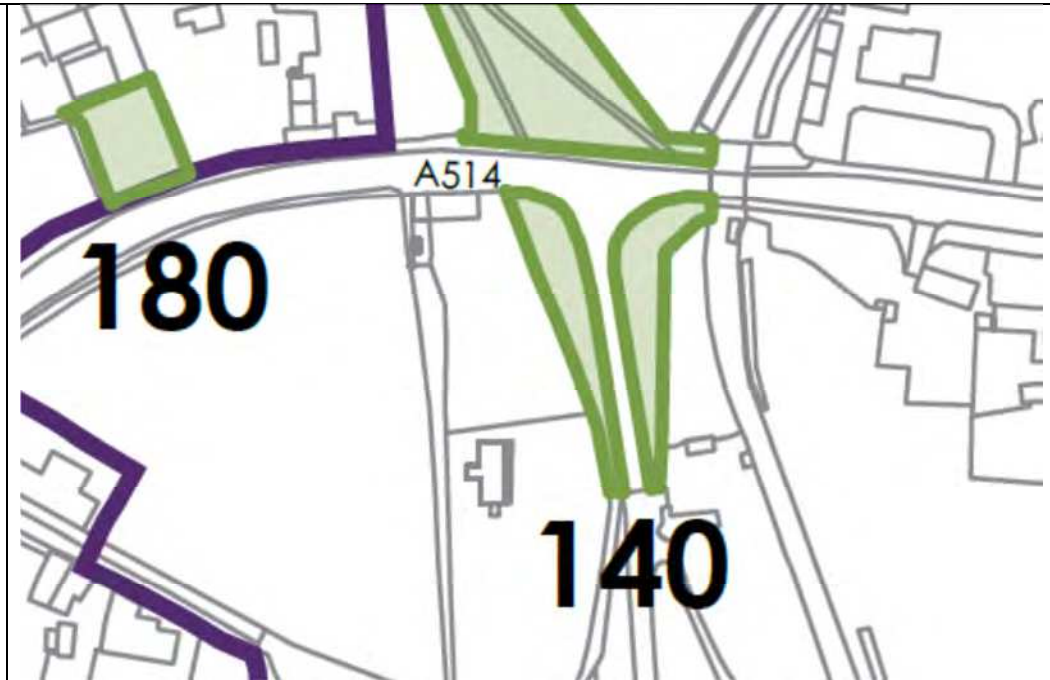
The site is unregistered. It has a bench, litter bin and planting. There is a metalled path between the site and Ticknall village. The site is within the Conservation Area for the village although is some way out of the village itself. It scores positively in respect of townscape and heritage against the SA framework, although in practical terms is at limited risk from loss owing to the small scale of the site and its relationship to the village. Nonetheless there is a limited basis for inclusion as a local green space given that it forms part of the setting of the Conservation Area.

**Site Ref 140. Ingleby Lane - west, Ticknall**

This site is located in the settlement of Ticknall and is one of 7 sites in the village passed to the second stage of assessment through the sustainability appraisal.

Ticknall is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There are around 210 homes in the village. No allocations were made for development in the settlement in the Adopted Plan although limited growth is likely to be accommodated to 2028 mainly through infill. Facilities include a community centre, outdoor sports provision, a shop and public houses.

The site is located within Ticknall Conservation Area, is within the settlement boundary and is owned the National Trust.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with trees overhanging the site.
- Site designation would provide protection of a site within the village and accessible along Ingleby Lane which is metalled and lit.
- Site designation could provide long-term protection to this site which makes a significant contribution to the rural character of Ticknall. The site is within the conservation area boundary for Ticknall and forms the setting for a number of listed buildings and structures including
- Site will safeguard an established and managed informal open space valued by the community immediately adjacent to the entrance to Calke Abbey which is owned and managed by the National Trust.
- Site designation will help preserve or enhance the setting of Ticknall Conservation Area. The site also lies within the setting of a number of other heritage assets including Arch View Cottage (grade 2) and Ticknall Arch (grade 2)
- This site makes a notable contribution towards the character of the village in this location being within a conservation area and within the setting of a number of other heritage assets.

### **Conclusions**

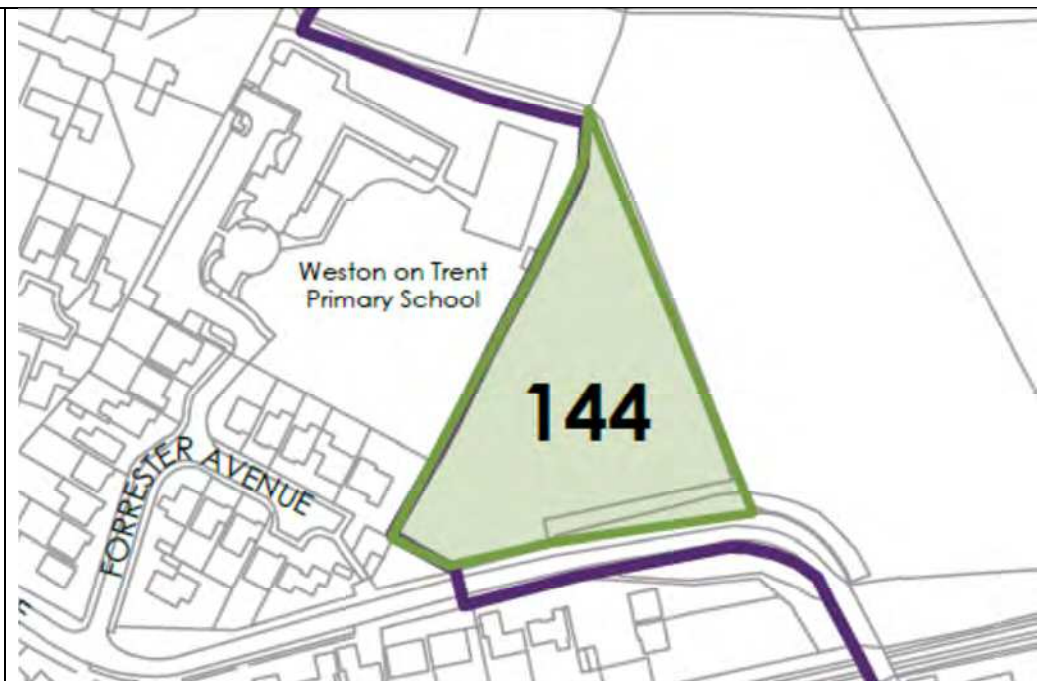
Having reviewed this site through the stage 2 assessment, there is considered to be a strong case to justify designation of this site as a Local Green Space on heritage grounds. This site preserves the rural and open character of a notable route through the village and provides a pleasant backdrop to a number of local heritage assets. The site is in the ownership of the National Trust.

**Site Ref 144: Kings Mills Lane, adjoining School, West on Trent.**

This site is located in the village of Weston on Trent and is the only site passed to the second stage of assessment through the sustainability appraisal in the village.

Weston is a small village and is identified as a Local Service Village in the Part 1 Local Plan. There is a primary school, community centre and outdoor sports provision in the village as well as a shop and public house. This site is adjoining the settlement.

There is no conservation area in the village. This site is in private ownership although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Social inclusion	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	:-	✓	:-	✓✓	:-	✓	:-	✓	✓	:-	:-	:-	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes hedgerows on the southern and western boundary and hedgerow trees on the eastern boundary as well as amenity grassland within the site for further tree planting.
- Site designation could offer opportunities to safeguard the existing informal leisure use and support the delivery of new or improved informal leisure opportunities
- Site is located within the village and accessible to local villagers. Footpaths (lit) are already in place along King's Mill Lane
- Site has potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community
- Site is located on the edge of an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity, though designation will safeguard local landscape character.

### **Conclusions**

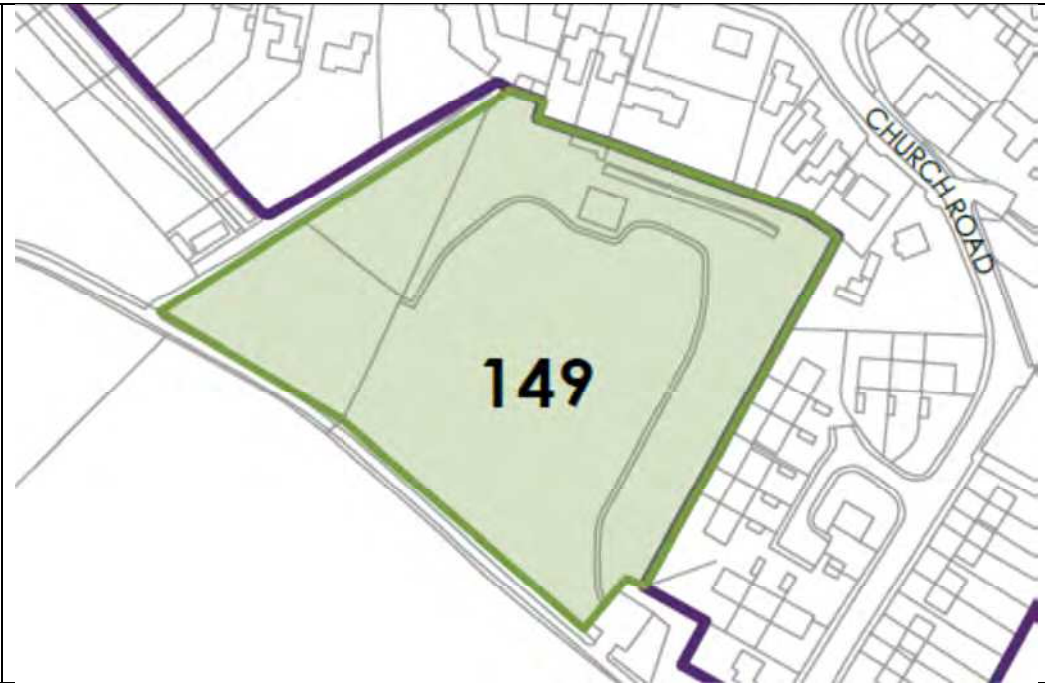
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the opportunities the site offers for informal recreation.

**Site Ref 149: Catherine Jonathan Playing Field, Egginton**

This site is located in the village of Egginton and is one of two sites passed to the second stage of assessment through the sustainable appraisal in the village.

Egginton is a small village and is identified as a Rural village in the Part 1 Local Plan. There are around 200 homes in the village as well as a primary school, community centre and outdoor sports provision. This site is immediately adjacent to the settlement, although not within the settlement boundary. There is no conservation area in the village although there is a listed building around 150m from the proposed LGS site.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Social inclusion	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	:-	✓	✓✓	✓✓	✓✓	✓	:-	✓	✓	?	✓✓	✓	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes a wooded area as well as hedgerows and trees on the boundary. The site provides opportunity for further tree planting or improved management in the interests of biodiversity.
- Site designation could offer opportunities to safeguard the existing leisure use and support the delivery of new or improved formal and informal leisure opportunities within 800m of the village and accessible by foot.
- Site is known to be used by the local primary school for sports day and other uses. The school is located around 130m from the site and loss of this space (even if replaced elsewhere in the village) could reduce access to open space.
- Site is located within 400m of the village and accessible to local villagers. Footpaths (lit) are already in place along Church Road.
- Site has potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community
- Site designation could improve visitor numbers by enhancing recreation and leisure facilities and provision or improve access to grant and other funding
- Site is located on the edge of an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Uncertain effects identified in respect of light and noise pollution. Land use changes or changes in how the site is used (or how frequently it is used) could have no effect, or could increase or reduce disturbance.
- The site is located in an area at flood risk. Following completion of the River Dove Flood alleviation works there was an increase in flood risk to this site. This is identified in the Flood Risk Assessment prepared to support the application for the flood works (ref 9/2012/0132). The flood defences that run most of the length of the southern part of this village extend into this site and run across its northern and eastern boundaries ([see here](#)). Protecting the open nature of the site could allow for further flood work in the future.
- Site is unlikely to safeguard designated heritage assets although it could help preserve a number of locally important heritage features such as Mabel's Lodge. However the site formed part of the grounds which burnt down in 1736 and still includes a number of mature specimen trees. By 1780, the whole site was cleared and the complete village was moved to its present position. That created the space for the Georgian style Hall to be built, this site formed part of the parkland for this site.
- Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity, though designation will safeguard local landscape character.

## Conclusions

The case for designation is considered to be strong for this site. In particular the use of this site by the school for sports day and other uses weighs particularly in its favour, as whilst an argument could be made that policy in the Local Plan could protect a sports field (or at least secure alternative provision) provision elsewhere may not offer the same opportunity for use should it be located further away or in a more inaccessible location from the

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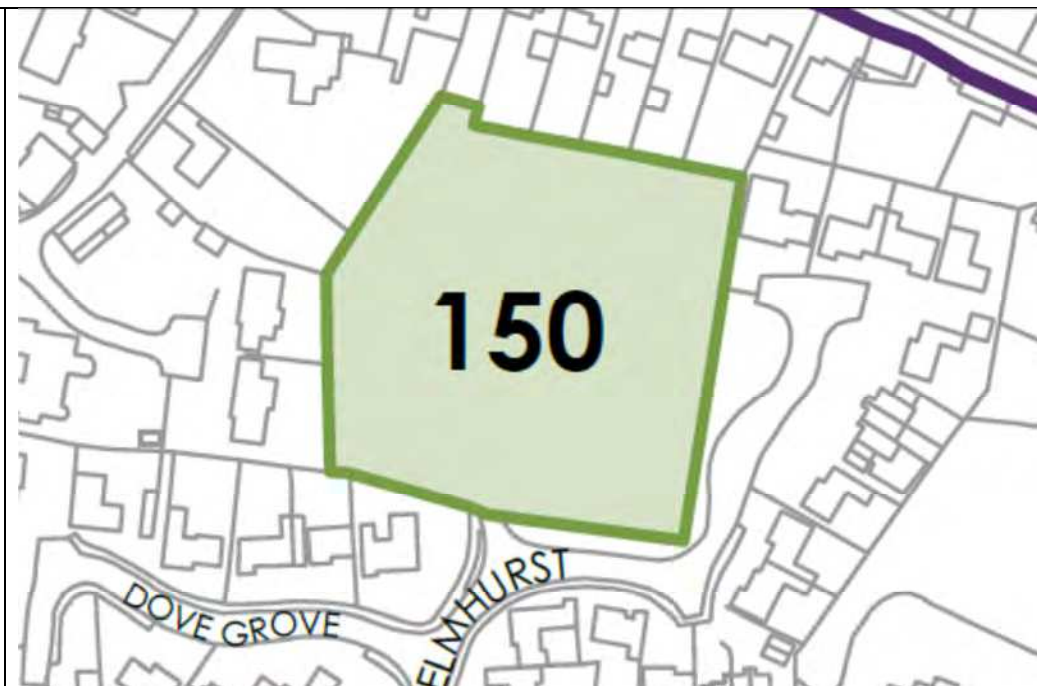
primary school The site is considered to be of particular value in respect of biodiversity, heritage and scores well in respect of SA objectives related to education, social inclusion, infrastructure and climate change (flood risk).

**Site Ref 150: Off Elmhurst, Egginton**

This site is located in the village of Egginton and is one of two sites passed to the second stage of assessment through the sustainable appraisal in the village.

Egginton is a small village and is identified as a Rural village in the Part 1 Local Plan. There are around 200 homes in the village as well as a primary school, community centre and outdoor sports provision. This site is located within the settlement. There is no conservation area in the village although there is a listed building around 70m from the proposed LGS site.

The site is owned by Derbyshire County Council and is identified as a reserve school site.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Social inclusion	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	✓✓	⋮	⋮	✓	✓	⋮	⚠	✓	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes hedgerows on the boundary with Elmhurst and the site provides opportunity for further tree planting or improved management in the interests of biodiversity.
- Site designation could offer opportunities to safeguard the existing informal leisure use and support the delivery of new or improved informal leisure opportunities within the village and accessible by foot (it is unclear whether permissive use of site is allowed, however aerial photos indicate that site is extensively used by local people).
- Site is located within the village and accessible to local villagers. Footpaths (lit) are already in place along Elmhurst and the site provides open space to residents living in this part of the village.
- Site has potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community
- Site is located on the edge of an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- No effects are identified in respect of light and noise pollution. Given the ongoing potential for schools uses long term changes or the more formalised use of the site are considered unlikely.
- The site is located in an area where there is some identified risk of surface water flooding although this is contained within the site). It is unlikely that site designation could have any effect on flood risk more widely in the village.
- Site is unlikely to safeguard designated heritage assets or their settings although it could help preserve the setting of a number of locally important heritage features in the vicinity of Duck Lane
- Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity, though designation will safeguard local landscape character. including the setting of non-designated heritage assets.

## Conclusions

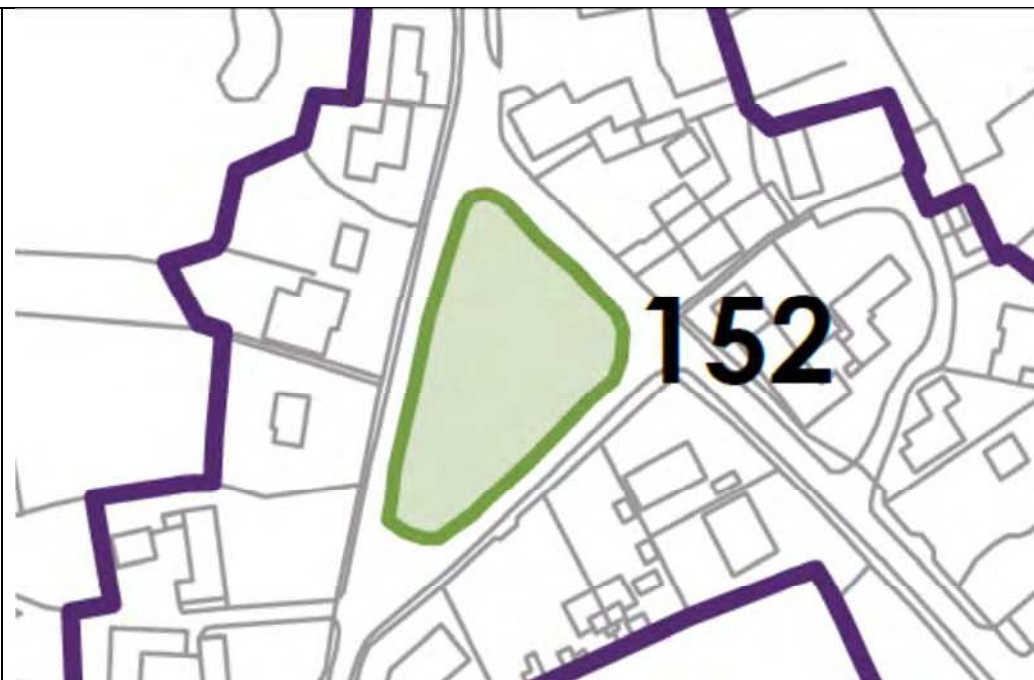
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the opportunities the site offers for informal recreation. The site is considered to be of particular value in respect of biodiversity and heritage and scores well in respect of SA objectives related to social inclusion and infrastructure. However, this site is identified as being held by the County Council as a reserve education site although the Council have sought clarity regarding the likely need for this site given the lack of growth in the village and the opening of other schools nearby.

**Site Ref 152: Village Green, Lees**

This site is located in the village of Lees and is the only site passed to the second stage of assessment through the sustainability appraisal in the village.

Lees is a small village and is identified as a Rural village in the Part 1 Local Plan. There are around 70 homes in the village as well as community centre and public house. This site is located within the settlement. There is no conservation area in the village.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Social inclusion	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	:-	✓	:-	✓✓	✓	:-	:-	✓	✓	:-	:-	:-	✓

### Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site already includes three centrally located trees surrounded by amenity grassland. Site designation could offer opportunities to improve biodiversity within this site
- Site is located within the village and accessible to local villagers. Footpaths (lit) are already in place around the site
- Site has potential to provide new or enhanced infrastructure such informal leisure space within 400m of an existing community
- Site is located on the edge of an existing settlement and will safeguard an established open space valued by the community.
- Site designation will safeguard previously undeveloped land
- Site is unlikely to safeguard designated heritage assets or their settings although it may contribute towards the setting of non-designated heritage assets on site (further survey work required)
- Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity, though designation will safeguard local landscape/village character.

### Conclusions

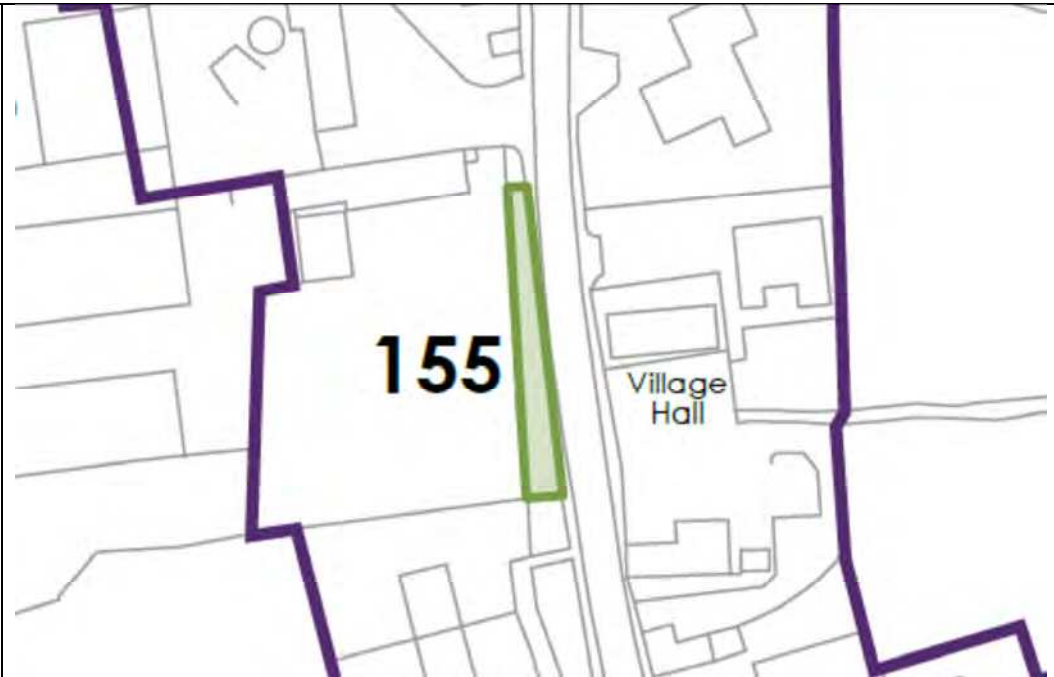
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village and the opportunities the site offers for informal recreation/leisure uses. It is already noted that a number of benches and the village notice board are already located on site. The site is considered to be of particular value in respect of its contribution towards the character of the village and designation could offer potential to improve the value of the site to the local community.

**Site Ref 155: Verge adjacent to the Orchard**

This site is located in the settlement of Milton and is one of 2 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Milton is identified as a Rural Village in the Part 1 Local Plan. There are around 60 homes in the village. Local facilities include a community centre and public house. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan and is in public ownership forming part of the Highway.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. The site is located adjacent to the village hall and is comprised of a strip of amenity grassland with some small trees, a bench and bin. There is a stone wall on the western side of the verge beyond which there is an orchard/private garden which provides a pleasant back drop to the proposed site, although this is excluded from designation by the District Council.
- The site is accessible via Main Street which is metalled and lit.
- The site contributes to open and rural character of the settlement in this location and is located within the village conservation area
- Site designation will safeguard previously undeveloped land.
- The site is located within the conservation area and contributes to the setting of this heritage asset.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

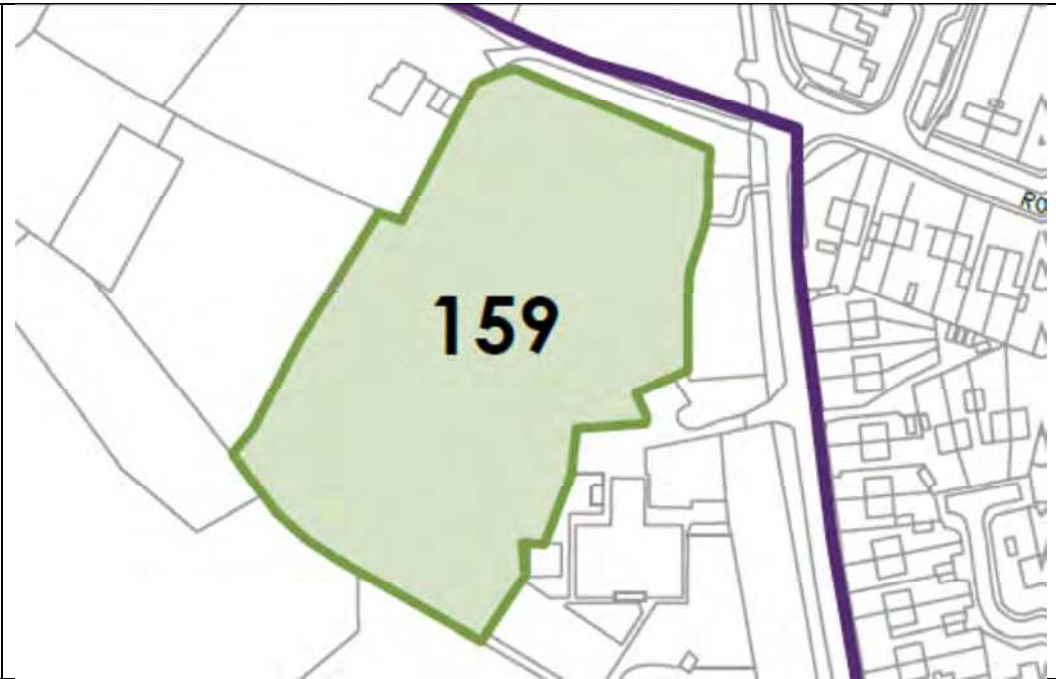
Having reviewed this site through the stage 2 assessment it is clear that this site contributes towards local character of this part of Milton. It should be noted that the Repton Neighbourhood Development Plan includes both the verge (proposed for designation by SDDC) and an adjacent orchard (which is in private ownership) as a Local Green Space. The Council is not seeking to designate the 'orchard' itself as it does not comply with the criteria set out by the Council for site designation.

**Site Ref 159: Walton Playing Field, Walton on Trent**

This site is located in the village of Walton on Trent and is the only site passed to the second stage of assessment through the sustainability appraisal in the village.

Walton is a small village of around 370 homes and is identified as Rural Village in the Part 1 Local Plan. There is a primary school, community centre and outdoor sports provision in the village as well as a public house. This site is adjoining the settlement.

The site is owned by the District Council



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Social inclusion	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	⋮	⋮	✓✓	✓	⋮	⋮	✓✓	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site is comprised of trees around the site periphery and amenity grassland. improved management or new habitat creation could contribute towards biodiversity gain.
- Site designation could offer opportunities to safeguard the existing informal leisure use and support the delivery of new or improved informal leisure opportunities on a site immediately adjacent to the school and though as yet unconfirmed is reported as being used by the neighbouring school.
- Site is located within the village and accessible to local villagers. Footpaths (lit) are already in place along Coton Lane
- Site has potential to provide new or enhanced infrastructure such as open space or recreation facilities within 400m of an existing community
- Site is located on the edge of an existing settlement and will safeguard an established open space within the village conservation area
- Site designation will safeguard previously undeveloped land
- Site is located within the Conservation Area
- Site is identified as falling in a less sensitive area in respect of the Areas of Multiple Environmental Sensitivity, although is located within the Walton on Trent Conservation area

### **Conclusions**

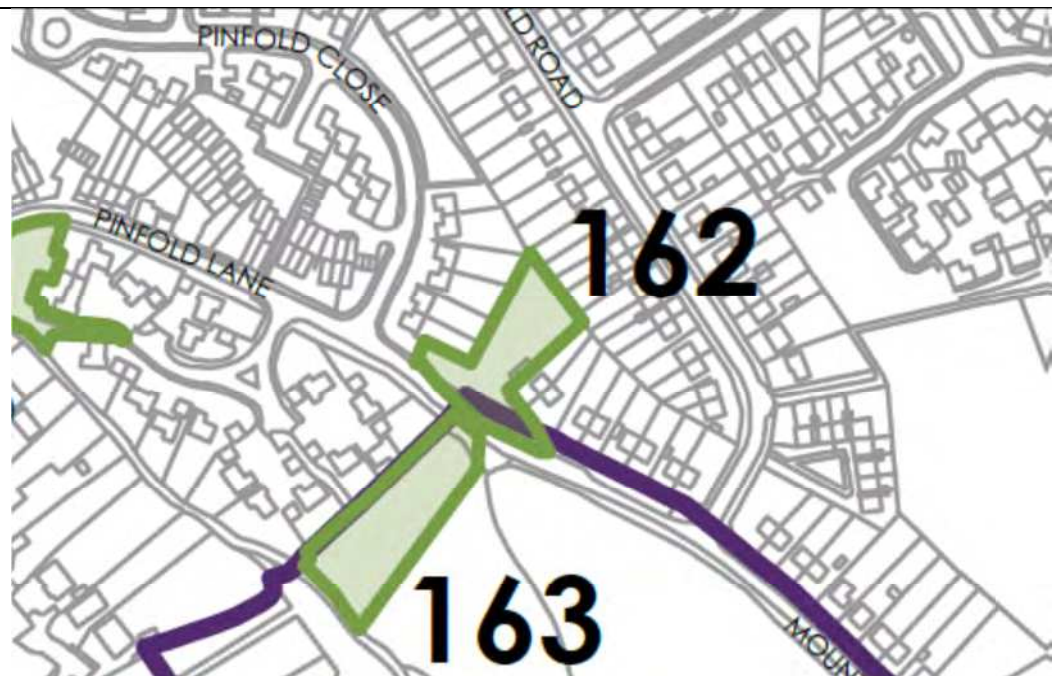
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local character of the village, not least due to its location within the conservation area and the opportunities the site offers for informal recreation.

**Site Ref 162: Land opposite the arboretum on Pinfold Lane Repton**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site is within the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan and is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. Site forms part of a proposed extension to the arboretum it is comprised of amenity grassland with scrub and trees. A number of small trees were planted along the frontage of the site around a decade ago.
- The site is accessible via Mount Pleasant Road which is metalled and lit.
- The site contributes to open and rural character of the settlement in this location.
- Site designation will safeguard previously undeveloped land.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

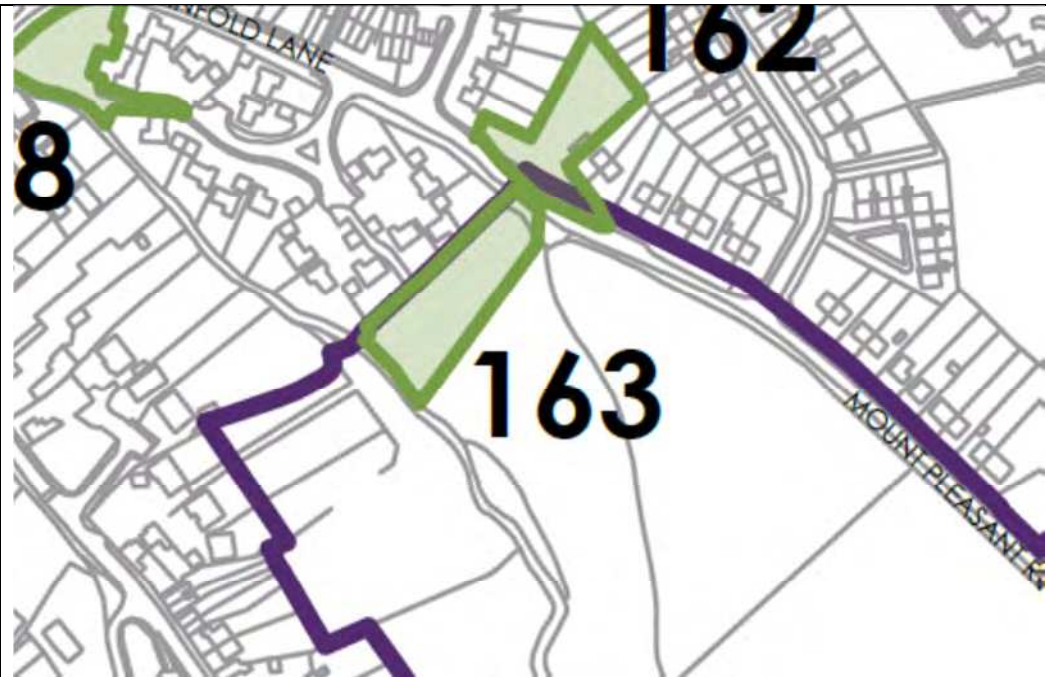
Having reviewed this site through the stage 2 assessment it is clear that this site contributes towards local character of this part of Repton. There is considered to be sufficient case for designation of this site as a local green space given that it provides an extension to the adjoining arboretum.

**Site Ref 163: Arboretum on Pinfold Lane, Repton**

This site is located in the settlement of Repton and is one of 7 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Repton is identified as a Key Service Village in the Part 1 Local Plan. There are around 1,000 homes in the village with a further 50 or so homes likely to be built by 2028. Local facilities include a primary school, community centre outdoor sports provision and shops. This site lies adjacent to the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan and is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	✓	✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. Site is known locally as the arboretum. It is comprised of amenity grassland with scrub and recently planted and mature trees. Repton Brook forms the western boundary of the site.
- The site is accessible via Mount Pleasant Road which is metalled and lit.
- The site contributes to open and rural character of the settlement in this location.
- Site designation will safeguard previously undeveloped land
- The site is located around 40m from the village conservation area and makes a limited contribution to the setting of this.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

Having reviewed this site through the stage 2 assessment it is clear that this site contributes towards local character of this part of Repton. There is considered to be a good case for designation of this site as a local green space given its use and function.

