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Phone (01283) 595722 / 595848
Typetalk 18001
DX 23912 Swadlincote
democraticservices@south-derbys.gov.uk

Our Ref: DS
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Date: 11th January 2017

Dear Councillor,

Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held in the **Council Chamber**, on **Thursday, 19 January 2017 at 18:00** to transact the business set out on the attached agenda.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

Councillor Murray (Chairman), Councillor Stanton (Vice-Chairman) and Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Coe, Mrs Coyle, Mrs Farrington, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Mrs Patten, Mrs Plenderleith, Roberts, Smith, Swann, Watson, Wheeler and Mrs Wyatt

Labour Group

Councillors Bambrick, Chahal, Dunn, Dr Pearson, Rhind, Richards, Shepherd, Southerd, Mrs Stuart, Taylor, Tilley, and Wilkins

AGENDA

Open to Public and Press

- 1** Apologies.
- 2** To confirm the Open Minutes of the Council Meeting held on the 3rd November 2016 (CL/80-CL/98).
Council 3rd November 2016 Open Minutes **5 - 10**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any announcements from the Chairman, Leader and Head of Paid Service.
- 5** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 6** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 7** To authorise the sealing of the documents

SEALED DOCUMENTS **11 - 11**
- 8** To consider any Notices of Motion in order of which they have been received. In accordance with Council Procedure Rule No. 12, Councillor Swann will move the following motion:-

MOTION **12 - 12**
- 9** LOCAL PLAN PART 2 SUBMISSION **13 - 284**
- 10** COUNCIL TAX REDUCTION SCHEME REGULATIONS 2017 **285 - 288**

11	APPOINTMENT OF THE COUNCIL'S EXTERNAL AUDITOR	289 - 292
12	MEMBERS ALLOWANCES SCHEME	293 - 303
13	To receive and consider the Open Minutes of the following Committees:-	
	Planning Committee 18th October 2016 Open Minutes	304 - 309
	Planning Committee 8th November 2016 Open Minutes	310 - 315
	Environmental and Development Services Committee 17th November 2016 Open Minutes	316 - 320
	Housing and Community Services Committee 24th November 2016 Open Minutes	321 - 324
	Planning Committee 29th November 2016 Open Minutes	325 - 331
	Finance and Management Special Committee 1st December 2016 Open Minutes	332 - 335
	Licensing and Appeals Committee 6th December 2016 Open Minutes	336 - 337
	Overview and Scrutiny Committee 7th December 2016 Open Minutes	338 - 340
	Planning Committee 20th December 2016 Open Minutes	341 - 344
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	Swadlincote Area Forum Minutes 03.10.16	349 - 353

Repton Area Forum Minutes 04.10.16	354 - 358
Melbourne Area Forum Minutes 10.10.16	359 - 362
Etwall Forum Minutes 11.10.16	363 - 365
Newhall Area Forum Minutes 12.10.16	366 - 368
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- 14** To review the compositions of Committees, Sub-Committees and Working Panels for the remainder of the municipal year.
- 15** To review the compositions of Substitute Panels.
- 16** To review representation on Outside Bodies.

Exclusion of the Public and Press:

- 17** 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.
- 18** To confirm the Exempt Minutes of the Council Meeting held on 3rd November 2016 (CL/99–CL/101).
Council 3rd November 2016 Exempt Minutes
- 19** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 20** To receive and consider the Exempt Minutes of the following Committees:-
Planning Committee 8th November 2016 Exempt Minutes

Environmental and Development Services Committee 17th

November 2016 Exempt Minutes

Housing and Community Services Committee 24th November 2016

Exempt Minutes

Finance and Management Special Committee 1st December 2016

Exempt Minutes

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 3rd November 2016
at 6.00pm

PRESENT:-

Conservative Group

Councillor Murray (Chairman), Councillor Stanton (Vice Chairman), Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Coe, Mrs Coyle, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Mrs Patten, Mrs Plenderleith, Roberts, Smith, Swann, Watson, Wheeler and Mrs Wyatt

Labour Group

Councillors Bambrick, Chahal, Dunn, Dr Pearson, Rhind, Richards, Shepherd, Southerd, Taylor, Tilley and Wilkins

CL/80 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs Farrington (Conservative Group) and Mrs Stuart (Labour Group)

CL/81 **PARALYMPIC WELCOME: LEWIS WHITE**

The Community Sport Activation Officer introduced Lewis White, Bronze Medal winner at the 2016 Rio Paralympics. The Chairman and Councillor Smith, as Chairman of South Derbyshire Sport, made presentations and led the Council in a standing ovation in recognition of Lewis' achievements.

CL/82 **MINUTES OF ANNUAL COUNCIL**

The Open Minutes of the Council held on 22nd September 2016 (Minute Nos. CL/56-CL/76) were approved as a true record.

Councillor Shepherd referred to Minute No.CL/63, querying the lack of figures relating to Planning Appeal costs. The Chief Executive confirmed that the information had been supplied as requested, in written form, at the last meeting of Full Council. Councillor Shepherd requested that the figures be detailed in the Minutes. The Leader suggested that, as all Members were now aware of the figures and they were in the public domain, they should be included in the Minutes. Council approved this proposal. The total cost of Committee decisions made contrary to recommendation and subsequently allowed at appeal amount to £200,099.

CL/83 **DECLARATIONS OF INTEREST**

Councillor Atkin declared a pecuniary interest in relation to Item 12 Community Governance Review – Barrow upon Trent, Twyford & Stenson and Stenson Fields: Draft Proposals, by virtue of his family owning farm land in the parished

area of Barrow upon Trent, informing Council that he would leave the Chamber whilst this item was discussed.

The Chairman made a declaration on behalf of all Members in relation to Item 11 Independent Remuneration Panel Report.

CL/84 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last meeting, including the Swinton Insurance charity event, his Men United Prostate Cancer charity bike rides, the Lewis White awards event at the Pingle school, the 40th anniversary event at the John Port school, the International Food Festival, the opening of the Midway Community Centre and the visit to Toyota's Lexus Training Centre.

CL/85 **ANNOUNCEMENTS FROM THE LEADER**

The Leader also made reference to the visit to the Lexus Training Centre. In relation to the opening of the Midway Community Centre, recognition of former Councillor Bill Dunn's attendance and speech was noted. Councillor Wilkins' return to Council was welcomed and the Leader led Council in wishing Councillor Mrs Farrington well following her recent surgery.

CL/86 **ANNOUNCEMENTS FROM HEAD OF PAID SERVICE**

The Chief Executive thanked Members and Officers for their efforts that had resulted in the provision of the Midway Community Centre and neighbouring housing.

The Chief Executive also presented the Chairman with tickets for VIP trips to Wembley and St George's Park, to auction in support of the Chairman's Charity.

CL/87 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/88 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/89 **NOTICE OF MOTION**

In accordance with Council Procedure Rule No. 12, Councillor Richards had given notice of the following motion:

Make Fair Transitional State Pension arrangements for 1950's women

"This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have

unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Act of 1995 and 2011 with little/no/personal notification of the changes. Some women had only two years notice of a six year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women effected, leaving women with no time to make alternative arrangements.

This Council calls upon the Government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to Pension changes they were not told about until it was too late to make alternative arrangements.”

The Leader proposed amendments to the motion, to read as follows:

Transitional State Pension Arrangements

1. This Council has concerns in respect of the potential impact of the Pension Acts of 1995, 2007 and 2011 upon a number of female residents of South Derbyshire.
2. The Acts, introduced by Governments of a variety of political persuasions, aimed to deal with the UK's obligations on gender discrimination under a European Union directive and introduced incremental rises in the State Pension age for women born on or after 6th April 1951.
3. Therefore, given the concerns relating particularly to the women who have received the least notice of these changes, this Council request that the Government reconsiders the transitional arrangements for the individuals affected and authorises the Chief Executive to write to the Secretary of State for Work and Pensions outlining the Authority's position.

The amendment was debated. The amendment and the motion were then put to a vote.

RESOLVED:-

That the motion, as amended, be carried.

CL/90 **SEALED DOCUMENTS**

05.09.16 11460 Transfer – 35 Bass's Crescent, Castle Gresley
 05.09.16 11462 Transfer – 32 Chestnut Avenue, Midway
 14.09.16 11467 Transfer – 38 George Street, Church Gresley
 30.09.16 11484 Transfer – 26 Windsor Road, Linton
 05.10.16 11493 Transfer – 16 New Road, Coton-in-the-Elms
 12.10.16 11494 Transfer – 39 Grove Close, Thulston
 12.10.16 11496 Transfer – 6 South Drive, Newhall

RESOLVED:

That the Sealed Documents listed, for which there is no specific authority, be duly authorised.

CL/91 **THE ANNUAL AUDIT LETTER FOR SOUTH DERBYSHIRE DISTRICT COUNCIL**

The representative of the Council's external auditors, Ernst Young, presented the report to Council. Reference was made to the unqualified opinions given against all statutory audit provisions.

RESOLVED:-

Members considered and approved the Annual Audit Letter for 2015/16.

CL/92 **INDEPENDENT REMUNERATION PANEL REPORT**

The Chairman of the Independent Remuneration Panel presented the report to Council, highlighting numerous elements from the Panel's findings and subsequent recommendations.

RESOLVED:-

Members considered and approved the recommendations contained in the report of the Independent Remuneration Panel.

Councillor Atkin left the Chamber at 7.15pm.

CL/93 **COMMUNITY GOVERNANCE REVIEW – BARROW UPON TRENT, TWYFORD & STENSON AND STENSON FIELDS: DRAFT PROPOSALS**

The Chief Executive presented the report to Council.

Councillor Watson noted the majority view of those residents who had responded, favouring the proposed parish council boundary changes. Councillor Shepherd also noted the will of those respondents, finding the potential precept changes acceptable, given the services provided.

RESOLVED:-

1.1 Members noted the results of the Terms of Reference consultation.

1.2 Members noted that the majority of the responses received were in favour of the proposed alterations to the parish boundaries, as shown on the map at Appendix 2 to the Report.

1.3 Members agreed to the publication of the results of the Terms of Reference consultation.

1.4 Members noted that a further period of consultation on the results of the initial consultation responses will take place.

1.5 Members agreed that a further report will be brought to Council in order that a decision may be made in respect of the final recommendations of this Community Governance Review.

Councillor Atkin returned to the Chamber at 7.25pm.

CL/94 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees were approved as a true record:-

<i>Licensing and Appeals</i>	<i>16.09.16</i>	<i>LAS/14-LAS/18</i>
<i>Finance and Management Special</i>	<i>22.09.16</i>	<i>FM/65-FM/71</i>
<i>Etwall Joint Management Committee</i>	<i>26.09.16</i>	<i>EL/52-EL/58</i>
<i>Planning</i>	<i>27.09.16</i>	<i>PL/67-PL/80</i>
<i>Environmental and Development Services</i>	<i>29.09.16</i>	<i>EDS/29-EDS/43</i>
<i>Licensing and Appeals</i>	<i>06.10.16</i>	<i>LAS/19-LAS/23</i>

Councillor Richards, having sat on this Sub-Committee and noting the number of objectors who attended, queried the absence of relevant information from the statutory authorities. The Chairman of the Committee responded and the Legal and Democratic Services Manager clarified the position regarding matters put before the Sub-Committee on the day.

<i>Housing and Community Services</i>	<i>06.10.16</i>	<i>HCS/35-HCS/45</i>
<i>Finance and Management</i>	<i>13.10.16</i>	<i>FM/72-FM/84</i>
<i>Overview and Scrutiny</i>	<i>19.10.16</i>	<i>OS/19-OS/32</i>
<i>Licensing and Appeals</i>	<i>20.10.16</i>	<i>LAS/24-LAS/26</i>

CL/95 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

Council were informed that no changes had been made to the composition of the committees, sub-committees and working panels since its last meeting.

CL/96 **COMPOSITION OF SUBSTITUTE PANELS**

The Leader confirmed the following change in substitute panel compositions:

Planning Committee: Councillor Mrs Patten to replace Councillor Wheeler

CL/97 **REPRESENTATION ON OUTSIDE BODIES**

Council were informed that no changes had been made to representations on outside bodies since its last meeting.

CL/98 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

EXEMPT MINUTES OF ANNUAL COUNCIL

The Exempt Minutes of the Council Meeting held on 22nd September 2016 (Minute Nos. CL/77-CL/79) were approved as a true record.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its committees.

RESOLVED:-

That the Exempt Minutes of the following Committees be approved as a true record:-

<i>Planning</i>	<i>27.09.16</i>	<i>PL/81-PL/82</i>
<i>Environmental and Development Services</i>	<i>29.09.16</i>	<i>EDS/44-EDS/46</i>
<i>Housing and Community Services</i>	<i>06.10.16</i>	<i>HCS/46-HCS/48</i>
<i>Finance and Management</i>	<i>13.10.16</i>	<i>FM/85-FM/87</i>
<i>Licensing and Appeals</i>	<i>20.10.16</i>	<i>LAS/27</i>

The meeting terminated at 7.40pm.

COUNCILLOR P MURRAY

CHAIRMAN OF THE DISTRICT COUNCIL

REPORT TO:	COUNCIL	AGENDA ITEM: 7
DATE OF MEETING:	19th JANUARY 2017	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848 / 595722	DOC:U:\JAYNE\Commtee\COMM REP\Sealed Docs report 19 Jan 17.docx
SUBJECT:	SEALED DOCUMENTS	REF: J. BEECH
WARD(S) AFFECTED:	VARIOUS	TERMS OF REFERENCE: N/A

1.0 Purpose of Report/Detail/Recommendation

1.1 To authorise the Sealed Documents listed below, which have no specific authority:-

<u>Date</u>	<u>No. of Seal</u>	<u>Nature of Document</u>
18.10.16	11520	Transfer – 4 Grange Close, Melbourne
09.11.16	11544	Transfer – 29 Windmill Road, Etwall
09.11.16	11545	Transfer – 1 Mount Pleasant Road, Repton
24.11.16	11557	Transfer – 29 Chatsworth Road, Newhall
02.12.16	11563	Transfer – 1 Truro Close, Midway
16.12.16	11584	Transfer – 38 Lincoln Way, Midway

2.0 Financial Implications

2.1 None.

3.0 Corporate Implications

3.1 None.

4.0 Community Implications

4.1 None.

5.0 Background Papers

5.1 Seal Register

In accordance with Council Procedure Rule No. 12, Councillor Swann will move the following motion:-

Burton Hospital's Accident and Emergency Services

This Council unequivocally supports the retention of a full-fledged Accident and Emergency Department at Burton's Queen's Hospital as a vital, and indeed life-saving, facility for residents of South Derbyshire.

Therefore, this Council instructs the Chief Executive to write to the relevant NHS officials and clinicians, who make the decisions in respect of such matters, outlining the Authority's resolute and unwavering support for the continuation of Burton Hospital's Accident and Emergency services.