**Site Ref 164: Triangle at the bottom of Mount Pleasant Road, (Village Green), Milton**

This site is located in the settlement of Milton and is one of 2 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Milton is identified as a Rural Village in the Part 1 Local Plan. There are around 60 homes in the village. Local facilities include a community centre and public house. This site lies adjacent to the settlement boundary.

The site is proposed for designation in the Repton Parish Neighbourhood Development Plan. It is unregistered.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓✓	✓	::	::	✓✓	✓✓

**Comments**

- Site could have a limited beneficial effect in respect of biodiversity. The site is comprised of a triangular piece of amenity grassland with a small number of mature and semi mature trees. The site is bounded by road on all sides.
- The site is accessible via Main Street which is metalled and lit.
- The site contributes to open and rural character of the settlement in this location and is located within the village conservation area
- Site designation will safeguard previously undeveloped land.
- The site is located within the conservation area and contributes towards its setting.
- The site contributes to rural character of the settlement in this location.

**Conclusions**

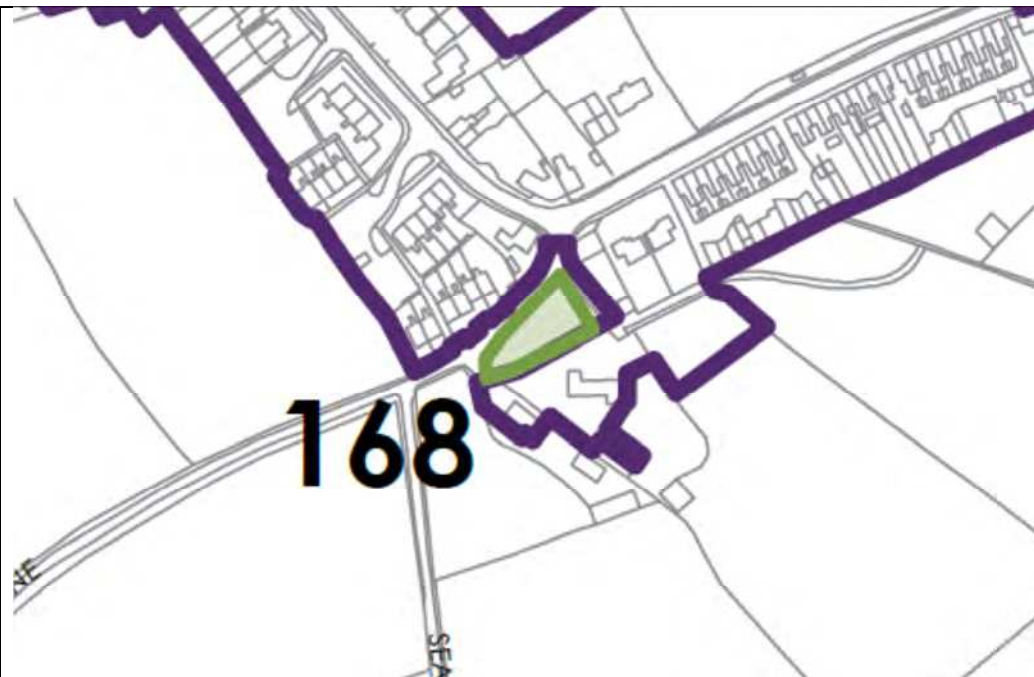
Having reviewed this site through the stage 2 assessment it is clear that this site contributes towards local character of this part of Milton. It should be noted that the Repton Neighbourhood Development Plan includes this site as a proposed Local Green Space.

**Site Ref 168: Linton Orchard. Linton**

This site is located in the village of Linton and the only site sites passed to the second stage of assessment through the sustainable appraisal in the village.

Linton is a medium sized village being categorised as a Key Service Village in the South Derbyshire Part 1 Local Plan. There are around 700 homes in the village, although this will increase to around 800 by 2028. There is a primary school, shops, public house, community centre and outdoor sports and library provision in the village.

This site is located outside of the settlement boundary although is surrounded by it on three sides. The site is in the ownership of Linton Parish Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site designation could have a moderate beneficial effect in respect of biodiversity. The site consists of amenity grassland with fruit trees and is used as a community orchard. Designation could offer potential to support enhanced management on site in the interests of biodiversity.
- Site designation could offer enhanced informal leisure opportunities
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes which are publically lit as far as Linton Heath around 25m from the site access. Colliery Lane itself is an unadopted road.
- Site will safeguard an established open space valued by the community and could potentially support continued, and formal improvements to the site, for example through supporting access to grants etc.
- Site is located on the edge of the settlement and contributes to the quality of the built environment.
- Designation would safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local landscape townscape character, by helping to protect trees and amenity area within this part of the village (which forms part of the National Forest).

**Conclusions**

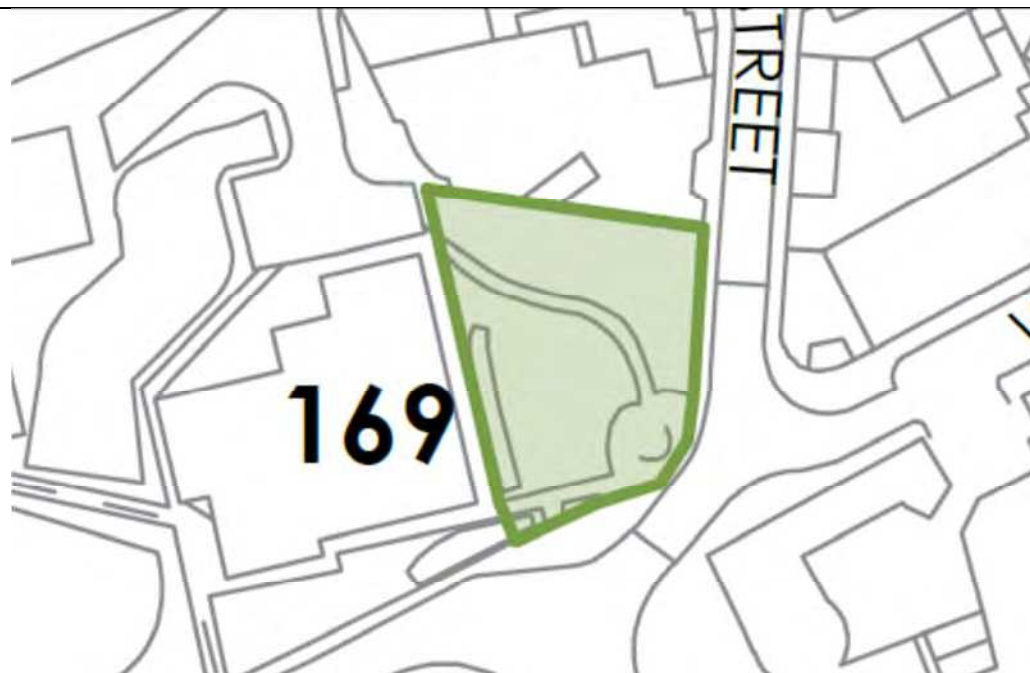
This site is a small piece of land and largely consists of grassland and tree planting and is used as a community orchard. Its designation is supported by the Council's Community Partnership Officer. The site is accessed from Colliery Lane. The site is largely used for informal recreation and contributes to the character of the village.

**Site Ref 169, Diana Memorial Garden Swadlincote**

This site is located within Swadlincote Town Centre and is the only site passed to the second stage of assessment through the sustainability appraisal.

Swadlincote Urban Area has a population of around 37,000 people although this is likely to increase to well over 40,000 by 2028 given the scale of growth proposed across the urban area. As the largest settlement in South Derbyshire it is well served by key services and facilities and is located in the National Forest. The site is not located within a conservation area.

The site is owned and by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓✓	✓	::	::	✓✓	✓✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site includes amenity grassland as semi mature trees, raised ornamental beds areas of hardstanding and a large centrally located tree. There is potential to support enhanced site management in the interests of biodiversity.
- the site is located within Swadlincote and accessible to local residents from Grove Street and West Street. It is surrounded by metalled footpaths and street lighting.
- The site contributes towards the wider built environment. It is surrounded by built development and provides a small area of green space within the urban core.
- Site designation will safeguard previously undeveloped land.
- Site designation will help protect the setting of premises of S A Ratcliffe and P J Frames and the Bottle Kiln to the rear of premises occupied by S A Ratcliffe and P J Frames both grade 2 listed.
- Site will safeguard local townscape character by preserving areas of open space in an otherwise largely developed area within the setting of adjacent listed buildings. The site is located within the National Forest area.

### **Conclusions**

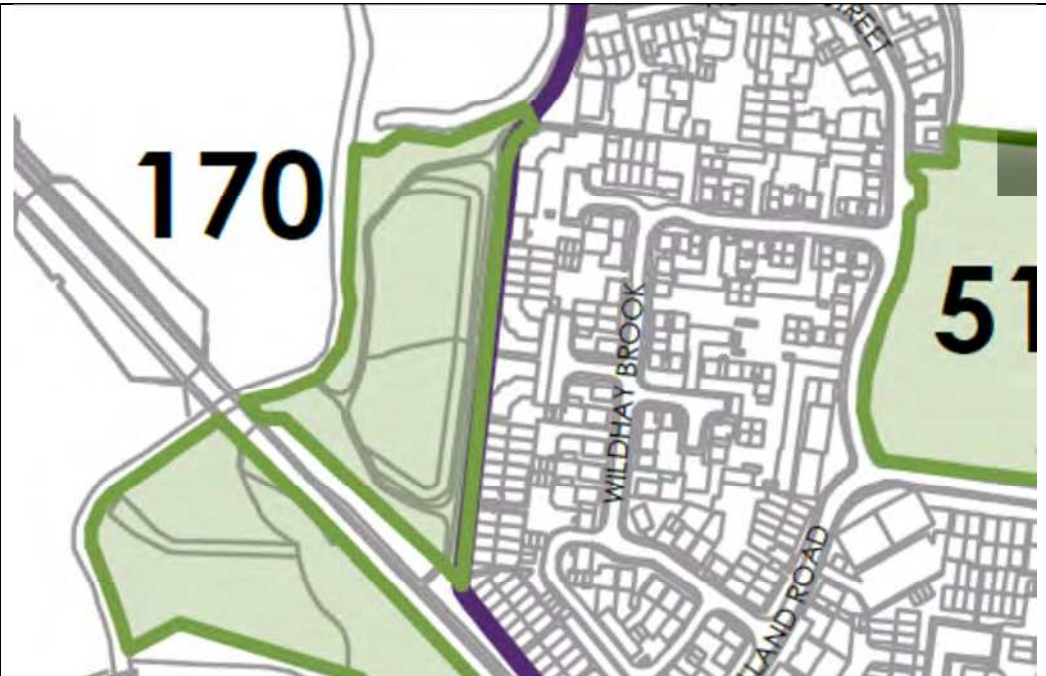
The site has been recently renovated and reopened in Spring 2018 following investment of over £90,000 into the site funded largely by a Heritage Lottery Fund Grant.

### Site Ref 170, Mease Meadow, Hilton

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is owned by the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	✓✓	⋮	✓

### **Comments**

- Site designation could have a moderate beneficial effect in respect of biodiversity. The site consists of meadow with occasional trees most common on the boundary and adjacent to the Hilton Brook that forms the western edge of the site.
- Site designation would provide long-term protection of a site within the village and accessible by metalled walking routes which are publically lit
- Site designation could continue to allow this community area to develop and as new tree planting and other habitat creation continues to mature will make an increasingly significant contribution to local townscape character.
- Designation would safeguard previously undeveloped land.
- Site includes flood defences to protect adjacent housing from flooding. Designation could help ensure that existing site continues to perform an active role by ensuring that the site remains part of the functional flood plain.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character.

### **Conclusions**

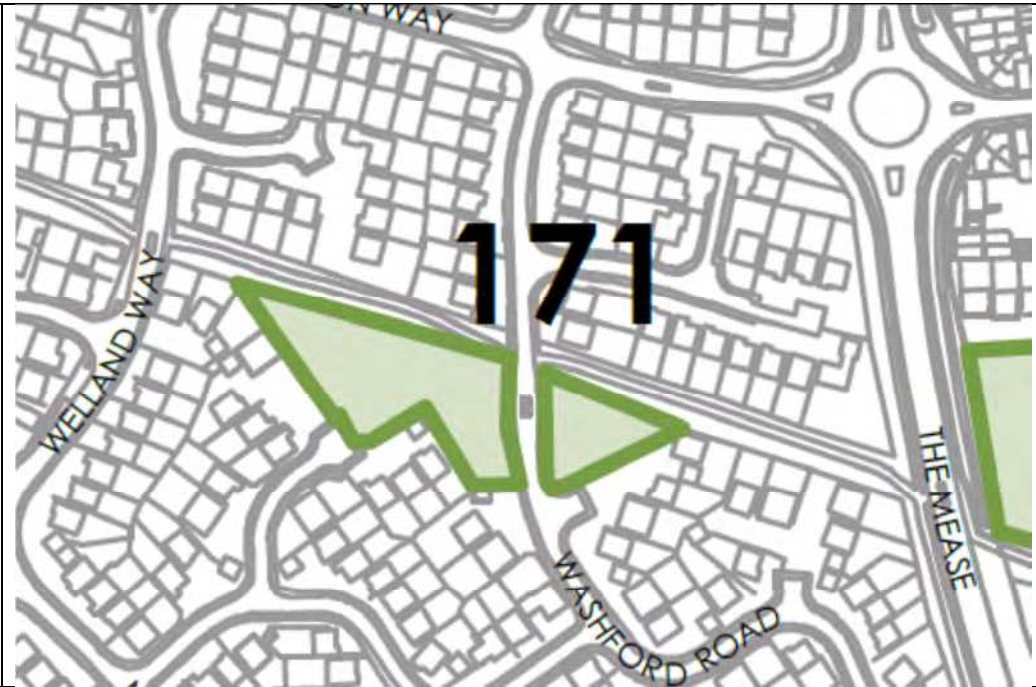
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community it is considered that there is a strong case for site designation. This case rests on the contribution this site makes to the local character of the village and the importance this site to biodiversity and flood protection.

**Site Ref 171: South of Washford Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and semi mature trees.
- Sites forms part of an assemblage of sites adjacent to the cycle route that dissects the centre of Hilton. Designation could provide opportunity to safeguard amenity land adjacent to the cycle route which could provide future opportunity for enhanced informal leisure provision.
- The site is accessible by a metalled footways from Washford Road.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

### **Conclusions**

Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. This largely rests on the position of this site adjacent to the cycle route that crosses Hilton from east to west. This site provides a large amenity area adjacent to the cycle route and offers potential for improving informal facilities. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

**Site Ref 172: Avon Way, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

In respect of landownership the site is recorded as being in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	✓	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and semi mature trees.
- Sites forms part of an assemblage of sites adjacent to the cycle route that dissects the centre of Hilton. Designation could provide opportunity to safeguard amenity land adjacent to the cycle route which could provide future opportunity for enhanced informal leisure provision.
- The site is accessible by a metalled footways from Avon Way.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

**Conclusions**

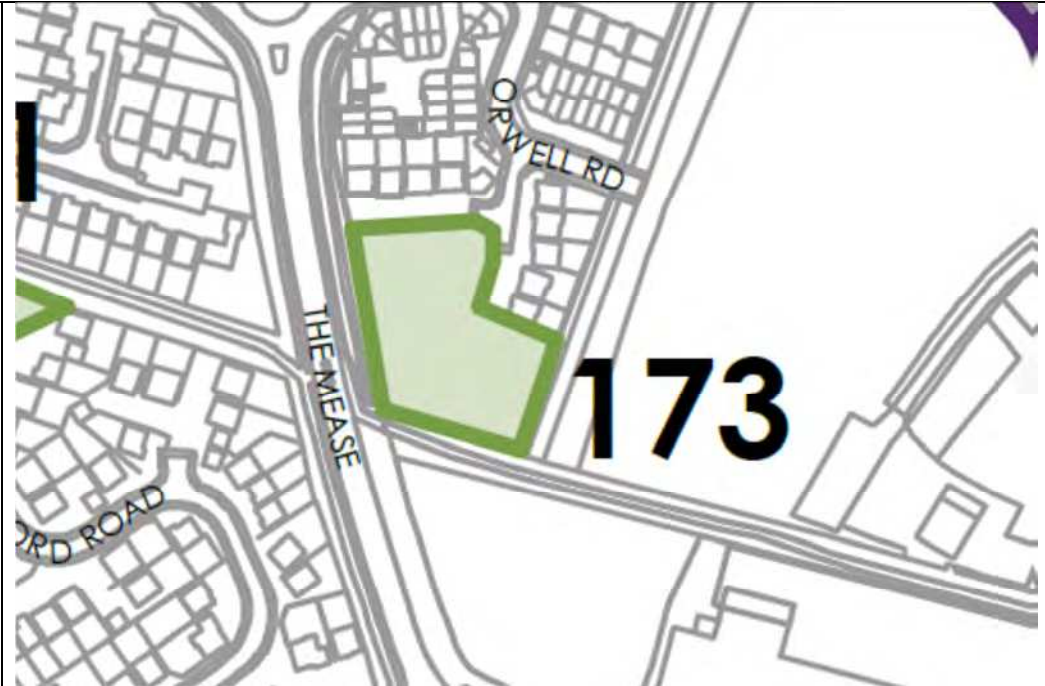
Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. This largely rests on the position of this site adjacent to the cycle route that crosses Hilton from east to west. This site provides an amenity area adjacent to the cycle route and offers potential for improving informal facilities. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

**Site Ref 173: North of the Mease, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in private ownership although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and semi mature trees.
- Sites forms part of an assemblage of sites adjacent to the cycle route that dissects the centre of Hilton. Designation could provide opportunity to safeguard amenity land adjacent to the cycle route which could provide future opportunity for enhanced informal leisure provision.
- The site is accessible by a metalled footways from the Mease.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

### **Conclusions**

Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. This largely rests on the position of this site adjacent to the cycle route that crosses Hilton from east to west. This site provides a large amenity area adjacent to the cycle route and offers potential for improving informal facilities. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

**Site Ref 174: Land between A5132 and New Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary.

The site is in private ownership although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of a substantial tree belt running the length of the site with an area of amenity grassland to the eastern edge of the site. . Enhanced management could improve the biodiversity value of this site.
- Site designation would provide long term protection of a site within the village and accessible by metalled walking routes which are publically lit, albeit access would be across the A5132 which is a key road between the village and A50.
- Designation could help protect the maturing tree belt which contributes to balancing the urbanising effect of significant traffic volumes recorded on the A5132. The tree belt contributes aesthetically to preserving local townscape character.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continue to contribute towards safeguarding local townscape character.

## Conclusions

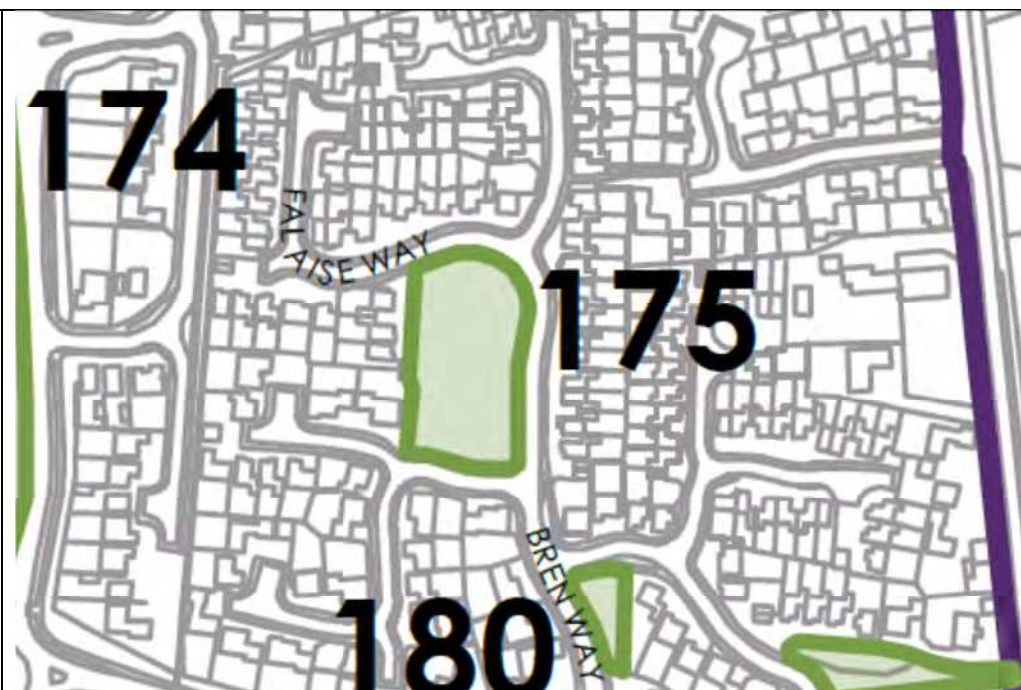
Having reviewed this site through the stage 2 assessment and having regard to comments from the local community, there is considered to be sufficient case to justify designation of this site as a Local Green Space. This case rests on the contribution this site makes to the local townscape character along this key gateway into and out of the village.

**Site Ref 175: Bren Way, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in private ownership though is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and shrubs and biodiversity value could be enhanced through additional planting or improved maintenance.
- The site is accessible by a metalled footways from the Falaise Way and Bren Way.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character in a largely developed part of the village
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

**Conclusions**

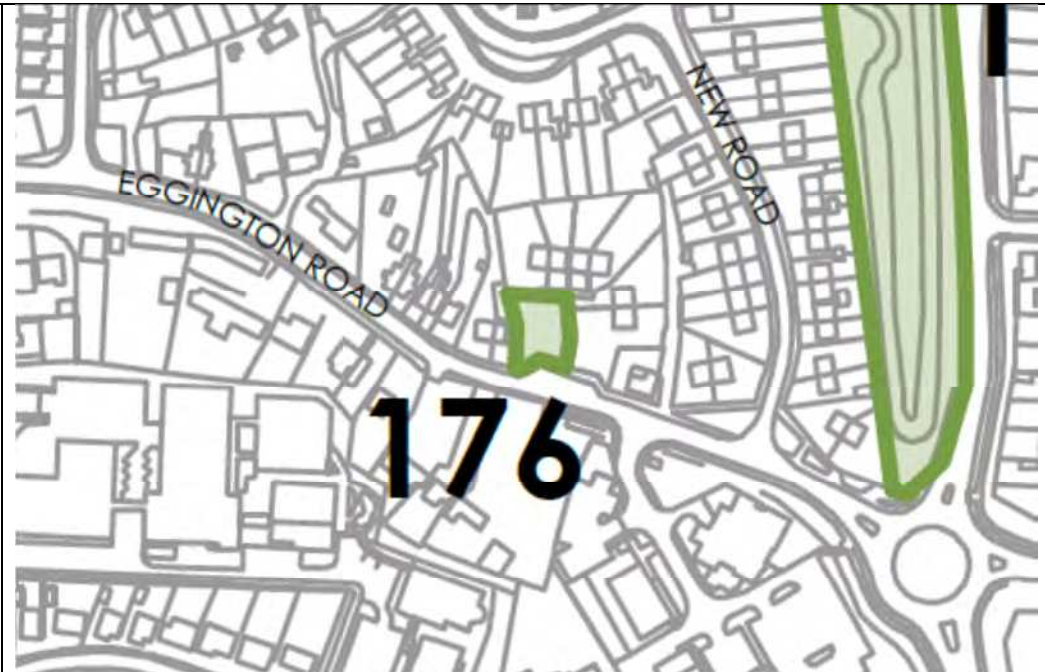
Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

**Site Ref 176: North of Egginton Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

This site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland.
- The site is accessible by a metalled footway which is lit from Egginton Road
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space within this village that has seen significant housing growth in the last two decades.

**Conclusions**

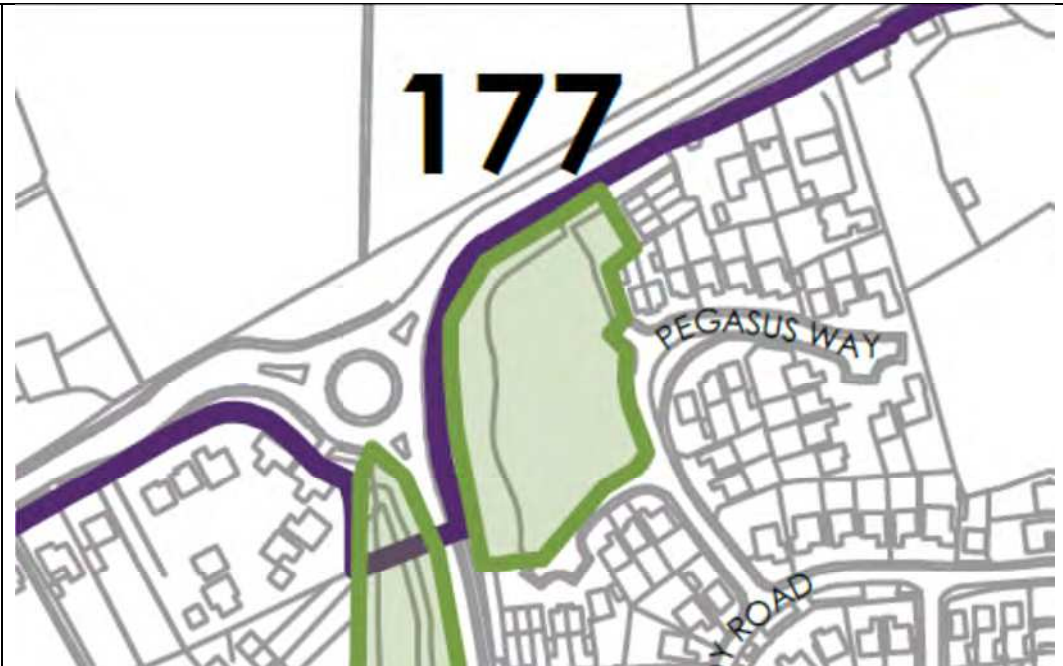
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the village and general lack of green space in the immediate vicinity.

**Site Ref 177: off Pegasus Way, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a beneficial effect in respect of biodiversity. The site consists of amenity grassland with notable tree belts surrounding the north and western boundaries and more limited planting on the southern and eastern boundaries
- The site is accessible by a metalled footways from the Montgomery Close and Pegasus Way which are metalled and lit.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character in a largely developed part of the village and in particular offers screening to a largely residential area from the busy A5132.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

**Conclusions**

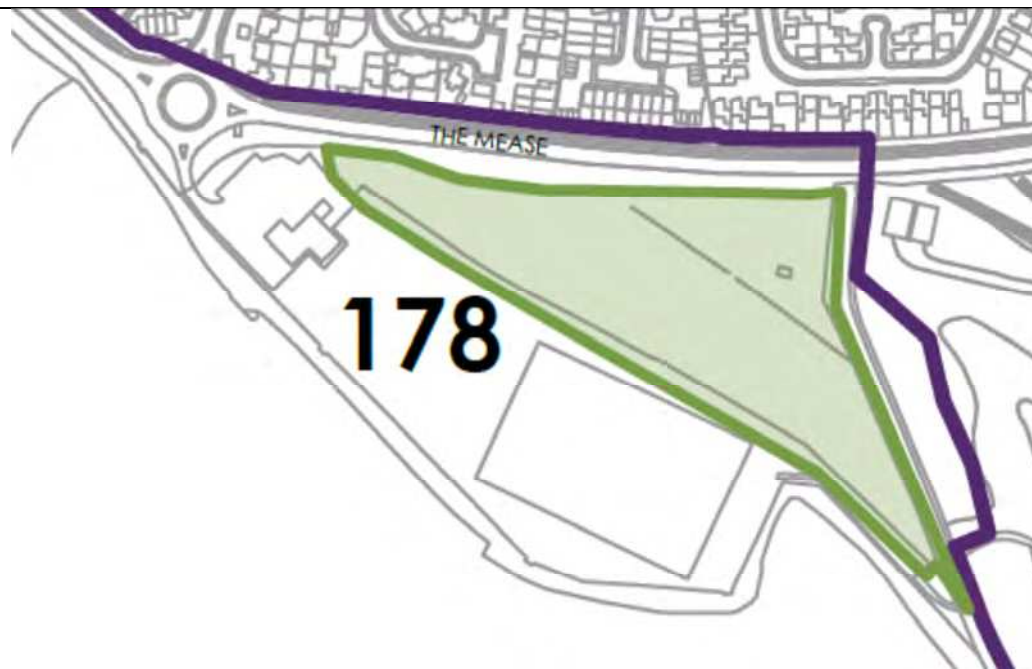
Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. Designation would also protect an area of open space in a largely built up area with only limited open space provision.

**Site Ref 178: Woodland South of the Mease**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could notable beneficial effect in respect of biodiversity. The site consists of mature plantation woodland. and forms part of a wider tree belt on the periphery of the Hilton Depot development site to the east. Biodiversity value could be enhanced through additional planting or improved maintenance.
- The site is accessible by a metalled footways from the Mease
- The site provides a publically accessible local space that makes a notable contribution towards local townscape character and softens the settlement edge of in this part of Hilton.
- Designation will safeguard previously undeveloped land
- Site is located in flood zone 3 though is in an area benefiting from flood defences
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining woodland which softens the settlement edge in this part of the village.

### **Conclusions**

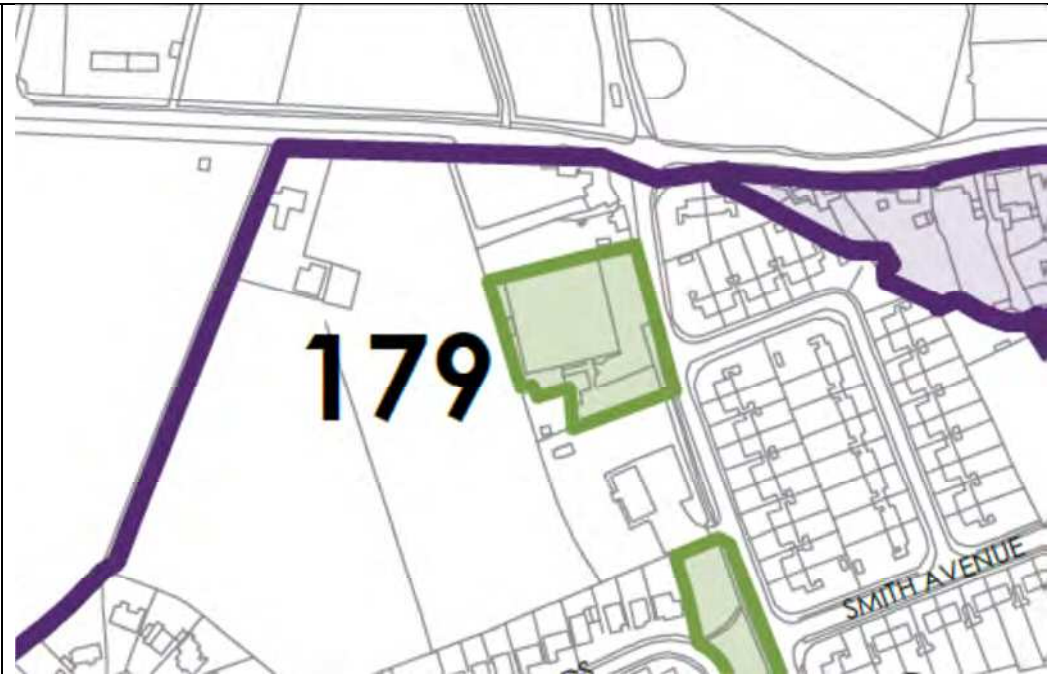
Having reviewed this site through the stage 2 assessment there is considered to be a good case to justify designation of this site as a Local Green Space. Designation would also protect an area of woodland in a largely built up area.

**Site Ref 179: Bowling Green Kings Newton**

This site is located in the settlement of Melbourne and is one of 9 sites passed to the second stage of assessment through the sustainable appraisal in Melbourne and neighbouring Kings Newton.

Melbourne is the districts second largest village and is identified as a Key Service Village in the Part 1 Local Plan. There are around 2100 homes in the village with a further 100 or so homes likely to be built by 2028. Local facilities include a primary school, community centre and library and outdoor sports provision at Melbourne Sports Park, shops, and supermarket. This site is within the settlement boundary.

The site is in private ownership although provides bowling facilities for the local community.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	✓✓	::	✓✓	::	::	::	✓✓	✓	::	::	✓✓	✓✓

## Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of a bowling green with amenity planting and trees on the periphery.
- Site designation could have a significant beneficial effect on the health and wellbeing of the site dependent on how the site use changed in the future.
- Site designation would provide long term protection of a site within the village accessible via Packhorse Road
- the site provides a publically accessible local space that makes a notable contribution towards local townscape character being immediately adjacent (and within the setting of) a number of heritage assets.
- Designation could protect undeveloped land.
- Site designation would protect a site located immediately adjacent to Kings Newton conservation area and the Packhorse Inn Grade II listed building.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character within the setting of Kings Newton Conservation Area and the Packhorse Inn Grade II listed building.