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 9
DATE OF MEETING:	19th JANUARY 2017	CATEGORY: RECOMMENDED
REPORT FROM:	DIRECTOR OF COMMUNITY AND PLANNING SERVICES	OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	NICOLA SWOROWSKI, x5983 nicola.sworowski@south-derbys.gov.uk	DOC:
SUBJECT:	LOCAL PLAN PART 2 SUBMISSION	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That Council approve the modifications as set out in Appendix B, having given consideration to the Duty to Co-operate under section 33A of the Planning and Compulsory Purchase Act 2004 (the 'Act'), and progress to submission of the Local Plan Part 2.
- 1.2 That Council grant the Director of Community and Planning and the Planning Policy Manager authority to prepare and submit reports, statements, proofs of evidence and to make further changes during the hearings, in pursuit of the Council's agreed position following submission.

2.0 Purpose of Report

- 2.1 The report is submitted to update Members on the Local Plan process and to recommend suggested modifications to the Plan prior to submission.

3.0 Detail

- 3.1 The adoption of the Local Plan Part 2 would allow for full replacement of the 1998 Local Plan following the adoption of the Local Plan Part 1 in June last year.
- 3.2 Members will be aware that a consultation known as a Regulation 19 consultation, which is a statutory consultation concerned with the soundness and legal compliance of the Local Plan Part 2, was undertaken from 14 October to 7 December 2016. This formal stage of Local Plan consultation is required by the Town and Country Planning (Local Plan) (England) Regulations 2012. This consultation also offered the opportunity to state how stake-holders wanted their representations to be taken account of, whether it be written representations or through attending the examination in public.
- 3.3 A range of comments, both in support and by way of objection were received regarding many of the policies and sites proposed. The responses received can be viewed on the Council's website at: <http://www.ldf.consultations.south-derbys.gov.uk/>.

- 3.4 Policy S4: Housing Strategy of the Local Plan Part 1 set out that 600 dwellings would be delivered through non-strategic (less than 100 dwellings) sites in the Local Plan Part 2. Developers/landowners have put forward 21 suggestions of sites other than those proposed for allocation to be included. In the main, the suggestions are that the sites are included as additional rather than replacement sites.
- 3.5 Changes have been suggested to many of the policies but the suggested modifications are proposed for the following policies:
H23A: Moor Lane, Aston
H23B: Jacksons Lane, Etwall
H23C: Derby Road, Hilton
H23I: Land off Kingfisher Lane, Willington
H23J: Land at Oak Close, Castle Gresley
H23M: Land at Montracon, Swadlincote
BNE5: Development in the Countryside
BNE10: Heritage
RTL1: Retail Hierarchy
INF12: Provision of Secondary Education Facilities
- 3.6 The modifications are set out in Appendix B and are split between minor and main modifications. Each modification has a reference number. The modifications M1 to M7 are suggested in order to update the Plan from its Pre-Submission status. Modifications M8 to M27 relate to minor changes to policies with the exception of M25 which relates to the explanation text to policy BNE5: Development in the Countryside. A suggested main modification is proposed for Policy BNE5 (MM1) as a result of the test the policy received at a recent appeal inquiry.
- 3.7 A new policy is proposed at modification MM3 whereupon, subject to approval, a statement of common ground would be sought with the developer that has suggested the policy. The policy relates to the Southern Derby Area that includes the Part 1 allocation of Wragley Way, the extension to the existing Infinity Park in Derby City and requires the delivery of the South Derby Integrated Transport Link. Progress has been made on this wider area with all the relevant parties including Highways England having met on several occasions; highways consultants have been appointed by the developers to develop the required transport information. This area was also the subject of a Garden Village bid for additional funding which has been successful, the details of which are awaited.
- 3.8 The next step for the Local Plan Part 2 if approved will be the submission of the Plan and proposed modifications along with the evidence base to the Secretary of State on the 24th January. Once received a Planning Inspector will be appointed to examine the Plan's 'soundness'. This will include setting hearing dates and most likely seeking clarification on some matters prior to the hearings. A Programme Officer has been appointed as an independent person to assist the Inspector and is the main contact point for anyone wishing to know about the examination once the process has started.
- 3.9 Following the close of the hearings, the Inspector will consider whether further information is necessary and following that whether more hearings are required to consider that additional information. If this isn't necessary then the Inspector will allow for a consultation to be undertaken on any required modifications before then writing their report into the soundness of the Plan. Following this a report would be brought to Members again at Full Council for hopeful adoption of the Plan.

4.0 Financial Implications

- 4.1 There will be costs associated with the Inspection. The exact cost will depend on the time taken to undertake the Inspection and therefore, the total cost is not known at this stage. The Budget for the Planning Service does contain provision to meet such costs. It is considered that the costs will be met within this provision, but will be kept under review with any major variances being reported to the Finance and Management Committee.

5.0 Corporate Implications

- 5.1 Delivery of both parts of the Local Plan is an action of the Corporate Plan's Place theme. The Part 1 has now been adopted but it is essential that the second part is adopted to allow for the 1998 Local Plan to be fully superseded.

6.0 Community Implications

- 6.1 A fully adopted Local Plan will ensure that development across the District is achieved in as sustainable manner as possible and in a way that provides the infrastructure of community facilities for both the new residents but also existing residents.

7.0 Background Papers

- 7.1 Pre Submission Local Plan
7.2 Local Plan Part 2 Sustainability Appraisal

Both approved as part of the 29th September Environmental and Development Services Committee - LOCAL PLAN PART 2 – REGULATION 19 CONSULTATION (agenda item 13).

The documents can be viewed at:

http://www.south-derbys.gov.uk/council_and_democracy/edsc20160929/default.asp

Appendix

- A Regulation 22 Local Plan Part 2 Consultation Statement (and appendices A - C)
B Schedule of Proposed Minor and Main Modifications
C Proposals Maps



**South
Derbyshire**
District Council
Community and
Planning Services

South Derbyshire Regulation 22 Local Plan Part 2 Consultation Statement



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- 2.2 Who was invited to be involved at this stage and how?
- 2.3 What were the main issues raised?

3. Draft Local Plan Part 2

- 3.1 Introduction
- 3.2 Who was invited to be involved at this stage and how?
- 3.3 What were the main issues raised and how, where necessary, were these addressed?

4. Local Plan Part 2

- 4.1 Introduction
- 4.2 Who was invited to be involved at this stage and how?
- 4.3 What were the main issues raised and how, where necessary, were these addressed?

Appendix A: Local Plan Part 2

Appendix B: Draft Local Plan Part 2

Appendix C: Pre-Submission Local Plan Part 2

Introduction

1.1 Purpose of the Document

This Consultation Statement sets out how South Derbyshire District Council has undertaken community consultation and stakeholder involvement in preparation of the Pre-Submission Local Plan Part 2.

The National Planning Policy Framework (NPPF) paragraph 155 sets out the Government's principle for community engagement;

"Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made".

This Consultation Statement has been produced to fulfil the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. It forms the statement defined at Regulation 22 (c), comprising a statement setting out:

- i) which bodies and persons the local planning authority invited to make representations under Regulation 18,
- ii) how those bodies and persons were invited to make representations under Regulation 18,
- iii) a summary of the main issues raised by the representations made pursuant to Regulation 18,
- iv) how any representations made pursuant to Regulation 18 have been taken into account;
- v) if representations were made pursuant to Regulation 20, the number of representations made and a summary of the main issues raised in those representations; and
- vi) if no representations were made in Regulation 20, that no such representations were made;

Regulation 18 specifies the consultation Local Planning Authorities must undertake in the preparation of the Local Plan before it can proceed to the publication of its Pre-Submission Local Plan. Regulation 18 states:

- 18.** (1) A local planning authority must—
- (a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and

- (b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.
- (2) The bodies or persons referred to in paragraph (1) are—
- (a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;
 - (b) such of the general consultation bodies as the local planning authority consider appropriate; and
 - (c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.
- (3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

Regulation 20 relates to the representations regarding the Pre-Submission Local Plan consultation. Regulation 20 states:

- (1) Any person may make representations to a local planning authority about a local plan which the local planning authority propose to submit to the Secretary of State.
- (2) Any such representations must be received by the local planning authority by the date specified in the statement of the representations procedure.
- (3) Nothing in this regulation applies to representations taken to have been made as mentioned in section 24(7) of the Act.

Prior to the submission of the Local Plan Part 2, three consultations have taken place:

- Local Plan Part 2 (December 2015- February 2016)
- Draft Local Plan Part 2 (June – August 2016)
- Pre Submission Local Plan Part 2 (October- December 2016)

Between 14th October and 7th December South Derbyshire consulted on its Pre-Submission Local Plan Part 2. This sought representation on the soundness and legal compliance of the Pre-Submission Local Plan Part 2 and accompanying documents, in order to meet Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The second chapter of this document sets out how representations were sought at this stage, who was engaged in the process, how many representations were received and the main issues raised by the representations submitted.

Chapters three and four of this document describe how consultations under Regulation 18 were undertaken; outline who was consulted and how; present a summary of the main issues raised and explain how they have shaped the Local Plan Part 2. Chapters three and

four were previously published in South Derbyshire's Consultation Statement in October 2016.

In terms of who was invited to make representations under Regulation 18 and 19 consultations, all parties registered on the Local Plan consultation database were informed of the consultations (at each stage). The database includes the specified list of prescribed bodies set out in Regulation 4 of Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012. At present the database has over 3000 consultees.

It should be noted that this document does not attempt to include every individual comment but does identify the main issues raised. It endeavours to summarise the issues raised, but reference should also be made to the summary of representations. Summaries of the representations received under the Regulation 18 stages of consultation can be found at: www.ldf.consultations.south-derbys.gov.uk. Regulation 19 representations will be available shortly.

1.2 Statement of Community Involvement

In March 2006, the Council adopted its Statement of Community Involvement (SCI), which sets out how the community and other stakeholders will be engaged in the preparation of the Local Plan and in development management matters.

The Town and Country Planning (Local Development) (England) (Amended) Regulations 2008 altered the stages of production of a development plan document (regulation 26, the Preferred Options stage, was removed), and now sets out two stages in which the Local Plan should be subject to consultation; Regulation 18, where issues and policy options are explored and Regulation 19, the formal consultation on the Pre-Submission Local Plan Part 2.

The Districts SCI was produced before the pre-2008 regulations, however its content is still considered to be consistent with the 2008 requirements.

The SCI proposes possible methods of consultation involvement and indicates the approach which will be used to involve the community in the preparation of the Local Plan. It also includes the approaches that may be used if it is believed to be beneficial and/or the resources are available. The Council has employed a range of consultation methods, which are considered to be consistent with SCI.

The following table is an extract from the SCI setting out the approaches the District Council will use to involve the community in the preparation of the Local Plan and its different documents(✓). It also indicated the additional approaches that may be used where it is believed that they would be beneficial and/or resources are available (P).

Method	Core & general policies			Development Plan Documents (e.g. area action plan)			Supplementary Planning documents	
	1	2	3	1	2	3	1	2
Making documents available for review at Council Offices and libraries	-	✓ *	✓ *	-	✓ *	✓ *	-	✓ *
Newsletter or leaflet available at local venues, e.g. supermarkets, surgeries	✓ *	P	P	✓ *	-	-	✓ *	-
Information sent to existing network of organisations and their newsletters	✓ *	P	P	✓ *	P	✓ *	✓ *	P
Press releases/articles in press	✓ *	✓ *	✓ *	✓ *	P	✓ *	✓ *	P
Exhibition/display in local area(s)	-	P	-	-	✓ *	-	-	P
Information and documents on website	✓ *	✓ *	✓ *	✓ *	✓ *	✓ *	✓ *	✓ *
Questionnaire survey	✓ *	-	-	✓ *	-	-	P	-
Public meeting/surgery	-	✓ *	P	-	✓ *	P	-	✓ *
Focus group with representatives of specific issue area	P	-	-	P	-	-	✓ *	P
Workshop with representatives of range of issues or interest areas	P	✓ *	-	P	✓ *	-	-	P
Participative planning activities	-	P	-	P	-	-	-	-
Community liaison group	P	P	P	P	P	P	P	P

The Local Plan Part 2 consultations were undertaken in accordance with the methods stated within the SCI.

In regards to making newsletters and leaflets available at local venues e.g. supermarkets, surgeries, during the Issues and Ideas consultation stage of the Local Plan Part 1 an attempt was made to distribute materials to local supermarkets. However this was unsuccessful as supermarkets were only willing to accept material from charities. Consultation documents were made available at South Derbyshire libraries during the consultations.

With regards to the Regulation 18 consultations and Pre-Submission Local Plan Part 2 consultation, the District Council undertook public meetings and formalised workshop events in the form of consultation/drop in events. It was considered that undertaking traditional public meetings, which are normally held for a specific short period of time, could affect the number of consultees who would attend the events and get involved.

Drop in events were held during the Regulation 18 consultations and the Pre-Submission Local Plan Part 2 consultation and were designed to be as flexible as possible, so that members of the public could turn up at any time during the event. They allowed consultees to read material on the consultation and discuss the consultation documents with officers on a one to one basis. In addition to this, during the Pre-Submission Local Plan Part 2, on 6 Thursdays during the consultation members of the public could turn up to the Council Office at any time between 9.30am and 2.00pm to discuss the consultation documents with officers on a one to one basis.

1.3 Duty to Co-operate

Section 110 of the Localism Act 2011 introduced a 'Duty to Co-operate'. Local Authorities are required to work with neighbouring authorities and other prescribed bodies in preparing Development Plan Documents. They must "engage constructively, actively and on an on-going basis" during the preparation of Local Plans when they relate to strategic matters. Strategic matters are defined as development including infrastructure that "would have a significant impact on at least two planning areas".

A separate document setting out in detail how the Council has discharged its responsibility under the Duty to Co-operate is submitted alongside the Pre-Submission Local Plan Part 2. Discussions with neighbouring authorities have been ongoing and will continue to take place throughout the preparation of the Local Plan Part 2.

1.4 Local Plan Consultation stages

A number of consultations have been carried out as part of the Local Plan process. The following table summarises the key stages of the development of the Local Plan Part 2.

Stage in Local Plan Part 2	Consultation Period
Local Plan Part 2	15 th December 2015 – 12 th February 2016
Draft Local Plan Part 2	20 th June 2016 - 15 th August 2016

Pre-Submission Local Plan Part 2	14 th October 2016 – 7 th December 2016 (deadline extended from 5pm on 25 th November 2016)
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2 Regulation 19 Consultation: Pre Submission Local Plan Part 2

2.1 Introduction

The purpose of the consultation was to meet Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation gave consultees a chance to comment on the soundness and legal compliance of the Plan, including its conformity with Duty to Co-operate.