## Conclusions

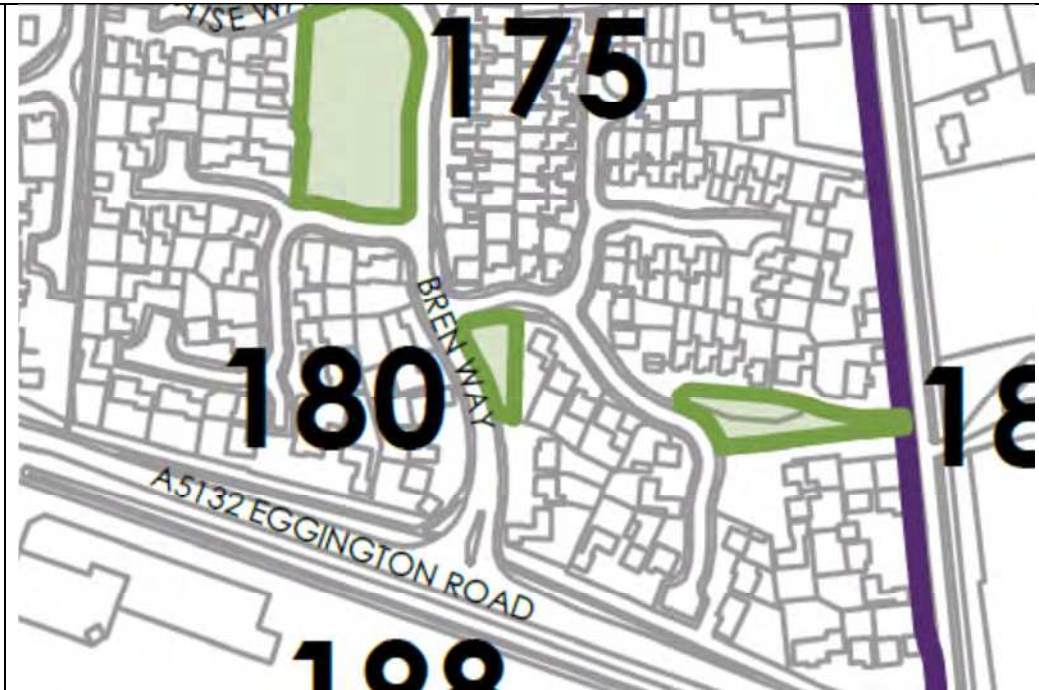
Having reviewed this site through the stage 2 assessment designation could protect amenity land and the bowling green itself which is used by the local bowls club. The site is also used for other local community events including monthly games nights and annual open days. However the justification for designating this site largely rests on the contribution the site makes to local townscape character given its location in relation to a number of heritage assets. It is also noted that this site is proposed for designation through the emerging Melbourne Neighbourhood Development Plan.

**Site Ref 180: Corner of Bren Way/Enfield Close, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in private ownership, although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland, shrubs and two mature trees on the eastern boundary.
- The site is accessible by a metalled and lit footways from Bren Way and Enfield Close.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character together with other of amenity grassland located to the north (site ref 175) and east (site ref 182).
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

### **Conclusions**

Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland located on Bren Way and Enfield Close.

**Site Ref 181: Land adjacent to Hilton Brook, Hilton**

This site is located on the edge of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal within or adjacent to the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in the ownership of Derbyshire Wildlife Trust



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓✓	::	::	::	✓	::	✓	::	✓	✓	::	✓	::	✓

### Comments

- Site designation could have a notable beneficial effect in respect of biodiversity. The site consists of grassland, as well as mature trees and scrub located mainly to the north west of the site. The site is owned and managed by Derbyshire Wildlife Trust, who it is understood will manage the site in the interests of biodiversity.
- The site is accessible to the village though is not lit and there are no metalled footpaths.
- Site designation could support access to grant funding including in respect of developer contributions towards biodiversity offsetting.
- The site provides makes a minor contribution towards local townscape character by creating a rural feel to the western approach to the village.
- Designation will safeguard previously undeveloped land
- Site is located in an area of known flood risk (including areas of high flood risk) which is undefended. Safeguarding land in this area could potentially provide opportunities to protect or improve flood risk locally.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

### Conclusions

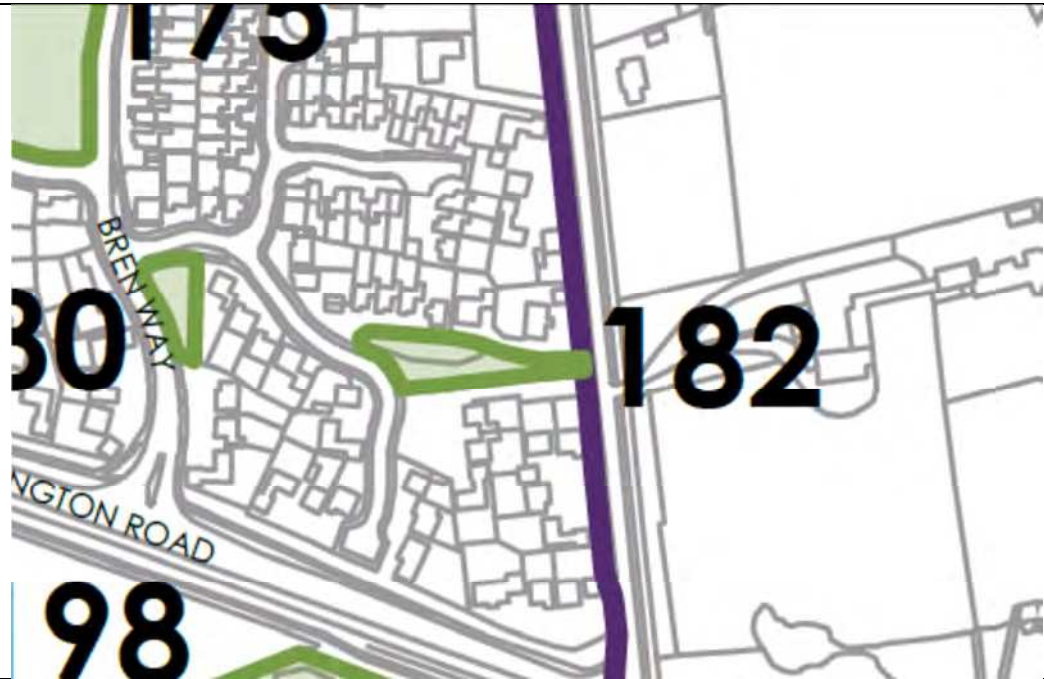
Having reviewed this site through the stage 2 assessment there is considered to be a strong case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to biodiversity and its contribution towards providing a rural feel to the western approach into the village. Designation would also potentially support opportunities to safeguard or improve flood risk locally including through protecting the flood plain from further built development in an area at mainly high flood risk which is undefended by flood works.

**Site Ref 182: Enfield Close, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in private ownership although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with semi mature trees to the northern boundary and a small area of hedgerow to the eastern boundary.
- The site is accessible by a metalled and lit footways from Enfield Close and Lucas Lane. There is a metalled right of way running east west through the site which is also lit.
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character together with other amenity grassland located to the west and north west (site ref 175 and 180).
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a part of the village where significant housing has been built and green space provision is limited.

### **Conclusions**

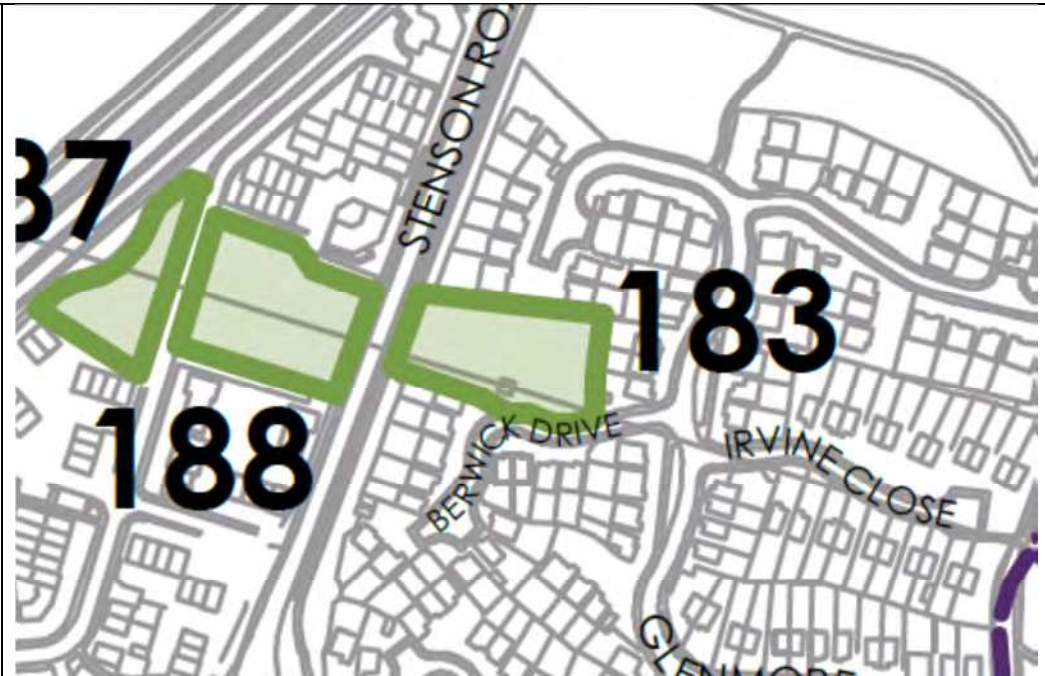
Having reviewed this site through the stage 2 assessment there is considered to be a reasonable case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland located on Bren Way.

**Site Ref 183: Berwick Drive, Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership, although is publicly accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with trees and shrubs mainly located to the north and west of the site. There is a large pylon located centrally on the southern edge of the site.
- The site is accessible footways from Berwick Drive and Stenson Road both of which are metalled and lit.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

**Conclusions**

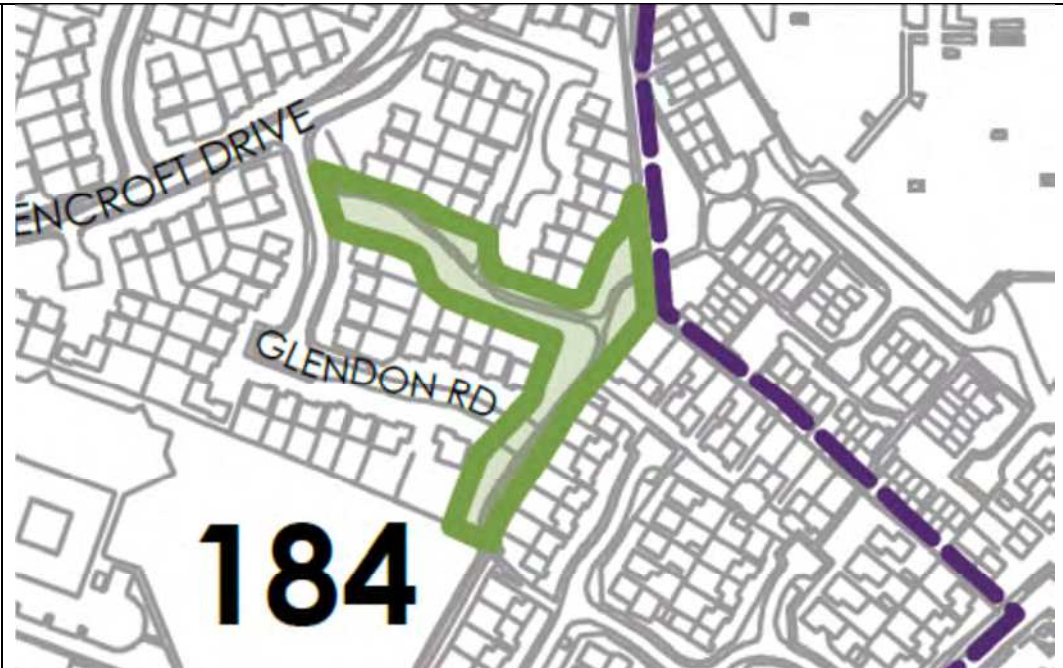
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 184: South of Burnside Close, Stenson Fields**

This site is mainly located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. The northern part of the site is located in Derby City and is not proposed for designation. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### Comments

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with occasional mature or semi mature trees and shrubs.
- The site is accessible by footways from Glendon Road, Kestrels Croft and Nevis Close, all routes are metalled and lit. Site forms part of a locally important route connecting Sinfin Local Centre and Stenson Fields Primary School.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

### Conclusions

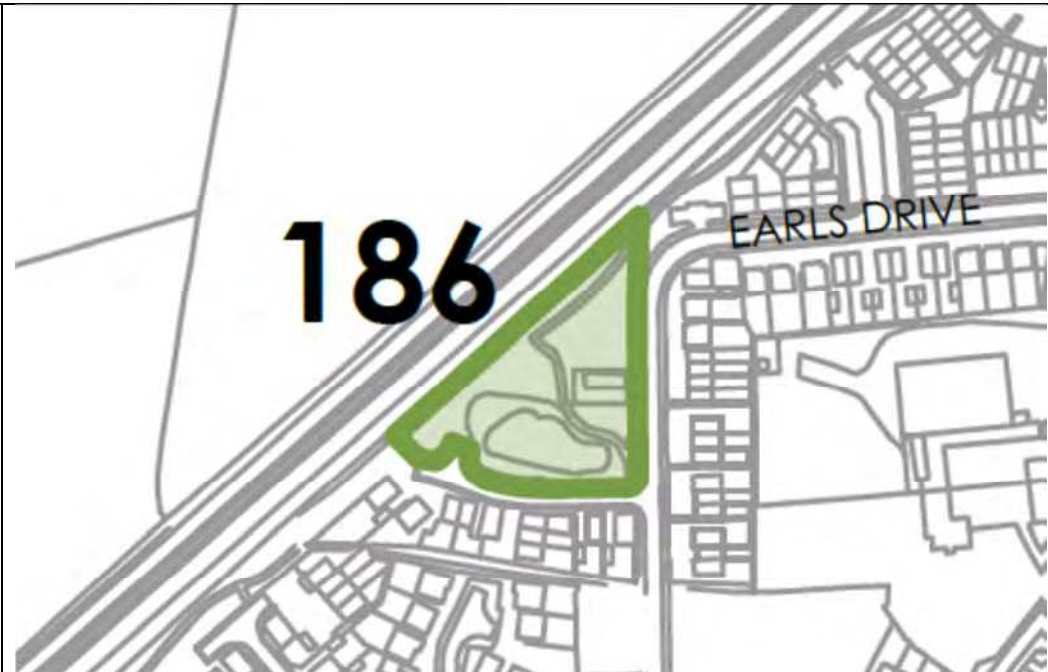
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby. It should be noted however that a portion of the open space is located beyond the district Boundary in Derby City. Clearly South Derbyshire District Council are unable to designate this area beyond the District's administrative area as a local green space and for that reason only that part in South Derbyshire is being designated.

**Site Ref 186: Harebell Lane, Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of recent development which reflecting its location on the urban edge is high density. Significant new development is proposed elsewhere in Stenson Fields in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership although is publicly accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of a small pond surrounded by trees and amenity grassland. There is a small pumping station on the eastern part of the site. An extensive tree belt is located on the western edge of the site beyond which the Derby to Birmingham Rail line is located.
- The site is accessible by a metalled and lit footways from Earls Drive and Harebell Lane. The site forms part of a locally important route which runs around the western edge of the Stenson Fields development.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

### **Conclusions**

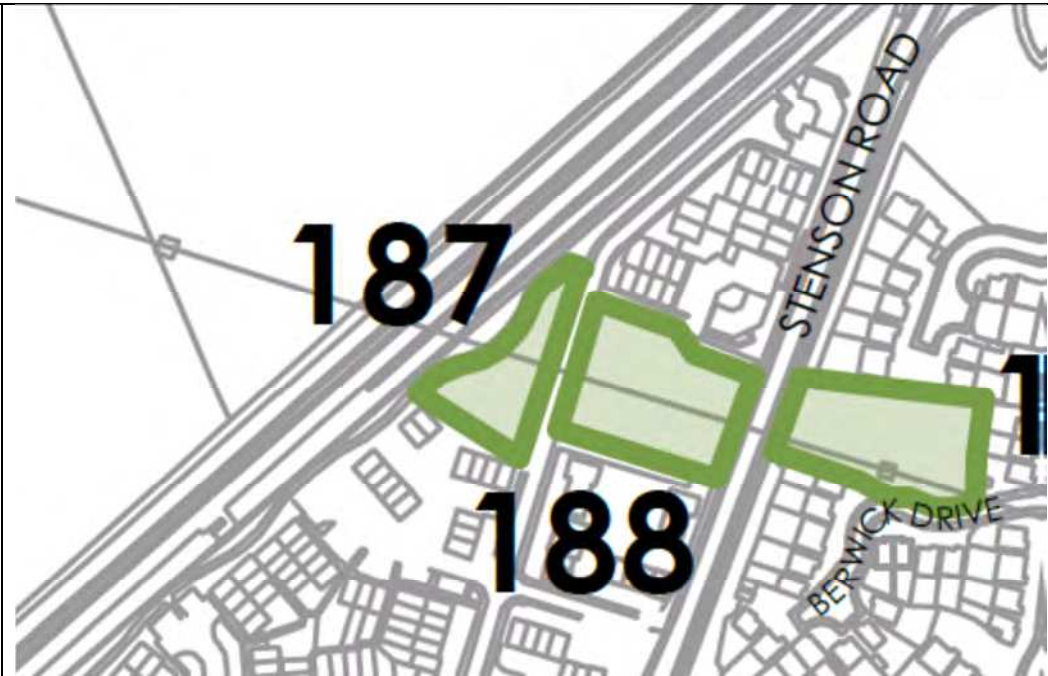
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 187: Earls Drive (1), Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of recent development which reflecting its location on the urban edge is high density. Significant new development is proposed elsewhere in Stenson Fields in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership, although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with newly planted trees. Just outside of the site on the eastern boundary are mature trees located adjacent to the Derby to Birmingham Rail line.
- The site is accessible by a metalled and lit footways from Earls Drive. Site forms part of a locally important route which runs around the western edge of the Stenson Fields development.
- The site provides publically accessible local space, which together with other nearby amenity areas and tree planting, including the adjacent kick about area, make a notable contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has recently been built and green space provision is limited.

### **Conclusions**

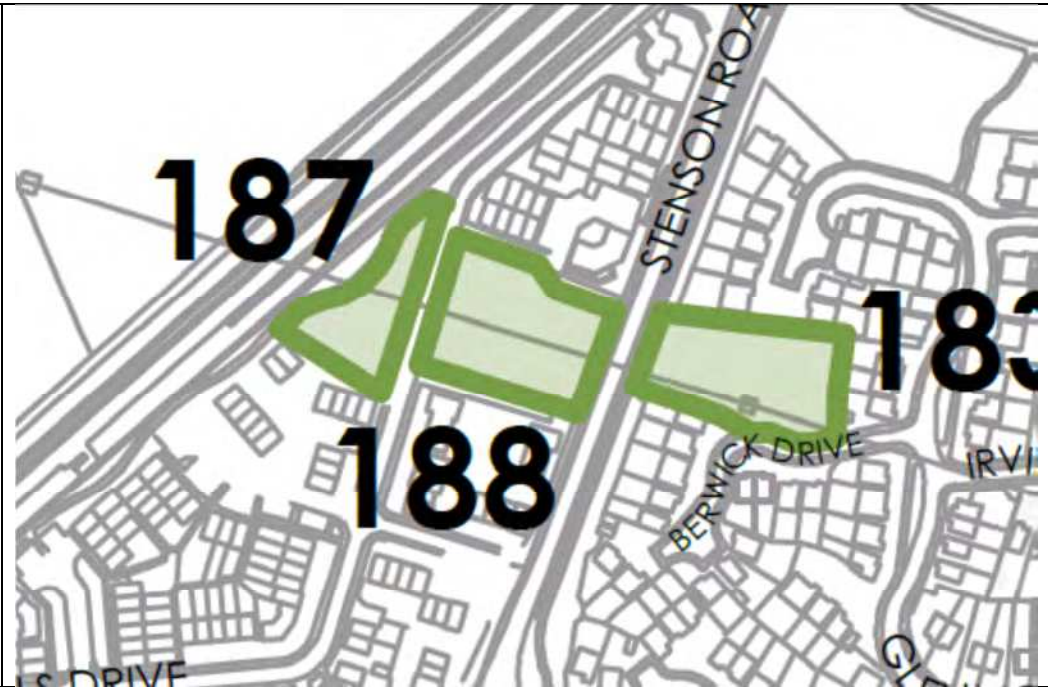
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland in the vicinity.

**Site Ref 188: Earls Drive (2), Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of recent development which reflecting its location on the urban edge is high density. Significant new development is proposed elsewhere in Stenson Fields in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership, although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with ornamental tree planting.
- The site is accessible by a metalled and lit footways from Earls Drive.
- The site provides publically accessible local space, which together with other nearby amenity areas and tree planting, including the adjacent site (ref 187) and structural planting along the Derby to Birmingham Railway Line make a notable contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has recently been built and green space provision is limited.

### **Conclusions**

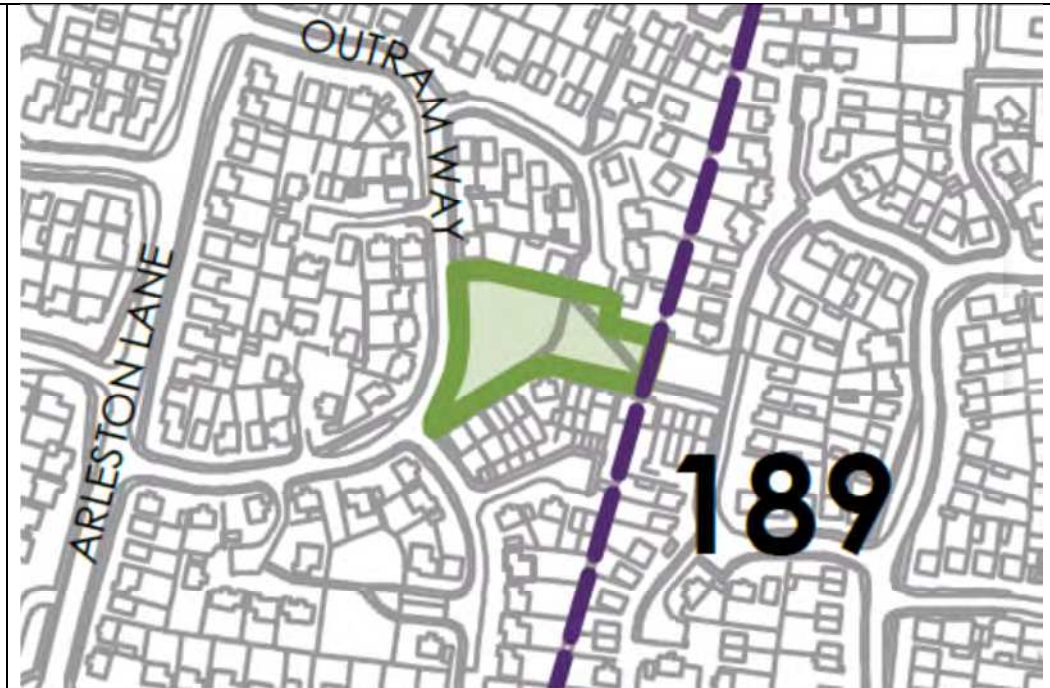
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 189: Outram Way/Jessop Drive, Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership, although is publicly accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland, although there are a small number of trees on the eastern part of the site in the vicinity of Peebles Close. .
- The site is accessible by footways from Outram Way, Jessop Drive and Peebles Way, all routes are metalled and lit. Site includes a number of metalled and lit footpaths.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

### **Conclusions**

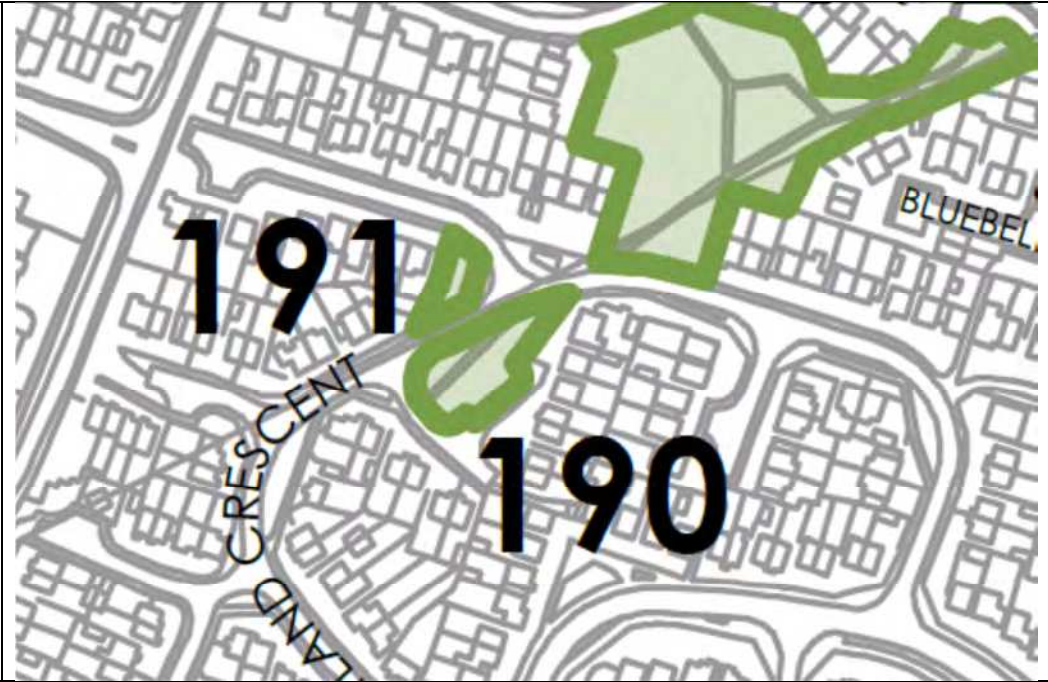
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 190: Stenson Fields, Wilton Close**

This site forms part of an assemblage of sites is located in Stenson Fields which is the urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces within the area.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland, with mature trees.
- Site 190 is accessible by footways from Wilton Close and Zetland Crescent. All routes are metalled and lit. This site also includes a metalled and lit footpaths.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

**Conclusions**

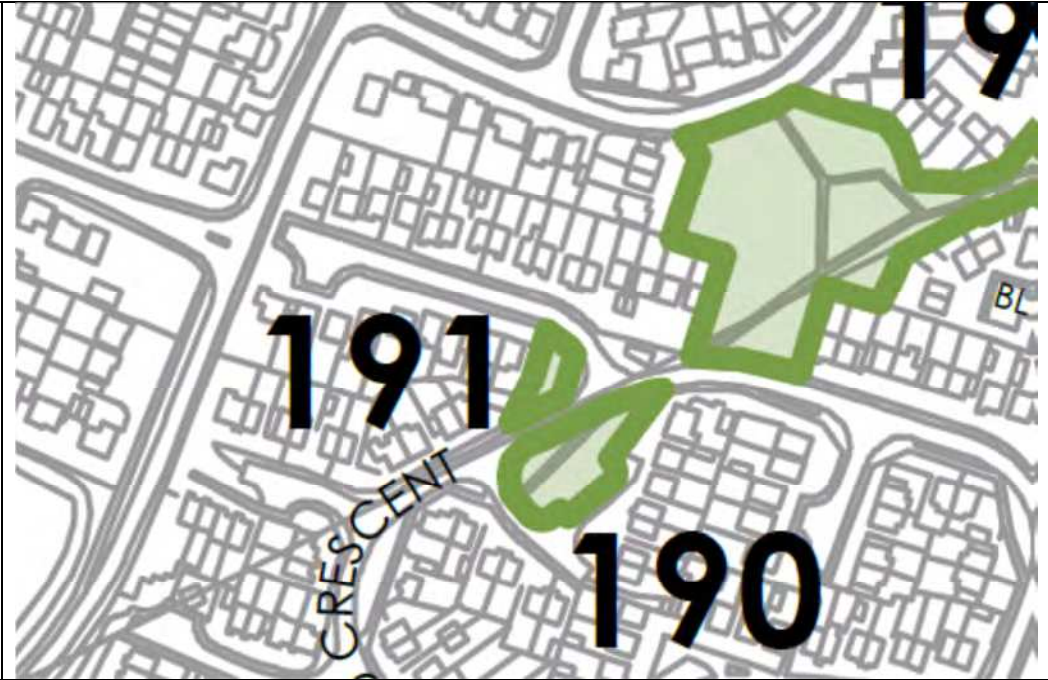
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 191: Bicester Avenue, Stenson Fields**

This site forms part of an assemblage of sites is located in Stenson Fields which is in the urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces locally.

The site is in private ownership, although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland, with mature trees.
- Site 191 is accessible from Zetland Crescent and Bicester Avenue both of which have metalled and lit footpaths.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

**Conclusions**

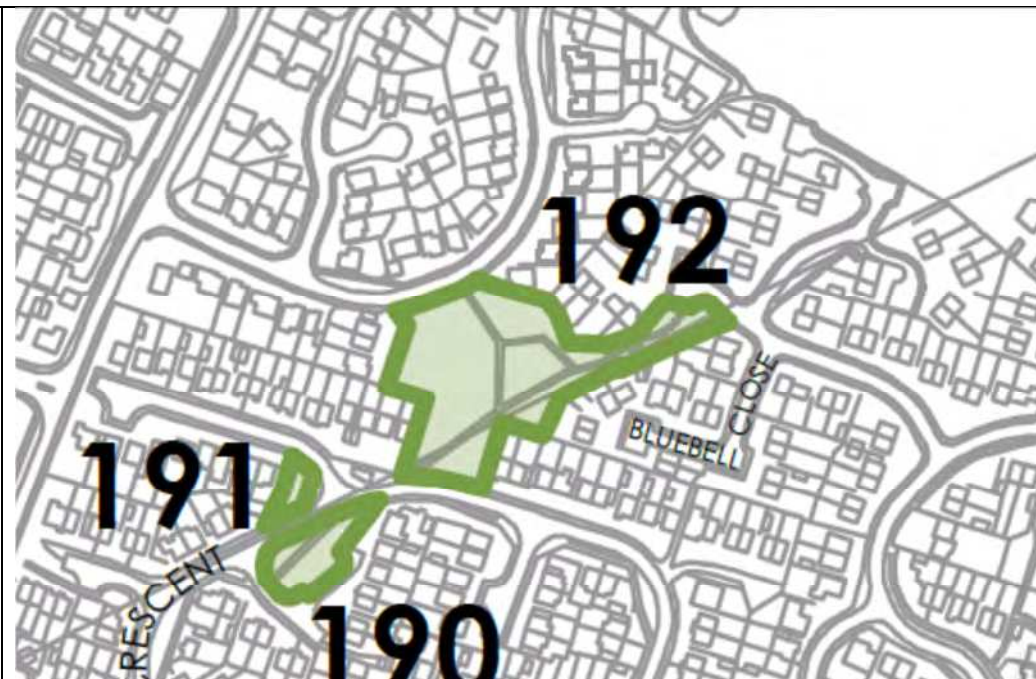
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 192: Pilgrims Way/Zetland Crescent, Stenson Fields**

This site forms part of an assemblage of sites is located in Stenson Fields which is within the urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces within the area.

The site is in private ownership, although is publically accessible.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland, with mature trees.
- Site 192 is accessible from Zetland Crescent, Quick Hill Road and Pilgrims Way. All routes are metalled and lit. This site also includes a number of metalled and lit footpaths.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District where significant housing has been built and green space provision is limited.

**Conclusions**

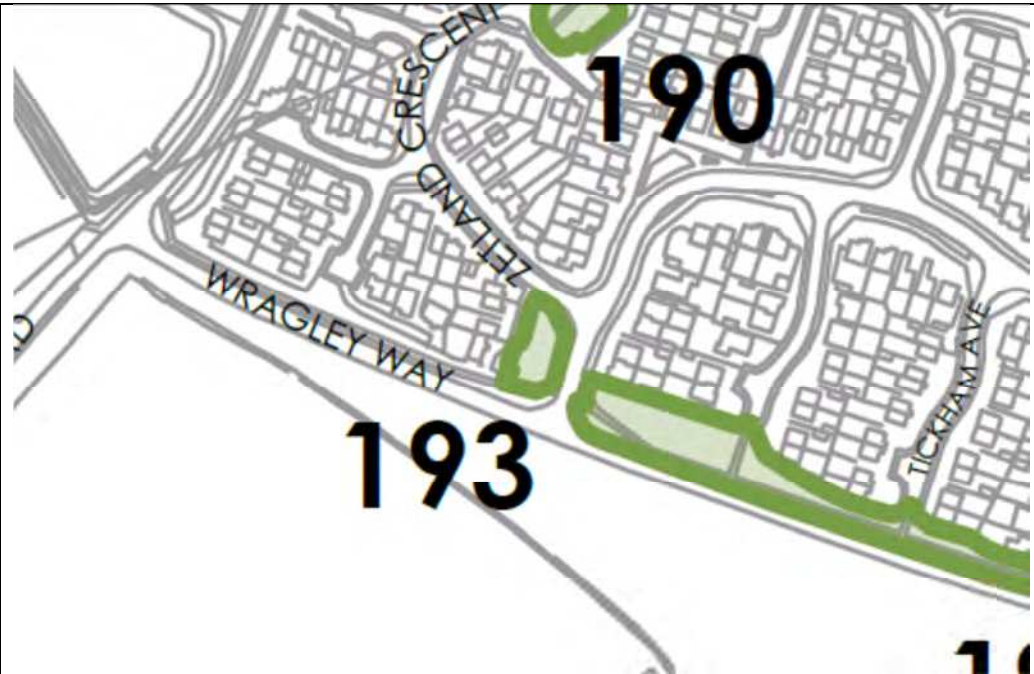
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character including in relation to other areas of amenity grassland nearby.