The Pre-Submission Local Plan Part 2 and accompanying documents (including the Sustainability Appraisal and Consultation Statement) were consulted upon between 14th October 2016 and 7th December 2016

The consultation documents can be found at: www.south-derbys.gov.uk/localplanpart2

2.2 Who was invited to be involved at this stage and how?

Different methods of public consultation were used to maximise community and stakeholder engagement in the process. These included:

- a. All organisations and individuals including: statutory stakeholders, interest groups, developers, agents, Parish Councils/Meetings, South Derbyshire District Council and the local MP and other individuals on the Local Plan database, whom were sent a letter or email (where provided) and a copy of the Statement of Representations Procedure, which informed consultees of the consultation, how to find further information and how to make representations. In total 1357 emails and 1728 letters were sent (Appendix C1, C2, C3).

An additional letter/email and updated Statement of Representation Procedure was sent on 24th/25th October to all Parish Meetings/Councils and all other consultees on the Local Plan database. The consultees were informed that the Pre-Submission Part 2, with inserted paragraph numbers, had been reissued online and in libraries and were advised that the consultation deadline had been extended from 5pm on 25th November until 5pm on 7th December (C4, C5, C6).

All Parish Councils/Meetings were sent a paper copy of the Pre-Submission Local Plan Part 2, the Summary Leaflet and Representation Forms. On the 25th October 2016 the Parish Councils/Meetings were sent a paper copy of the Pre-Submission Local Plan Part 2 with paragraph numbers and summary leaflets and Statement of Representation Procedure with the new consultation deadline stated.

Four consultees responded to the consultation before the Pre-Submission Local Plan Part 2 had been updated to include paragraph numbers and the consultation

deadline extended. These consultees received a separate letter stating that due to this alteration they could replace their consultation response if they wished. However if no further response was received, their existing representation would be submitted to the Secretary of State, to be considered as part of a public examination by an Independent Planning Inspector (Appendix C7).

South Derbyshire Councillors did not receive a hard copy of the consultation documents as they are provided with hand held electronic devices, which enable them to view documents online.

- b. Reference copies of the Pre-Submission Local Plan Part 2 and accompanying documents together with summary leaflets and response forms to take away, were distributed to all South Derbyshire libraries, the District Council Main Reception and the following libraries outside of the District: Burton on Trent, Chellaston, Mickleover and Sinfin. Once the consultation deadline had been extended, the Pre-Submission Local Plan Part 2, with paragraph numbers, and summary leaflets, response forms and the Statement of Representation Procedure, indicating the new consultation deadline date, were distributed to these venues, replacing the existing documents of the same name.
- c. During the consultation period, the Pre-Submission Local Plan Part 2 consultation was advertised as part of a rolling presentation on screens in the Council Office's Main Reception. The presentation screen was updated with the extended consultation deadline (Appendix C8).
- d. A banner advertising the Pre-Submission Local Plan Part 2 consultation was uploaded on the home page of the District Council's website during the consultation period. A hotlink on this banner connected directly to the Pre-Submission Local Plan Part 2 webpage, which provided further information on the consultation and contained the consultation documents and response forms to download (Appendix C9).
- e. Response forms were produced soliciting responses concerning the soundness and legal compliance (including Duty to Co-operate) of the documents. These were available at all drop in events, all South Derbyshire libraries, the other libraries stated above and the District Council's Main Reception. They were also made available to download from the District Council's website (Appendix C10).
- f. Drop in events were publicised on the District Council's website and the consultation documents and response form were made available to view online or download.

Two drop in events were held, with the aim of reaching all sections of the community. Planning Officers were present to talk through the consultation and answer questions from members of the public and stakeholders. The drop in events took place at:

- Aston on Trent War Memorial Hall , Weston Road , Aston on Trent, DE72 2AS on 25 October 2016 between 2.30pm to 7.30pm; and

- Frank Wickham Hall, Portland Street, Etwall, DE65 5GH on 3 November 2016 between 2.30pm to 7.30pm

The drop in events included display boards explaining the purpose of the consultation, the proposed allocations and the purpose of settlement boundaries. They included a brief description of the Sustainability Appraisal and Consultation Statement (Appendix C12). Reference copies of the Pre- Submission Local Plan Part 2 and accompanying documents were on display, along with summary leaflets (Appendix C11) and response forms, which consultees could take away.

Furthermore on the below dates between 9.30am and 2pm at the Council Offices, members of the Planning Policy unit were available to answer questions regarding the consultation:

- Thursday 20th October
 - Thursday 27th October
 - Thursday 3rd November
 - Thursday 10th November
 - Thursday 17th November
 - Thursday 24th November
- g. The District Council issued a press release advertising the consultation and drop in events (Appendix C13). The press release was then reissued with the date of the extended consultation deadline (Appendix C14).
- h. A short URL Code was created for the District Council's webpage which set out information on the consultation. Once the consultation deadline had been extended, the webpage was updated to inform consultees of the new deadline. In addition the Pre-Submission Local Plan Part 2 with paragraph numbers and summary leaflets, response forms and Statement of Representation Procedure with the new consultation deadline date were uploaded onto the page, replacing the existing documents of the same name.
- i. Posters advertising the consultation and drop in events were sent to Parish Councils/Meetings and were displayed at the Council Offices (Appendix C15).

2.3 Number of representations made under regulation 20 and a summary of the main issues raised.

In total 231 comments made by 76 respondents were received in response to the Pre-Submission Local Plan Part 2 consultation.

The number of comments made in relation to each policy was as follows:

Policy	Count		Policy	Count
SDT1	61		H25	1
H23	47		H26	1
H23A	4		H27	1
H23B	7		H28	2
H23C	7		BNE5	9
H23D	2		BNE6	1
H23E	2		BNE7	5
H23F	2		BNE8	7
H23G	14		BNE9	0
H23H	2		BNE10	7
H23I	2		BNE11	0
H23J	4		BNE12	2
H23K	1		RTL1	1
H23L	6		RTL2	1
H23M	2		INF11	0
H23N	1		INF12	5
H24	1			

In some instances a consultee did not mention a specific policy, but did reference the Habitat Regulations Screening, the Sustainability Appraisal or the Pre-Submission Local Plan Part 2. The number of people who responded in this way can be seen in the table below.

Plan element	Count
Pre-Submission Local Plan Part 2	12
Sustainability Appraisal	9
Habitat Regulations Screening	2

Regulation 22 (c)(v) states that in addition to setting out the number of representations received under Regulation 20, the statement should set out a summary of the main issues raised. Not all responses are summarised below, just the main issues.

2.4 What were the main issues raised?

SDT1: Settlement Boundaries and Development

Some comments of support were received for policy SDT1. One consultee supported the approach to development set out in SDT1. Another generally supported the use of settlement boundaries to define the built limits of a settlement and distinguish between the built form of a settlement and the countryside. A further consultee stated that settlement boundaries are an effective mechanism to ensure that new housing development is provided in sustainable locations within and well related to settlements and provides clarity and certainty to the public and developers as to which land is within the built form of the settlement and which land is considered as countryside. The consultee added that the

overall methodology and approach to the definition of boundaries is considered a robust methodology.

In addition comments were received which specifically supported the settlement boundaries for Hilton, Overseal, Findern and Swadlincote Urban Area.

A large number of settlement boundary alterations were suggested through the consultation. The alterations have been suggested for a number of reasons including: that the site would meet the three strands of sustainable development; that due to the sustainability credentials of a settlement it was able to accommodate further growth; that additional sites are required to meet the District's housing requirement and that additional sites are required to meet one of the key objectives of the NPPF: to boost significantly the supply of housing and to comply with paragraph 55.

The suggested alterations include:

- Surprised that Egginton village boundary does not include land adjacent to 27 Main Street and land adjacent to 20 Main Street.
- The curtilages of Trentside and Cobster Cottage should be included within Swarkestone settlement boundary
- Milton settlement boundary should be extended to the north of the village to include land adjacent to 5 Main Street
- Stanton by Bridge settlement boundary should include land adjacent to Hollies Farm House and the Pippins, Ingleby Road.
- Lees settlement boundary should be extended to the north of the village, to include land adjacent to the School House and the curtilages of Lees Bank and Grange View.
- A settlement boundary should be drawn around the development sites at Drakelow Park and east of Rosliston Road, as well as the existing built limits of the village.
- SHLAA site S/0119 should be included within the settlement boundary of Shardlow.
- Extending the proposed allocation within Hilton to the north and including it within Hilton settlement boundary
- Include land to the rear of Marcelle House within Church Broughton settlement boundary
- Include land at Birch Trees Farm within Hilton Settlement Boundary
- Newton Solney settlement boundary should include all of the garden at Hillbank, 3 Bretby Lane
- The settlement boundary of Repton should remain as in the adopted Local Plan Part 1 and the first Draft Local Plan Part 2
- Include the curtilage of Askew Lodge within Repton settlement boundary
- Include land to the east of Burton Road within Rosliston settlement boundary
- Remove housing allocation H23G from the plan and Repton settlement boundary
- Include SHLAA site S/0039, along with the adjacent caravan and motorhome site within the Hilton settlement boundary
- Include SHLAA site S/0089 within Hilton settlement boundary.
- Include SHLAA site S/0108 within Melbourne settlement boundary (based on the reduced site boundary)
- Include land south of the Moonraker within Rosliston settlement boundary
- Include SHLAA site S/0062 within Aston on Trent settlement boundary.

- Include SHLAA site S/0134 and the existing ribbon development to the north of Burton Road within Repton settlement boundary.
- The housing allocation at Etwall is not justified, it extends the built form of the village further to the south and closer to the A50 and the land to the west of Egginton Road is available.
- Extend Hilton settlement boundary to include land that abuts the proposed allocation H23c.
- Extend Overseal settlement boundary to include land off Burton Road
- Reduce the proposed allocation H23L to bring the northern boundary of the site in line with the Scropton settlement boundary line to the east and west of the site. Scropton settlement boundary should then follow the northern outer boundary of the reduced H23L allocation.

Comments were received objecting to the use of settlement boundaries as proposed though Policy SDT1. The consultee stated that settlement boundaries are tightly drawn and therefore could arbitrarily restrict sustainable development from coming forward. This is not in accordance with the positive approach required by national policy and the presumption in favour of sustainable development. The consultee suggested that if settlement boundaries are used, they should be supported by clear criteria based policies to provide greater certainty and consistency on how the sustainability credentials of development proposal outside of these settlement boundaries would be assessed by the authority. The consultee suggested that Paragraph 2.1 should state “There is a presumption in favour of sustainable development, as detailed on Policy S2 (Local Plan Part 1). Settlement boundaries define the built limits of a settlement and distinguish between the main built form of a settlement and the countryside. Areas outside of the settlement are considered to be countryside”. Furthermore the consultee suggested that the following text should be included beneath the second paragraph of SDT1: “Sustainable development proposals adjacent to existing settlements will be permitted provided that any adverse impacts of doing so would not be significantly and demonstrably outweigh the benefits of development”.

In addition one consultee stated that the aim of the settlement boundary for Milton should be to preserve the spacing with the area known as the Orchard and that that should be ensured through the Local Plan either within or outside the settlement boundary. Furthermore the consultee stated that allocation H23G was now included within the Repton settlement boundary and that the rationale for the change seemed contrary to the aims of preserving the character of the village, particularly in regard to the impression on arrival from Milton.

H23: Non-Strategic Housing Allocations

The majority of responses received about this policy were in regard to sites not allocated within the Plan. The sites suggested for allocation included:

- SHLAA site S/0040 Foston
- SHLAA site S/0036 Etwall
- Part of SHLAA site S/0126 Milton
- Part of SHLAA site S/0123 Stanton By Bridge

- SHLAA site S/0248 Swadlincote
- Site granted planning permission for 75 dwellings at Drakelow
- SHLAA site S/0119 Shardlow
- Weston Road, Aston on Trent
- SHLAA site S/0089 Repton
- Land off Station Road/Jawbone Lane
- Land at Seales Lane, Burton on Trent
- Winchester Drive, Linton
- SHLAA site S/0108 Melbourne
- SHLAA site S/0134 Repton
- Land south of Jacksons Lane, Etwall
- Station Road, Melbourne
- SHLAA site 0075 Shardlow
- SHLAA site 0076 Shardlow
- Land west of Egginton Road, Etwall
- Land off Burton Road, Overseal
- Allocation H23c should be amended to include adjacent land, extending north/north west and towards the A50.

The main reasons for suggesting additional sites are to ensure/enable the District Council to meet its objectively assessed housing need and to provide a sufficient choice and flexibility of housing sites to demonstrate a five year housing land supply. It was stated that some sites could underperform and a reliance on strategic sites would not deliver the necessary level of supply in the short term. Therefore allocating additional sites could help the plan deliver its minimum requirement. One consultee stated that the plan failed to substantiate the expectation that 600 dwellings could be delivered in the plan period. In addition some consultees referred to a new appeal decision indicating that the District Council no longer has a five year supply and therefore additional sites are required.

Further reasons were also provided for suggesting the allocation of additional/alternative, these include:

- The policy is not justified as a particular site is not included or the Plan fails to acknowledge the development opportunities on specific sites
- Key Service Villages can support growth or further growth
- The Plan fails to deliver enough sites in Rural Villages and Key Service Villages
- The Council should reconsider the distribution of growth within Etwall
- Site specific positives were identified
- Without a level 2 SFRA the Council's evidence base is inadequate to rule out development based on concerns over flood risk in Shardlow

Furthermore some suggestions to the wording of Policy H23 were made, these include:

- The policy for L: land north of Scropton Road, Scropton (S/0291) should state approximately 15 dwellings
- All 14 non-strategic housing allocations should be amended so that the text 'up to' is deleted and replaced with 'approximately'.

- The policy should make it explicit that any development proposals must have regard to future wider development opportunities on adjacent land and ensure that such opportunities are not stymied or limited by the forms of any development on the proposed allocations. Provision for future access and other connections from the proposed allocation into adjacent land should be made within any agreed layout.
- A criteria requiring developer contributions to education should be added

H23A: Moor Lane, Aston on Trent

A total of four comments were received. One consultee supported the allocation, provided that the visual impacts of the development are suitably mitigated, and welcomed housing allocations where buffers between the site and open countryside and/or adjoining residential development were included and existing hedgerows retained. Another respondent whilst supporting the allocation, requested changes to the policy wording regarding the landscape buffer, location of open space and location of the 1.5 storey dwellings. A further consultee expressed support for the allocation in the hope that an adopted local plan would provide more certainty over future developments.

Furthermore one consultee stated that each of the 14 proposed housing allocations would have implications for primary education provision and that at the scale of the proposed allocation, additional pupils could be accommodated subject to expansion of the existing primary school via developer funding.