**Site Ref 193: Beaufort Road, Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 which will increase the importance of existing green spaces within the area.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and ornamental trees across the entirety of the site.
- The site is accessible by footways from Wragley Way and Beaufort Road. All routes are metalled and lit.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a minor contribution towards local character.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District which will see significant new growth up to, and beyond, 2028.

### **Conclusions**

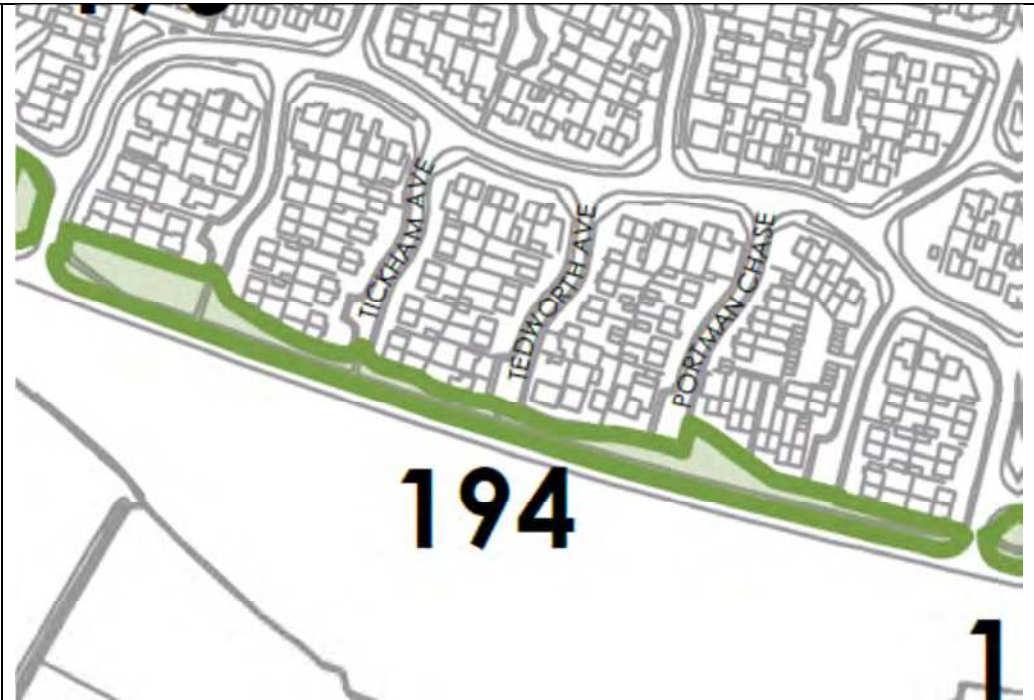
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character, particularly given the scale of future growth proposed to the south of Wragley Way up to and beyond 2028.

**Site Ref 194: Wragley Way, Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 and there is currently development proposed to the south which will increase the importance of existing green spaces within the area.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and ornamental trees. In Some parts of the site there are bulbs planted for spring flowering.
- The site is accessible by footways from Wragley Way, Quantock Close, Portman Chase, Tedworth Avenue, Tickham Avenue, Wheatland Close and Beaufort Road. All routes are metalled and lit.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a notable contribution towards local character.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District which will see significant new growth up to, and beyond, 2028.

### **Conclusions**

Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character, particularly given the scale of future growth proposed to the south of Wragley Way up to and beyond 2028.

**Site Ref 195: Hambledon Drive, Stenson Fields**

This site is located in Stenson Fields which is an urban area on the southern edge of Derby City, although located in South Derbyshire. There are 12 sites proposed in the Stenson Fields area.

The area consists of mainly modern development which reflecting its location on the urban edge is relatively high density. Significant new development is proposed in the period to 2028 and there is currently development proposed to the south which will increase the importance of existing green spaces within the area.

The site is in the ownership of the District Council.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

### **Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland and ornamental trees and shrubs.
- The site is accessible by footways from Wragley Way, Trent Close and Hambledon Drive . All routes are metalled and lit.
- The site provides publically accessible local space, which together with other nearby amenity areas, make a notable contribution towards local character.
- Designation will safeguard previously undeveloped land.
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space in a densely developed part of the District which will see significant new growth up to, and beyond, 2028.

### **Conclusions**

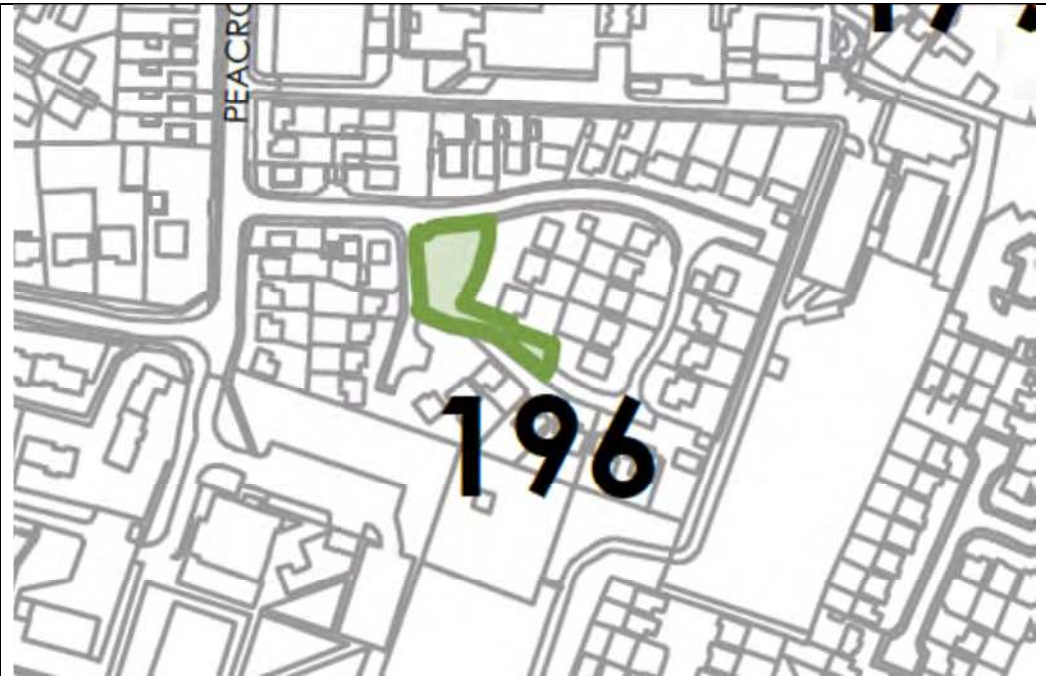
Having reviewed this site through the stage 2 assessment there is considered to be a sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character, particularly given the scale of future growth proposed to the south of Wragley Way up to and beyond 2028.

**Site Ref 196 Bancroft Close, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in the ownership of the District Council



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland with mature trees.
- The site is accessible by a metalled footway which is lit from Bancroft Close and Hawthorne Close. There is a lit and metalled footpath across the site
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space within this village that has seen significant housing growth in the last two decades.

**Conclusions**

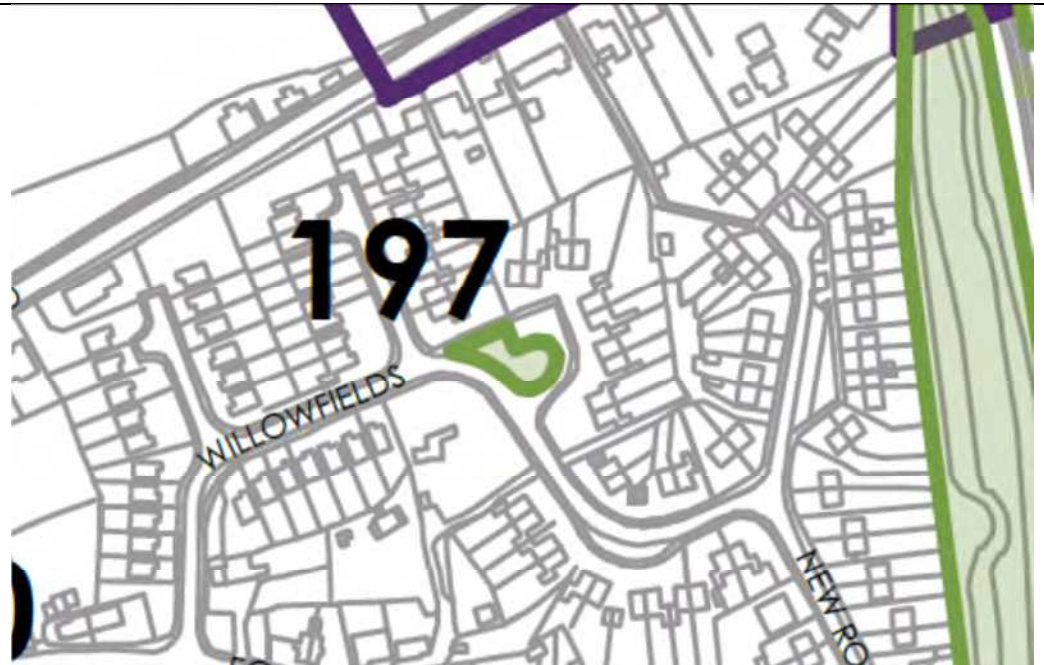
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the village and general lack of green space in the immediate vicinity.

**Site Ref 197: Willowfields, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

Site is owned by Cox Homes but is identified as public open space.



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	⋮	⋮	⋮	✓✓	⋮	⋮	⋮	✓	✓	⋮	⋮	⋮	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland.
- The site is accessible by a metalled footway which is lit from Willowfields
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space within this village that has seen significant housing growth in the last two decades.

**Conclusions**

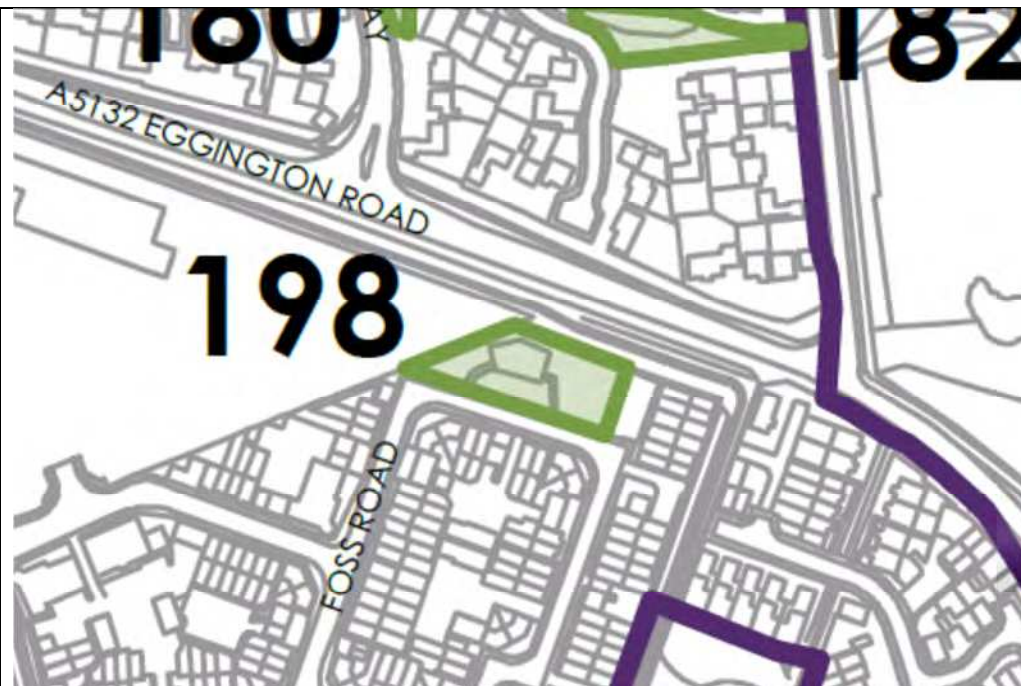
Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the village and general lack of green space in the immediate vicinity.

**Site Ref 198: Foss Road, Hilton**

This site is located in the settlement of Hilton and is one of 19 sites passed to the second stage of assessment through the sustainable appraisal in the settlement.

Hilton is a large village and is identified as a Key Service village in the Part 1 Local Plan. There are around 3000 homes in the village, although this is likely to increase to around 3,700 by 2028. Facilities include a primary school, (although a second will be built to support new development) community centre and outdoor sports provision, shops, doctors and post office. This site is within the settlement boundary. There is no conservation area in the village.

The site is in the ownership of the District Council



Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
✓	::	::	::	✓✓	::	::	::	✓	✓	::	::	::	✓

**Comments**

- Site designation could have a minor beneficial effect in respect of biodiversity. The site consists of amenity grassland although there is a small children's play area located within the site. There is a small ornamental edge on the eastern boundary of the site.
- The site is accessible by a metalled footway which is lit from Foss Road
- The site provides a publically accessible local space that makes a minor contribution towards local townscape character
- Designation will safeguard previously undeveloped land
- Site designation will ensure that the site continues to contribute towards safeguarding local townscape character by retaining amenity space within this village that has seen significant housing growth in the last two decades.

**Conclusions**

Having reviewed this site through the stage 2 assessment there is considered to be sufficient case to justify designation of this site as a Local Green Space. This largely rests on the value of this site to local character given the developed nature of the village and general lack of green space in the immediate vicinity.

## **APPENDIX 5: Local Green Space Broad Options**

### **5.7 ISSUE 3: LOCAL GREEN SPACE OPTIONS**

- 5.7.1 Local Green Spaces are supported through national planning guidance with the NPPF stating that “Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances”.

#### **Why have alternatives been considered for this issue?**

- 5.7.2 The Council does not have a statutory requirement to identify and designate greenspaces. Moreover should the designation of green spaces be pursued these could be through either the Local Plan or through any Neighbourhood Plans which may come forward in South Derbyshire. As such three alternative options have been identified in respect of local green spaces.

**Option 1: Do not designate Local Green Spaces**

**Option 2: Support the designation of appropriate green space through the Neighbourhood Planning process**

**Option 3: Designate appropriate green spaces through the LP2 or subsequent Development Plan Document**

#### **How Have the Options Been Identified?**

- 5.7.3 These options have been identified by the planning policy team following a review of potential approaches based on a review of practices being proposed by other local authorities and having regard to the guidance in the NPPF.

#### **Summary of Responses**

- 5.7.4 A total of 25 responses were received in respect of Local Green Spaces during the Draft Plan Consultation. These responses large focussed on potential sites which should or should not be included in any future policy rather than the principle of designating or not designating green spaces through the South Derbyshire Local Plan.

#### **What May Happen is the Local Plan is not prepared**

- 5.7.5 In the absence of the LP2 being prepared it is possible that some areas which could potentially be designated as green spaces could be lost to development. However any losses would be likely to be limited given that the Part 1 Local Plan designates the bulk of the housing requirement to 2028. In addition sites that are likely to be suitable for Local Green Space designation will often have a special character (which justifies designation against the Local Green Space criteria included in the NPPF) and other policies included in the National Planning Policy Framework and the Part 1 Local Plan would likely afford these sites some protection from inappropriate development.

#### **The Characteristics of the District Likely to Be Affected by the LP2**

- 5.7.6 A Local Green Space policy could help preserve local landscape and townscape character including areas valued for their tranquillity. The designation of green spaces could also offer protection to sites of, ecological importance, as well as to areas where spaces are valued recreation facilities. Local Green Spaces could also help preserve the setting of heritage assets or sites with other ‘historic significance’. Overall however, it is unlikely that this policy will have any noteworthy effects in respect of housing delivery, loss of greenfield sites or impact on social and community



- 5.7.8 Option 1, in the main has no effects. The designation of local green spaces will outline those areas of importance to local communities and in limited circumstances it may be that sites of biodiversity, landscape or heritage value could trigger existing policy protections in the Local Plan Part 1. For this reason uncertain effects are identified against a limited number of SA objectives. Whilst the non-designation of green spaces may not confer added protection to sites of local or community importance. In the absence of designation it is unlikely that sites would be of significant risk of development given the allocation of housing and employment sites to meet identified need over the Plan period and the protections already included in national policy and the Part 1 Local Plan in respect of sites of landscape, ecology, heritage and recreational importance for the most valued sites. That said, there remains a limited risk that sites potentially capable of being designated a green space could be subject to speculative development proposals over the life of the Plan.
- 5.7.9 Options 2 and 3 would perform similarly, albeit Option 3 could ensure the designation of green spaces comprehensively across the whole District compared to Option 2 which would only allow the designation of green spaces in those locations where neighbourhood plans are 'made'. On this basis positive effects will be slightly greater for Option 3.
- 5.7.10 In particular options 2 and 3 could help ensure:
- sites of ecology importance to local communities are retained for the benefit of local biodiversity,
  - recreation areas accessible to local communities are preserved as such,
  - the essential quality and character of local townscape is protected from inappropriate development,
  - that the tranquillity of designated sites is protected,
  - that areas of local historic significance are protected and access to these preserved,
  - local landscape character is protected.
- 5.7.11 Overall the likely benefit that designation of local green spaces could have is moderated by the fact that Local Plan Part 1 policies exist to protect the most sensitive sites from development. However a local green space designation may allow the protection of sites which may not ordinarily be protected through existing policy as the basis for designation is not based solely on the value of the site in its own right, but also how it is valued by the local community. For example a local green space may be of ecological value to the local community, but it is not sufficient to warrant designation as a Local Wildlife Site but due to its importance and value to the community this designation would ensure that the site is preserved.

#### **Identification of the Council's Preferred Options**

- 5.7.12 **The Council's preferred option is Option 3 which is to make provision for the designation of Local Green Spaces through the Local Plan** with sites to be designated in a subsequent Local Green Spaces Development Plan Document. A policy is therefore proposed for inclusion supporting the principle of designating Local Green Spaces in LP2. Specific Local Green Space sites will then be designated within a Local Green Space DPD. This approach is identified as the preferred option as the Council considers that local green space designations could have a notable positive impact on many of the District's settlements including in respect of biodiversity, townscape, tranquillity, heritage and landscape. Option 2, was also identified as potentially being able to deliver similar positive benefits, through designation through neighbourhood plans. However at the time of writing there are only two communities in South Derbyshire preparing a neighbourhood plan, so the positive effects of this option would be limited to relatively few areas. Option 1, whilst not having any negative effects, is likely to fail to offer further opportunities to protect small scale spaces which are valued by local communities.

## Effects of the Preferred Option and Opportunities for Mitigation

Table 5.6: Local Green Space		
Sustainability Objective	Impacts	Commentary and Potential Mitigation Measures
<b>Biodiversity, Fauna and Flora</b>		
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	Minor Positive Impact	<p>The likely level of impact would be determined by the nature of sites that come forward and their value/sensitivity in biodiversity terms. However this policy could allow protection of sites which would not meet the necessary requirements to justify designation of a local wildlife site or Local Nature Reserve. On this basis positive effects are likely to be moderated but nonetheless would be <b>positive</b> and of slight or <b>minor</b> significance.</p> <p><b>Mitigation</b> Policies BNE3 (Biodiversity), supports the protection and delivery of priority habitats and species including through stepping stone sites.</p>
<b>Population and Human Health</b>		
to provide decent and affordable homes that meet local needs	No effects	No Significant Effects Identified
to improve the health and well-being of the population	No effects	No Significant Effects Identified
to improve community safety and reduce crime and fear of crime	No effects	No Significant Effects Identified
to improve educational achievement and improve the District's skills base	No effects	No Significant Effects Identified
to promote social inclusion and reduce inequalities associated with deprivation across the District	No effects	No Significant Effects Identified
<b>Material Assets</b>		
To improve local accessibility to healthcare, education, employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable	Minor Positive Effect	<p>This option would see the designation of areas of local green space, including valued recreational spaces which may not receive any protections included elsewhere in the Local Plan such as policies INF6 (Community Facilities) and INF9 (Open Space, Sport and Recreation). This designation could help preserve many areas that may not be protected through these policies, but nonetheless are valued community spaces which meet some local formal and informal recreation needs.</p> <p><b>Mitigation</b> The performance of this policy could be further enhanced by ensuring that local green space policy wording includes appropriate clauses to support the enhancement of sites, including those valued for recreation.</p>

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travel or non-travel choices.		
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	No effects	No Significant Effects Identified
to achieve stable and sustainable levels of economic growth and maintain economic competitiveness	No effects	No Significant Effects Identified
to diversify and strengthen local urban and rural economies and create high quality employment opportunities	No effects	No Significant Effects Identified
to enhance the vitality and viability of existing town and village centres	No effects	No Significant Effects Identified
to improve the quality of new development and the existing built environment	Minor Positive Effect	<p>Protecting and identifying Local Green Spaces through the Plan could help ensure that local gaps or spaces in existing settlements which are of historical significance to the settlement or add to local beauty could be protected from inappropriate development. However, impacts could be limited given that the Local Green Space designation does not specifically set out to protect townscape, although, clearly in protecting important areas of green space within existing settlements it is likely that these will make a slight or minor contribution to the quality of the existing built environment.</p> <p><b>Mitigation</b>  Policy BNE1 (Design Excellence) sets out guidance on issues such as local character and pride, street design, movement and legibility and visual attractiveness of new development.  BNE2 (Heritage Assets) sets out strategic policy to protect the Districts heritage assets and their settings.  Policy BNE7 (Trees Woodland and Hedgerows) will help protect these features where they are present on development site  BN10 (Heritage) will help conserve the historic character of the Districts settlements  BNE11 (Shopfronts) will protect the architectural contribution of existing historic shopfronts  INF8 (The National Forest) includes guidance on National Forest requirements and achieving appropriate planting schemes on development sites</p>
<b>Soil, Water and Air</b>		
to minimise waste and increase the reuse and recycling of waste materials	No effects	No Significant Effects Identified
to promote sustainable forms of construction and sustainable use of natural resources	No effects	No Significant Effects Identified

to reduce water, light, air and noise pollution	<b>Minor Negative Impact</b>	<p>This option would allow for the protection of areas valued for their tranquillity. As such designation could help ensure that sites of importance in respect of tranquillity can be offered further protections from development that may have inappropriate effects in respect of noise and light pollution as well as visual clutter. Potential effects would be <b>positive</b> and of slight or perhaps <b>minor</b> significance.</p> <p><b>Mitigation</b> Policy SD1 (Amenity and Environmental Quality) will help ensure that new development does not have adverse effects on the environment or amenity of existing and future occupiers in respect of noise, light, air and water quality.</p>
to minimise the irreversible loss of undeveloped (greenfield) land	<b>No effects</b>	<b>No Significant Effects Identified</b>
to reduce and manage flood risk and surface water run-off	<b>No effects</b>	<b>No Significant Effects Identified</b>
<b>Climatic Factors</b>		
to reduce and manage the impacts of climate change and the District's contribution towards the causes	<b>No effects</b>	<b>No Significant Effects Identified</b>
<b>Cultural Heritage (including Architectural and Archaeological Heritage)</b>		
To conserve and enhance the historic environment, heritage assets and their settings	<b>Minor Positive Effect</b>	<p>The likely level of impact would be determined by the nature of sites that come forward within established settlement boundaries and the overall importance of in terms of heritage and their sensitivity to development. However the designation of local green spaces would offer potential, in principle, to support the protection of historic areas, which would not be of sufficient value to be designated as heritage assets. It is likely therefore that this approach would provide positive effects against this SA objective with effects of potentially <b>minor</b> significance depending on the number and nature of designation of local green spaces.</p> <p><b>Mitigation</b> It is considered that Policy BNE2 (Heritage Assets), in the Local Plan Part 1 provides significant requirements in respect of mitigation which will ensure that the allocation of settlement boundaries across most of the District's villages will not have significant effects in respect of this SA objective. Effects could also be mitigated through the inclusion of further mitigation in the LP2, including, in particular, Policies BNE10 (Heritage) which includes a clause for non-designated heritage assets.</p> <p>Changes to the policy wording to ensure that adjacent development does not compromise the historic value of local green spaces protected for heritage reasons could further strengthen the council's preferred approach.</p>
to improve access to the cultural heritage of the district for enjoyment and educational purposes	<b>Minor Positive Effect</b>	<p>Local Green Spaces designated for historic reasons could in some instances be accessible to local communities and designations could help ensure accessibility to such resources. Impacts could be <b>positive</b> and of slight or potentially <b>minor</b> significance depending on the nature of sites designated.</p> <p><b>Mitigation</b> Possibly include guidance in the Local Green Space policy or wider commentary to support enhancements to public access to local green spaces where appropriate.</p>

Landscape		
To conserve and enhance the District's landscape and townscape character.	Minor Positive Effect	<p>The inclusion of Local Green Spaces could help ensure that local landscape and townscape value is protected, especially in more rural locations where local green spaces may form an important part of the urban/rural interface. However, impacts could be limited given that the Local Green Space designation does not specifically set out to protect and enhance local townscape and landscape value. Although in protecting important areas of green space within existing settlements it is likely that these will make a slight or <b>minor positive</b> contribution to local landscape and townscape quality</p> <p><b>Mitigation</b> Policy BNE4 (Landscape Character and Local Distinctiveness), BNE2 (Heritage Assets) and BNE1 (Design Excellence) all seek to protect local townscape and landscape from inappropriate development.</p> <p>The LP2 also seeks to ensure development protects local townscape and townscape character. Relevant key policies include BNE7 (Trees, Woodland and Hedgerows), BNE10 (Heritage) and BNE11 (Shopfronts).</p>

### How the Assessment was Undertaken and Difficulties Encountered

- 5.7.13 This assessment was undertaken by the Planning Policy Team. The impacts identified are based on qualitative predictions supported by relevant studies and evidence including the Local Green Spaces Topic Paper (Appendix D to December 2015 LP2 Consultation) and the Draft Local Green Spaces Options Consultation considered by the Council's Environmental and Development Services Committee in April 2017).
- 5.7.14 At this early stage of the appraisal it is clear that the designation of Local Green Spaces could have limited positive effects as it would allow locally valued areas of historic, recreation and biodiversity value and spaces which are of importance in respect of beauty or tranquillity to be protected. The Council has identified a number of Local Green Spaces and will look to designate relevant sites through a Local Green Spaces Development Plan Document in due course. Having reviewed the nature and general location of sites already outlined it is considered the local green space designation could have a range of minor positive effects.

### Potential Mitigation Measures Identified During the Review

- 5.7.15 In many respects policies included in the South Derbyshire Local Plan Part 1, will not offer significant potential to mitigate the effects of development on areas of value to local communities. This is because many areas valued by communities are often afforded limited protection, unless there are specific features or designations that would be protected through existing policies. Areas which are valued by local communities, but not afforded protection could therefore be vulnerable to development. The designation of local green spaces could therefore extend the protection to areas of biodiversity, heritage or recreation value not ordinarily protected from development and as such could help further improve the environmental and social performance of the Local Plan. The likely performance of the preferred approach could be further enhanced through specific requirements being added to either the policy or explanation of any policy supporting joint working with landowners and local communities to improve/enhance the quality of greenspaces in respect of biodiversity, heritage, recreation and tranquillity and supporting improvements to access where appropriate following designation.



**South Derbyshire Sustainability Appraisal  
Proposed Submission  
Local Green Spaces Plan**

**Technical Appendices, February 2019**

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South  
Derbyshire  
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South Derbyshire District Council

SA

# South Derbyshire Sustainability Appraisal

South Derbyshire Sustainability Appraisal

## SA Report Addendum



South Derbyshire District Council

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## **1.0 INTRODUCTION**

- 1.1** On 24th May 2019 South Derbyshire District Council ('the Council') submitted the South Derbyshire Local Green Spaces Proposed Submission Plan (referred to hereafter as the Local Green Spaces Plan (LGSP)) for independent Examination by a Planning Inspector appointed by the Secretary of State for Housing, Communities and Local Government. A Sustainability Appraisal (SA) incorporating the requirements of the Strategic Environmental Assessment (SEA) regulations was submitted alongside the Local Green Spaces Plan. This report is an Addendum to that SA Report highlighting the main changes to the previously submitted Local Green Spaces Plan and the likely significant effects that could arise as a result of changes identified during the Examination. The Previously submitted SA report and this Addendum should therefore be read together.
- 1.2** The Examination hearing for the Local Green Spaces Plan took place on 12<sup>th</sup> September 2019. Following the conclusion of the hearing, the Inspector issued closing comments as well as later post hearing advice (dated the 30<sup>th</sup> September 2019). This advice chiefly considered the 'Soundness' of the Plan particularly in respect of the inclusion of a site in Melbourne (identified in the Proposed Submission Local Green Spaces Plan as site 84 and referred to as 'The Bowling Green, Castle Street, Melbourne'. Specifically the Inspector identified that in respect of site 84 there is some existing protection (within policies already included in the Adopted Part 1 Local Plan) for both a facility of this nature and the community activities hosted at the Centre. As such, the Inspector concluded that designation as LGS would not bring any additional local benefit and concluded that to achieve soundness, it should be removed from the LGSP.
- 1.3** Following the decision to remove site LGS84 the Council was also made aware that the site in Weston on Trent (referred to as LGS144: King's Mill Lane, adjoining the primary school) shared many similarities to site 84 being a facility used by the local community but receiving some protection from existing local plan policy, in private ownership though leased to the Parish Council on a short lease and subject to an objection by the landowner. In light of these facts the Council have concluded that continuing to seek site designation would undermine the soundness of the Plan.
- 1.4** In addition to the deletion of sites LGS84 and LGS144, minor changes have also been made to Policy LGS1 (Development on Local Green Spaces) and to a small number of other proposed sites following advice offered by the Inspector during the Examination which has prompted the Council to review all proposed sites to ensure that circumstances have not changed since sites were first identified.

The proposed main modifications to the Plan that are considered in this Addendum Report are:

- A minor change to policy LGS1 (Development on Local Green Spaces) to ensure this policy is read in conjunction with Policy BNE8 (Local Green Space) Included in the Adopted Part 1 Local Plan
- To remove, in its entirety, Site LGS84 (the Bowling Green, Castle Street) from the Plan.
- To remove in its entirety, Site LGS144 (King's Mill Lane, adjoining Primary School) from the Plan
- An amendment to LGS149 (Catherine Jonathon Playing Field) to remove an area of land that does not form part of the playing field and is in private ownership
- An amendment to LGS93 (East of High Street and South of Askew Grove) to remove an area of private land
- An Amendment to site LGS159 (Walton Playing Field) to remove the 'General Playing Field' area that forms part of Walton Primary School.
- An amendment to LGS116 (East of the Hayes) to remove an area of private garden from the proposed designation.

- Amendments to sites LGS2 (Aston Drive) and LGS5 (Springwood Farm Road) to remove areas in use as private garden.

### **SA work previously undertaken**

- 1.5** The Council has previously carried out Sustainability Appraisal to accompany earlier iterations of the emerging Local Green Spaces Plan. The table below lists the iterations of the Local Green Spaces Plan that have been produced and consulted on by the Council, as well as the accompanying SA work that was undertaken at each stage.

Table 1.1 Iterations of the Local Green Spaces Plan and accompanying SA work

<b>Plan Making Stage</b>	<b>SA work</b>
Site nomination consultations undertaken as part of the preparation of the Part 2 Local Plan (December 2015, and June 2016)	Local Green Space Broad Options Appraisal As part of Part 2 Local Plan Sustainability Appraisal)
Further consultation on potential Local Green Space sites (June 2017)	Not applicable
<b>Work Commences on Local green Spaces Plan (Spring 2018)</b>	
	Consultation on the Sustainability Appraisal Scoping Report and methodology for site selection (May 2018)
Draft Local Green Spaces Plan (October 2018)	Interim Sustainability Appraisal Report – Draft Local Green Spaces Plan (October 2018)
Proposed Submission Local Green Spaces Plan (February 2019)	Sustainability Appraisal Report. Proposed Submission Local Green Spaces (February 2019)

- 1.6** The most recent full SA Report (referred to by this Council as the Main Report) for the Local Green Spaces Plan is therefore the February 2019 SA Main Report which relates to the Proposed Submission publication version of the Plan. The report described in detail the approach that has been taken to site selection and the SA process; the likely effects of implementing the Plan (including in respect of adopting policies and designating preferred sites) and the reasons for selecting or not selecting sites. Further detail on the full scope of the Sustainability Appraisal Report published in 2019 is set out in Section 1.13 of that report.
- 1.7** In addition to the Main Report the Council also published Technical Appendices that outlines the comments received during consultation on the scope and format of the proposed appraisal and the results of policy appraisals and site appraisals which were undertaken by the Council. As previously outlined, this SA Addendum should be read in conjunction with the February 2019 SA Main Report. It is not intended to represent an 'SA Report' in the context of the SEA Regulations, which requires the presentation of certain information in the SA Report. It is not appropriate, proportionate or in the interests of effective consultation to repeat all this information in the Addendum.