H23B: Jacksons Lane, Etwall

This policy received a mixed response. One consultee supported the allocation. Another offered support provided that the visual impacts of the development are suitably mitigated and welcomed housing allocations which included buffers between the site and open countryside and/or adjoining residential development and existing hedgerows retained. A further consultee was pleased to see that the overall housing density was much reduced, that no buildings would be built in front of Etwall Grove and that there would be no vehicular access between the Part 2 allocation and the Part 1 allocation at Willington Road.

Another respondent had strong reservations concerning the vehicular access at the junction with Jacksons Lane and considered that the site would require considerable treatment in terms on noise barriers, to reduce noise to an acceptable level.

One respondent suggested amendments to the Policy:

- Approximately 50 dwellings
- Site A – character area approximately 4 dwellings per hectare (gross)
- Site B – character area approximately 6 dwellings per hectare (gross)
- Site C – character area approximately 8 dwellings per hectare (gross)
- A landscape buffer along the eastern boundary of the site implemented and enhanced
- No more than 3 dwellings on the frontage of site to Egginton Road.

In addition one consultee stated that SHLAA site S/0036 should be allocated for residential development as it performs better in the Councils Sustainability Appraisal than the chosen

allocation within Etwall, although such an allocation didn't need to be in lieu of site S/0284. Furthermore another consultee stated that each of the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocation, additional pupils could be accommodated within an already planned extension of the existing primary school.

H23C: Derby Road, Hilton

One consultee supported the allocation. Another expressed support provided that the visual impacts of the development are suitably mitigated and welcomed housing allocations that included buffers between the site and open countryside and/or adjoining residential development and existing hedgerows retained.

One respondent asked that the policy be amended to require the consideration of the impact of housing development on the notified interest features of Hilton Grovel Pits Site of Special Scientific Interest. Another said that the policy should be amended to indicate "up to 43 dwellings"; in order to conform with Policy H23.

A further consultee said that the site formed part of a wider parcel of land lying north of Derby Road and south of the A50 and considered that it was unsound to allocate only the small parcel of land as this undermined the proper planning of this area of Hilton. It was considered that it would be more sustainable to allocate a larger development area (see response to H23).

In addition one consultee stated that in defining the boundaries of the allocated site the Local Plan did not take account of opportunities on adjacent land that would assist in meeting housing needs and providing related infrastructure. The smaller site was less able to respond to the wider context; was limited in its potential to meet the needs of the wider settlement and potentially stymied future development opportunities. The objector considered that should the Inspector not be minded to agree that the allocation should be extended, then it would remain appropriate to designate the adjacent land as a 'reserve' site to be released should allocated sites not be developed or otherwise underperform. Furthermore Policy H23c should be amended to make it explicit that any development proposals must have regard to future wider development opportunities on adjacent land and ensure that these are not stymied or limited by the form of any development on the proposed allocation. Provision for future access and other connections from the proposed allocation into adjacent land should be made within any agreed layout.

Furthermore one consultee stated that each of the 14 proposed housing allocations would have implications for primary education provision and considered that additional pupils could be accommodated within the new primary school at Hilton.

H23D: Station Road, Melbourne

Two comments were received. One supported the allocation, provided that the visual impacts of the development are suitably mitigated and welcomed housing allocations where they included buffers between the site and open countryside and/or adjoining residential

development and existing hedgerows retained. The other comment stated that each of the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocation, additional pupils could be accommodated subject to expansion of the existing primary school via developer funding.

H23E: Acresford Road, Overseal

Two comments were received. One supported the allocation, provided that the visual impacts of the development are suitably mitigated, and welcomed housing allocations where buffers between the site and open countryside and/or adjoining residential development were included and existing hedgerows retained. The other comment stated that each of the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocations in Overseal, additional pupils could be accommodated subject to the expansion of the existing primary school via developer funding.

H23F: Valley Road, Overseal

Two comments were received. One supported the allocation, provided that the visual impacts of the development are suitably mitigated, and welcomed housing allocations where buffers were included between the site and open countryside and/or adjoining residential development and existing hedgerows retained. The other comment stated that each of the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocations in Overseal, additional pupils could be accommodated subject to the expansion of the existing primary school via developer funding.

H23G: Milton Road, Repton

One consultee supported the allocation and states that an application has been developed to fully accord with the site specific requirements of Policy H23G.

Another consultee supported the allocation, provided that the visual impacts of the development are suitably mitigated, and welcomed housing allocations where buffers were to be provided between the site and open countryside and/or adjoining residential development and existing hedgerows retained.

A further comment stated that each of the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocations in Repton, additional pupils could be accommodated subject to a small expansion of the existing primary school via developer funding.

The majority of consultee responses were opposed to the allocation. The reasons for this included the following:

- Surprise and concern that planning permission has been sought on the site before the Local Plan Part 2 has been properly agreed.
- The Repton and Milton Neighbourhood Plan is currently in process of preparation and should be recognised in planning decisions. The emerging Neighbourhood Plan

clearly identified that the Parish did not want to extend the village boundary which would reduce the agricultural land between Milton and Repton

- The site was less optimal than others available within the District
- The proposal goes against guidelines laid out in the NPPF. The policy involves building on countryside by an extension of the village development boundary. This goes against SDDC's policy BNE5.
- Evidence has not been adequately presented to justify the choice of this site over others in the district and a justification given as to why changes to the village development boundary are proposed after extensive consultation had already been completed.
- It cannot be argued that the development is required on the basis of sufficient numbers allocated to achieve expected demand, when the Local Plan Part 2 exceeds the 600 dwellings required in Local Plan Part 1.
- Guidelines state that brownfield land should preferentially be developed, whilst protecting land of higher environmental and social value. There is considerable potential for this in South Derbyshire that had yet to be realised.
- The site fails to achieve the stated aims of SDDC of promoting development that is sustainable. The site is considerable distance from facilities and the presence of a hill would make the journey on foot difficult for those who find walking hard, leading to increased car travel.
- Car usage is a major and increasing problem in Repton and the development would exacerbate the situation.
- More development will aggravate the flooding issues near the junction with Monsom Lane.
- Building on the site will disrupt views of the historic centre of the village, which are only available from the public footpath running through the site.
- Repton had seen significant large scale development in the recent past. Further development would overstretch facilities and infrastructure.
- The site was outside of the settlement boundary before the change to Repton boundary.
- The allocation is contrary to the wishes of many residents of Repton. The many representations submitted in this regard had been ignored.
- The field had a big slope and any building would have a massive detrimental impact on the bungalows at Burdett Way and the privacy of residents.
- The field is an important open space crossed by a public footpath with views across the village.
- Repton has already had its fair share of development and the developments that have or are taking place appear more in line with urban development and were not in keeping with a more rural setting.
- The site fails to retain a key view of Repton, being the only clear view of the village from the east.
- All development is taking place on the Milton side of Repton which did not have the roads to cope with additional traffic, as opposed to the Burton Road side which had far better road access.

Some consultees suggested that the allocation should be removed and that the settlement boundary for Repton should revert back to the one agreed for Part 1 and the one included in the 1st Draft of Part 2.

H23H: Mount Pleasant Road, Repton

Two responses were received. One consultee was baffled as to why the site was under construction before the final consultation had taken place and stated that Repton had already had its fair share of development and the developments that had taken place appeared more urban and not in keeping with a rural setting. The consultee adds that all development is taking place on the Milton side of Repton which did not have the roads to cope with additional traffic, as opposed to the Burton Road side which had far better road access.

The other consultee stated that each of the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocations in Repton additional pupils could be accommodated subject to a small expansion of the existing primary school via developer funding.

H23I: Off Kingfisher Way, Willington

Two comments were received. One supported the allocation, provided that the visual impacts of the development are suitably mitigated and welcomed housing allocations where buffers between the site and open countryside and/or adjoining residential development were to be provided, together with the retention of existing hedgerows.

The other comment stated that each of the 14 proposed housing allocations would have implications for primary education provision. The existing Primary School in Willington is limited. Additional pupils in this location could only be accommodated by displacing any pupils attending from out of normal area back to Hilton and Findern. However, most of the pupils attending are from within the normal area. Accommodating additional pupils at this location would therefore be difficult in the short term.

H23J: Oak Close, Castle Gresley

Four comments were received. One supported the allocation, provided that the visual impacts of the development are suitably mitigated, and welcomed housing allocations that included buffers between the site and open countryside and/or adjoining residential development, together with the retention of existing hedgerows.

Another comment did not object to the allocation, but had major concern for vehicular access. The consultee states that part of the road housing structure is terraced with no off road parking and suggested that consideration should be given to making Bass's Crescent, Cedar Road and Arthur Street one way.

The two further comments were regarding education. One consultee was concerned about the capacity of schools within the Linton Electoral Division, indicating that the primary schools were for the most bursting at the seams, including Linton, Overseal, Rosliston and Castle Gresley, where a large development at Oak Close was proposed. The other consultee

stated that each of the 14 proposed housing allocations would have implications for primary education provision. Accommodating additional pupils at this location in existing primary schools would be extremely difficult. Linton Primary School is the normal area school and is projected to be at capacity from increasing pupil's numbers in the existing population, as well as recently granted planning permission. Other nearby schools (Castle Gresley Primary School, St Georges Primary School, Church Gresley Infant and Pennine Way Junior School) are also approaching capacity. The proposed new primary school at Drakelow could provide some additional capacity in the wider school planning area but would not be delivered in the short term.

H23K: Midland Road, Swadlincote

One comment was received regarding the allocation. The comment stated that each of the 14 proposed housing allocations would have implications for primary education provision. Accommodating additional pupils at this location in existing primary schools would be extremely difficult. Castle Gresley Primary School, St George's Primary School, Church Gresley Infant and Pennine Way Junior School are projected to be at capacity from increasing pupil numbers in the existing population. The proposed new primary school at Drakelow could provide some additional capacity in the wider school planning area but will not be delivered in the short term.

H23L: Land north of Scropton Road, Scropton

One consultee supported the identification of the site for residential development, but suggested that the policy wording be amended to approximately 15 dwellings and the requirement of no more than 1.5 storey on the outer boundary of the site adjacent to the countryside be deleted.

Another consultee stated that the allocation at Scropton is not of a scale that would deliver affordable housing, is over 1200m from a bus stop and is not considered to deliver sustainable development to local service villages and rural villages. The consultee added that based on the Council's own scoring, SHLAA site S/0040 performs better in terms of sustainability objectives than the chosen allocation at Scropton. Given that the amount of development originally envisaged to be allocated to Local Service Villages/Rural Villages has been reduced from the Local Plan Part 2 December 2015 consultation, the Foston site could be allocated along with the Scropton site, whilst still pursuing the Council's strategy of directing the majority of growth to higher order settlements.

A further consultee supported the allocation, provided that the visual impacts of the development were suitably mitigated, and welcomed housing allocations where buffers between the site and open countryside and/or adjoining residential development were included, together with the retention of existing hedgerows.

One consultee stated that the 14 proposed housing allocations would have implications for primary education provision. At the scale of the proposed allocation, additional pupils could be accommodated within an already planned extension of the Heathfields Primary School at Hatton.

In addition one consultee objected to the extent of the northern part of the site allocation, suggesting that it be reduced and the northern boundary brought in line with the settlement boundary to the east and west of the site.

H23M: Montracon Site, Woodville

Two comments were received. One supported the policy for the consideration of providing further land for the local primary school at Swadlincote and the other stated that the 14 proposed housing allocations would have implications for primary education provision. The existing infant and junior schools are already at capacity and projections show increasing pupil numbers within the existing population. Additional school place capacity would be required in order to accommodate any level of development in this normal area.

H23N: Stenson Fields

One comment was received, stating that the 14 proposed housing allocations would have implications for primary education provision. At this scale, additional pupils could be accommodated within an already planned extension of the existing primary school.

H24: Replacement Dwellings in the Countryside

One comment was received, stating that policy H24 along with BNE6, H25, H26, H27 and H28, should help reinforce and support Policy BNE5 and its effective application to protect the countryside from harmful and inappropriate development.

H25: Rural Workers Dwellings

One consultee commented on the policy, stated that H25 along with BNE6, H24, H26, H27 and H28, should help reinforce and support Policy BNE5 and its effective application to protect the countryside from harmful and inappropriate development.

H26: Residential Gardens within the Countryside

One consultee commented on the policy, stated that H26 along with BNE6, H24, H25, H27 and H28, should help reinforce and support Policy BNE5 and its effective application to protect the countryside from harmful and inappropriate development. The consultee also stated that the majority of the suggested changes to the policy had been taken into account in the Pre-Submission Local Plan Part 2, through appropriate rewording and/or new text.

H27: Residential Extensions and Other Householder Development

One comment was received, stating that H27 along with BNE6, H24, H25, H26 and H28, should help reinforce and support policy BNE5 and its effective application to protect the countryside from harmful and inappropriate development.

H28: Residential Conversions

Two comments were received. One comment supported the policy, stating that it was in line with the National Planning Policy Framework and encouraging the re-use of vernacular and

farm buildings. The other comment stated that policy H28 along with BNE6, H24, H25, H26 and H27, should help reinforce and support policy BNE5 and its effective application to protect the countryside from harmful and inappropriate development.

BNE5: Development in the Countryside

One consultee supported the principle of the policy, another welcomed the two stage criteria approach to the assessment of proposals in the countryside and another consultee supported the policy, stating that the policy is in accordance with the National Planning Policy Framework in respect of development in the countryside.

One consultee said that sites at Egginton met the criteria of policy BNE5. The consultee therefore hoped to have reassurance that any future planning applications might be looked upon favourably.

However there were objections to the policy. One consultee stated that the policy needed to specifically state that due regard would be given to protecting the green wedges in the City of Derby. Another stated that the policy was too vague and should specifically recognise the exception that needed to be made in respect of Traveller site provision (paragraph A should include a section of Traveller sites). And two consultees raised concern regarding the reference to 'valued landscape'. One stated that the term was too vague and such designation, whatever it was, should not be used to prevent all forms of development as is implied. Another respondent considered that there is inconsistency between the NPPF and policy: whilst it was correct to say that the NPPF seeks to protect and enhance valued landscapes (through paragraph 109), it was not correct to say that the Framework seeks to prohibit development in locations that may have an impact on such areas.

A further respondent expressed concern about the omission of a reference to the presumption in favour of sustainable development within the explanatory text, which they considered to be inconsistent with the NPPF. They consider that BNE5 is unjustified as the proposed settlement boundary of Repton does not include site S0134 and is therefore not the most appropriate strategy for the delivery of housing. Furthermore a consultee acknowledged section A and B of the policy, but considered that the District Council should draw settlement boundaries that would sufficiently identify a future supply of housing beyond the plan period, reducing the likelihood of sites coming forward in the countryside.

In addition changes to the policy wording and explanation were suggested. One consultee suggested that part B(i) of the policy should read "will not unduly impact on: landscape character, valued landscape, biodiversity, best and most versatile land, historic assets; and....". In addition two consultees suggested that paragraph 4.4 should read: "Should the development be considered as inappropriate within the countryside, then a further test will be applied through section B of the policy that considers the developments impact on a number of factors. The relationship to a settlement or settlements is important as the Council want to avoid isolated unsustainable developments in the Countryside. However, through the presumption in favour of sustainable development in the NPPF and the policy in Part 1 of the plan sites will be considered favourably where it can be demonstrated that the benefits of development would significantly and demonstrably outweigh the harm".

BNE6: Agricultural Development

One consultee stated that although of a local nature, BNE6 along with H24, H25H26, H27 and H28, should help reinforce and support policy BNE5 and its effective application to protect the countryside from harmful and inappropriate development.

BNE7: Trees, Woodland and Hedgerows

One consultee supported the policy, noting that the majority of their suggested amendments made at the draft plan stage had been incorporated in the Pre-submission plan. Another consultee contended that part B of the policy was unsound, stating that national guidance did not apply an exceptional circumstances test to the felling of protected trees, groups of trees or woodland in conservation areas. Therefore the wording of the policy did not accord with national guidance: the policy was not effective because it could hamper the delivery of development and was not justified given that it did not provide the most appropriate strategy. A further consultee supported the principle of the policy but objected on the grounds that it did not currently apply to *all* tree, woodland and hedgerow removal. What constituted 'high value' had not been defined and in the majority of cases no replacement planting or other habitat improvements were required by the policy. In order to accord with paragraph 109 of the NPPF the policy should expect replacement planting or other enhancement works to occur on all sites.

BNE8: Local Green Space

Two respondents raised objections to this policy. The first was on the grounds that any allocation for Local Green Space should be outlined within the Part 2. Removing sites from consideration at the Pre-submission stage renders that Part 2 not positively prepared when considered within the context of NPPF Paragraph 157, which states that the Local Plan should "identify land where development would be inappropriate, for instance because of environmental or historic significance".

The second objection requested that the Council give consideration to the deletion of the policy. As the Local Green Space did not form part of the Council's published evidence base, it was difficult to see how the proposed approach could be effective or justified – a statement of future intent rather than a well-evidenced policy.

BNE9: Advertisement and Visual Pollution

No comments were received with respect to this policy.

BNE10: Heritage

Two respondents commented on this policy. One objected on the grounds that whilst the policy broke down the various heritage assets, it made no distinction regarding the weight to be given to the different types of asset in the determination of planning applications. The NPPF highlighted that the more important the asset the greater the weight that should be attached to it. The respondent considered that the policy should be modified to ensure consistency with Policy BNE2: Heritage Assets.

The second consultee sought modifications to bullet points 4 and 5 to reflect National Planning Guidance. Bullet point 4 did not recognise that the weight to be given to an asset's

conservation directly related to the importance of the asset and bullet point 5 did not make clear that those non-designated heritage assets that were not of demonstrably equivalent significance to a heritage asset would not be subject to the 'substantial harm test'.

BNE11: Shopfronts

No responses were received in respect of this policy.

BNE12: Former Power Station Land

One consultee supported the policy and pointed out that the site allocated under Policy H6 of the Local Plan Part 1 could deliver substantial numbers of new homes and supporting development. Another supported the policy and considered that the inclusion of both the Drakelow and Willington former power station sites would provide more clarity and certainty to developers and the public on how the sites were to be developed in the future.

RTL1: Retail Hierarchy

One consultee supported the inclusion in the Policy of the retail hierarchy, but expressed fundamental concern that important elements of the retail impact test that were incorporated in the Policy in the Draft Local Plan Part 2 had not been carried forward in the Pre-Submission Local Plan. The respondent considered it important that Section B of the version of Policy RTL1 contained in the Draft Local Plan Part 2 should be included in the Pre-Submission Plan, to be compliant with paragraph 26 of the National Planning Policy Framework.

RTL2: Swadlincote Town Centre Potential Redevelopment Locations

One consultee pointed out that the postal collection and delivery service for the Borough was provided from Swadlincote Delivery Office, which formed part of the potential Civic Centre redevelopment area identified in the Policy. Royal Mail owned the freehold of this property and it was important that any future development proposals did not prejudice their operations. Should a development brief be prepared for the site they would welcome the opportunity to comment.

INF11: Telecommunications

No responses were received in respect of this policy.

INF12: Provision of Secondary Education Facilities

One consultee objected to the Policy as it remained unclear what amount of secondary education places were required to accommodate the District's housing and population growth, nor was it firmly established what the most appropriate strategy would be to deliver additional education infrastructure. The consultee did not object to the allocation of two sites for secondary schools as they agreed that at least one would be required to be delivered during the plan period and that the allocation of two sites would provide flexibility going forwards, however they considered that the site at Thulston Fields should be

identified as a “preferred option” in accordance with a County Council assessment. They also consider that the Pre-Submission Local Plan Part 2 should commit the site at Thulston Fields to be safeguarded for future removal from the Green Belt during the Plan Period as part of a Local Plan review.

Another respondent fully supported the policy, the background text and Proposals Map 5. They welcomed and supported the fact that their comments in respect of Draft Local Plan Part 2 had been taken into account.

A further consultee welcomed the support in the Plan to schools and supported the recognition for the requirement to provide additional secondary education facilities. The consultee welcomed the identification of two potential sites (Lowes Farm, and Thulston Fields), but considered that it would be helpful if the securing of developer contributions through S106 and Community Infrastructure Levy (CIL) were explicitly referenced within the document. Support was expressed for the principle of safeguarding land for the provision of new schools and the siting of schools within the allocated sites in locations that promoted sustainable travel modes for pupils, staff and visitors. The consultee states there was a need to ensure that developer contributions through the CIL were sufficient to cover the increase in demand for school places generated by development. When new schools were developed, local authorities should seek to safeguard land for any future expansion where demand indicates that this might be necessary.

3 Local Plan Part 2 (15th December 2015 – 12th February 2016)

3.1 Introduction

The Local Plan is being prepared in two parts. The Part 1 was submitted to the Secretary of State in August 2014 and examination of the Plan took place in late 2014 and December 2015. Part 1 deals with strategic allocations and key policies, while Part 2 is concerned with smaller housing sites (known as non-strategic housing allocations) and more detailed Development Management Policies.

In December 2015 South Derbyshire District Council published its first consultation on the Local Plan Part 2.

The consultation sought views on six consultation documents:

- The Local Plan Part 2 which contained detailed development management policies.
- Appendix A: Settlement Boundary Topic Paper- which set the methodology for reviewing and establishing new settlement boundaries.
- Appendix B: Housing site options – which contains maps of the housing site options for the Part 2 Plan
- Appendix C: Housing site Pro-formas – which assesses the sites contained within the Strategic Housing Land Availability against a set of criteria.
- Appendix D: Local Green Spaces Topic Paper –which set the methodology for establishing Local Green Spaces
- Appendix E: Maps showing the location of Local Centres.

This initial consultation ran from 15th December 2015 until 12th February 2016. The consultation document and responses received can be found on the Councils website at: <http://www.ldf.consultations.south-derbys.gov.uk>.

3.2 Who was invited to be involved at this stage and how?

Different methods of public consultation were used to maximise community and stakeholder engagement in the process. These included:

- a. All organisations and individuals on the LDF consultation database (including Parish Councils and South Derbyshire's MP) were contacted by letter or email where provided, informing consultees of the purpose of the consultation, how to find further information and how to make representations (Appendix A1, A2, A3). In total 1138 emails and 1710 letters were sent.
- b. All South Derbyshire Parish Councils and Meetings were sent a paper copy of the consultation documents, summary leaflet and questionnaire.

South Derbyshire District Councillors did not receive a hard copy of the consultation documents. This is due to the provision of hand held electronic devices which enable Councillors to view documents online.

- c. Posters were distributed to all Parish Councils/ Meetings and libraries (Appendix A4)

- d. A reference copy of the Local Plan Part 2 consultation documents was available to view in South Derbyshire District Councils Main Reception along with summary leaflets and questionnaires to take away.
- e. Posters and reference copies of the Local Plan Part 2 consultation documents were available to view at all South Derbyshire Libraries and the following libraries outside of the District: Burton on Trent, Chellaston, Mickleover and Sinfen. Summary leaflets and questionnaires were also available to take away.
- f. During the consultation period the Local Plan Part 2 was advertised as part of a rolling presentation on screens in the Councils Office's Main Reception (Appendix A5).
- g. A banner advertising the Local Plan Part 2 consultation was uploaded on the home page of the District Councils webpage, during the consultation period. A hotlink on this banner connected directly to the Local Plan Part 2 webpage, which provided further information on the consultation and contained the consultation documents, summary leaflet and questionnaire to download (Appendix A6).
- h. Questionnaires were produced soliciting responses to the consultation documents. These were made available at all drop in events, all South Derbyshire Libraries (and the libraries outside of the District stated above), the District Councils Main Reception and to download from the District Councils webpage (Appendix A7).
- i. Drop in events were published on the District Councils website and the consultation documents, summary leaflets (Appendix A8) and questionnaire were available to view on-line or download.
- j. Eleven drop in events were held in various locations, with the aim of reaching all sections of the community. Planning officers were at the events to talk through the consultation and answer questions from members of the public and stakeholders.

The exhibitions included information panels explaining the purpose of the consultation, the purpose of Local Green Spaces, an explanation of settlement boundaries and the settlement boundary review, a brief overview of the proposed strategy for distributing housing within the part 2 and the housing options and a summary of the Part 2 policies (Appendix A9).

Reference copies of the consultation materials were on display, along with copies of the summary leaflet and questionnaire which consultees could take away with them.

The drop in events took place at the following venues.

- Old Post Centre, High Street, Newhall DE11 0HX on 8 January 2016 from 2.30pm to 7.30pm

- Goseley Community Centre, Hartshill Road, Woodville on 11 January 2016 from 2.30pm to 7.30pm
 - All Saints' Heritage Centre, Shardlow Road, Aston on Trent, DE72 2DH on 12 January 2016 from 2.30pm to 7.30pm
 - Rosliston and Cauldwell Village Hall, Main Street, Rosliston on 15 January 2016 from 2.30pm to 7.30pm
 - Repton Village Hall, Askew Grove, Repton, DE65 6GR on 18 January 2016 from 2.30pm to 7.30pm - Repton Parish Neighbourhood Development Plan Group will be displaying some information at the event
 - Church Rooms, adjacent to St George and St Mary's Church, Church Street, Church Gresley on 19 January 2016 from 3.10pm to 7.30pm
 - Frank Wickham Hall, Portland Street, Etwall, DE65 6JF on 21 January 2016 from 2.30pm to 7.30pm
 - Swadlincote Market, on 22 January 2016 from 10am to 2pm
 - Hilton Village Hall, Peacroft Lane, Hilton, DE65 5GH on 25 January 2016 from 1.30pm to 5.45pm
 - Melbourne Assembly Rooms, High Street, Melbourne on 27 January 2016 from 2.30pm to 7.30pm
 - Elvaston Village Hall on 28 January 2016 from 2.30pm to 7.30pm
- k. A short URL code was created for the District Council's webpage, which set out information on the consultation.
- l. The District Council issued a press release advertising the consultation and drop in events on 18th December 2015 and 6th January 2016 (Appendix A10 & A11)
- m. A statement regarding the Local Plan Part 2 was read out at the Area Forums to advice of the consultation dates and where information could be found.
- n. Contact was made with several stakeholders in the period before the consultation and during the consultation to inform them of the progress of the Part 2 Plan and seek their technical advice. These included the Environment Agency, Severn Trent and the County Council.
- o. A Local Plan Member Working Group was held on the 12th November 2015 and 23rd May 2016 with an update report regarding the first consultation taken to the Environmental and Development Services Committee on the 14th April.

3.3 What were the main issues raised?

A total of 318 consultees responded, raising around 2,278 comments on all parts of the Local Plan Part 2.

This report provides a summary of the responses received and is split into the questions asked in the Local Plan Part 2 questionnaire. Not every consultee response has been summarised below, however the main responses received have been grouped together.

STD1: Settlement Boundary and Development

Q1. Is the use of settlement boundaries the correct mechanism to direct appropriate development? Are there any other options?

The majority of responses agree that settlement boundaries are the correct mechanism to direct appropriate development. Some however added a caveat to their response, the main one being: as long as the boundaries are enforced, due to development currently being granted outside of settlement boundaries. Other caveats include: settlement boundaries should be the starting point not the determinative; settlement boundaries are a sensible mechanism provided housing policy remains up to date; provided green spaces used for recreation/leisure/amenity/wildlife habitat is not lost and settlement boundaries should be subject to a routine monitoring and review process to take into account housing land supply variations or changes to government policy.

Furthermore it has been suggested that settlement boundaries should not be so tightly drawn, to allow some flexibility in the event that allocations fail to deliver, leading to failure to deliver a 5 year housing land supply.

Some consultees however do not agree that settlement boundaries are the correct mechanism to direct appropriate development. Reasons given for this include.

- Allows development in open spaces that should remain rural.
- Land outside of settlement boundaries are considered to be countryside. The world however is not as clear cut as this and whilst there may be many instances where a clear dividing line can be drawn, this is not one of them.
- Settlement boundaries do not provide officers with the flexibility required should housing number climb and are thus likely to require continually updates rendering them inefficient
- Would preclude otherwise sustainable development from coming forward
- Ineffective mechanism for directing appropriate development in the past, as development does take place outside the current boundaries.

An alternative mechanism to direct appropriate development was suggested – a criteria based policy. One consultee stated that a criteria based policy should seek to allocate land for residential development which is adjacent to the existing settlement boundary and can be demonstrated as meeting the three dimensions of sustainable development. However another consultee suggests that this approach provides less certainty in terms of the future development potential on sites adjoining settlement boundaries.

Another consultee suggests that the following wording should be used instead of the use of settlement boundaries “Sustainable development proposals adjacent to existing settlements will be permitted provided that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of development.”

How, where necessary, these issues were addressed

The District Council intends to continue the use of settlement boundaries to direct appropriate development, for the settlements stated within the Settlement Boundary Topic Paper. The District Council considers that settlement boundaries provide certainty over where development is likely to be acceptable and can provide a strong premise for defining and protecting the countryside from unnecessary encroachment.

Q.2 Do you think we have identified the correct settlements to have settlement boundaries?

The majority of the consultation responses either state they agree that the correct settlements have been identified to have settlement boundaries or agree with a particular settlement having a settlement boundary. Those settlements specifically mentioned include: Stanton By Bridge, Aston on Trent, Repton, Milton, Hartshorne, Melbourne, Kings Newton, Hilton, Church Broughton and Lees.