### **Habitat Regulations Assessment**

- 1.8** The Council has not updated its HRA screening Assessment in light of the proposed modifications to the Plan. Only a single site is located in the catchment of the River Mease Special Area of Conservation (SAC). This site (LGS168 Linton Orchard) is not subject to any proposed amendments and no additional sites located within the catchment of the Mease or that could interact with the SAC are proposed.

## 2.0 SUSTAINABILITY APPRAISAL FINDINGS - POLICY AMENDMENTS

- 2.1 The Council has proposed to amend policy LGS1. The purpose of this amendment is to improve how readers will interpret this policy by providing a more direct link to the Local Green Space Policy included in the Part 2 Local Plan. To achieve this additional text (in red) has been added to the previously proposed policy as follows:

### **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.

- 2.2 Having reviewed the previous assessment included in the February 2019 Sustainability Appraisal Main Report it is considered unlikely that the addition of further text to the policy as outlined would give rise to any materially different environmental, economic or social effects. This is because the additional text would not necessarily change how the policy is interpreted in decision making given that legal case law<sup>1</sup> and planning guidance published by PAS<sup>2</sup> both indicate that the Plan should be read as a whole and officers and Councillors of the Council would be aware of the two policies and how they relate. However, it is a matter of fact that the parent policy (Policy BNE8 – Local Green Space) to the Local Green Spaces Plan is set out in the Part 2 Local Plan, which is published as a separate document. On this basis it is accepted that in the absence of a clear cross reference to this parent policy, Policy LGS1 as previously written may be taken by some readers as providing a far more supportive approach to growth in areas subject to a Local Green Space designation than this parent policy or the Planning Policy Framework intends. For the sake of clarity, it is in this instance accepted that it would be useful for Policy LGS1 to cross reference Policy BNE8.
- 2.3 Given that this amendment to policy is for the sake of clarity only and will not change how the policy is interpreted during decision making no amendments to the policy appraisal included in the Technical Appendices or Section 6 of the Main Report (which summarises likely effects of this policy) are required.

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<sup>1</sup> Gladman Developments Ltd v Canterbury City Council [2019] EWCA Civ 669 – 16 April 2019

<sup>2</sup> Local Plan Route Mapper and toolkit published by PAS

### 3.0 SUSTAINABILITY APPRAISAL FINDINGS – SITE DELETIONS AND AMENDMENTS

#### LGS84 (the Bowling Green, Castle Street, Melbourne).

- 3.1** The Council is proposing to **remove** this site from the Local Green Spaces Plan.
- 3.2** As highlighted by the Inspector within the Post Hearing Letter this site is already afforded some protection from development by its location within the Melbourne Conservation Area and is also subject to the South Derbyshire Local Plan Part 1 (2016) Policy INF9, which sets out that the loss of sports facilities will only be permitted in exceptional circumstances, and where alternative provision is made. Additionally, Local Plan Policy INF6 seeks to protect existing community facilities. Therefore, there is some protection for both a facility of this nature and the community activities hosted at the Centre. As such, designation as LGS may not bring any additional local benefit.
- 3.3** Furthermore it should be noted that this site is in private ownership with the landowner indicating that there is only two years left on the lease with no certainty, at present, that it will be renewed. On this basis the Council accepts that this site does not currently not conform with paragraph 99 of the Framework which requires that Local Green Spaces designations should be capable of enduring beyond the end of the plan period, (i.e. 2028).
- 3.4** The Planning Inspector concluded in her Post Hearing Letter *that “it has not been clearly evidenced that the site is demonstrably special to the local community and its longevity in community use is uncertain, the designation of this site would not be consistent with national policy. Therefore, to achieve soundness, my advice is that this site be removed from the LGSP”.*
- 3.5** Given the above it is clear that this site should have been ruled out from consideration during the stage 1 assessment. To this end the text included in Table 7.1 of the February 2019 Sustainability Appraisal in respect of site LGS84 ought to have stated:

Site Reference	Site Name	Reason for Progression to Stage 2 or exclusion
84	The Bowling Green, Castle Street, Melbourne	Site is protected by policy INF9 and INF6 of the Adopted Local Plan and is not capable of enduring beyond the end of the Plan period in 2028.

- 3.6** Given that this site would not pass the first stage of the appraisal process any further reference to the site either within the Plan or February 2019 SA Main report would need setting aside.
- 3.7** The removal of this site from the Local Green Spaces Plan would be unlikely to lead to significant environmental, economic or social impacts given the small scale of the site, and the existing protections afforded this site resulting from its location within the Melbourne Conservation Area and given the protections afforded this site by Policy INF9 (Open Space Sport and Recreation) and INF6 (Community Facilities) already outlined.
- 3.8** For the avoidance of doubt any reference to the Site LGS84 in Section 8.10 of the February 2019 SA Main Report and Appendix 4 of the Sustainability Appraisal Technical Appendices (also published in February 2019) would be deleted. An updated Map identifying sites in Melbourne and Kings Newton is set out at Appendix 1 of this Addendum and supersedes that included at Section 8.10 of the SA Main Report published in February 2019.

- 3.9** Following removal of this site from the Local Green Spaces Plan there remains 6 Local Green Spaces Proposed in Melbourne and 2 Local Green Spaces proposed in Kings Newton.

**LGS144 (King's Mill Lane, adjoining Primary School)**

- 3.10** The Council is proposing to **remove** this site from the Local Green Spaces Plan.
- 3.11** Consistent with site LGS84 this site is already afforded some protection from development by Policy INF9. This policy sets out that the loss of sports facilities will only be permitted in exceptional circumstances, and where alternative provision is made. It is also protected from many types of built development by virtue of the fact it is located outside of the settlement boundary for Weston on Trent. Therefore, there is some protection for a facility of this nature already and designation as a LGS may not bring any notable additional local benefit.
- 3.12** Furthermore it should be noted that this site is in private ownership with the landowner indicating that it is subject to an annual rolling lease that can be terminated at relatively short notice. On this basis the Council accepts that this site does not conform with paragraph 99 of the Framework which requires that Local Green Spaces designations should be capable of enduring beyond the end of the plan period, (i.e. 2028). For this reason the Council considers that the Inspectors comments in respect of LGS84 would apply in respect of this site also. That is *its longevity 'in community use is uncertain, the designation of this site would not be consistent with national policy.*
- 3.13** Given the above it is clear that this site should have been ruled out from consideration during the stage 1 assessment. To this end the text included in Table 7.1 of the February 2019 Sustainability Appraisal in respect of site LGS144 ought to have stated:

Site Reference	Site Name	Reason for Progression to Stage 2 or exclusion
144	King's Mill Lane, adjoining Primary School	Site is protected by policy INF9 of the Adopted Local Plan and is not capable of enduring beyond the end of the Plan period in 2028.

- 3.14** Given that this site would not pass the first stage of the appraisal process any further reference to the site either within the Plan or February 2019 SA Main report would need setting aside.
- 3.15** The removal of this site from the Local Green Spaces Plan would be unlikely to lead to significant environmental, economic or social impacts given the small scale of the site, and the existing protections afforded this site resulting from its location outside of the settlement boundary and given the protections afforded this site by Policy INF9 (Open Space Sport and Recreation) already outlined.
- 3.16** For the avoidance of doubt any reference to the Site LGS144 in Section 8.10 of the February 2019 SA Main Report and Appendix 4 of the Sustainability Appraisal Technical Appendices (also published in February 2019) would be deleted. An updated Map indicating that this site is proposed for deletion from the emerging Plan is set out at Appendix 1 of this Addendum and supersedes that included at Section 8.18 of the SA Main Report published in February 2019.

### LGS149 (Catherine Jonathan Playing Field, Egginton)

**3.17** It is proposed to remove an area of land to the west of the playing field which is in private ownership with no public access.

**3.18** The February 2019 SA Main Report records the performance of the site against the SA Framework as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 149: Catherine Jonathan Playing Field	✓	--	✓	✓✓	✓✓	✓✓	✓	--	✓	✓	?	✓✓	✓	✓

**3.19** Having reviewed the site proforma set out at Appendix 4 of the Local Green Spaces Sustainability Appraisal Technical Appendices (February 2019) and the summary table at 8.2 of the SA main Report the removal of the triangle of land to the west of the playing field would not affect the performance of the site against the SA Framework. This is because the substantive benefits associated with this site are related to that part of the site used as a playing field rather than that part which is in private ownership. An updated map superseding those presented in Map 2 of the SA Main Report (February 2019) and the SA Proforma for Site 149 (Catherine Jonathan Playing Field) included in Appendix 4 of the February 2019 Technical Appendices is set out at Appendix 1 of this Addendum.

### LGS93 (East of High Street, South of Askew Grove, Repton)

**3.20** It is proposed to remove an area of land to the north of the public right of way which crosses the site east to west to exclude a piece of land in private ownership.

**3.21** The site proforma included in the 2019 SA Technical Appendices records the performance of the site against the SA Framework as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 93 East of High Street and South of Askew Grove	✓	--	--	--	✓✓	--	--	--	✓	✓	--	--	✓✓	✓✓

**3.22** Having reviewed the site proforma set out at Appendix 4 of the Local Green Spaces Sustainability Appraisal Technical Appendices (February 2019) and the summary table at 8.11 of the SA Main Report, it is considered that the removal of land to the north of the public footpath which crosses

the site would not affect its overall performance against the SA Framework. This is because the greatest benefits associated with this site relate to its accessibility and its contribution to the setting of the village conservation area. However all public access is on the land to the south of the footpath, whilst the conservation area extends over the whole of the site. The removal of the northern area would therefore have no impact in respect of accessibility, whilst the retention of land to the south would continue to contribute to preserving historic character in that part of the site retained.

- 3.23** An updated map superseding that presented in Map 11B of the SA Main Report (February 2019) and the SA Proforma for Site 93 (included in Appendix 4 of the February 2019 Technical Appendices) is set out at Appendix 1 of this Addendum.

### **LGS159 (Walton Playing Field, Walton upon Trent)**

- 3.24** It is proposed to remove an area of land used as the Walton Primary School General Playing Field. The area was fenced off from the remainder of the field in 2017. Walton Primary Schools moved from being in Local Education Authority control in 2019 and is now part of the John Taylor Multi Academy Trust. Given these recent changes the Council no longer considers it appropriate to designate that part of the field permanently used by the school as it could stymie potential future uses of the school site.
- 3.25** The site proforma included in the 2019 SA Technical Appendices records the performance of the site against the SA Framework as follows:

	Biodiversity and geodiversity	High quality places	Health and well-being	Educational achievement	Accessibility	Infrastructure	Economic growth	Vibrancy and viability	Built environment.	Brownfield land and natural resources	Pollution	Climate change and flood risk	Historic environment and heritage assets	Landscape and townscape character
Site Ref 93 East of High Street and South of Askew Grove	✓	--	✓	--	✓✓	--	--	--	✓✓	✓	--	--	✓✓	✓✓

- 3.26** Having reviewed the site proforma set out at Appendix 4 of the Local Green Spaces Sustainability Appraisal Technical Appendices (February 2019) and the summary table at 8.17 of the SA main Report, it is considered that the removal of land now defined as the general playing field for the village school would not affect its overall performance of the wider playing field (i.e. remaining designation) against the SA Framework. This is because the greatest benefits associated with the site relate to the accessibility of the community accessible playing field and its contribution to the setting of the village conservation area and the built environment.
- 3.27** It is worth noting that land which now forms the schools 'general playing field' and proposed for removal from the Plan may still receive some protection from inappropriate development as a result of its location within the Walton on Trent Conservation Area.

- 3.28** An updated map superseding those presented in Map 22 of the SA Main Report (February 2019) and the SA Proforma for Site159 (included in Appendix 4 of the February 2019 Technical Appendices) is set out at Appendix 1 of this Addendum.

**Other sites subject to limited boundary changes**

- 3.29** In addition to sites identified above minor changes have been to the boundaries of the following sites.

- LGS2 Aston Drive, Midway, Swadlincote
- LGS5 Springwood Farm Road, Midway, Swadlincote
- LGS116 East of the Hayes, Findern

- 3.30** The changes to these sites are limited in extent and effectively correct the boundaries of submitted sites to exclude small areas in use as private gardens. The limited boundary changes proposed have been reviewed and due to their limited scale and nature of the proposed sites would have no environmental or other effects compared to those previously outlined through the Sustainability Appraisal. Nonetheless an updated map superseding that presented in Map 4 of the SA Main Report (February 2019) and the SA Proforma for Site 116 (East of the Hayes) (included in the February 2019 SA Technical Appendices) is included in this Addendum at Appendix 1. Similarly an updated map for sites in Midway Swadlincote is included in Appendix 1 of this Addendum. This replaces Map 17 of the SA Main Report (February 2019) and the maps included in the SA Proformas for Sites 2 (Aston Drive) and 5 (Springwood Farm Road) included in the February 2019 SA Technical appendices.



#### **4.0 MITIGATION**

- 4.1** Given the limited extent of the changes proposed to the Local Green Spaces Plan no further changes to policies LGS1 or LGS2 or other consequential mitigation is proposed.



## **5.0 CONCLUSIONS AND NEXT STEPS**

### **Conclusion**

- 5.1** The changes proposed to the Local Green Spaces Plan have been made following its Examination on the 12<sup>th</sup> September 2019. These changes consist of an amendment to Policy LGS1 to ensure that this policy is tied to the main Local Green Space Policy (BNE8) included in the Adopted South Derbyshire Part 2 Local Plan, the deletion of sites 84 and 144 (the Bowling Green, Castle Street, Melbourne and King's Mill Lane, Weston on Trent) and various changes to the boundaries of other sites, the most notable of which are LGS93 (East of High Street and South of Askew Grove), LGS149 (Catherine Jonathan Playing Field) and LGS159 (Walton Playing Field).
- 5.2** None of the changes to the Local Green Spaces Plan following this Examination will give rise to likely significant effects on the environment, or will have significant economic or social impacts.
- 5.3** Nonetheless the proposed changes will make the Local Green Spaces Plan 'Sound' and ensure that only sites are designated that meet the requirements of the National Planning Policy Framework and the criteria for designation agreed by the Council at its Environmental and Development Services Committee in April 2018.

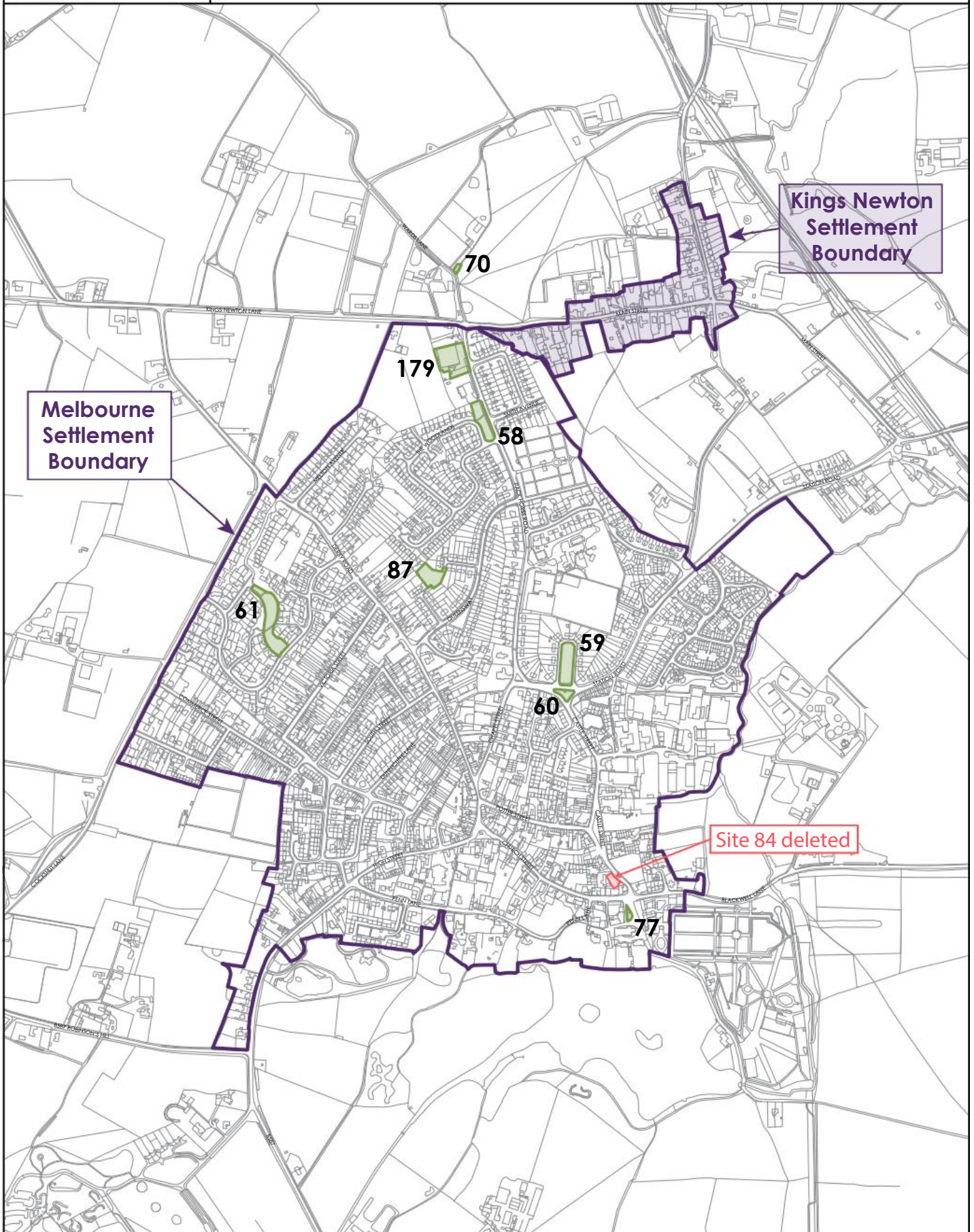
### **NEXT STEPS**

- 5.4** A copy of the updated Plan and this SA addendum will be available for consultation alongside the proposed Modifications Plan for a six week period. Following this the Council will consider responses received during consultation period and will submit these and this Addendum to the Inspector for Examination.





# Local Green Spaces in Melbourne & Kings Newton



Local Green Space



Settlement Boundary

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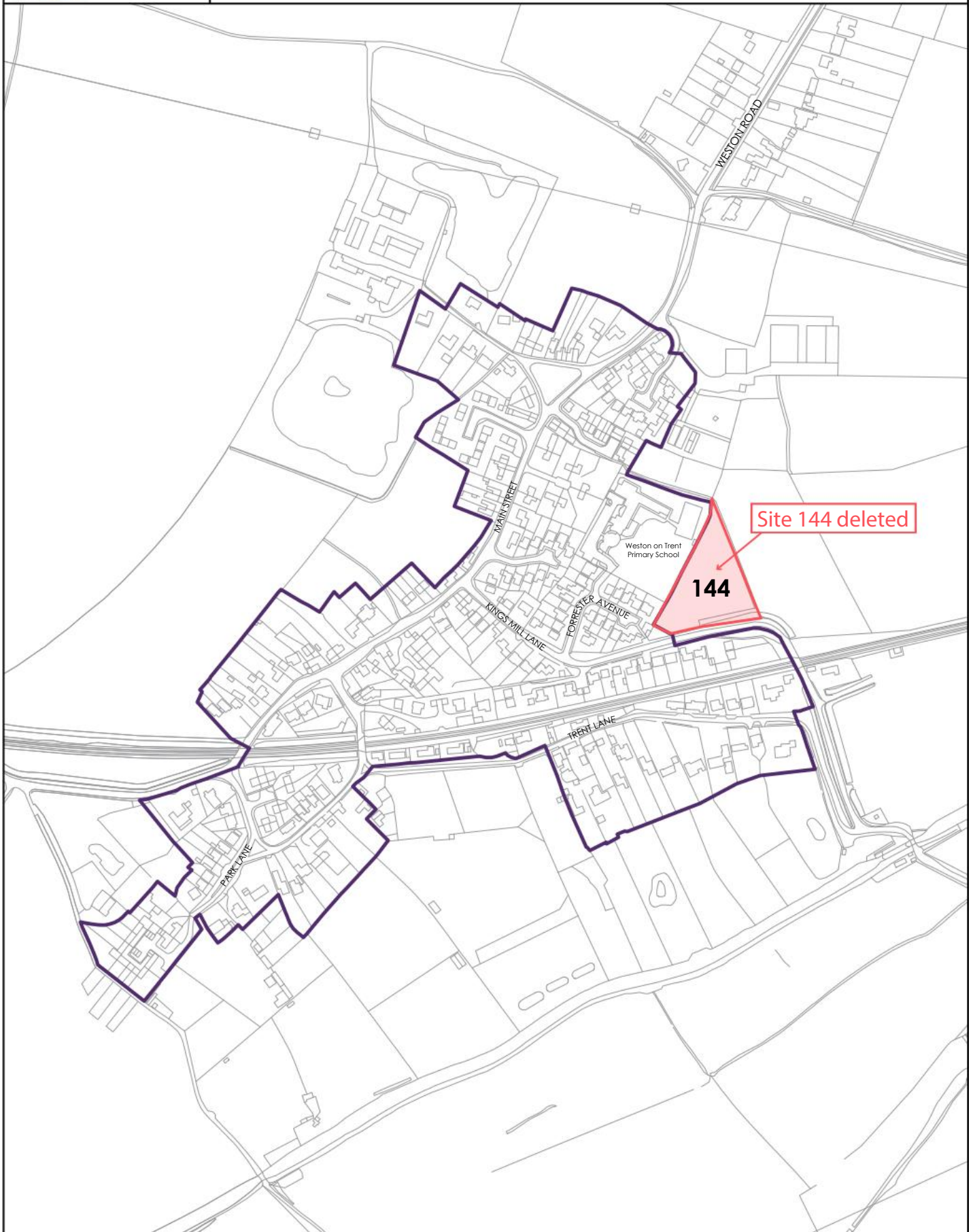
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NORTH



## MAP 23: Local Green Spaces in Weston on Trent



Local Green Space



Settlement Boundary

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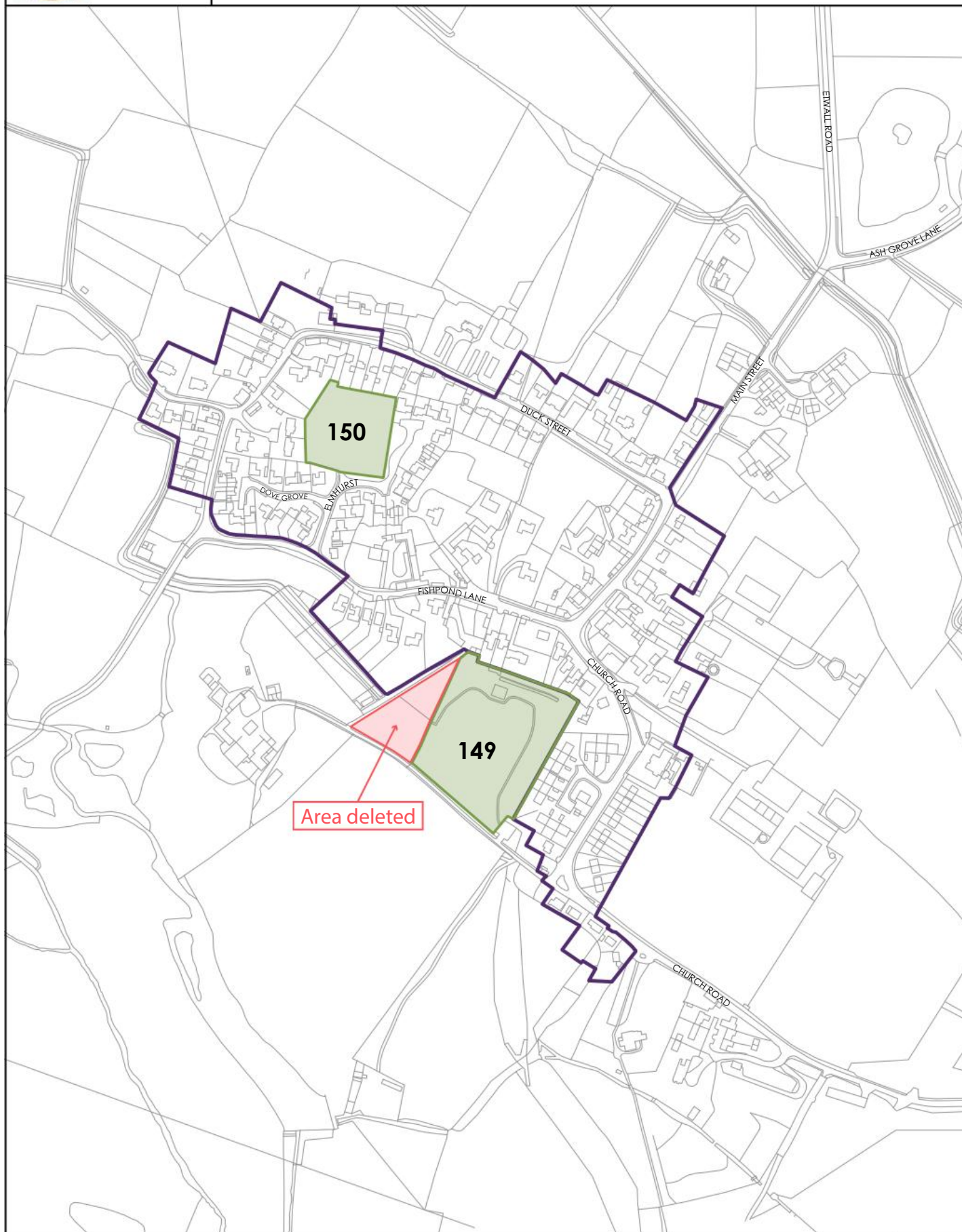
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## Local Green Spaces in Egginton



Local Green Space



Page 561 of 620  
Settlement Boundary

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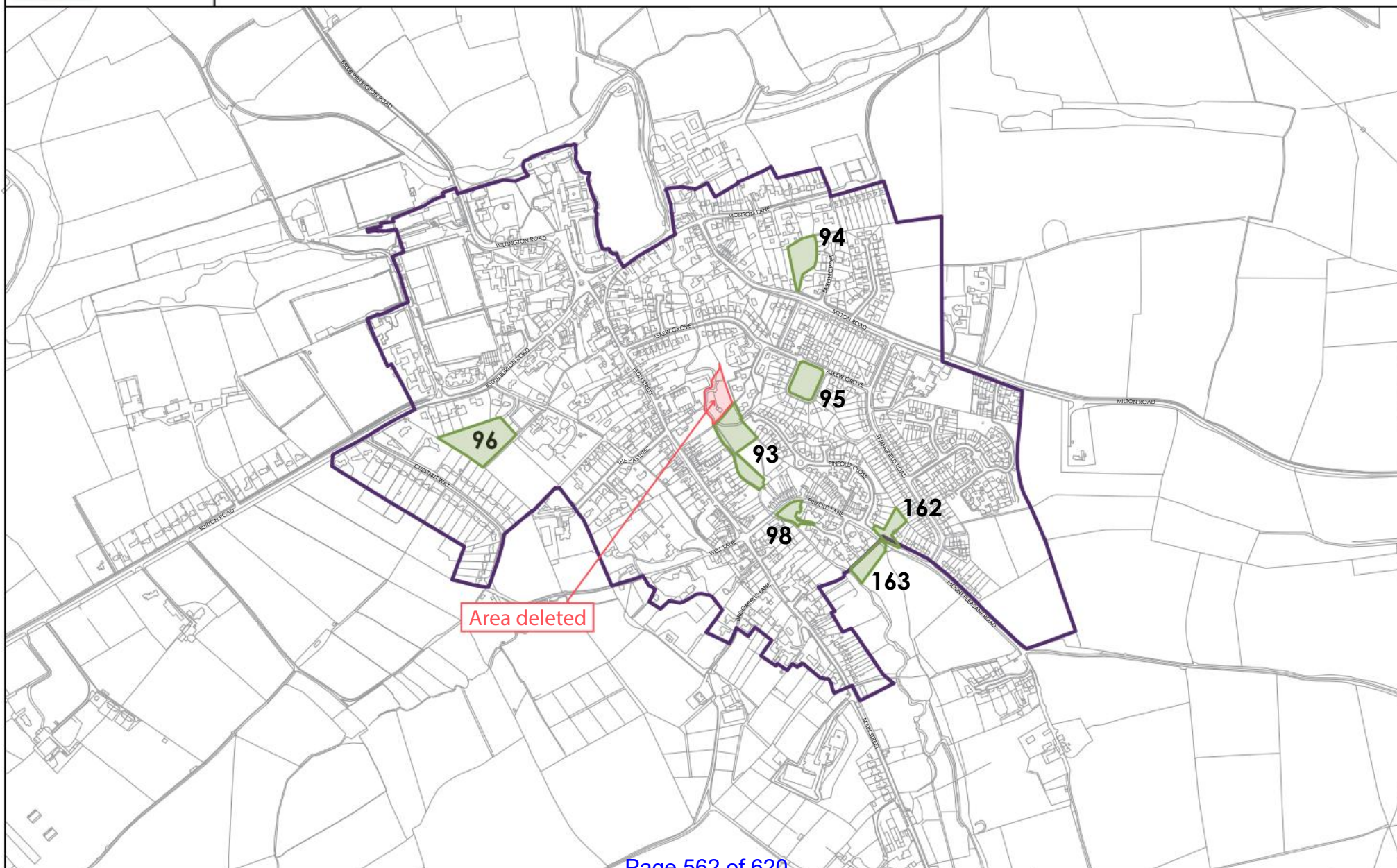
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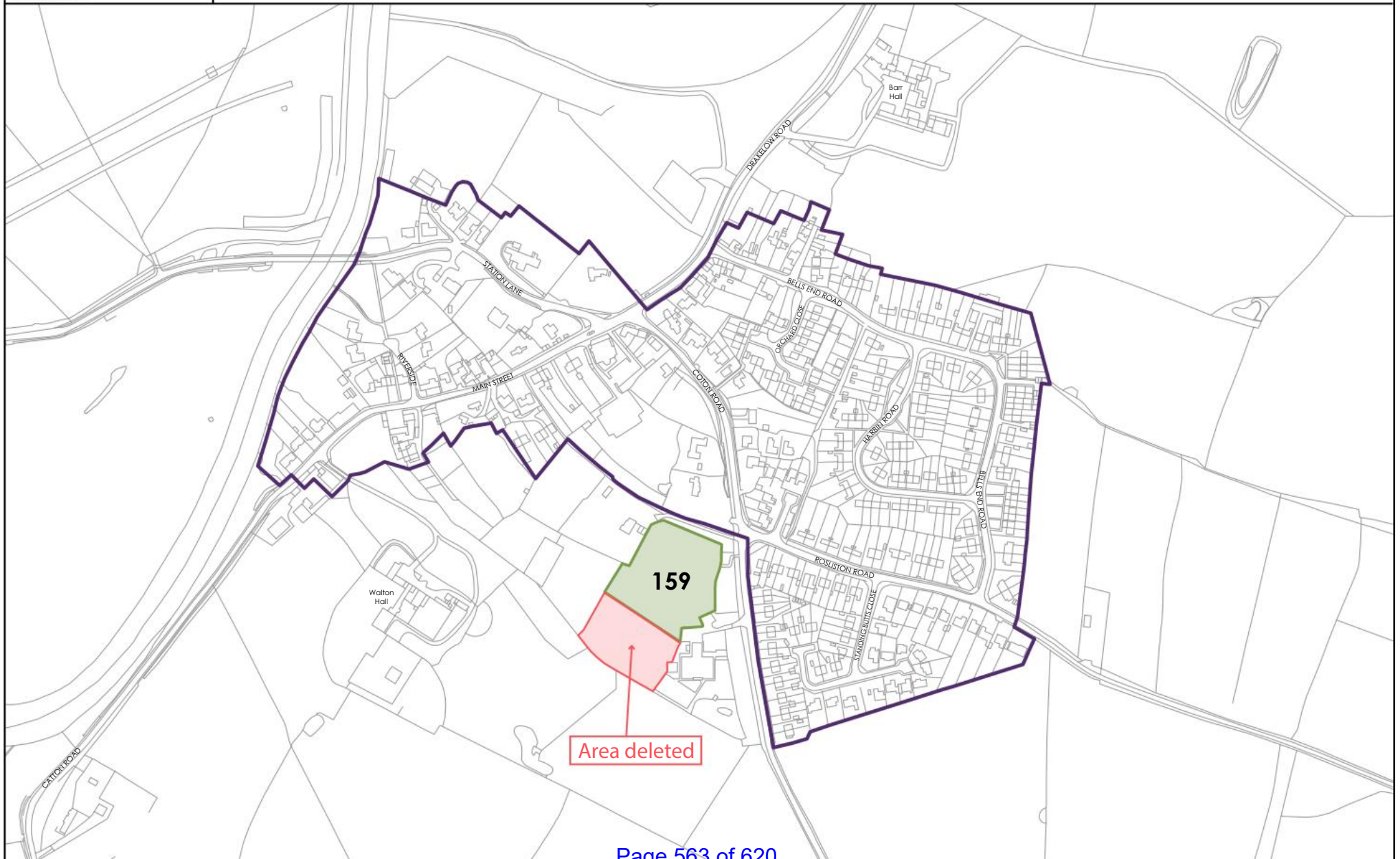