In addition one consultee stated they agree that Foremark should not have a settlement boundary.

Reasons given for agreeing with the identified settlement boundaries include: the settlements identified are of an appropriate size and location to warrant the provision of defined boundary; they have been fairly and objectively assessed in the evidence base; prevents ribbon developments and encroachments onto good agricultural land and general countryside; it is essential that small towns and villages keep their identities; it protects the rural village of Kings Newton from Melbourne; and are considered appropriate to have settlement boundaries.

However some (but few) consultees stated no to this question. Reasons given include, Aston on Trent is not really a Key Service Village, any development on the south west side of Linton will require an upgrade to sewage disposal facilities and where there is beautiful countryside as is the case in Linton it is totally inappropriate as would be devastating for the countryside, wildlife and local people.

Furthermore additional settlement boundaries have been suggested:

- Woodville to Hartshorne
- The Derby Urban Area

- All settlements should have defined boundaries
- Mercia Marina should either have its own settlement boundary or be included within the settlement boundary of Willington
- Any settlement identified by a name it has been known by historically is worthy of a boundary
- All settlements in rural areas should have a settlement boundary
- Acresford
- Foremark

Moreover amendments to existing settlement boundaries have been suggested, however these will be addressed within Q3.

A consultee also suggested that the explanation of the policy does not reference any potential implications of additional Part 2 housing allocations to be located on the edge of Derby and/or Burton on Trent in which event settlement boundaries are not proposed. Policy H22 indicates that between 150 and 300 dwellings will be directed to the urban areas, which at this stage may include edge of Derby and Burton (as well as Swadlincote), and so the policy or sub text requires clarification in this respect.

Additionally it has also been suggested by a few consultees that it is worth considering the boundaries of Ticknall conservation area in relation to the settlement boundary.

How, where necessary, these issues were addressed

The District Councils intends to propose settlement boundaries for the settlements identified within the Settlement Boundary Topic Paper. The Council does not intend to establish settlement boundaries for any of the suggested settlements.

It is not considered appropriate to establish settlement boundaries for all settlements. Neither is it felt appropriate to establish boundaries for other reasons given such as settlements identified by a name it has been known by historically, all rural areas, Acresford and Foremark. It is not practical to draw settlements boundaries around more dispersed settlements as it may lead to the consequence of large areas falling within a boundary that is unsuitable for development. In terms of Acresford there are few dwellings within the settlement and the settlement is dispersed and with regards to Foremark the settlement is small scale. However development could still take place within these settlements, subject to compliance with the Local Plan Policies.

The land between Woodville and Hartshorne consists of ribbon development between the settlements and also detached from both settlements. It is considered unnecessary to establish a settlement boundary for this land as it does not logically form its own

settlement. Furthermore it is not considered necessary to establish a settlement boundary for the sustainable urban extensions on the edge of Derby City as they would not form established boundaries due to the not being able to include land within Derby City. The premise for boundaries in the District is that they are complete entities.

Principle 2 of the settlement boundary topic paper states that settlement boundaries do not always need to be continuous and more than one element of the settlement can be established. However Merica Marina is detached from Willington settlement boundary by approximately 1km. It is therefore not considered appropriate to include Merica Marina within Willington settlement boundary though a new policy just considering Marina Development has been included within the Plan to ensure that appropriate development is supported within Marinas. Also, it is not considered necessary or appropriate to establish a separate settlement boundary for the Marina.

In regards to the suggestion that the policy explanation needs updating, no change has been made. The settlement boundaries will be updated to include the allocations made within the Part 2 Plan.

Q3.Do you wish to suggest any changes to the proposed boundaries?

A large number of alterations were suggested through the consultation. These include:

- i. Sites with planning permission should not be included within settlement boundaries
- ii. The National Forest at Swadlincote Woodlands should have a boundary also to include Bernard St, Frederick St, Granville St and Court Street, to stop further development.
- iii. Keep Rosliston boundary the same as the last plan.
- iv. The extension to the garden at Pinnins, Stanton By Bridge in 1984 is not included.
- v. Modification 3 in Egginton - the line ought to follow the existing rear boundary of the lane, or at the very least the boundary alignment to area 3 ought to be retained as shown on the 1998 adopted Local Plan.
- vi. Include land to the rear of Broughton Close within the Church Broughton Settlement Boundary.
- vii. Area 9 of Sutton on the Hill should include the 2 new houses granted planning permission (9/2014/0650) but exclude the adjoining paddocks and rear gardens of Field House, The Birches and Bank House.
- viii. Area 6 of Sutton on the Hill should change to reflect the creation of a new driveway to barn conversions (application number 9/2011/0312).

- ix. The settlement boundary at Repton's north west corner should include Tanners Lane at least up to and including 36 and 38 Tanners Lane and include the entire sports centre at Repton School.
- x. Include Bower Hill, Well Lane, within Repton settlement boundary.
- xi. Include the rear garden of The Old Hall, Etwall Lane, Burnaston
- xii. Area 6 Swarkestone – Include permission 9/2008/1021 which has commenced for a barn conversion and carport.
- xiii. The 1998 Local Plan includes an area Fronting London Road – the proposal deletes this land from the limits and sets its back on the opposite, northern side of the road. As drawn there is a defined line on the ground and therefore the principle is satisfied. It is not at all evident in any event why the boundary has to be taken to the opposite highway boundary.
- xiv. The development boundary of Findern should be amended to incorporate ribbon development at Burton Road and Doles Lane.
- xv. The Swarkestone settlement boundary should recognise the extent of the residential curtilage of Trentside Cottages.
- xvi. The Swarkestone boundary should tightly follow the residential boundaries of the properties as it does on east Trentside, not the line of the footpath.
- xvii. The boundary to the West of Trentside in Swarkestone should tightly follow the residential boundaries of the properties.
- xviii. Keep land to the south of Church Street, Netherseal within the settlement boundary
- xix. Netherseal settlement boundary should extend eastwards to 42 Church Street to encompass the adjacent paddock and the built form of Mill Farm.
- xx. Land at Church Lane, Newton Solney should be included.
- xxi. Areas 22(25 -87 Chellaston Lane) and 23 (agricultural buildings to the south of Chellaston Lane) of Aston On Trent should be included within the settlement boundary
- xxii. Houses on Sleepy Lane and further down Trent Lane, the full garden of 32 Trent Lane and the full garden and orchard at Kings Newton House, should be included within Kings Newton settlement boundary
- xxiii. Swadlincote Urban Area boundary should be amended to include land to the south of Station Street (i.e. land between Station Street and railwayline).

- xxiv. The settlement boundary of Hilton should be amended to align with the Local Plan Part 1 allocation (and now planning permission), as the western part of the proposed boundary does not precisely align with the allocation and permission.
- xxv. The settlement boundary for Willington should be amended to include the land granted planning permission for 60 units of holiday accommodation (9/2012/0027).
- xxvi. Willington Settlement Boundary excludes Derwent Court, Findern Lane, parts of Castleway, east of Fern Close and Wheatfield Court, which are part of the village.
- xxvii. Changes to the settlement boundaries to include additional housing sites in Repton.
- xxviii. Upon allocation the settlement boundary of Hilton should be extended to include Site S0023
- xxix. Include extension of Etwall Settlement boundary to include land east of Egginton Road.
- xxx. The proposed settlement boundary for Linton should include land at Cauldwell Road, Linton as an allocation for residential development.
- xxxi. The proposed settlement boundary should include land at Bond Elm, Melbourne as an allocation for residential development.
- xxxii. Charnwood and Blakefield House Jawbone Lane and the immediate land around are Kings Newton not Melbourne.
- xxxiii. Land to the north and haulage depot yard should be included within Kings Newton settlement boundary
- xxxiv. Existing housing to the east of settlement boundary at Station Road Melbourne should be included within the boundary
- xxxv. Land at Lambert House, land to the south of Smith Avenue, 172 Derby Road and land to the west of the housing development at Kings Newton Road should be included within Melbourne Settlement boundary
- xxxvi. Ticknall settlement boundary should include the dwellings on Main Street to the east of Calke Abbey entrance.
- xxxvii. Poplar Farm In Overseal has recently been granted planning permission and should be included within the settlement boundary
- xxxviii. The settlement boundary amendment at Repton (number 17) is fields not the properties gardens.

- xxxix. The curtilage of the Poplars, Newton Soleny, should be included within its entirety in Newton Solneys settlement boundary
- xl. The settlement boundary of Etwall should include SHLAA reference S0265
- xli. Include land at Marcella House, Church Broughton within Church Broughton settlement boundary
- xl. Mount Pleasant should encompass the whole of Castle Gresley Parish and renamed as such.
- xl. The boundary should include Priory Farmhouse and Cottage Farm, Cauldwell
- xliv. Move the proposed boundaries to the north west side of the Linton
- xl. The Aston on Trent settlement boundary (along with others) needs revising on order to allow the settlement to accommodate further sustainable housing growth.
- xlvi. Reinstate the original boundary of Milton in the south eastern corner
- xl. Ticknall Settlement boundary should include SHLAA site S0267.
- xl. Hartshorne settlement boundary should be amended to include land to the rear of 43 Repton Road, where permission for 7 dwellings has been granted.
- xl. If the settlement boundary is moved around SHLAA site S0017, can the boundary move around 13a Burton Road, Castle Gresley, instead of it sticking out on a limb, as it already separates the garden from the house.
- I. Repton settlement boundary should include SHLAA sites S0116, S0101 and S0089
- li. Rosliston settlement boundary should be amended to include SHLAA site S0175
- lii. Swadlincote settlement boundary should be amended to include SHLAA site S0092
- lii. Castle Gresley Parish Council believes the Parish Boundaries should be shown.
- liv. Consideration should be given to the opportunity to accommodate development on land to the north of Derby Road, Melbourne through allocations and the settlement boundary should reflect the allocations.
- lv. The proposed settlement boundary for Repton should be removed and a criteria based policy used.
- lvi. The settlement boundary of Overseal should include SHLAA site S0250
- lvii. The settlement boundary of Aston should include SHLAA site S0271 and S0272.
- lviii. The settlement boundary of Hartshorne should include SHLAA site S0245

- lix. The settlement boundary of Shardlow should include land to the north of London Road, Shardlow, which benefits from an extant planning permission for a new farmhouse.
- lx. The existing curtilage of 83 London Road should be included within the settlement boundary.
- lxi. Include land at Ingleby Lane, Ticknall within Ticknall settlement boundary.
- lxii. The settlement boundary of Stanton by Bridge should remain the same as the existing settlement boundary at reference point 8.

How, where necessary, these issues were addressed

Planning Policy officers reviewed the suggested alterations against the principles set out within the Settlement Boundary Topic Paper. Aerial photographs, the District Councils Geographical Information System Mapping, Google Street View and site visits, were used/undertaken when applying the principles.

Those suggested alterations which complied with Principle 1, 2 and 3 were included. For example, the SHLAA sites proposed as Part 2 allocations (Principle 3a) and all those sites with planning permission which are physically/functionally related to the settlement (Principle 3b) have been included within the relevant settlement boundary.

In addition suggestions which include land and curtilages of buildings which relate closely to the character of the built form have been included within settlement boundaries (Principle 3c). For example dwellings at Tanners Lane, Repton School sports facilities buildings and the dwellings at Well Lane, Repton, have been included within Repton settlement boundary as the land relates closely to the character of the built form (Principle 3c).

However those suggestions which did not comply with Principle 3 and complied with Principle 4 were not included within the settlement boundary. For example the houses at Trent Lane and Charnwood and Blakefield House Kings Newton have not been included within Kings Newton settlement boundary as they are physically detached from the settlement (Principle 4c). Similarly, the curtilage of Poplars, Newton Solney has not been included within the Newton Solney settlement boundary. If the curtilage was included and developed the site could have the capacity to detrimentally impact upon the form and character of the settlement (Principle 4a).

H22: Part 2 Housing Allocations

Q4. Do you have any comments regarding the proposed distribution of 600 dwellings across the District?

Some comments of support have been received for the policy. A few consultees have suggested that the proposed distribution appears reasonable; another suggests they

support that the policy does not promote any development to settlements below rural village designation; a further consultee suggests that they agree with the strategy to allocate the additional housing across villages broadly in line with the existing size of the village and; an additional respondent suggests that the proposed distribution will deliver housing growth to locations which have the local services and facilities to support the growth and form local sustainable locations.

However some amendments to the policy have been suggested:

- It should be made clearer that the 150 dwellings distributed within the Local Service Villages and Rural Villages, should be first directed within the Local Service Villages, in preference to the Rural Villages.
- The Council should allocate in excess of the minimum level of development
- The upper range figures in each locational category should be used
- 600 dwellings should be a maximum number of dwellings, based on current infrastructure
- 850 dwellings should be the minimum figure taken forward
- 400 dwellings should be allocated within Key Service Villages
- A separate number of dwellings should be set for Rural Areas.
- Given the level of development allocated within Urban Areas within the Part 1, a lower level of development should be allocated within Part 2, allowing a higher level of growth to be allocated to Key Service Villages.
- The policy incorrectly identifies the range of houses to be delivered is between 500 to 850 dwellings rather than 450 – 850 dwellings.
- There is an unfair biased towards Key Service Villages

In addition it has been suggested that brownfield sites should be used and greenfield sites should not be built on and that development is needed where there is access to regular transport, primary and secondary school availability and availability of nearby shopping centres and the impact on existing local infrastructure needs to be a priority in the decision making process. Moreover it has been suggested that the proposed distribution appears to be developer driven rather than need/capacity of villages.

Furthermore some consultees have stated that existing development and allocations within the Local Plan Part 1 should be taken into account when allocating Part 2 housing sites.

Specific opposition was received for the following Strategic Housing Land Availability (SHLAA) sites S/0271, S/0271, S/0026 and S/0062 (Aston on Trent), S/0084 and S/0169 (Winshill), S/0113, S/0049 (Mickleover) and S/0152 (Hatton). Furthermore opposition to development within Swadlincote, Aston, Weston, Mickleover, Etwall, Hatton, Church Broughton, Hilton, Melbourne, Kings Newton, Dalbury, Lees, and Linton was also received.

However it has been suggested that the following settlements would be suitable for development; Swadlincote, Melbourne, Repton, Hilton, Etwall, Linton, Hartshorne, Rosliston, Overseal, Aston on Trent and Shardlow.

How, where necessary, these issues were addressed

The element of 600 dwellings is set through the strategic policy S4 in the Local Plan Part 1 to enable the delivery of non-strategic sites of less than 100 dwellings. The number is a minimum as the overall housing target is a minimum which has now been agreed by the Inspector as sound and legally compliant so it cannot be set as a maximum amount.

The sites that were consulted on are not all required in order to meet the requirement of at least 600 dwellings. Whilst a target was set per settlement hierarchy tier, this is also dependent on appropriate sites being found which is supported through work on the Sustainability Appraisal.