## Local Green Spaces in Repton



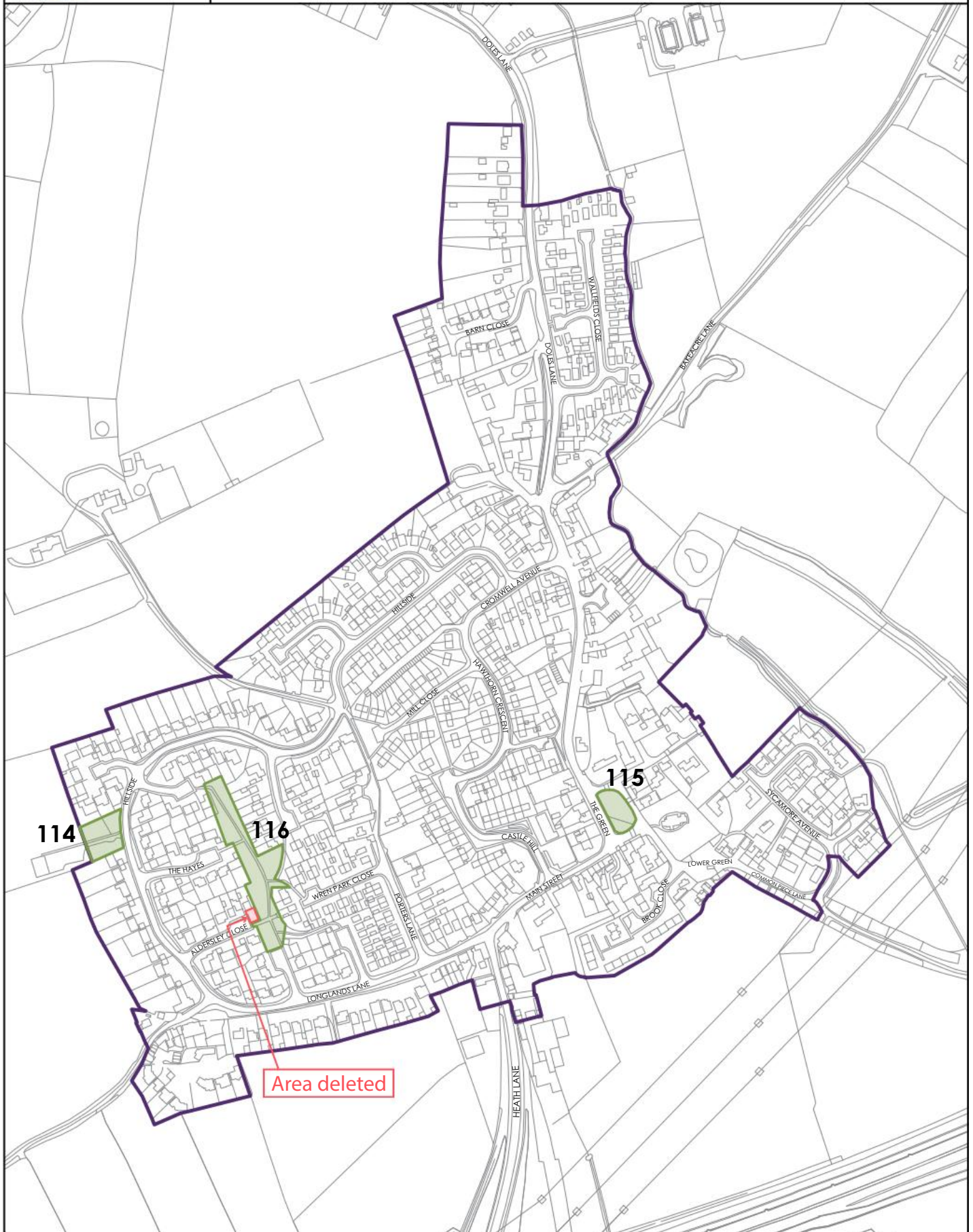


## Local Green Spaces in Walton on Trent





## Local Green Spaces in Findern



Local Green Space



Settlement Boundary

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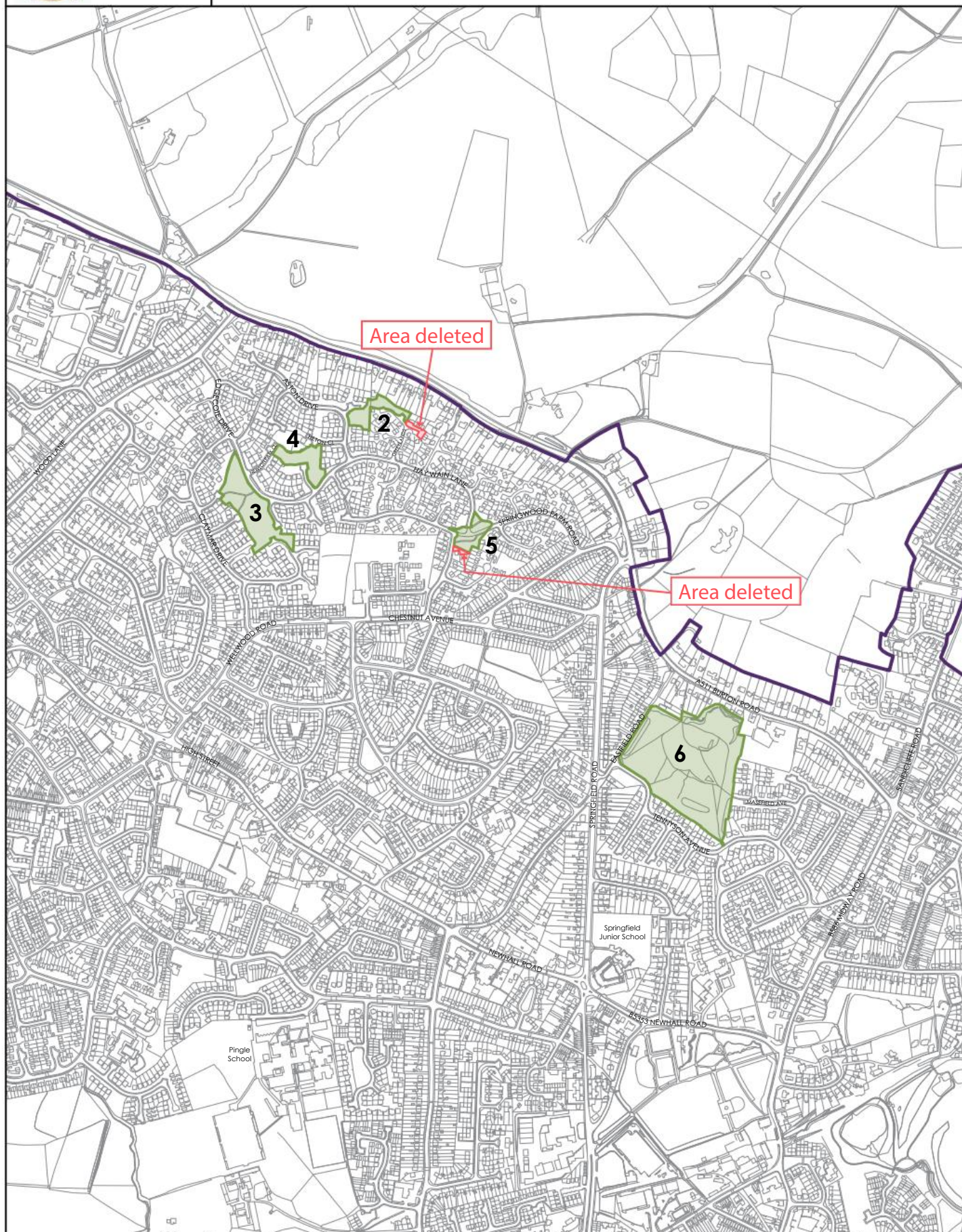
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## Local Green Spaces in Midway, Swadlincote



Local Green Space



Settlement Boundary

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South  
Derbyshire  
District Council

Local Development Framework

HRA

# Statutory Regulations

Screening Report

Proposed Submission  
Local Green Spaces Plan

## Main Report

February 2020



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## EXECUTIVE SUMMARY

- 1.1 Habitats Regulations Assessment (HRA) of spatial development plans is a requirement of the Habitats Directive (92/43/EEC) as set out in the Conservation of Habitats and Species Regulations 2017. This report details the Habitats Regulations Assessment for South Derbyshire District Council's Local Green Spaces Plan. This Plan includes 75 local green space designations and two policies to manage development and support potential improvements to access and the management of designated sites. This report sets out the method, findings and conclusions of the HRA screening assessment undertaken by the Council.
- 1.2 The following European Site is within the Influence of the Plan:
  - The River Mease SAC
- 1.3 The screening exercise has reviewed whether the policies and site designations proposed through the Plan have potential to affect the River Mease Special Area of Conservation (SAC), given the site conservation objectives, condition and sensitivities.
- 1.4 The Adopted Local Plan Part 1 (LP1) HRA screening assessment ruled out likely significant effects on any European sites, other than the Mease SAC, owing to the distribution of growth proposed and the significant distances of other European sites from the District Boundary and the nature of the sensitivities of the nearest sites. In respect of the River Mease SAC no development was proposed within that part of the District where either foul or surface water would discharge to the SAC in the LP1 and so likely significant effects (LSE) on the water quality in the SAC were discounted.
- 1.5 The screening assessment for the Local Plan Part 2 (LP2) indicates that none of the draft policies contained in that Plan would have any significant effect on the River Mease SAC given the small scale of growth proposed in the Plan, the dispersed nature of development (most of which is located outside of the Mease catchment) and the existing drainage and water quality policies included in LP1.
- 1.6 The Local Green Spaces (LGS) Plan does not seek to allocate new housing or employment growth but rather seek to protect spaces valued by local communities as local green spaces. Of the 104 sites proposed for designation only a single site is located in the catchment of the River Mease (Linton Orchard, Linton). However there is no development proposed on the site, rather the purpose of the Plan is to identify valued local community spaces and ensure that these are protected from inappropriate forms of development.
- 1.7 This assessment has concluded the following:
  - There is no likely significant impact on any SPAs or SACs located outside of the District as a result of implementing the LGS Plan.
  - There is one local green space located in the catchment of the River Mease. The remainder (103 sites) are located outside of the catchment.

- The site located in the catchment is site 168 (Linton Orchard) and consists of a community orchard located in the southern part of Linton. It lies on the watershed for the catchment and is 4km from the SAC. Given that this LGS Plan seeks to ensure that this site is retained as a community orchard its designation is unlikely to have any effect on the SAC
- The designation of local green spaces will not increase surface water or foul water and would be unlikely to have any effect on water quality within the SAC.
- As the South Derbyshire Local Plan (Parts 1 & 2) have already been identified as having no effect on the SAC, it is unlikely that the adoption of this Plan will act in combination with these, or indeed the plans of neighbouring authorities adopted or under preparation.

1.8 The findings of the Council's Assessment has been subject to consultation with Natural England and other stakeholders as part of the Draft Local Green Spaces Plan Consultation.

## 2.0 INTRODUCTION

- 2.1 South Derbyshire District Council is currently preparing its Local Green Spaces (LGS) Plan. This document will supplement the Council's existing Local Plan which is comprised of the Adopted Part 1 Local Plan (LP1) and Adopted Part 2 Local Plan (LP2) documents.

### **The Local Plan Part 1**

- 2.3 LP1 sets out a long-term vision, objectives and strategy for the spatial development of South Derbyshire and provides a framework for promoting and controlling development. Put simply it sets the overall level of future growth and broad locations for development. It includes a target to deliver a minimum of 12,618 homes between 2011-28 and a minimum of 53ha of employment land within the District over the same period.
- 2.4 Housing allocations are mainly located as urban extensions to Derby City, Burton on Trent and Swadlincote, with some smaller strategic allocations made to villages in Aston on Trent, Etwall, Hatton, Hilton and Repton. Together these sites would deliver more than 11,000 homes within South Derbyshire within the Plan period. Employment Land Allocations are located at Drakelow, Dove Valley Park (Foston), Hilton, Swadlincote and Woodville.
- 2.5 In addition to allocations a range of further housing policies are included in LP1 including in respect settlement hierarchy affordable housing, housing mix. Further thematic policies in respect of Green Belt, design excellence, heritage, biodiversity, landscape character and local distinctiveness, flood risk, sustainable drainage, the National Forest and infrastructure (including green infrastructure) are also included in LP1.
- 2.6 The LP1 also set out a requirement for a further 600 homes to be delivered on non-strategic sites through a further Local Plan (LP2).
- 2.7 The HRA screening report was consulted upon in March 2014. This assessed the potential for the Plan to affect a number of European sites as follows:
- River Mease (within District)
  - West Midlands Mosses (12km from nearest part of District)
  - Bees Nests and Green Clay Pits (17km from nearest part of District)
  - Peak District Dales (17km from nearest part of District)
  - Gang Mine (17km from nearest part of District)
  - Pasturefields Salt Marsh (18.5km from nearest part of District)
  - Cannock Chase (20km from nearest part of District)
- 2.8 Due to the location of strategic housing sites proposed and the distance between development allocations included in LP1 and having reviewed the conservation objectives for the European sites and the issues affecting site condition the Council screened out likely significant effects on all sites located outside of the District. The HRA Screening Report for the LP1 can be viewed on the Council's [website](#).

## **The Local Plan Part 2**

- 2.9 LP2 sets out a requirement for 600 homes to be delivered on non-strategic sites within the Plan period. It defines non - strategic sites as being those with less than 100 dwellings. LP2 identified a total of 14 non-strategic housing allocations, which cumulatively will deliver around 700 homes.
- 2.10 In addition to the allocations the Council updated the settlement boundaries around Swadlincote and Key and Local Service Villages as well as more nucleated rural villages and drafted a range of development management policies on issues including:
- replacement dwellings in the countryside,
  - rural workers dwellings,
  - residential extensions and householder development,
  - residential conversions,
  - development in the countryside,
  - Agricultural development,
  - Trees, Woodland and Hedgerows
  - Local Green Space,
  - Heritage,
  - Swadlincote Town Centre
  - Local Centres and Villages (retail policy)
  - Telecommunications
  - Provision of Education Facilities
- 2.11 Due to the location of non-strategic housing sites proposed and having regard to their location the Council screened out likely significant effects on any Special Areas of Conservation or other European sites located outside of the District. LP2 did include a number of housing sites in the River Mease Catchment. However where these generated foul flows to treatment works discharging to the River Mease or one of its tributaries a financial contribution has been made to offset any likely environmental effects associated with that development. In respect of surface water flows these developments have included an appropriate sustainable drainage scheme in accordance with policy in LP1 to ensure surface water is appropriately treated prior to discharge into the ground or nearby watercourses which discharge in the River Mease.

## **The Local Green Spaces Plan**

- 2.12 The Local Green Spaces Plan (LGS Plan) includes a total of 75 proposed local Green Spaces together with two policies , one of which seek to control development within designated green spaces, whilst the other sets out a general commitment by the Council to improve the community value of spaces including in respect of biodiversity and accessibility.

## **Purpose of this Report**

- 2.13 The remainder of this report will set to what extent the Plan could affect the River Mease SAC or other nearby European sites. The report will consider the following:

- The requirement for HRA and the guidance published to inform the process
- The Screening Process and the findings of the Screening Assessment
- The need for further assessment

### **3.0 Habitat Regulations Assessment and the Local Green Spaces Plan**

3.1 Article 6 of EU Habitats Directive on the conservation of natural habitats and of wild fauna and flora (Council Directive 92/43/EEC) requires that:

*‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment of its implications for the site in view of the site’s conservation objectives... competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the public’.*

3.2 The Conservation of Habitats and Species Regulations 2017 (often referred to as the Habitats Regulations) transpose the Habitats Directive into national law in England and Wales and require that HRA is applied to all statutory land use plans. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any European site.

3.3 Reference in this report to ‘European sites’ should be taken to include the following:

- Special Areas of Conservation (SACs) for habitats and species designated through the EU Habitats Directive;
- Special Protection Areas (SPAs) for the protection of wild birds and their habitats designated through the EU Birds Directive;
- Ramsar sites, identified through the Convention on Wetlands of International Importance; and
- Sites that are being considered for designation, referred to as Sites of Community Interest, candidate SACs or proposed SPAs.

### **Guidance and Best Practice**

3.4 This assessment is being undertaken in line guidance set out in the Habitats Regulations Assessment of Local Development Documents produced by DTA Planning. However, in addition to this guidance this report has been prepared having regard to the following key documents:

- the Habitats Regulations;
- all relevant judgments of the Court of Justice of the European Union, and the Courts in the UK;
- relevant guidance from the European Commission and the UK Government;
- authoritative, relevant decisions, for example, at Government level in Great Britain;

- good practice in undertaking such assessments, such as that published by Natural England, the Countryside Council for Wales and Scottish Natural Heritage and the RSPB.

3.5 The Local Green Spaces Screening Assessment has been carried out in accordance with guidance set out in 'Planning for the Protection of European Sites: Appropriate Assessment' which provides guidance in respect of the Habitat Regulations in preparing land use plans. Section 2.1 of this guidance document summarises the HRA process as comprising of three main tasks:

#### **Stage 1: Identifying whether a Plan is likely to have a significant effects**

This stage consists of identifying 'European' sites which could be affected by the Plan and reviewing the conservation objectives for each feature of the site. The changes that policies and proposals in the plan may cause are appraised and the likely effects on the interest feature of each site, either indirectly, directly, alone or in combination with other projects and plans is considered. Where no likely significant effects occur as a result of implementation, no further assessment is required.

#### **Stage 2: Appropriate Assessment**

Undertake an assessment of the implications of the plan (those policies and proposals within it identified in stage 1 as requiring further assessment) for each European site likely to be affected, in light of their conservation objectives. Review how the plan in combination with other plans or projects will interact and affect the site when implemented and consider how the effects of the plan on the integrity of the site could be mitigated and consider alternatives. If it can be demonstrated that the plan will not have an adverse effect on the European sites, the plan can be adopted. If the plan is still likely to have an adverse impact on the site(s) the Authority would be required to progress to stage 3 of the process

#### **Stage 3: Assessment where no alternatives exist**

The competent authority must demonstrate that there are no alternative solutions to the plan which are less damaging. The competent authority must establish whether there are '*imperative reasons of overriding public interest*' making it necessary to proceed with the plan or policy and identify and agree compensation measures and how these will be monitored.

3.6 This document sets out the Council's findings in respect of stage 1 of this process. The following section clarifies the scope of the assessment.

## 4.0 The Habitat Regulations Screening Process

4.1 There is no predefined guidance that dictates the physical scope of an HRA of a Local Plan. Therefore, in considering the physical scope of the assessment we were guided primarily by the identified impact pathways rather than by arbitrary 'zones'. Current guidance suggests that the following European sites be included in the scope of assessment

- All sites within the South Derbyshire District boundary, and
- Other sites shown to be linked to development within the District boundary through a potential 'pathway' (discussed below).

4.2 Briefly defined, pathways are routes by which a change in activity within the Plan area can lead to an effect upon a European site. In terms of the second category of European site listed above, previous DCLG guidance states that the assessment should be 'proportionate to the geographical scope of the plan and that 'an assessment need not be done in any more detail, or using more resources, than is useful for its purpose '.

### Sites within the District

4.3 There is a single Special Area of Conservation in South Derbyshire (the River Mease SAC). This site forms part of the southern boundary of the District and the river flows through a largely rural landscape in South Derbyshire. The Conservation Objectives for this site is as follows:

#### **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.

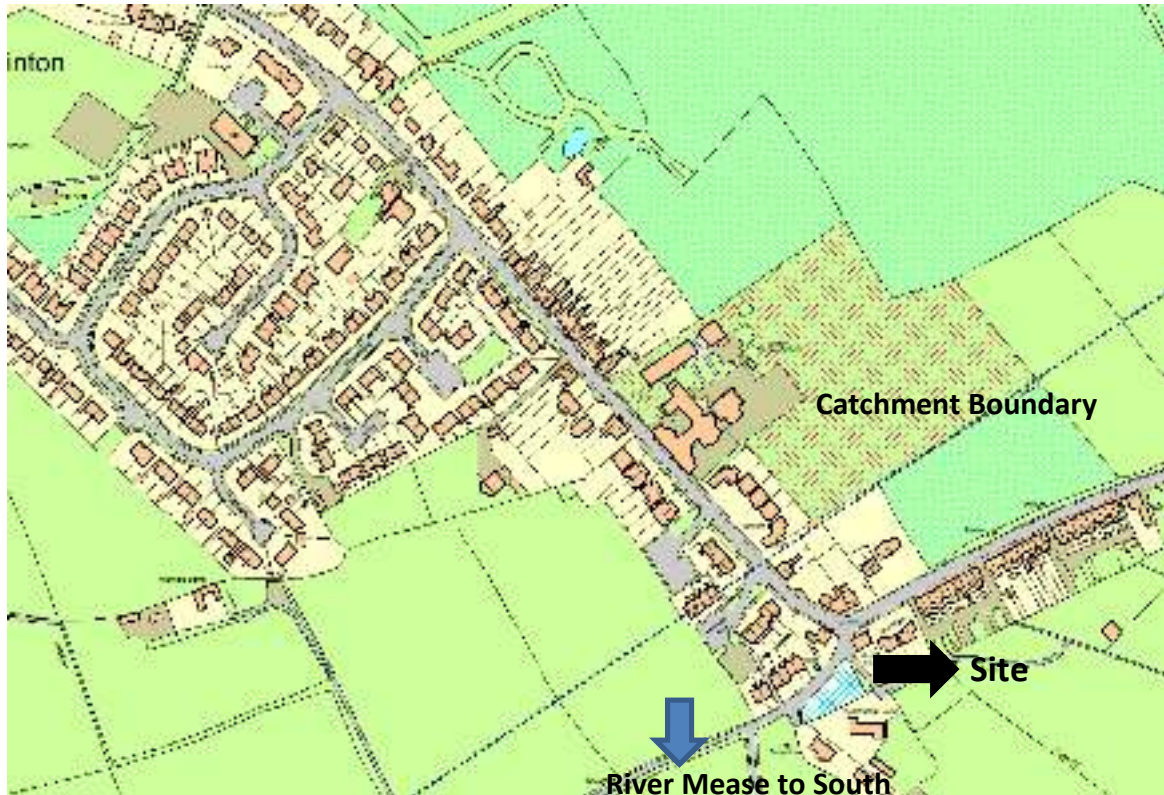
This document should be read in conjunction with the accompanying *Supplementary Advice* document which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

#### **Qualifying Features:**

H3260. Water courses of plain to montane levels with the *Ranunculus 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

- 4.4 Of the 104 sites proposed for designation only a single site is located within the catchment of the River Mease. This is site reference 168 (Linton Orchard) which is a small community orchard located in the vicinity of Linton Heath. It extends around 0.1ha. The location of the site is set out below:

**Figure 1 Location of Linton Orchard**



- 4.5 The site itself is located in excess of 4km from the SAC and would not lead to any physical loss of this site.

Threat															
	Hydrological Changes/Drainage	Water Quality/pollution	Inappropriate dams and weirs and other structures	Siltation	Inappropriate management	Public Access/Disturbance	Air Pollution	Wildlife	Changes in Species Distribution/low breeding	Disease	Invasive Species	Development/Planning Permission	Fertilizer use	Flytipping	Vandalism/Vehicle Use
Site															
River Mease SAC	✓	✓	✓	✓	-	-	-	-	-	-	✓	-	-	-	-

- 4.6 Moreover having reviewed the Conservation Objectives for the site and having regard to the scale and nature and location of the proposed designation included in the Plan it is considered that the Plan will have no effect on the SAC. This is because only a single site is located within the catchment of the SAC and this will not give rise to any effects in respect of the hydrology, water quality of the River. Moreover it will have no effect on existing structures, siltation and invasive species.

- 4.7 Sites outside of the catchment of the River would have no effect on the SAC as no pathways exists via which foul or surface water will find its way into the Mease.

#### Sites outside of the District

- 4.8 For the avoidance of doubt sites located outside of the District and previously considered during Habitat Regulations Assessments for the LP1 and LP2 are:

- West Midlands Mosses (10km from District Boundary)
- Bees Nest and Green Clay Pits (16.5km from District Boundary)
- Peak District Dales
- Gang Mine (17km from District Boundary)
- Pasturefields Salt Marsh (18.5km from District Boundary)
- Cannock Chase (20km from District Boundary)

- 4.9 The pressures and threats to these sites is set in the below table:

#### Identified Pressure/Threats to identified European Sites

Threat Site	Hydrological Changes/Drainage	Water Quality/pollution	Inappropriate dams and weirs and other structures	Siltation	Inappropriate management	Public Access/Disturbance	Air Pollution	Wildlife	Changes in Species Distribution/low breeding	Disease	Invasive Species	Development/Planning Permission	Fertilizer use	Flytipping	Vandalism/Vehicle Use
West Midlands Mosses	✓	✓	--	--	✓	--	✓	--	--	--	--	--	--	--	--
Bees Nest and Green Clay Pits SAC	--	--	--	--	✓	--	✓	--	--	--	--	--	--	--	--
Peak District Dales SAC	✓	✓	--	--	✓	✓	✓	--	--	✓	✓	--	✓	✓	✓
Gang Mines SAC	--	--	--	--	✓	--	✓	--	--	--	--	--	--	--	--
Pasturefields Salt Marsh.	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Cannock Chase	✓	--	--	--	✓	--	✓	✓	--	✓	✓	--	--	--	--

- 4.10 Having reviewed other European sites in located closest to South Derbyshire (and excluding the River Mease which is located within the District) it is inconceivable that this Plan would have any effect on these sites. This is because the Plan seeks to designate small areas of green space within the District and strictly control the nature and extent of development on these sites, protecting sites from development rather than seeking to deliver land use change to meet South Derbyshire's development needs.

## **5.0 Effects Summary – the Plan alone**

- 5.1 Having considered the Conservation Objectives and the identified sensitivities the River Mease and reviewed the identified the pressures or threats to this site it is inconceivable that the Plan would have any effect on the identified sites. This is because the Plan is only designating a single local green space within the River Mease catchment and the policies included in the Plan will apply solely to this site. Moreover the site is small scale, located a significant distance from the SAC itself, will not lead to changes in surface water or foul flows from the site, increase sediment or siltation entering the river or lead to any other conceivable effects.
- 5.2 The Plan will have no effect on European sites outside of the District by virtue of the nature of the sites designated and the distance of the proposed green spaces from the identified European sites located outside of the District.

## **6.0 Effects Summary – Plan in Combination**

- 6.1 In undertaking this assessment regard has been had to the preparation of relevant strategies and Plans which could act in-combination with the LGS Plan. These have chiefly comprised of existing or emerging Local Plans in surrounding Districts or Boroughs (and Habitat Regulations Assessments where these are available), as well as the River Mease Water Quality Management Plan, The River Mease Site Improvement Plan, the River Mease Restoration Plan and the River Mease Diffuse Water Plan.
- 6.2 However, it was considered unnecessary to undertake anything more detailed than brief appraisal of these documents given that the Local Green Spaces Plan is only allocating a single 0.1ha site (in use as a community orchard) within the catchment of the Mease. This is more than 4km from the SAC and as a local green space will, in effect, tighten planning control and so make development on this site less likely holding it in its current use.

Given that it is inconceivable that the Local Green Spaces Plan will have any effect alone it will not act in combination with other Plan or programmes to impact of the integrity of the SAC.

## **7.0 Conclusion**

- 7.1 Based on this screening assessment it is inconceivable that this Plan will have any effect on the River Mease SAC, or any other European sites located closest to the District either alone or in combination with other plans. On this basis there is no requirement to undertake an appropriate assessment.
- 7.2 The findings of this report have previously been subject to consultation with Natural England, the Environment Agency and wider stakeholders.

## **Habitat Regulations, Screening Report**

### **Proposed Submission Local Green Spaces Plan**



<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 10</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER, 2020</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (SERVICE DELIVERY)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>RICHARD GROVES, 01283 595738 <a href="mailto:richard.groves@south-derbys.gov.uk">richard.groves@south-derbys.gov.uk</a></b>	<b>DOC: s/Local/Plans/Committee Reports</b>
<b>SUBJECT:</b>	<b>CHANGES TO THE CURRENT PLANNING SYSTEM' MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS03</b>

## **1.0 Recommendations**

- 1.1 That the proposed answers to questions set out at Annexe B of the report be forwarded to the Ministry for Housing, Communities and Local Government as the Council's response to 'Changes to the Current Planning System' consultation.

## **2.0 Executive Summary**

- 2.1 The Ministry for Housing, Communities and Local Government (MHCLG) is consulting on proposed 'Changes to the Current Planning System'. The four main proposals are:
- changes to the standard method for assessing local housing need, which as well as being a proposal to change guidance in the short-term has relevance to proposals for land supply reforms set out in 'Planning for the Future';
  - securing of First Homes, sold at a discount to market price for first time buyers, including key workers, through developer contributions in the short-term until the transition to a new system;
  - temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing, to up to 40 or 50 units to support Small to Medium-Sized Enterprise (SME) builders as the economy recovers from the impact of Covid-19;
  - extending the current Permission in Principle to major development so landowners and developers now have a fast route to secure the principle of development for housing on sites without having to work up detailed plans first.
- 2.2 The consultation document poses a series of questions, the proposed Council responses to which are set out in the 'Conclusions' section of this report. In summary:
- There is concern that the proposed new standard approach to calculating the local housing need, which looks at household formation rates and the trend in home

affordability, would result in a hugely inflated level of provision within South Derbyshire. This would far exceed the extent of true local need, leading to the loss of greenfield land on an unprecedented scale, potentially overwhelming local communities. Furthermore, under the terms of the current National Planning Policy Framework (NPPF) after five years have elapsed since adoption of the Local Plan Part 1 (June 2021) the new methodology would form the basis for the calculation of the Council's five-year housing land supply, pending the adoption of a replacement Local Plan. The Council would not be able to demonstrate the availability of sufficient deliverable sites to meet the new target at that point, leaving the District far less able to guard against unwelcome housing development proposals on unallocated sites. The report, therefore, proposes an alternative approach, which would result in a more realistic and less harmful housing requirement.

- The Government proposes that 25% of affordable housing provision should take the form of First Homes (market homes sold at a 30% discount in perpetuity) and the report proposes that local planning authorities (LPAs) be permitted to negotiate with the developer the proportion of the remainder to be allocated to shared ownership and affordable rented homes to reflect local needs.
- Objection is made to the proposal that existing exemptions from the requirement that 10% of homes on major sites should be for affordable home ownership products should also apply to the First Homes requirement on the basis the sites should provide for a range of housing needs.
- Greater clarity is sought as to transitional arrangements to be applied moving from the current arrangements for securing affordable housing in new development to the proposed new policy, allowing time for LPAs to make necessary preparations.
- Objection is made to both the setting of national price caps and discounts in for First Homes pending the review of Local Plans, as LPAs are best placed to determine appropriate local levels.
- Reservations are expressed about the proposal to allow a limited element of market housing on sites to facilitate the delivery of affordable homes and it is considered that limits on acceptable amounts should be set by local authorities.
- Support is expressed for the removal of site size thresholds, which establish the area above which affordable housing provision will be required, from the NPPF.
- Support is expressed for the proposed exemption from the requirement for First Homes provision in designated rural areas and it is considered that the definitions relating to such areas in legislation and national policy should remain unchanged.
- The Government proposes to raise the site size threshold at which developers will be expected to deliver affordable housing for a time limited period to support SMEs in the post COVID-19 economic recovery. This is strongly opposed as it would undermine the delivery of needed affordable housing and should be based upon local viability. However, should thresholds be raised, it is proposed that these be reviewed at 12-month intervals, rather than after 18 months as the Government intends. Alternative approaches to supporting SMEs are suggested.
- Proposals for reduced site size thresholds at which affordable housing provision will be required for rural areas are supported.
- It is agreed that Permission in Principle for major development would be beneficial for this route to be open to landowners and developers benefitting from an allocation or seeking certainty on a major development opportunity.
- It is agreed that the new Permission in Principle for major development should set a limit on the amount of commercial development
- It is considered that information requirements for Permission in Principle by application for major development should be expanded as there may be localised matters which need to be considered in principle.

- It is considered that there should be an additional height parameter for Permission in Principle so that a limit can be set on any proposal granted.
- The proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap is supported.
- It is considered that the flat fee for Permission in Principle is appropriate. The amount per hectare needs to reflect the extent of the site concerned and the associated level of interest attracted as a consequence.
- It is agreed that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register?
- It is considered that guidance would help support applicants and LPAs to make decisions about Permission in Principle drawing on case examples would be prudent.
- It is considered that the benefits of Permission in Principle would allow for developers to secure the principle of development on larger sites and commit towards master planning and technical study work in the knowledge that the principle of development has been established. The costs would largely be on the local authority, although an appropriate fee structure and clear information requirements (placed on the applicant) would address these concerns.
- It is considered that landowners and developers are only likely to use Permission in Principle to a limited extent.

### **3.0 Purpose of the Report**

- 3.1 To agree the Council's response to the MHCLG consultation on 'Changes to the Current Planning System'.

### **4.0 Detail**

- 4.1 This consultation accompanies 'Planning for the Future', which is the subject of a separate report to this Committee meeting. It sets out proposals for measures to improve the effectiveness of the current system.