South Derbyshire has one main town in Swadlincote and the rest of the settlements are of a range of sizes none of which have services and facilities comparable to Swadlincote. The settlements can only be assessed against each other and ranked according to the number of services and facilities each one has and those in the higher tiers have more services as opposed to those lower down. Growth should be directed at the more sustainable locations in the District to be in line with the National Planning Policy Framework though allocations in lower tier settlements will be made if it is appropriate though at a low number of dwellings.

Q5. Do you have any comments to make regarding the housing site options for Part 2 shown on the maps?

A large number of responses were received in regards to this question. The majority of the responses received were either objections in regards to specific potential housing sites or objections to development within a specific settlement. A brief summary of the objections received per settlement is below:

Aston on Trent

General issues were raised in regards to development within Aston on Trent – the village school is oversubscribed and Chellaston Academy is at capacity, healthcare is at breaking point, traffic congestion is already a problem and further development will only add to the issues and there is already sewerage and drainage issues within Aston.

Specific comments regarding the Aston On Trent housing site options were also received:

S/0062 – Development of the site would; put excess strain on the local infrastructure; would close the gap between Weston and Aston, development of the site would destroy the wildlife in the woodland.

S/0061 – Development of the site would increase flood risk

S/0026 – Development of the site would affect the size of the village

S/0230 – Flooding on the site

S/0272 – The site is close to a nature reserve and near to a cemetery, development on the site would shatter the peace; the access road to the site is narrow

S/0271 –There is flooding on the site; Moor lane is a single track road; the surrounding houses are single storey; development of the site would lead to damaging hedgerows on the site; development of the site would extend the village.

S/0026 – Development of the site would be out of proportion to the current size of the village

S/0093 – Development of the site would be infill land and against the wishes of the village as stated in the village plan. There is existing flooding on the site.

Castle Gresley

Some concerns regarding development within Castle Gresley were received: there is concern regarding foul flooding and risk of pollution; the amenities within the settlement are insufficient to cope with the existing development within the settlement; all sites will denude views of the landscape in particular views towards the scheduled ancient monument of Castle Knob, National Forest and distant horizon; Irrespective of the level of retention of trees and hedgerows, development will put further pressure on ecology, particularly where wildlife corridors are further constrained; the settlement has no schools, very overcrowded roads - especially the A444 and a single medical centre that is grossly oversubscribed.

Specific comments regarding the Castle Gresley housing site options were also received:

S/0239: there are no services connected to this land; the entry/exit to the site is from Oak Close which is already an heavily populated housing estate; the site contains a wealth of wildlife; development of the site will have a detrimental effect on the character of the village and on indigenous occupants identification with its rural nature; the site is arable land; the site is susceptible to water draining; the surface water from such development will further impact on the volume being directed to the White Lady which is at capacity; the infrastructure of the area is not suitable to sustain the growth of the development

S0147 - High risk of flooding on the site

S0017 - Access on to the highway is constrained; the site would have detrimental effects on the character of the village and on occupant's identification with its rural nature.

S0142, S0239 – The sites have highway issues; the sites would have detrimental effects on the character of the village and on occupant's identification with its rural nature.

S0098 – The site has some flood risk and is next to the recreation ground; the site would have detrimental effects on the character of the village and on occupant's identification with its rural nature.

S0097 - The best option for access and the area; there are a number of cars parked on the left hand side of the road – where will they part of the site is developed?; there would be noise pollution from construction of the site; the development would overlook properties; access to the site would cause disturbance for neighbouring properties; the site contains wildlife; the site would have detrimental effects on the character of the village and on occupants identification with its rural nature.

Church Broughton

General comments were received regarding development within the village - Church Broughton has limited services – no shop, post office or other amenities, the bus service is once a week, boggy lane is very wet and the sewerage system is close to capacity.

Specific comments regarding the Church Broughton housing options were also received:

S/0189 – Access to the site is constrained; there is flooding on the site; development of the site would lead to the loss of greenfield sites

S/0043 – The site is not well related to Church Broughton and development of the site would be highly visible.

S0263 - This site is well outside of the village settlement boundary and we would not envisage that this site could be developed until after any potential development of S0054.

S0054 - There are flooding issues on the site and there is concern that development of the site would lead to development of S/0263 in the future.

S0264 - There is access to two roads from the site, but these would need some re-enforcement. The far southern part of this site is highlighted on the Environment Agency Flood Map and as such this particular section of the proposed site may not be suitable for development.

Dalbury

It has been commented that Dalbury is only a Hamlet with no local school provision or bus route and lacks a main sewer. The road to the site is only a single track road and development of the site could cause danger on the roads.

Etwall

Concerns received regarding development in Etwall include; traffic congestion is already in a problem; the bus service is not very good so residents will drive; Etwall Settlement area should not expand beyond the bypass, old railway line and the A50.

Specific comments regarding the Etwall housing site options were also received:

S/0265 – The site is outside a reasonable village boundary; however one consultee states the site should be considered only as an option for school expansion

S/0253 - The site would presumably affect the aspect of the nearby listed building so should have been considered unsuitable.

S/0036 - The site was refused at appeal

S/0063 - The site was refused at appeal

Findern

It was stated that S/0010 and S/0228 would add considerable extra volume of water on Doles Brook, which could cause flooding and that S/0288 is within the countryside and is crossed by a footpath which would be spoilt if built around.

Foremark

A consultee stated that the settlement is below rural village designation and there would be a clear conflict with Policy H22 if the site in Foremark was allocated. The settlement is not a sustainable location for future housing growth and the site has prominent woodland coverage.

Hartshorne

One consultee suggested that site S0052 and S0215 should be Local Green Spaces and not allocated. The consultee goes on to add that site S/0233 and S/0208 are too large and would be a major intrusion in the countryside and that site S/0208 would cause additional traffic congestion on the road network.

Hilton

It was stated that option S0014 to the southwest of the village is on the flood plain and does not seem a viable option. The other options would only add to a very large housing estate that has little infrastructure filling in green countryside up to and alongside the A50.

Lees

Responses were received objecting to all the SHLAA sites within Lees. The reasons given include: development of the SHLAA sites will overwhelm the village; the sites lie outside the settlement boundary; development of the site will lead to the loss of countryside; new housing development has already taken place within the village; the existing infrastructure would not be able to cope; there is no mains gas within the village; there is only a demand response bus service; development would lead to the loss of wildlife due to decrease wildlife habitat; development would lead to more light and noise pollution and development would change the nature and character of the linear settlement.

Linton

Consultees have stated that Linton is a village with few amenities, with a school at capacity and the local infrastructure would not be able to cope with additional development. It has also been stated that the sites would drain into the holding tanks of the pumping station on Colliery Lane which has difficulty coping currently and regularly overflows. It was stated that the people of Linton do not want the village to expand and the sites should stay as countryside.

Melbourne and Kings Newton

The main comments received in regards to Melbourne and Kings Newton are that development of sites S/0225, S/009 and S/0226 would be detrimental to the effect of heritage assets and would lead to coalescence of Melbourne and Kings Newton.

It has also be raised by some consultees that the housing sites provide the potential to build a further 410 houses in Melbourne and this not sustainable. Existing housing commitments needs to be taken into account.

Mickleover

Objections have been raised regarding the housing site options around the Mickleover area.

Concern has been raised regarding the impact development of SHLAA sites S/0113, S/0049, and S/0048 would have on the traffic congestion. One consultee states that the development should not be looked at in isolation in regards to impact on the highway network.

Another consultee states that development of the sites along Hospital Lane (S/0158, S/0113 and S/0048) will take away green belt land, spoil the Mickleover Cycle track green route and will develop the green space enjoyed by the residents of the Pastures Hospital Estate.

One consultee is concerned that if sites S/0013, S/0048 and S/0029 and S/0049 are allocated along with Hackwood Farm and Newhouse Farm (allocated within the Part 1 Local Plan), the existing community of Mickleover will be cut off from the local 'valued and cherished; green countryside'.

Milton

The comments received stated that Milton is not a sustainable village and consultees have raised that the responses from Repton Neighbourhood Development Plan survey, did not demonstrate any appetite for development in Milton.

Overseal

One consultee states that S/0022 will have impact on the local roads, S/0250 will dominate that size of the village and S0013 and S0053 floods and is a nature reserve. Another consultee states that S/0013 and S/0053 requires proper access to be suitable and S/0141 is acceptable.

Repton

The comments received included; Repton has already taken growth within the Local Plan Part 1 and that the Neighbourhood Development Plan survey did not demonstrate any appetite for development within Repton and If development is to be forced onto Repton then the Neighbourhood Development Plan survey is clear that the sites should be limited to no more than 10 dwellings; the sites are too far away from the centre of Repton; any development would result in increased car usage on roads that are already very congested at certain times of the day; the village services would not be able to cope with further development

Specific comments were also received regarding the Repton housing site options:

S/0089 - Should be classified as inappropriate. It provides an important strategic gap between Repton core village and the hamlet of Mill Hill

S/0101 & S/0116 – Development would extend the Repton envelope; it is an area of natural beauty with wildlife; houses would overlook the dwellings in Burdett Way, as the proposed site is on an upward elevation; there are open areas within the local envelope that should be developed before extending the settlement boundary.

Rosliston

A few consultees have raised concern about the impact development would have on a 'small national forest village'.

Specific comments were also received regarding the Rosliston housing site options: Particular concern has been raised regarding development of S/0274. Consultees have stated that the site is an important recreational community facility with the village. Rosliston Parish Council states that they have a licence to rent a large proportion of Strawberry Land Playing Field.

S/0262 – A consultee has stated that the development threatens the expansion of the village boundary into the National Forest area and another state the site is totally out of character of the village.

S/0177 – A consultee has stated that the entrance to the site would be onto a busy road.

Stanton Bridge

One consultee suggested that if site S/0123 was considered suitable especially on addition to S/0124, the whole character of the village would change. In addition there would be increased traffic on what is a narrow, congested and poorly maintained road through the village.

Swadlincote

It has been suggested by a consultee that most of the housing allocations should be within Swadlincote as it has good services, however it has been suggested by another consultee that further development within Swadlincote and Woodville would call chaos. Specific comments were received regarding the Swadlincote housing site options:

S/0208 and S/0248 would cause an increase in traffic. The settlement boundary would need to be expanded to include the site and local infrastructure is inadequate.

S/0105A should be avoided, there are accidents on the road known as 'Murder Mile' on a weekly basis and increase traffic should not be added to the road.

S/005 – The site is excessively large, would be a major intrusion into the open countryside between Hartshorne and Goseley Estate, would cause traffic congestion and would be unsustainable.

Ticknall

The following comments have been received regarding development within Ticknall: the sites have flooding issues; the village doesn't have the services to accommodate growth and are overstretched; additional houses would be detrimental to the historic nature of Ticknall;

Ingleby Lane is very narrow; traffic speeds within the village area is an existing problem; the road system is not capable of handling further traffic increase; and development would comprise the footpaths through the sites.

Weston on Trent

It has been suggested that development on sites S/0025 and S/0042 would be out keeping with the varied low density housing and open plan of Weston Village. Both proposed development sites will increase traffic and place additional strain on the very limited resource in the village and flood risk is a concern within the village.

Willington

It has been stated by consultees that over the last 5 years the village has experienced housing growth; there is pressure on local facilities; further development would put pressure on the drainage infrastructure which is near to capacity; and the proposed sites are located outside of Willington settlement boundary and therefore should be protected from unnecessary encroachment.

Winshill

A consultee stated that site S/0084 does not enhance Newton Solney and another stated that development of the site would be contrary to policy H1 of the Local Plan Part 1 and would be a strategic site.

However some responses were also received promoting particular SHLAA sites for allocation within the Local Plan Part 2, these include:

S/0123 North side of Church Close, Stanton By Bridge

S/0124 South side of Church Close, Stanton By Bridge

S/0260 Chestnut Avenue, Foremark

S/0011 Land off Ingleby Lane, Ticknall

S/0267 Land at Ashby Road, Ticknall

S/0019 Former Nursery, London Road, Shardlow

S/0216 Wyevale Garden Centre, Burton Road, Findern

S/0049 Land at A516/Staker Lane, Mickleover Derby

S/0023 Land off Derby Road, Hilton

S/0084 Land at Newton Road, Burton on Trent

S/0176 Breach Lane, Melbourne

S/0225 Bond Elm, Jawbone Lane, Melbourne

S/0265 Land north of Derby Road and east of the A516 Etwall

S/0036 Land at OS Part 1546, Derby Road, Etwall

S/0089 Adjacent to Mount Pleasant Road, Repton

S/0075 Land at Cowlshaw Close/ Aston Lane, Shardlow

S/0076 Land at Aston Lane, Shardlow
 S/0245 Woodville Road between 53 and 67, Hartshorne
 S/0271 Land off Moor Lane, Aston on Trent
 S/0250 Land off Acresford Road, Overseal
 S/0134 Burton Road, Repton
 S/0253 Land at Willington Road, Etwall
 S/0244 Land at Acresford Road, Acresford
 S/0052 Land off A514 Main Street, Hartshorne
 S/0062 Land to the east of Weston Road, Aston on Trent
 S/0026 Valerie Road./ Chellaston Lane, Aston on Trent
 S/0163 Land at 102 % 104, northern fringe of Derby Road, Aston on Trent
 S/0040 Land at Uttoxeter Road, Foston
 S/0248 Land west of Longlands Lane, Midway, Swadlincote
 S/0175 Burton Road, Rosliston
 S/0257 Land off Milton Road, Repton
 S/0130 Land east of Milton Road Repton (the north west element of the site)
 S/0051 – Land to the east of Rosliston Road South, Drakelow

In addition the following new (SHLAA) sites were submitted and promoted through the consultation:

S/0278 Land at Bower Hill, Well Lane, Repton
 S/0279 The Old Hall, Etwall Lane, Burnaston
 S/0280 Land the rear of 131 Woodville Road, Hartshorne
 S/0282 Land off Kingfisher Lane, Willington
 S/0283 Land south of Caldwell Road, Linton
 S/0284 Land east of Egginton Road and north of Jacksons Lane, Etwall
 S/0285 Land at Derby Road, Melbourne
 S/0286 Land south of Church Street, Netherseal
 S/0290 Bridge Farm, Barrow on Trent, Sinfin Lane, Derby
 S/0291 Land north of Scropton Road, Scropton

How, where necessary, these issues were addressed

Comments on individual sites have been considered and the evidence used in assessing the site through the Sustainability Appraisal process. This has established the most suitable sites to recommend for allocation which will be further consulted on.

Q6. Do you have any comments or further information on the housing site pro-formas?