#### Assessing Housing Need

##### The standard method for assessing housing numbers in strategic plans

- 4.2 This consultation is seeking views on changes to planning practice guidance on the standard method for assessing local housing need ("the standard method"), which will be used as the basis for plans created prior to any changes outlined in Planning for the Future being introduced.
- 4.3 The standard method identifies the minimum number of homes that a local authority should plan for in an area. The NPPF says that this number should be considered in making sure enough land is identified to accommodate the new homes. It forms a starting point for the determination of the local housing 'requirement' to be identified in future local plan reviews.
- 4.4 The NPPF and associated planning practice guidance set out that local areas should identify enough land by using the housing need reflected by the standard method to:
- a. identify the minimum number of homes that their communities need;
  - b. consider whether local circumstances mean that actual need is higher than that minimum (because, for example, strategic infrastructure is expected or growth beyond past trends is anticipated);
  - c. seek as a minimum to meet those needs by ensuring that sufficient land can be released over at least the next 15 years.

#### The current standard method for assessing local housing need

- 4.5 Currently, the method comprises a baseline of household projections which are then adjusted to take account of affordability and capped to limit the increase for areas. Household projections have attracted criticism for their volatility and the way in which they can result in inaccurate forecasts in some places by projecting past trends forward. It has been argued recently that reductions in projected growth should lead to less homes being built, but the consultation paper states that this should not be the logical conclusion.

#### The Government's proposed approach

- 4.6 The Government has based the proposed new approach on a number of principles, including ensuring that it delivers a number consistent with the commitment to plan for the delivery of 300,000 new homes a year and targeting more homes into areas where they are least affordable.
- 4.7 The Government proposes to introduce a new element into the standard method, a percentage of existing housing stock levels, which takes account of the number of homes that are already in an area. This is intended to provide greater stability and predictability and to ensure that diverse housing needs in all parts of the country are taken account of. The proposals will also retain a role for household projections.
- 4.8 The Government also proposes to introduce an affordability adjustment that takes account of changes over time, in addition to the existing approach of considering absolute affordability. This is intended to ensure that homes are planned for where they are least affordable. For example, where affordability improves, this will be reflected by lower need for housing being identified. The Government also proposes to remove the cap which artificially suppresses the level of housing identified. The details of the methodology are set out in Annexe A of this report.

#### Result of the revised standard method

- 4.9 The Government has calculated that the proposed standard method would result in a national housing need of 337,000 based on currently available data. Since not all homes that are planned for are built, the proposed standard method total is designed to provide enough land to account for the drop-off rate between permissions and completions.
- 4.10 The revised method identifies 76% of local housing need nationally focused in local authorities classified as urban (10,000 people or more in a built-up area – i.e. major and minor conurbations, cities and towns and towns in a sparse setting) by the 2011 Office of National Statistics (ONS) classification. 141 authorities (excluding London boroughs) will have a change of over 25% when compared to the higher of what areas have most recently planned for or the number produced by the current standard method. These include South Derbyshire.

#### **Delivering First Homes**

- 4.11 First Homes are a new affordable home ownership tenure planned by the Government, it is proposed that 25% of all affordable homes delivered on-site will be First Homes, mandated in forthcoming legislation. The homes will be sold to first time buyers with a household income below £80k at a discount of 30% below the market value, with prices capped at £250k before discount. The discount will be held in perpetuity to ensure the homes are retained as affordable housing for future generations. A local authority can alter the discount or lower the price cap through the local plan review process if they feel they are unaffordable for their area, however, evidence on the viability of delivery of these homes will be required. In addition, a local authority can also place restrictions on the sale of these homes to

people with a local connection for a period of three months, after which they will be open to anyone with a connection within England to purchase.

- 4.12 The Government consultation on the 'First Homes' initiative was the subject of a report to the Council's Housing and Community Services Committee on 12 March 2020 (ref HCS/91). The report concluded that whilst the new tenure would increase the number of affordable homes delivered, as the scope of what is deemed 'affordable' would be expanded, the discounted homes would not be accessible to the majority of households on the Council's waiting list who needed secure, affordable rented housing in the longer-term. It was considered important that upper value thresholds be set at a local, rather than national, level and that purchasers be means tested.

#### The Government's Proposed Approach

##### Percentage of affordable housing secured through developer contributions

- 4.13 The Government intends to set out in national policy that a minimum of 25 per cent of all affordable housing units secured through developer contributions should be First Homes. Initially these will be secured through Section 106 planning obligations but, under proposed reforms, these would subsequently be secured through the Infrastructure Levy (see Planning for the Future).
- 4.14 In accordance with the NPPF, affordable housing is expected to be delivered onsite unless offsite provision or a financial contribution in lieu can be justified. Currently, around four per cent of affordable housing contributions are secured as cash or land contributions, rather than as onsite affordable housing. Therefore, in the majority of cases, onsite delivery would be expected under this policy. However, where cash contributions to affordable housing are secured instead of onsite contributions, a minimum of 25 per cent of these should be used to secure First Homes. This could be achieved, for instance, by acquiring additional First Homes from market development, paying the developer a sum to offset the discount from market price, and securing the tenure through section 106 planning obligations. Where a mixture of cash and onsite contributions are secured, 25% of the overall value of contributions should be applied to First Homes.
- 4.15 South Derbyshire Local Plan Part 1 Policy H21 'Affordable Housing', indicates that the Council will seek up to 30% affordable housing on sites of over 15 dwellings with reference to the local housing market; viability; tenure mix and dwelling type based on the Strategic Housing Market Assessment and proposed phasing.
- 4.16 The NPPF currently states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. Under the proposed approach, therefore, it is necessary to define the criteria for policy compliance, under which a development is assumed to be viable.
- 4.17 The Government proposes that, under the new system, a policy compliant planning application should seek to capture the same amount of value as would be captured under the local authority's up-to-date published policy. For instance, a local policy may require 20% affordable housing on site, half of which is shared ownership, and half of which is social rent. The plan viability assessment will set out assumptions on the amount of value captured – for example, a social rent home may be discounted by 50% from market price, and a shared ownership home may be discounted by 20%. This allows the total value captured under the policy to be calculated. This value can then be reallocated to a different affordable housing mix under the new policy.

4.18 In addition to capturing the same amount of value towards affordable housing as the existing policy, where onsite affordable housing is required, a policy compliant application will have a minimum of 25% of affordable housing units onsite as First Homes. For the remaining 75% of affordable housing secured through developer contributions, there are two broad options:

- Option 1: Where a local authority has a policy on affordable housing tenure mix, that policy should be followed, but with First Homes delivering a minimum of 25% of the affordable housing products. First Homes should replace, as a priority, other affordable home-ownership products, as defined in the NPPF, prioritising the replacement of those tenures which secure the smallest discount from market price.

- i. Where this replaces all home ownership products, any rental products are then delivered in the same ratio as set out in the local plan policy. For instance, if a local plan policy requires an affordable housing mix of 20% shared ownership units, 40% affordable rent units and 40% social rent units, a compliant application would deliver an affordable housing tenure mix of 25% First Homes; 37.5% affordable rent and 37.5% social rent.

- ii. Where this does not replace all home ownership products, the remainder of the home ownership tenures are delivered, and the rental tenure mix is delivered in line with the proportions set out in the local authority plan policy. For instance, if a local plan policy requires 80% of units to be shared ownership and 20% to be social rent, a policy compliant application would deliver 25% First Homes units, 55% shared ownership and 20% social rent.

- Option 2: A local authority and developer can negotiate the tenure mix for the remaining 75% of units. If a local authority has an up-to-date policy on cash contributions in lieu of onsite contributions, then a policy compliant application will align with this approach.

4.19 Option 1 would provide more early clarity for developers as to what constituted a policy compliant development, and would reduce negotiation, which can slow the development process. Option 2 would give local authorities more flexibility but would increase delay. For that reason, the Government prefers Option 1.

4.20 Currently, sites or proposed developments such as those that provide solely for Build to Rent homes are exempt from requirements to deliver affordable home ownership products. This is set out in paragraph 64 in the NPPF. In line with existing policy, the Government is considering how to implement these exemptions with regards to First Homes.

#### Local plans and transitional arrangements

4.21 Where local authorities choose to update their tenure mix to reflect the proposed new policy, they can do this through a local plan review, although the Government believes that prioritising the replacement of home-ownership tenures by First Homes will reduce the need for this.

4.22 Where significant work has already been undertaken to progress a planning application, including where there has been significant pre-engagement with a local authority on the basis of a different tenure mix of affordable housing, the local authority should have flexibility to accept alternative tenure mixes, although they should consider whether First Homes could be easily substituted for another tenure, either at 25% or a lower proportion.

#### Level of discount

- 4.23 The minimum discount for First Homes should be 30% from market price which will be set by an independent registered valuer. The valuation should assume the home is sold as an open market dwelling without restrictions. Local authorities will have discretion to increase the discount to 40% or 50%. This would need to be evidenced in the local plan making process. Where discounts of more than 30% are applied to First Homes, the requirement for a minimum of 25% of units onsite to be First Homes will remain in place.

#### Community Infrastructure Levy

- 4.24 In line with other affordable housing tenures, it is intended to introduce an exemption from the Community Infrastructure Levy (CIL) for First Homes. This will be introduced nationally through regulations. Further proposals are being developed for an Infrastructure Levy, to replace CIL and Section 106 planning obligations. First Homes and affordable housing delivery will remain integral to this approach. The balance of infrastructure and affordable housing will be considered as part of this.

#### Exception sites and rural exception sites

- 4.25 It is intended to introduce a First Homes exception sites policy, to replace the existing entry-level exception sites policy. Exception sites are small sites brought forward outside the local plan to deliver affordable housing. It is proposed that the amended policy will specify that the affordable homes delivered should be First Homes for local, first-time buyers. There will be the flexibility in the policy to allow a small proportion of other affordable homes to be delivered on these sites where there is significant identified local need as well as a small proportion of market homes where this would be necessary to ensure the viability of the site overall. This policy will not apply in designated rural areas, where delivery will be through the rural exception sites policy.
- 4.26 It is intended to remove the NPPF threshold on site size that currently applies for entry-level exception sites. However, the requirement that First Homes exception sites should be proportionate in size to the existing settlement will be retained.
- 4.27 It is intended to protect the important role that rural exception sites play in delivering affordable homes in rural areas, with rural exception sites being retained as a vehicle for delivering affordable housing in designated rural areas. However, it is recognised that this delivery mechanism is currently underused in many cases, and planning guidance will be updated in due course.

#### Next steps

- 4.28 It is intended to begin by making planning policy changes, to ensure that clear expectations are set. However, to ensure that First Homes are delivered, nationwide, on a consistent basis, the Government is keeping under consideration the option to strengthen the policy through primary legislation at a future date. Significant reforms to developer contributions are also being considered.

#### **Supporting Small and Medium Sized Developers (SMEs)**

- 4.29 SMEs make an important contribution to overall housing supply. Small sites typically build out more quickly than larger sites, as they are less constrained by the market absorption rate. SMEs build the majority of smaller sites. In addition, the majority of apartments across the country are built by SME builders. As well as having national importance, SMEs play a significant role in local areas – providing increased choice

in type and design of housing. A range of builders, using different designs, across different site sizes in different locations increases build out rates and overall supply.

- 4.30 SME builders have been declining over the long-term and were hit hard by the last recession. There were 16% more builder and developer insolvencies in 2019 than in 2018, the vast majority of which were SMEs. They are now under further pressure due to Covid-19.
- 4.31 Contributions from developers play an important role in delivering the infrastructure and affordable housing to support communities and local economies. Local authorities can obtain these contributions by negotiating Section 106 planning obligations with a developer, as is the case in South Derbyshire, or charging a CIL on new development.
- 4.32 The Government has introduced legislation to give local authorities more flexibility to support SMEs, by allowing them to defer CIL payments to assist with cashflow, while ensuring that contributions towards infrastructure are still payable in the longer-term.
- 4.33 To support SMEs in the medium-term during economic recovery from Covid-19, the Government is also proposing to reduce the burden of contributions for more sites for a time-limited period.

#### Developer contributions

- 4.34 National policy states that affordable housing contributions should not be sought for developments of fewer than 10 units (small sites). This is to ensure that a disproportionate burden of developer contributions is not placed on SMEs. In designated rural areas policies may set out a lower threshold of five units or fewer.
- 4.35 To stimulate economic recovery with a particular focus on SMEs, the threshold for affordable housing contributions could be raised. For example, for a threshold of up to 40 units the Government would expect to see a reduction of between 7% and 14% of Section 106 affordable housing delivery over a single year, assuming overall housing delivery remained constant. For a threshold of up to 50 units, this would be between 10% and 20%. However, the Government anticipates that raising the threshold would make more sites viable for SME developers and would increase the pace of their delivery as the need for negotiation would be removed.
- 4.36 To ensure that this measure does not inflate land prices in the longer-term, it is proposed that the higher threshold is implemented for a time-limited period and lifted as the economy recovers from the impact of Covid-19. This should also minimise any constraints on the introduction of First Homes.

#### The Government's proposed approach

- 4.37 It is proposed to raise the small sites threshold to up to either 40 or 50 new homes through changes to national planning policy the Government is seeking views on the most appropriate level. These thresholds balance the aim of supporting SMEs with the need to deliver new affordable homes. This will be for an initial period of 18 months in which the impact of the raised threshold on the sector will be monitored before reviewing the approach.
- 4.38 National policy currently sets out a site size threshold for residential development in addition to number of homes, stating that affordable housing contributions should not be sought for developments that have a site area of less than 0.5 hectares. It is proposed to increase the site size threshold at the same proportion as the increase in

number of homes threshold and views are sought on whether this is the most appropriate approach.

- 4.39 There could be adverse threshold effects whereby developers attempt to bring forward larger sites in phasings of up to 40 or 50 homes (depending on which threshold is taken forward in legislation) to avoid contributions. To minimise the impact of this potential threshold effect, it is proposed to set out in planning guidance how local planning authorities can secure contributions for affordable housing where it is apparent that a larger site is being brought forward.

#### Affordable housing in rural areas

- 4.40 In designated rural areas, LPAs can set a lower threshold of five units or fewer in their plans. Rural local authorities secure greater proportions of their housing supply as affordable on average when compared to urban local authorities. In designated rural areas, it is therefore proposed to maintain the current threshold.

### **Extension of the Permission in Principle consent regime**

#### Introduction of applications process for major developments

- 4.41 Permission in Principle was introduced in 2017 as a new faster way of obtaining planning permission for housing-led development, which reduced the need for landowners and developers to incur significant costs to establish the principle of development for housing on brownfield land. Permission in Principle by application was introduced in 2018, for minor developments (i.e. small sites that support fewer than 10 dwellings). To date in South Derbyshire no sites have been granted Permission in Principle.
- 4.42 Permission in Principle is designed to separate decision making on 'in principle' issues addressing land use, location, and scale of development from matters of technical detail, such as the design of buildings, tenure mix, transport and environmental matters. The aim is to give up-front certainty that the fundamental principles of development are acceptable before developers need to work up detailed plans and commission technical studies. It also ensures that the principle of development only needs to be established once.
- 4.43 The Permission in Principle consent route has two stages:
- the first stage ("Permission in Principle") establishes whether a site is suitable in-principle for development. This grant of Permission in Principle is for five years and no planning conditions can be attached to it
  - the second ('technical details consent') stage is when the detailed development proposals are assessed, and conditions can be attached
- 4.44 A grant of Permission in Principle plus a grant of technical details consent together equates to full planning permission.

#### Securing the principle of development for housing on more sites

- 4.45 To support economic recovery, it is proposed to make it easier for landowners and developers to have certainty that the principle of development for housing only needs to be established once in the process before developers need to get into more costly, technical matters. This is particularly important for smaller sites which have not been allocated in local plans and where there is now, due to the rapidly changing economic circumstances, a desire by landowners to release the land for housing.
- 4.46 The Planning for the Future consultation document proposes that land allocated for substantive development in local plans should automatically be granted a form of

permission of principle. As this new framework will take time to implement, the Government wishes to expand the current Permission in Principle framework for housing-led development as an early opportunity to move towards this new approach.

#### Extending Permission in Principle to cover major development

- 4.47 Restriction limiting the scope of the principle to minor development limits its potential. In particular, in town centres and other high-density urban areas, relatively small sites are capable of supporting apartment developments of over 10 units, but their scale means they are ineligible for Permission in Principle applications.
- 4.48 It is, therefore, proposed to remove the restriction in the current Permission in Principle regulations to major development. Currently, 84% of planning applications for residential development are for schemes of 10-150 homes, which deliver 46% of new housing development each year.
- 4.49 It is envisaged that a change of this kind will particularly benefit SME developers and in doing so will complement the Government's wider initiatives to support SMEs.
- 4.50 Permission in Principle by application will not in practice be a route to permission for large sites capable of delivering more than 150 dwellings or more than five hectares – the Environmental Impact Assessment (EIA) Regulations 2017 Schedule 2 threshold for urban development, save where a screening opinion has been obtained which concluded the proposal was not EIA development. Similarly, Permission in Principle will not be suitable for sites in areas where, applying the Conservation of Species and Habitats Regulations 2017, there is a probability or risk that the project is likely to have a significant effect on a European site, unless the application was accompanied by an appropriate assessment demonstrating there was unlikely to be significant impact on the site.
- 4.51 Permission in Principle by application may include other uses as retail, offices, or community spaces. However, housing must occupy the majority of the overall scheme. Additionally, non-housing development should be compatible with the proposed residential development.
- 4.52 The current regulations for Permission in Principle by application for minor development sets a limit of commercial development to 1,000 sqm, with a maximum size capped at 1 hectare. For the expanded Permission in Principle route extending to major development, it is not proposed to set a limit for commercial development space. This is because it is considered that it will be unnecessary to do so as it will still be the case that Permission in Principle should only be granted for development that is housing-led.

#### Process for making a Permission in Principle application for major development

- 4.53 It not intended to make any significant changes to the current process set out in regulations for granting Permission in Principle by application. This includes the five-week determination period and the 14-day period for consultation with the public and statutory consultees. However, views are sought on maintaining the existing information requirements and publicity arrangements as these may need to be amended.

#### Information requirements

- 4.54 The primary decisions about when to grant Permission in Principle will be locally driven, taking account of national and local policy. Permission in Principle must be followed by an application for technical details and consent to agree the details of the

scheme before the applicant obtains full planning permission and can start work on site.

- 4.55 It is anticipated that the process for making a Permission in Principle application for a major development would follow these same procedures, where the relevant matters for consideration are location, land use and the amount of development.
- 4.56 A Permission in Principle application must be made in writing on a form published by the Secretary of State (or a form to substantially the same effect) and include the particulars specified or referred to in the form which include: a description of the proposed development; the proposed minimum and maximum number of dwellings; the amount of any non-residential development; the size of the site in hectares and a brief description of any supporting information that is accompanying the application. The local planning authority may not require the submission of any other information, including that specified on its local list.
- 4.57 For the Permission in Principle stage, it is intended to apply broadly the same information requirements as for minor development applications, i.e. the developer would only have to provide information as to: the minimum and maximum net number of dwellings and a map or plan of the site (drawn to an identified scale). Technical details consent requirements would provide the necessary supplementary information for the local planning authority to determine the application.
- 4.58 The Government is interested in whether, given the larger scale of development, there should be an additional maximum height threshold parameter, in terms of number of storeys, as part of the Permission in Principle.

#### Publicity arrangements

- 4.59 Publicity requirements for Permission in Principle by application, as set out in regulations, require local planning authorities to publicise consultations by site notice and by including the application on their website. By contrast, applications for planning permission require the above plus the placing a notice in a local newspaper.
- 4.60 Given the shorter timescales for determining Permission in Principle applications the Government wishes to ensure that local communities are notified quickly about an application. In May 2020 temporary regulations were introduced to provide flexibility to how local planning authorities can publicise applications if they cannot meet existing statutory requirements, including through the use of social media. Feedback is sought as to whether there would be benefits in amending the publicity requirements for Permission in Principle to enable similar flexibility or whether they should be subject to more traditional publicity requirements such as notices in newspapers.
- 4.61 It is planned to retain the current publicity requirements for statutory consultees and parish councils.

#### Revised fee structure to incentive Permission in Principle by application

- 4.62 The current fee for Permission in Principle by application for minor development is £402 per 0.1 hectare (capped at a maximum of one hectare), which is to cover the costs incurred in processing the application, as well as the costs of undertaking consultation and assessment against local and national policy.
- 4.63 Under this fee structure, a Permission in Principle application for a one-hectare development would cost approximately £4,000, which is only slightly less than the cost of an outline planning application. The Government proposes

Permission in Principle by application as a faster and cheaper alternative to outline permission and has considered a number of options to facilitate this. Options considered include: a) retaining the current fee structure based on a flat fee per 0.1 hectare but with a lower fee; b) adopting a site-size criterion, with a charging scheme based on the actual number of dwellings (NB. this is not considered practical because the exact number of housing units in the proposed scheme will not be known until the applicant submits the technical details consent application); and c) officers' preferred option of a simplified banded fee structure, with a fixed fee per 0.1 hectare in each band, and maximum fee cap based on the following site sizes:

- less than 1 hectare (= £x fee per 0.1 hectare)
- between 1 to 2.5 hectares (= £y fee per 0.1 hectare)
- more than 2.5 hectares, capped at a maximum (= £z fee per 0.1 hectare, capped)

4.64 The Government considers these lower fees to be reasonable because an LPA only needs to make a decision on the principle of the development, not on the technical details of the development like a normal planning application.

#### Brownfield Land Registers and Permission in Principle

4.65 Every local authority is required to publish and maintain a Brownfield Land Register, which provides up-to-date, digitally and publicly available information on brownfield land that is suitable for housing. Brownfield Land Registers are divided into two parts. Part 1 contains a list of brownfield sites that are considered appropriate for residential development; and Part 2 consists of sites which have been taken forward from Part 1 of the register and granted automatic Permission in Principle by the local planning authority (following consultation). Individual Permission in Principle applications granted by local planning authorities from sites that were contained in Part 1 of the Brownfield Land Register must also be included in Part 2 of the Register. To date in South Derbyshire no sites on the Brownfield Land Register have been granted Permission in Principle.

4.66 To ensure that Brownfield Land Registers continue to be a single source of information for developers and to inform the national brownfield map in the short term, it is proposed that all Permission in Principle by application "consents" that are on brownfield land should also be automatically recorded in Part 2 of the Brownfield Land Register. In the longer-term, under the Planning for the Future proposals, as the new local plans are produced, it is intended to review the role of Brownfield Land Registers.

#### Additional guidance to support implementation

4.67 Understanding of this consent route among landowners, developers and local planning authorities is often limited. It is proposed to provide further clarity in guidance on the purpose, process and benefits of Permission in Principle to help mitigate this.

#### Next steps

4.68 Following this consultation, if the Government introduces Permission in Principle by application for major development, it aims to introduce amending regulations this Autumn, with the regulations expected to come into force by the end of the calendar year. Changes to the fee structure would require separate changes to the Planning Fees Regulations.

## **5.0 Financial Implications**

5.1 The First Homes proposals may potentially present resourcing implications for the Strategic Housing Service, although it is not clear whether this will be the case at this

stage. It is understood that the Government has indicated that New Burdens funding may be made available to assist in this regard.

- 5.2 The expansion of Permission in Principle may have implications for planning fee income and Development Management resourcing, although these cannot be quantified at this stage.

## **6.0 Corporate Implications**

- 6.1 **Employment Implications:** The proposed changes will lead to additional work for the Strategic Housing Team in terms of assessment for eligibility of prospective First Home occupants. It is not clear at this stage whether this can be absorbed within existing staffing capacity.
- 6.2 The proposals concerning Permission in Principle may have implications for the resourcing of the Planning Service, although these cannot be quantified at this stage.
- 6.2 **Legal Implications:** The Government states that it intends to raise the site size threshold (in terms of numbers of dwellings) at which affordable housing provision may be required, in order to support SME builders through legislation (see para 4.38 of this report). To ensure that First Homes are delivered, nationwide, on a consistent basis, the Government is keeping under consideration the option to strengthen policy through primary legislation at a future date.
- 6.3 **Corporate Plan Implications:** The proposed changes have implications for the strategic priorities and objectives contained in the Council's Corporate Plan in terms of 'enabling the delivery of housing across all tenures to meet Local Plan targets' through market and affordable housing provision with a potential detrimental impact on rented affordable delivery; 'improving the environment', insofar as the changes will lead to a significant increase in the quantity of greenfield land to be developed to meet forecast housing requirements; and 'encouraging and supporting business development and new investment in the district' insofar as the proposals may potentially offer support for the development industry, particularly in the SME range.
- 6.4 **Risk Impact:** The potential risk in regard to the proposed new standard method for calculating housing need is that the levels of overall housing provision may exceed actual levels of need within the District, leading to the unnecessary loss of undeveloped greenfield land and adverse impacts on local communities. Under terms of the current NPPF, that figure will become the basis for calculating the target against which the Council's housing land supply will be measured after the expiry of the five-year period following Local Plan adoption, that date being June 2021. This could severely weaken the Council's position in guarding against unwelcome development on unallocated sites pending the adoption of a replacement Local Plan.
- 6.5 The delivery of shared ownership homes will be significantly impacted by the proposals for First Homes. In terms of affordability and raising a deposit, shared ownership is a more affordable product. If the Council chose to seek to address this in the forthcoming Local Plan review by lowering the price cap or increasing the percentage discount below those to be set at the national level, the amount of money that could be raised for affordable housing delivery through the proposed new Infrastructure Levy would be reduced.
- 6.6 The proposal to raise site size thresholds for affordable housing contributions during the post COVID-19 economic recovery will have a substantial impact on delivery, that cannot currently be quantified. The proposed scheme may not serve its intended purpose of supporting [Blue built](#) the area as it does not guarantee

small sites will be developed by SMEs, takes no account of property values of different areas and may lead to land banking until the market recovers. No indication has been given as to the date from which the new thresholds will be effective and whether it will impact sites already under construction, those with outstanding permissions or new just new applications. It may present a perverse incentive to under-deliver housing on a site to avoid the contribution.

- 6.7 The need for the Council to perform well in regard to the Housing Delivery Test will increase affordable housing completions required at a time when the Council's delivery will be hampered by raised thresholds.
- 6.8 There is a risk that unless local authorities are granted the scope to require more detail than is currently required to be submitted, Permission in Principle applications for major development may provide insufficient information to ensure that community needs and potential impacts of development are properly addressed.

## **7.0 Community Impact**

- 7.1 **Consultation:** Public consultation on applications for Permission in Principle proposals will involve a narrower range of planning considerations than is the case with an outline planning application. Other considerations will be submitted and made available for public consultation at the 'technical details consent' stage.
- 7.2 **Equality and Diversity Impact:** The proposed standard method for assessing housing need is intended to improve affordability by targeting delivery of new homes according to the scale of local need. The temporary raising of the development size threshold (in terms of housing numbers) at which the developer may be required to make provision for affordable housing and the requirement to include First Homes may impact on specialist housing delivery, in particular for those with physical disabilities, learning disabilities, older people and people suffering with poor mental health who need supported accommodation.
- 7.3 **Social Value Impact:** The proposals are intended to address housing need as described in para 7.2, above. Assistance for SME developers is intended to enhance the viability of such local employers, which may have a positive impact on job numbers in this sector.
- 7.4 **Environmental Sustainability:** Potential social implications relate to the potential detrimental impact on the provision of homes to meet the full range of needs. Potential economic implications relate to support for the development sector, particularly SME builders. Potential environmental implications relate to the potential loss of a greater quantum of undeveloped greenfield land.

## **8.0 Conclusions**

- 8.1 The consultation document poses a series of questions and it is proposed that the suggested answers to these, set out at Annexe B, should form the basis of the Council's response to the consultation exercise.

## **9.0 Background Papers**

"Changes to the Current Planning System"

Ministry for Housing,  
Communities and Local  
Government, August 2020

## Explanation of the Proposed Formulae for Calculating Local Housing Need

### “Step 1 Setting the baseline – providing stability and certainty by incorporating a blend of household projections and stock”

*“We consider that the baseline for the standard method should be whichever is the higher of 0.5% of existing housing stock in each local authority OR the latest projected average annual household growth over a 10-year period.*

*“Recognising the limitations of household projections for the purposes of identifying housing need, the Government considers that they continue to remain the best way of projecting forward likely trends in household formation. Household projections therefore continue to form a part of the baseline, but will act as a “top-up” to a basic percentage of existing stock in each area. This allows areas that experience significant increases in projections compared to existing stock to plan for the homes they may need as a result of recent trends. This results in a “higher of” approach.*

*“Focusing the new standard method baseline on stock with a household projections “top-up” helps bring stability to the method. This is because stock is stable and does not vary significantly, unlike a household projections-only approach. It is based on current data, and is also a tangible and easily understandable concept. Using stock will ensure that all areas, as a minimum, are contributing a share of the national total, proportionate to the size of their current housing market. Basing the approach on stock also helps to reinforce development in existing urban areas, thereby ensuring that new homes can maximise existing infrastructure such as public transport, schools, medical facilities and shops.*

*“We propose a simple 0.5% of existing stock as a starting point for the baseline. The most robust data source of stock levels is the annually published Dwelling stock estimates by local authority districts and the most recent data published at the time should be used. The number of net additional dwellings delivered in 2018-19 represents an increase of approximately 1% on the previous dwelling stock estimate of 24.2 million dwellings in England as at March 2018. 0.5% represents a basic level of increase in all areas without putting a disproportionate emphasis on existing stock levels.*

*“The household projections element of the baseline will use the latest ONS national household growth projections for the local authority area (Principal projection, table 406). The projected average annual household growth over a 10-year period (10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period) will be used.*

*“Whichever is higher of 0.5% of existing stock or the projected average annual household growth over a 10-year period will be used as the baseline. Note the overall outcome of the baseline should not be considered in isolation, as it forms proportionately less of the overall need number than the current standard method does. This is because the revised formula puts a greater weighting on market signals in Step 2.”*

### “Step 2 Adjusting for market signals – maintaining price signals using the current affordability ratio and the change in affordability over the last 10 years”

*“We propose the standard method will include two adjustments to the baseline using the workplace-based median house price to median earnings ratio. Initially it is proposed that the ratio for the most recent year for which data is available in order to address current*

affordability of homes would be used. Then how affordability has changed over the last 10 years of published data would be incorporated, using that same statistic.

*“The precise formula is as follows:*

*Adjustment Factor*

$$= \left[ \frac{((\text{Local affordability ratio}_{t=0} - 4) \times 0.25)}{4} + ((\text{Local affordability ratio}_{t=0} - \text{Local affordability ratio}_{t=-10}) \times 0.25) \right] + 1$$

*Where  $t = 0$  is current year and  $t = -10$  is 10 years back.*

*“The Government considers that price signals, in the form of an affordability adjustment, are an integral part of the standard method. High house prices indicate a relative imbalance between the supply and demand for new homes, making homes less affordable. The affordability of homes is the best evidence that supply is not keeping up with demand.*

*“The workplace-based median house price to median earnings ratio is a nationally recognised and robust publicly available national statistic. It reflects the relationship between local house prices and earnings and is relatively stable over time. Using a ratio based on house price aligns with Government aspirations about home ownership and importantly it ensures that the standard method is responsive and targeted to where affordability issues are most acute. Consideration has been given to the relative merits of the house price to workplace-based earnings ratio against the house price to residence-based earnings ratio. The workplace-based ratio (used in the current standard method) is felt to be most appropriate.*

*“Using the most recent ratio enables an assessment of current affordability in an area. This ensures the formula responds to the most recent data. Incorporating an affordability trend over a 10-year period enables an assessment of the direction of travel in an authority area. Where affordability improves, a proportionately lower need level will be established. However, if an area’s affordability worsens, then the housing need identified will be proportionately higher.*

*“The affordability adjustment is a two part method aimed to deliver greater overall emphasis on affordability than in the current standard method. It is also designed to factor affordability changes over a 10-year period.*

*“Part one of the affordability adjustment follows a similar method to that used in the current standard method. For each 1% the ratio is above 4, the baseline is increased by a quarter of a percent. Current guidance states that no adjustment is applied where the ratio is 4 or below. However, now that stock helps to stabilise the baseline, the affordability element of the new standard method can be responsive in areas where affordability is below 4 and we propose to amend guidance to this effect.*

*“The formula now allows for downwards adjustments, where for each 1% the ratio is below 4, the baseline is decreased by a quarter of a percent. This means that these areas would not experience an uplift on the baseline as a result of this element of the formula. Four is the threshold as four times a person’s earnings is the maximum amount that can typically be borrowed for a mortgage - if an average worker cannot get a mortgage for an average home in the area without additional help then there are not enough homes in the area.*

*“Part two of the affordability adjustment focuses on the absolute difference between the latest affordability ratio and the affordability ratio 10 years ago. The difference calculated is multiplied by a factor of 0.25. This emphasis puts more pressure on local authorities whose affordability ratio has increased over the 10-year time frame, but likewise allows for local authorities whose ratio has improved to benefit from reductions in their affordability adjustment.*

*“The affordability adjustment in part one and part two are added together (with a constant of 1), to reach a total affordability factor which is subsequently applied to the baseline. The combined effect is an increased responsiveness to affordability, reflecting the importance that the Government attaches to this.*

*“Unlike the previous method, the new standard method does not have a cap applied to limit the level of increase for individual authorities. The Government is clear that in order to significantly boost the supply of homes and address the past undersupply as quickly as possible, a step change is needed. Capping the level of need is not compatible with this aim. In no longer applying a cap, the resultant housing need is the level of need that authorities should be planning to release land for, according to their specific circumstances.”*

***Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?***

No. In South Derbyshire's case a significant element of projected household growth is accounted for by development required to meet need generated within the neighbouring city of Derby, based upon the target identified in the current Local Plan. The household formation projections are based on observed trends over the five year period from mid-2014 to mid-2018, which showed considerable growth which was driven both by changes in the established population and movement into the district from beyond its boundaries, as provided for in the Local Plan housing target. The proposed formula therefore calculates a level of future need that represents not only that generated within the District, but also a significant proportion of that which is expected to be generated by the neighbouring authority. The apportionment of future provision between neighbouring LPAs should be a matter for consideration in establishing the local requirement as part of the plan making process and should not form part of the baseline calculation of need. The inclusion in the formula of changes to affordability in the district over the previous ten years further inflates the requirement to a substantial degree, as described in the response to question 4.

Under the current system for calculating housing need, which post-dates the adoption of the Local Plan and was introduced in 2018, South Derbyshire's forecast need has been calculated to be 552 dwelling per annum (DPA). The proposed methodology would result in this figure rising to 1209 pa, a difference of 657 dpa, representing growth by a factor of some 2.19. Construction at this pace would represent change on a massive scale, dramatically altering the character of South Derbyshire, which is currently identified by the ONS as falling within the 'significantly rural' category.

It should be borne in mind that the housing 'need' figure represents a 'starting point' and does not take account of any additional requirement that may arise through potential overspill from neighbouring urban areas.

The consultation document states that the proposed methodology would result in 76% of housing need being focussed in urban areas, identifying benefits such as concentrating development in transport hubs, densifying urban areas and promoting the 'brownfield first' agenda (para. 41). The methodology would have the exact opposite impact within South Derbyshire, directing the vast majority of development to huge swathes of rural greenfield land. Such an outcome would be wholly unacceptable.

***Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.***

In order to avoid the problem identified in the response to Q1 it is proposed that future need should be based solely on the scale of existing stock, but set at 1% rather than 0.5% to ensure a sufficient scale of delivery at the national level.

***Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.***

Yes.

***Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.***

No. Given that transactions in the past three years in South Derbyshire include close to 1,000 new builds per annum and that these are, on average, sold for 9.6 times the median income, it is likely they are skewing the average value of transactions upwards, exaggerating the ten year trend in the affordability ratio. It is therefore considered that the incorporation of the affordability trend data in the new standard approach results in a figure that greatly exceeds the actual level of local need.

***Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.***

No. For the reason given in the response to question 4, it is considered that the affordability factor should not include trend data as this exaggerates the extent of local need. Rather, it should exclude the proposed ten-year affordability adjustment and be based solely upon the most up to date median house price to median earnings ratio.

***Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:***

***Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?***

The circumstances described do not pertain to South Derbyshire and the Council therefore has no comment.

***Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given three months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further six months to submit their plan to the Planning Inspectorate?***

The circumstances described do not pertain to South Derbyshire and the Council therefore has no comment.

***If not, please explain why. Are there particular circumstances which need to be catered for?***

Should it be adopted, the new standard method will lead to a dramatic increase in the annual housing need figure for South Derbyshire. As per the current NPPF, that figure will become the basis of the target against which the Council's land supply will be measured after the expiry of the five-year period following Local Plan adoption. Strong measures should be set in place to allow LPAs in such a position to guard against unwelcome development on unallocated sites, under the terms of the presumption in favour of sustainable development, pending the adoption of replacement Local Plans.

***Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):***

***i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.***

***ii) Negotiation between a local authority and developer.***

***iii) Other (please specify)***

***For each of these questions, please provide reasons and / or evidence for your views (if possible):***

Option 2: The Council supports the Government view that in the first instance First Homes should replace other affordable home ownership products, in South Derbyshire's case, Shared Ownership (SO) homes. This option is beneficial as it will not impact on the delivery of much needed affordable homes to rent, as evidenced by the recently adopted Strategic Housing Market Assessment. However, First Homes will not be affordable for all aspiring homeowners as the deposit required, even with a 30% reduction from market price, will be far greater than purchasing a share in a SO property, usually 25%. In certain areas within the District the inclusion of such a high percentage of First Homes will eliminate all the delivery of SO homes in one Housing Sub-Market Area (HMA) based on the current tenure split, with only a small percentage (7%) delivered in the other two HMAs.

Balanced against this is the critical need for the District to supply affordable homes for rent, in particular at social rent. Should the Council wish to increase the delivery of SO homes, the delivery of affordable homes to rent will decrease. The introduction of First Homes will no doubt decrease the amount of genuinely affordable homes both to rent and buy within the District and price some residents out of the opportunity to purchase. As such, the Council prefers to retain the flexibility to make tenure choices based on the best interests of the District through negotiation with the developer.

***With regards to current exemptions from delivery of affordable home ownership products:***

***Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?***

No. To achieve balanced and mixed communities any development should offer a mix of affordable home ownership products on site to cater for the aspirations of homeowners from different economic backgrounds and not disadvantage those with lower incomes in terms of achieving their aspirations of home ownership. Should this be exempted, sites that predominantly delivered First Homes would have no requirement to provide any other form of affordable homeownership products or affordable rented products.

Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

a) provides solely for Build to Rent homes;

b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

c) is proposed to be developed by people who wish to build or commission their own homes; or

d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

***Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.***

Not sure.

***Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.***

Not sure.

***Q12: Do you agree with the proposed approach to transitional arrangements set out above?***

No. There needs to be a distinct cut off for applications whereby the agreed tenure types cannot be altered to ensure that the local community is clear on the type of contributions the scheme will make and to allow local authorities time to prepare for the changes and instigate any required additional criteria for these homes, e.g. local connection criteria and the required publication of evidence to substantiate this inclusion. Applications that have already secured permission or have had in depth discussions with the local authority on the required tenure mix should be exempted from the delivery of First Homes.

***Q13: Do you agree with the proposed approach to different levels of discount?***

No. Local authorities are best placed to set their own levels of price cap and discount based on their extensive knowledge of the District and evidence of local affordability.

It is disappointing that the price cap and discount has been set nationally for the roll out of First Homes, with local authorities not being afforded the freedom to set their own levels based on their knowledge of local affordability. Whilst it is welcomed this can be changed through the Local Plan review, this will not be in place in time for the implementation of First Homes and many local authorities will have to work within the terms of this ruling for many years. At the maximum levels, the price of First Homes will be unaffordable and unobtainable for many of our residents wishing to realise their aspiration of homeownership, the First Homes being delivered at the expense of a more affordable home ownership product.

***Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?***

While this approach would align with the existing rural exception sites policy, it is important to ensure that any site is led by identified evidence of need for affordable homes and the homes proposed address this need. Proposals should not be led by the desire to deliver market homes and such provision would need to be kept to the absolute minimum to make the scheme viable. The maximum amount should be set by each individual local authority as they are the experts in local needs and affordability. There is also concern that this approach may raise land values for such schemes, resulting in less affordable housing delivered.

***Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?***

Yes, as long as the size is proportionate to the existing settlement or local area.

***Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?***

Yes, the Council supports the need to deliver appropriate affordable housing in our rural communities, for local people and to meet locally identified needs and therefore wholeheartedly supports the requirement to exempt First Homes exception sites in these areas that would dilute the delivery of genuinely affordable homes for people within the community. We would like to ensure the 'designated rural area' defined in the NPPF remains in place and the Designated Protected Areas (DPA) legislation remains unchanged, meaning that parishes with populations of 3000 or under are exempt from First Homes exception sites rules.

***Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?***

No, the Council strongly disagrees with any increase in the threshold and believes that this should be based on local viability. However, if this is to be enacted the Council agrees that this should be time limited for any new applications approved after the date that the proposals come into effect. It is difficult to know how long any economic recovery will take following the COVID-19 crisis, but 18 months seems to be too long before any review and therefore the Council would call for any threshold to be reviewed annually to take into account local levels of recovery.

***Q18: What is the appropriate level of small sites threshold?***

***i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)***

iii) Other: To remain as is the current local threshold of over 15 dwellings.

***Q19: Do you agree with the proposed approach to the site size threshold?***

No, this will be catastrophic for affordable housing delivery locally at a time when it will be needed more than ever. There has already been a significant increase in homelessness presentations throughout the pandemic due to domestic abuse, relationship breakdowns and interim arrangements of accommodation with friends and relatives no longer being appropriate. This is likely to increase when the temporary halt on evictions is lifted later in the year, alongside an increase in mortgage repossessions due to the economic downturn. Within South Derbyshire over 70% of the affordable housing delivered is through developer contributions. Increasing the threshold for affordable housing contributions to this magnitude (40 or 50 dwellings) will disproportionately impact affordable housing delivery in the District.

The proposals take no account of local land and house prices, potentially leading to higher returns for the developer; provide no safeguards to protect against the exploitation of smaller sites by larger developers, thus not supporting the intended target of SMEs; and would have the unintended consequence of incentivising delivery below the threshold set in order to avoid affordable housing contributions. While it could be argued that this is always the case, the impact would be greater given the increased threshold at the expense of affordable housing delivery.

A more effective means of supporting SMEs to deliver smaller sites would be to provide direct incentives targeted at them, rather than incentives that offset against the delivery of affordable housing for local communities. This might include direct investment in SMEs, or

having a more generous profit margin for these entities which would reduce the consequences of the proposal outlined above

Some areas already have set more generous thresholds based on evidence of local viability issues and will actively support the use of viability on areas where these issues hamper delivery. The viability mechanism already in use will ensure that local areas with higher house prices do not miss out on affordable housing and other community investment where these can be delivered.

***Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?***

No, the Council strongly disagrees with any increase in the threshold and believes that this should be based on local viability. However, if this is to be enacted the Council agrees that this should be time limited for any new applications approved after the date that the proposals come into effect. It is difficult to know how long any economic recovery will take following the COVID 19 crisis, but 18 months seems to be too long before any review. The Council would, therefore, call for any raised threshold to be reviewed annually to take into account local levels of recovery.

***Q21: Do you agree with the proposed approach to minimising threshold effects?***

Yes, it is welcomed that the Government has recognised that some developers may use the increase to carve up larger sites to avoid having to deliver any affordable housing contributions. However, for clarity, the Council strongly disagrees with any increase in the threshold.

***Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?***

Yes, rural communities should be protected from any increase in threshold that would minimise affordable housing delivery in these areas for the local community, however, the Council believes that the definition of 'designated rural area' and DPA legislation should remain unchanged to protect parishes with populations of 3000 and under.

***Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?***

Yes, provide direct incentives to build such as subsidies or tax incentives; apprenticeship programmes; investment in new build technology such as modern methods of construction; support them in leading the carbon neutral agenda; and working more closely with Homes England to deliver fully affordable sites to offset the erosion of affordable housing supply by the various mechanisms outlined within the planning consultation reforms.

***Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?***

Yes. It would be beneficial for this route to be open to landowners and developers benefitting from an allocation or seeking certainty on a major development opportunity.

***Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.***

Yes. The current restrictions should be echoed, with the non-housing uses still complementing/facilitating the housing element. However, a set maximum percentage threshold of circa 10% of the overall site area is likely to be necessary given reliance on 'majority' for larger sites could give rise to unsustainable development such as out-of-town shopping centres.

**Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?**

No. Depending on the site concerned, there may be localised matters which need to be considered in principle, such as the inclusion of retail development which might harm a nearby local or district centre. In this example, there needs to be scope for the LPA to seek details such as a Sequential Test.

**Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.**

Whilst not necessarily relevant to this authority, it might be appropriate to seek such details as 'indicative' with the submission so that a limit can be set on any Permission in Principle granted.

**Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:**

**i) required to publish a notice in a local newspaper? Yes, so to align with the present regime, subject to the White Paper review of whether notices are required.**

**ii) subject to a general requirement to publicise the application or Yes, although it should be for the local authority to decide whether notice and/or direct notification is appropriate.**

**iii) both?**

**iv) disagree**

**If you disagree, please state your reasons.**

No comment.

**Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?**

Yes.

**Q30: What level of flat fee do you consider appropriate, and why?**

The amount per hectare needs to reflect the extent of the site concerned and the associated level of interest attracted as a consequence. Publicity requirements and processing costs need to be considered here too. The current fee would, therefore, appear to be appropriate

**Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.**

Yes

**Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.**

The Planning Practice Guidance (PPG) presently provides useful advice. Further development of this drawing on case examples would be prudent.

**Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?**

The benefits would allow for developers to secure the principle of development on larger sites and commit towards masterplanning and technical study work in the knowledge that the principle of development has been established. The costs would largely be on the local authority, although an appropriate fee structure and clear information requirements (placed on the applicant) would address these concerns.

**Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.**

Presently, to a limited extent. This authority has received no Planning in Principle applications since the inception of the regime as it works positively through pre-application discussions to bring forward those sites which are considered appropriate in principle, whilst Plan allocations also offer sufficient security for the development market.

**Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?**

**If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?**

No comment.

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<b>REPORT TO:</b>	<b>ENVIRONMENT &amp; DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM:11</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY</b>	<b>Open</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>MATT HOLFORD, <a href="mailto:matthew.holford@south-derbys.gov.uk">matthew.holford@south-derbys.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>TRIAL OF POOL CAR ARRANGEMENTS WITH THE NHS</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>All</b>	<b>TERMS OF REFERENCE: EDS15</b>

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## 1. Recommendations

- 1.1 That the Committee endorses the trial of a pool car scheme in partnership with NHS Derbyshire and that the Committee receives a further report on a more permanent scheme if the trial is successful.

## 2. Purpose of Report

- 2.1 To advise Committee of the details of a trial scheme to share a pool car with NHS Derbyshire.

## 3. Background

- 3.1 The [South Derbyshire District Council Staff Travel Action Plan](#) was approved by Environment and Development Services Committee in November 2019. The 'Travelling at work' section of the Plan identified that one of the stated actions is to establish a pool car for Council employees by 2024.
- 3.2 The benefits of a pool car are that it helps employees who need to travel for work to make a choice to cycle or walk to work, and it enables the Council to control the vehicle and fuel type being used for grey fleet mileage with a longer-term aim of converting to hybrid or electric pool car provision.
- 3.3 Market analysis has been undertaken to determine some of the pool car options available and these are summarised in Appendix 1.
- 3.4 The experience from other public sector organisations who operate pool car arrangements are that the vehicles need to be travelling at least 40 miles per day to make the pool car arrangements economically viable.
- 3.5 As a result of this analysis, an offer has been made from NHS Derbyshire to engage with them in a trial pool car arrangement as part of their delivery of local pool car provision for their staff working in Swadlincote.

#### **4. The Pool Car Offer**

- 4.1 NHS Derbyshire has operated a fleet of pool cars since 2011 and now has approximately 30 pool vehicles (low emission Ford Fiestas) mainly located in the North of Derbyshire.
- 4.2 The NHS is keen to expand this offering to support NHS workers in South Derbyshire. The key constraint to this has been an inability to agree a designated car space at the Derbyshire Community Health Services centre on Civic Way.
- 4.3 The proposed trial will involve one of the NHS vehicles being relocated to South Derbyshire and for this vehicle to be available for use by NHS staff and a limited cohort of Council staff for a trial period of approximately four months.
- 4.4 By way of reciprocal support for the partnership, the Council will agree to provide the car with a parking permit to enable the vehicle to be parked in any Council- owned car park. The locality of the workforce which the pool car is intended to support means that the most likely parking locations will be the Civic Way car park, Bus Station car park or Rowley Court.
- 4.5 The current contract for the provision of the cars and the support and booking technology is provided through Enterprise. Staff will be able to reserve the use of the car for between an hour and a day through an online booking portal.
- 4.6 The cost of the use of the vehicle by Council staff will be calculated by the portal and the Council will be recharged by NHS Derbyshire.
- 4.7 In order to trial the uptake and experience of the use of the pool car, the vehicle will be offered to a group of selected Council employees. In particular, these will include existing staff on casual car allowance, and for staff on essential user allowance where the use of their own vehicles presents some level of personal risk (for example officers performing enforcement duties).
- 4.8 For the purposes of the trial the NHS will cover the costs of the rental of the vehicle and the Council will pay an hourly tariff of £5.57 per hour or £39.56 per day which includes fuel up to a maximum of 60 miles and insurance. The Terms and Conditions for use would come under the existing NHS contract conditions.
- 4.9 The proposed trial period would enable the Council to have low cost access to a pool car to test the level of staff interest and would enable the practical issues associated with a pool car system to be evaluated at low risk to the Council.
- 4.10 The NHS contract with Enterprise cars expires in March 2021 and SDDC will be given the opportunity to consider a longer-term arrangement at this time.
- 4.11 Clearly the use of any shared resource during the current pandemic carries a risk of COVID transmission. The NHS already has a COVID risk assessment and mitigation measures in place for its pool vehicles and all Council users of the vehicle would be expected to comply in full with the mitigation and risk management measures.

#### **5. Financial Implications**

- 5.1 The maximum potential cost of the trial will be £4,800, although this assumes that the vehicle is used all day, every day by Council staff. It is highly likely that the actual cost will be below £1,000.

## **6. Corporate Implications**

### **Employment Implications**

- 6.1 None for the trial. If a more permanent scheme is developed, then the scheme will need to be aligned with the Council's car allowance scheme.

### **Legal Implications**

- 6.2 None.

### **Corporate Plan Implications**

- 6.3 The proposals align with the "Our Environment" priority of the Corporate Plan and with the key aim of "*Strive to make South Derbyshire District Council carbon neutral by 2030.*"

### **Risk Impact**

- 6.4 None.

## **7. Community Implications**

### **Consultation**

- 7.1 In a staff consultation in late 2018, 35 staff (11.3% of all staff, 26% of respondents) said that they would use a pool car for work travel.

### **Equality and Diversity Impact**

- 7.2 None.

### **Social Value Impact**

- 7.3 Beneficial.

### **Environmental Sustainability**

- 7.4 Beneficial. Staff travel for work purposes currently emits an estimated 10.3 tonnes carbon equivalent (CO<sub>2</sub>e) per year. This is one of the measures identified as potentially reducing Council carbon emissions.

## **8. Conclusion**

- 8.1 That the Committee endorses the pool car trial.

## **9. Background Papers**

- Staff Travel Action Plan 2019
- Climate & Environment Action Plan 2020

## Appendix 1 - Pool Car Options Identified

Company	Trial Detail	Costs	Comments
Drive Electric	Free EV trial for 1 week	<p>*Mileage charge – 13pence</p> <p>*Insurance not included</p> <p>*We pay for electric</p> <p>Car has to be stored at the depot so only available for use between 6am and 4pm only</p> <p>No management system - will need to be managed in house</p> <p>Costs for EV Car per month: £500-600</p>	<p>*1 week is not enough to understand the usage</p> <p>*There is no system to manage car usage – this would have to be done internally</p> <p>*Long-term hire does not cover issues with maintenance and cleaning</p> <p>*Moving the car between the depot and Civic Way for use means a member of staff moving every day and having to be back by 4pm everyday</p>
Toyota	No scheme available		
NHS Health (Enterprise)	Potential trial until December/January 2021 – (retender due April 2021)	<p>Hourly and Daily rate – includes fuel, insurance and management system “out of London rates”</p> <p>*Ford Fiesta - £470 (incl VAT) + mileage charge</p>	<p>*NHS will be paying for the hire of the car – as taking one from their existing fleet</p> <p>*It is not EV, however, on retender NHS can look at hybrids until EV can be supported across the District</p> <p>*A few months trial helps it get embedded</p> <p>*As hired is insured, has a car management system to manage usage and can be kept at Civic Way</p>
Co-wheels	No trial offered	<p>*Hybrid - £499-503 (not VAT) per month + mileage charge</p> <p>£5 per person annual DVLA checks</p> <p>*EV - £503-550 (No VAT – No mileage charge)</p>	<p>This includes:</p> <p>*24/7 management of cars</p> <p>*Fortnightly cleaning</p> <p>*Weekly car checks</p> <p>*Internal and external use</p>
Purchasing	n/a – Likely to be a week trial	<p>Hybrid - £20-30,000</p> <p>EV – 25 – 35,000</p> <p>Cost of management system to use car - £65 per month</p> <p>Telematics system - £800 per vehicle</p>	<p>The management system could be internal, however, the telematics must link in with the car booking system.</p>

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<b>REPORT TO:</b>	<b>ENVIRONMENT &amp; DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM:12</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY</b>	<b>Open</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>MATT HOLFORD, <a href="mailto:matthew.holford@south-derbys.gov.uk">matthew.holford@south-derbys.gov.uk</a> ,</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>BID FOR ELECTRIC VEHICLE RECHARGE POINTS</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>All</b>	<b>TERMS OF REFERENCE: EDS15</b>

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## 1. Recommendations

- 1.1 That the Committee endorses the bid for government funding for the installation of electric vehicle recharge points within Council car parks.

## 2. Purpose of Report

- 2.1 To provide the Committee with details of a bid for the provision of electric recharge points in Council car parks.

## 3. Background

- 3.1 The Office for Low Emission Vehicles (OLEV) is a Team working across government to support the early market for ultra-low emission vehicles (ULEV) which include electric vehicles (EV).
- 3.2 In 2019/20 Derbyshire County Council co-ordinated bids from District Councils across Derbyshire to support the installation of EV charge points in public car parks across the County. The project was led by Nottingham City Council with funding obtained from OLEV.
- 3.3 As a result of this process a dual EV charge point was installed in the Bus Station car park in Swadlincote. This forms part of a network of EV charge points available for public use across the D2N2 region.
- 3.4 The focus of grants in 2020/21 is to provide much greater access to EV charge points in the proximity of residential parking. Evidence indicates that most plug-in vehicle owners will wish to do the largest proportion of their charging at home. The availability of affordable and accessible domestic charging options is therefore key to increasing the uptake of plug in vehicle in the UK.
- 3.5 Many areas of the UK have residential areas where off-street parking is not an option, which clearly presents a barrier to plug-in vehicle adoption. Therefore, the ORCS (On-

Street Residential Charge Point Scheme) scheme was launched in March 2020 to enable Councils across the UK to access funding to help with the costs of procurement and installation of on-street charging points for residential use.

- 3.6 When Council officers initially assessed ORCS, it was not apparent that the Council had any land under its ownership which was likely to meet the criteria for the installation of EV charge points for access by local residents for on-street recharge of their vehicle.
- 3.7 Instead officers have explored the possibility of using the Council's public car parking locations to install EV charge points so that residents in near proximity to these car parks can use them to charge their vehicles. This has the added bonus of enabling these charge points to be available to wider public use when they are not being used by local residents.
- 3.8 The ORCS grant scheme for 2020/21 enables Councils to obtain 75% government funding for the electrical installation with 25% of costs to be funded elsewhere. In Derbyshire, BP Chargemaster has been engaged as the private sector partner for the delivery of the ORCS programme, and it is they who provide the additional funding to cover the remaining 25% of the installation costs.
- 3.9 It is a condition of the funding allocation that the installation is completed before 31<sup>st</sup> March 2021. Currently there is no intention to carry forward any further funding into 2021/22 or beyond.

#### **4. Project Viability and Proposed Details of the Infrastructure**

- 4.1 BP Chargemaster was asked to assess the viability of various Council car parks for the installation of EV charge points. Following the site inspections, it has been established that installation of EV is only financially viable in two of the Councils portfolio of public car parks. The outcome of the BP Chargemaster site inspections is summarised in the table below.

Blacksmiths Lane Car Park - DNO costs too high
Burton Road Car Park, Repton - DNO costs too high
Civic Way Car Park, Swadlincote - DNO costs too high
East End Car Park - No LV nearby
Hatton Car Park - DNO costs too high
Hilton Car Park - No LV nearby
Lower Green Car Park, Findern - No LV nearby
Melbourne Assemble Rooms - Car Park configuration not suitable
Melbourne Main Car Park- No LV nearby
Rink Drive 2 - Rink Drive 1 better location
Rosliston Forestry Centre - Site Not Feasible for ORCS
Stenson Fields Community Centre - Car Park too small
Ticknall Village Hall - No LV nearby
Wilne Lane Car Park - Flood Risk too high

*Note:*

*DNO = Distribution Network Operators, control the local/regional electricity network.*

*LV = Low Voltage infrastructure to support electricity needed for charge points.*

*Not feasible for ORCS means that the site is not sufficiently close to residential to meet the OLEV criteria.*

- 4.2 The site inspections have established that only the car parks at Rink Drive, Swadlincote and Arnold Close, Castle Gresley are viable.
- 4.3 The installation costs for four dual-outlet EV charge points for the two car parks are summarised below.

Car Park Location	Number of car parking spaces needed - 4 dual outlets	Costs proposed (exl. VAT)
Rink Drive Swad, DE11 8JL	8	£35,712.56
Arnold Close, DE11 9HF	8	£34,666.67

- 4.4 The use of public car parks for the provision of residential EV recharging is stretching the scope of the grant eligibility for ORCS. However the Energy Saving Trust, who administer the grant applications, has given positive signals that an application from the Council may be treated favourably and has indicated that it would be willing to release the 75% grant in advance of the commissioning of the charge points to ensure that the work is completed prior to 31 March 2021.

## 5. **Summary of the Proposed Infrastructure**

- 5.1 The proposed EV infrastructure will consist of four, dual charging points (i.e. capable of delivering charge to eight bays) plus a feeder pillar. This is the minimum provision capable of making the sites financially viable. The charge points will need to be located close together, i.e. either in a row or across a corner. A mock-up of the proposed layout is shown in the figures below.





- 5.2 The primary purpose of the funding is to facilitate use by local residents, and their use is anticipated to mainly be at night and weekends.
- 5.3 It is, therefore, proposed to designate the relevant bays in Rink Drive as being for electric vehicles only, between the hours of 18.00 and 08.00.
- 5.4 Outside these hours the bays will be available for all vehicles and therefore the proposal will have no adverse impact on the availability of town centre parking spaces. This arrangement will be kept under review based on usage and demand.
- 5.5 No Parking Order applies to the car park at Arnold Close, and therefore the use of these bays will remain unregulated.
- 5.6 As is the case with the existing charge point on the Bus Station Car Park, the contract with BP Chargemaster is for ten years during which time BP Chargemaster will maintain and manage the charge points. After the ten-year period expires, the infrastructure for the electrical charge point becomes a Council asset.

## 6. **Timescales**

- 6.1 To qualify for the grant payment the charge points must be commissioned by 31<sup>st</sup> March 2021.
- 6.2 The timescale from application to commissioning for the charge point in the Bus Station Car Park was fourteen months. Therefore, to submit and install the suggested infrastructure to comply with the ORCS requirements is likely to prove a very challenging timescale.
- 6.3 The application process is predicted to take one to three months to complete. It is assumed that it will be at the lengthier end of the range due to the application stretching the scope of the scheme.
- 6.4 Groundworks and installation are likely to take three to six months depending on the relative complexity of the ground conditions.

- 6.5 Additional requirements to enable the project to proceed will be the agreement and exchange of a Wayleave Agreement through Property Services and a Host Agreement, through Legal Services. Versions of both have already been processed for the Bus Station installation and so these are not anticipated to be significant pieces of work.
- 6.6 Due to the acute time pressure to submit the OLEV application, the proposals to submit a bid was submitted to and approved by Senior Leadership Team in August 2020 with a commitment to report the submission and seek its endorsement at the next Environment and Development Services Committee.

## **7. Financial Implications**

- 7.1 If the bid is approved, then there will be no cost to the Council for the commissioning of the charge points.
- 7.2 All maintenance and repair of the charge points will be the responsibility of BP Chargemaster for 10 years from commissioning.
- 7.3 At the end of the 10 years contract period the charge points become Council assets.

## **8. Corporate Implications**

### **Employment Implications**

- 8.1 None.

### **Legal Implications**

- 8.2 The installation will be the subject of a Wayleave Agreement and Host Agreement.

### **Corporate Plan Implications**

- 8.3 The proposals align with the “Our Environment” priority of the Corporate Plan and with the key aim to “Work with residents, businesses and partners to reduce their carbon footprint”.

### **Risk Impact**

- 8.4 None.

## **9. Community Implications**

### **Consultation**

- 9.1 None

### **Equality and Diversity Impact**

- 9.2 None.

### **Social Value Impact**

- 9.3 Beneficial in so far that it provides greater accessibility to services for local residents.

### **Environmental Sustainability**

- 9.4 Beneficial. Supporting the public availability of EV charge point infrastructure is vital for enabling the uptake of cleaner fuel technology for road vehicles. Road transport is estimated to emit 247,000 tonnes of carbon into the atmosphere in South Derbyshire per year.

## **10. Conclusion**

- 10.1 That the Committee endorses the bid to OLEV for the installation of EV charge points on two of the Council's public car parks.

## **11. Background Papers**

- Climate and Environment Action Plan 2020

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 13</b>
<b>DATE OF MEETING:</b>	<b>24<sup>th</sup> SEPTEMBER 2020</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (SERVICE DELIVERY)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>DEMOCRATIC SERVICES 01283 595848/5722 <a href="mailto:democraticservices@southderbyshire.gov.uk">democraticservices@southderbyshire.gov. uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>COMMITTEE WORK PROGRAMME</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: G</b>

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## **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 – 24<sup>th</sup> September 2020 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
<b>Reports Previously Considered by Last Three Committees</b>		
Key Performance Indicators – Licensing Department	5 <sup>th</sup> March 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Private Hire Cross Border Enforcement Operational Protocol	5 <sup>th</sup> March 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Strategic Housing Market Assessment 2020	5 <sup>th</sup> March 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
East Midlands Airport Information Meetings	5 <sup>th</sup> March 2020	Richard Groves (01283) 595738
Consultation on Derbyshire County Council's Developer Contributions Protocol	5 <sup>th</sup> March 2020	Karen Beavin Planning Policy Team Leader (01283) 595749

Erewash Borough Council 2020 Core Strategy Review	5 <sup>th</sup> March 2020	Tony Sylvester Head of Planning Services and Strategic Housing (01283) 595743
Review of Charitable Collections Policy	6 <sup>th</sup> July 2020	<b>Emma McHugh</b> <b>Licensing / Legal &amp; Democratic Services</b> <b>8745</b>
Annual Enforcement & Compliance Report 2019/20	6 <sup>th</sup> July 2020	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020-24: Performance Report (2019-2020 Quarter 4 – 1 January To 31 March)	6 <sup>th</sup> July 2020	Fiona Pittman
Central Building Control Partnership Performance Report	6 <sup>th</sup> July 2020	Chris Nash Planning Delivery Team Leader – Service Delivery 01283 595926
Introduction of Animal Welfare Licensing Policy	13 <sup>th</sup> August 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Local Environmental Quality Survey 2020	13 <sup>th</sup> August 2020	Adrian Lowery Head of Operational Services 01283 595764
Hilton, Marston on Dove and Hoon Neighbourhood Development Plan Regulation 16 Consultation	13 <sup>th</sup> August 2020	Karen Beavin Planning Policy Team Leader (01283) 595749

Biodiversity Offsetting and Update from Biodiversity Working Group	13 <sup>th</sup> August 2020	Kevin Exley Planning Policy Officer (01283) 228717
<b>Provisional Programme of Reports To Be Considered by Committee</b>		
Licensing Act 2003 – Statement of Licensing Policy	24 <sup>th</sup> September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Q1 Corporate Plan Performance 2020-24	24 <sup>th</sup> September 2020	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Consultation on Planning White Paper: Planning for the Future	24 <sup>th</sup> September 2020	Steffan Saunders Head of Planning Services and Strategic Housing
Adoption of Local Green Spaces Plan	24 <sup>th</sup> September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Changes to the Current Planning System' Ministry of Housing, Communities and Local Government Consultation	24 <sup>th</sup> September 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Trial of Pool Car Arrangements with the NHS	24 <sup>th</sup> September 2020	Matt Holford Head of Environmental Services (01283) 595856

Bid for Electric Vehicle Recharge Points	24 <sup>th</sup> September 2020	Matt Holford Head of Environmental Services (01283) 595856
Licensing KPI Report	24 <sup>th</sup> September 2020	Emma McHugh Senior Licensing Officer (01283) 595716
Derbyshire Strategic Planning Framework Statement of Common Ground	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Local Development Scheme	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Developer Contributions Protocol	12 <sup>th</sup> November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
S106 Monitoring Officer Post	12 <sup>th</sup> November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Corporate Plan 2020 - 2024: Performance Report Q3	12 <sup>th</sup> November 2020	Communications Team (01283) 228705
Authority Monitoring Report	21 <sup>st</sup> January 2021	Karen Beavin Planning Policy Team Leader (01283) 595749

Corporate Plan 2020 - 2024: Performance Report Q3	4 <sup>th</sup> March 2021	Communications Team (01283) 228705
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Environmental Services - commercialisation business plan	TBC	Matt Holford Head of Environmental Services (01283) 595856
Air Quality Strategy	TBC	Matt Holford Head of Environmental Services (01283) 595856
Fuel Poverty Strategy	TBC	Matt Holford Head of Environmental Services (01283) 595856
Local Green Spaces Plan	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Environmental Standards	TBC	Adrian Lowery Head of Operational Services (01283) 595764
Waste and Minerals Plan Consultation from the County Council	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749

Minerals and Waste Local Plan	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Gypsy and Traveller Accommodation Assessment Report	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Statement of Community Involvement	TBC	Karen Beavin Planning Policy Team Leader (01283) 595749
Enforcement & Regulatory Annual Report	TBC	Matt Holford Head of Environmental Services (01283) 595856
Operational Service Resources / Growth Report	TBC	Adrian Lowery Head of Operational Services 01283 595764
Operational Services Management Resources	TBC	Adrian Lowery Head of Operational Services 01283 595764
Corporate Environmental Sustainability Group Activity	TBC	Matt Holford Head of Environmental Services (01283) 595856