(i) A number of respondents ask for amendments to the site scoring in the proformas based upon:

- new information which was not included with the original SHLAA submission, e.g. proposals for affordable housing provision and/or accommodation for older and disabled people on particular sites.
- The identification of factual oversights, e.g. the primary school at Ticknall is not a state school as inferred by the SA comments in relation to sites within that village.
- Disagreement as to the interpretation of the SA criteria, e.g. it was felt by the Church Commissioners that the Council's interpretation of the value of new development in regard to reducing numbers of residents with no or lower level qualifications was too negative.
- Perceived discrepancy between the Council's written assessment of site performance against the SA criteria and the score awarded
- inconsistencies between the way the Council has interpreted particular criteria between one site and another, e.g. in relation to the availability of capacity at John Port School.
- Planning decisions made subsequent to the drafting of the latest version of the SA. E.g. in relation to site S0036, an appeal decision acknowledged that proposals for the site would enhance biodiversity and ecological value, contrary to the SA scoring.

(ii) A number of respondents take issue with the methodology employed in the following respects:

- In some cases information is not available or very subjective assessments are made. This leaves the process open to misinterpretation or manipulation.
- The scoring conventions are inappropriate and often make arbitrary assumptions e.g. some respondents take issue with the distance thresholds used in measuring the accessibility of services and facilities, arguing that 2km is the accepted walking threshold.
- Some of the key criteria are unclear, e.g. in relation to "will it reduce the number of people involved in accidents", it is not clear whether this refers to accidents in general or just road accidents;
- The inclusion of some of the key criteria is inappropriate, e.g. the availability of school places is a matter for the Local Education Authority and should not be regarded as a development constraint.

- There is no weighting of the key criteria to place greater emphasis on some over others, nor an overall score for each of the sites to allow an assessment of their relative suitability.

How, where necessary, these issues were addressed

All the points made by the respondent are addressed above and there are no outstanding issues raised that would lead to the conclusion that there is a need for a more fundamental review of the scoring system by refining or combining categories, as the respondent proposes.

(i)

- Where new information is provided that was not previously known to the Council this has in a number of cases lead to changes being proposed to the scoring.
- Factual oversights have been addressed by making amendments as necessary.
- Where SA criteria have been interpreted in a different way by the respondent and the Council, this has sometimes been due to the respondent not fully understanding the conventions that have been used. In such cases no changes have been proposed. In other cases the respondent has proposed a more appropriate interpretation of the criteria than that used by the Council and the written comments and/or scoring have been amended accordingly.
- Where the Council agrees that discrepancies exist between the written assessment of site performance against the criteria and the actual scoring, amendments have been made.
- Where there are inconsistencies in the comments and scores attributed to the same key criteria on different sites, these have been reviewed and amended accordingly.
- Where planning decisions subsequent to the latest draft of the SA contradict the site assessments, amendments have been made to the relevant comments and/or scoring.

(ii)

- To avoid any potential inconsistencies the individual criteria are scored in accordance with a standard set of conventions, set out at the back of Appendix C. These have been slightly amended for clarification, where necessary
- All the respondents' comments on the scoring conventions have been considered, but it has not been considered necessary to change the meaning of any of the conventions. However, where it is clear that development proposals for specific sites are inconsistent with the scoring standard assumptions, the conventions have

been set aside, e.g. where the site promoter has made it clear that affordable housing is proposed in a development of fewer than 15 dwellings.

- Where there is uncertainty as to the meaning of particular criteria, the wording of the scoring conventions have been reworded for clarification.
- In regard to the weighting of key criteria, the SA process is intended to provide a broad assessment of the sustainability of the sites under consideration. The approach to identifying allocations allows scope for factors other than those identified in the SA, to be weighed in the balance. These may include any mitigation that may be proposed by the developer; the cumulative impact of allocating more than one site in a particular location, or any wider community benefits that may be secured through allocating particular sites. The weighting of factors and the calculation of overall scores for individual sites could be misleading in that it would imply that there were no other determining factors in the choice of sites beyond those specifically identified in the SA.

H23: Infill

Q7. Do you have comments on the scope and content of this policy?

A mixed response was received regarding this policy, some in support of the policy, others objecting/raising concerns.

Comments received in support of the policy include:

- i. Policy seems reasonable
- ii. Very comprehensive
- iii. Appears to give protection outside settlement boundaries (some have added provided boundaries are enforced)
- iv. Provides suitable opportunities for limited infill of existing smaller areas of housing within the countryside.
- v. Small scale development is better use of land that would not otherwise be any use.
- vi. Two dwellings seems reasonable

Further caveat responses have also been received; these included yes, provided: the site can adequately house the dwellings; is in keeping the neighbouring properties and character; the curtilages of boundaries are appropriately identified.

Comments received raising concern/objections include:

- i. Only allowing infill development causes too much building being squashed into infill opportunities and inappropriate density development.
- ii. The policy doesn't make reference to appropriate scale or style of housing to fit in with the countryside and existing housing.
- iii. The policy is counter to the Governments aspiration established in the Framework that development which is sustainable should be approved without delay.
- iv. We should be building close to industry/jobs, not in countryside.
- v. Gap is a very indefinable word when applied to planning.
- vi. Development outside of settlement boundaries should not be restricted to infill – there will be opportunities for appropriate development which is sensitive to the local setting.
- vii. Should only be adopted in relation to the smallest group of houses (hamlets of no more than say 4/5 dwellings) and a wider use of settlement boundaries should be adopted.
- viii. The policy should clarify a small gap or small groups
- ix. Presumption in favour of development is contrary to protection of the countryside. Policy has no grounding in NPPF.
- x. The policy should reworded to state “outside of settlement boundaries, new housing development will be permitted provided it represents the infilling of a small gap within small groups of housing”
- xi. In certain places, gaps between dwellings may make an important contribution to residential amenity, landscapes and townscape character, views etc. In such cases, infill development is less likely to be inappropriate. It would be helpful if Policy H23 and its supporting text made reference to the importance of these considerations

How, where necessary, these issues were addressed

The policy has been incorporated into BNE5 Development in the Countryside, though no changes to the policy wording have been made based on the comments received.

It is considered that an infill policy is consistent with Government policy. In addition it is considered that policy BNE1 of the Local Plan Part 1 deals with a number of the comments consultees raised. This Policy would be used in the determination of any proposed infill application along with the relevant infill policy or criteria. Policy BNE5 ensures that development contributes towards achieving continuity within the street scene is visually attractive, possess a high standard of architectural quality, respects important landscape,

townscape and historic views and vistas and development should respond to their context and has regard to valued landscape, townscape and heritage characteristics.

H24: Replacement Dwellings in the Countryside

Q8. Is the policy sufficient to safeguard the countryside from inappropriate dwellings? (Please give reasons)

The majority of consultees agree that the policy is sufficient to safeguard the countryside from inappropriate dwellings. Some however stated that the policy provides some protection and others have added a caveat to their response: Yes providing the design is in keeping with the area/environment and yes but replacement dwellings need to recognise the character of the existing buildings and not be architectural statements.

Some consultees however stated no to this question. The reasons provided include:

- i. No – because to SDDC housing is more important than the countryside, village life and existing residents wishes and needs
- ii. No. All of the above locations are greenfield sites and does not consider brownfields sites
- iii. Seems unlikely much evidence in Melbourne of developers running rings round planning regulations
- iv. No it clearly is not and you need to work harder to prevent ruining the countryside surrounding Linton

Furthermore amendments to the policy have also been suggested. Derbyshire County Council recommends that additional text could be included to ensure that replacement dwellings are sympathetic to the character of the area:

“iv) The scale, layout and design are sympathetic to the character of the area.

v) They are designed to minimise visual intrusion on the landscape through, sympathetic siting, design, materials and colour

Historic England suggests that a further criterion be added “the existing dwelling to be demolished is not of architectural or historic merit”.

In addition a developer has suggested concerns with the policy content/wording:

- There might be opportunities for a replacement dwelling with a larger form and bulk than the original to be accommodated on a different footprint to the existing dwelling and to either have the same or less impact on the character and appearance of the countryside.

- The policy refers to site and whereas the supporting statement refers to footprint, this needs clarification; however site is preferred to footprint.
- There should be no restriction on the subdivision of a replacement dwelling to provide an increase in the number of dwellings. The provision of replacement dwellings on more than “like for like” basis might provide a useful source of smaller, more affordable dwellings in the rural areas (assuming similar floorspace/form/bulk/permitted development limitations apply).

How, where necessary, these issues were addressed

The policy explanation has been amended to state site, rather than footprint, to ensure that the policy and explanation are consistent.

It is considered that the policy already allows some movement of the location of the replacement dwellings, by the policy stating “the new dwelling has substantially the same siting as the existing”. In addition the policy does allow for a larger replacement dwelling as the policy “the form and bulk of the new dwelling does not substantially exceed that of the existing or that which could be achieved under permitted development”.

This policy is in regards to replacement dwellings. If an applicant proposes the demolition of an existing dwelling and the erection of two or more dwellings, other Local Plan policies will be used in the determination of any application.

Derbyshire County Councils wording has not been included within the policy. BNE1 of the Local Plan Part 1 ensures that, “New development should be visually attractive, appropriate, respect important landscape, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality”. Furthermore the policy wording has been amended to ensure that replacement dwellings are “not more intrusive in the landscape than that which it replaces”.

However to help protect Non-designated Historic Assets Historic England’s criterion has been added to the policy.

H25: Rural Workers Dwellings

Q9. Is the policy sufficient to safeguard the countryside from inappropriate dwellings? (Please give reasons)

The majority of consultee respondents, that is over 71%, either agreed that the policy was sufficient to safeguard the countryside from inappropriate dwellings or were neutral on the subject. Some added a caveat to their response, sometimes in the form of a condition or criteria to be added to the policy, such as that the dwelling should not be able to be sold for residential purposes for at least 30 years, nor a change of use permitted.

8% of respondents felt that the policy was not sufficient to safeguard the countryside in this regard and stated no to this question; the reasons provided include:

- i. No. High density buildings and the pollution generated from it are no safeguard at all; in fact just the opposite.
- ii. No – given the choice we would rather you didn't build on our fields as many of us enjoy the wide range of wildlife, birds, insects, bats and mammals which roam freely and safely, killing off valuable sources of food for them.
- iii. No – not enough consultation with locals.
- iv. Seems unlikely based on recent experience.

One comment on behalf of a developer states that policy criteria iii) sets out a financial test which was part of Annex A of PPS7 yet does not now appear in Paragraph 55 of the NPPF. As such the Council needs to be satisfied that the policy approach is consistent with the NPPF. Two respondees commented that A iv) should not refer to “within the locality”, another that priority should be given to brownfield sites.

Amendments to the policy have been suggested and are summarised below.

- Derbyshire County Council recommends additional text to part B “They are designed to minimise visual intrusion on the landscape through sympathetic siting.”
- Suggestion that the condition be added that the dwellings can only be occupied by rural workers.
- A planning consultancy responding on behalf of different individuals stated that the wording of the policy was overly restrictive. They suggested that criterion i) was too restrictive in requiring an existing functional need, as some new enterprises would require an on-site presence from the outset. Furthermore if the need is genuine then to insist on a temporary rural workers' dwelling for the first 3 years is not necessary. Regarded criterion ii) a re-wording was suggested to remove reference to agriculture and forestry, or otherwise to provide further clarification that the policy applies to a wide range of rural enterprises. Regarding criterion iv) a re-wording was suggested to acknowledge that any existing dwellings on the unit or nearby also need to be suitable and available before they can fulfil the identified functional need.

How, where necessary, these issues were addressed

Regarding the consistency of criteria iii) of the policy with the NPPF, the wording has been amended to reflect the NPPF and now refers to the rural-based activity being sustainable, with the prospect of remaining so. In response to Derbyshire County Council's comment,

the phrase “to minimise visual intrusion” has been incorporated into the policy. Regarding including a condition restricting occupancy to rural workers, this had previously been included in the explanation to the policy but has now been moved to form part of the policy itself. Regarding the final bullet point above, where an on-site presence is required from the outset this is covered by temporary rural workers’ dwellings, and; reference to agriculture and forestry have been removed from the policy wording. That existing units would need to be suitable and available is self-evident.

H26: Residential Curtilages

Q10. Do you have any comments on the scope and content of this policy?

Over a quarter of respondents to this policy had no particular comment to make. A further 38% expressed support for the policy scope and content. Derbyshire County Council suggested a change to the explanation, due to most landscapes having been altered at some point, to: “However, it can also result in the unacceptable domestication of land in a rural landscape”. A planning consultancy suggested that the policy should refer to domestic gardens rather than curtilage, as “the latter is not a use of land and not always clearly identifiable”.

Other comments and suggestions included:

- i. Garden development should not be allowed where it impinges on historical open spaces.
- ii. The definition of unduly detrimental should be more clearly defined.
- iii. Changes of use should be in keeping with size and scale.
- iv. The key issue is non-intrusion into the Countryside.

How, where necessary, these issues were addressed

The policy as revised refers to residential gardens in the Countryside, instead of residential curtilages, and the amendment to the explanation suggested by the County Council has been made. The policy has been simplified, no longer having three criteria, instead solely not allowing detrimental domestication of the Countryside.

H27: Development within Residential Curtilages

Q11. Do you have any comments on the scope and content of this policy?

Nine consultees stated no to this question and one just stated yes. The majority of the rest of the comments were in general support of the policy.

However one consultee is concerned the policy provides a mechanism for getting around restrictions on building in local fields and another states there should be higher specifications for accesses on the A roads.

In addition amendments to the policy have been suggested: the policy should deal with the urban-rural interface so that potential landscape and visual effects on the countryside are minimised; the policy should refer to land used as domestic gardens rather than curtilage as the latter is not a use of land and nor clearly identifiable and the policy might be strengthened by explicitly excluding separate granny flats in back gardens.

How, where necessary, these issues were addressed

Two policy amendments have been made as a result of the consultee responses. The policy explanation has been updated to state that “Normally such development should be designed so as to fit in with the original dwelling and the street scene in general, minimise the landscape and visual effects on the countryside and designed without creating an overbearing effect and a loss of privacy”. And the words residential curtilage has been replaced with residential gardens.

With regard to the comments made about access on A roads, Policy INF2 of Part 1 of the Plan requires development to have safe and convenient access. In addition it is not considered that this policy provides a mechanism for getting around restrictions on building in local fields. Furthermore the policy has not been updated to explicitly exclude separate granny flats, as in some instances annexe accommodation will be acceptable and comply with the requirements of the policy and its explanation.

H28: Residential Conversions

Q12. Do you have any comments on the scope and content of this policy?

A mixed response was received regarding this question.

Comments of support for the policy include: this is a far better use of previously run down areas and buildings; the policy is consistent with the provisions of the NPPF which permits development in the countryside where the development would re-use redundant or disused buildings; agree its wording; reasonable; standard practice; policy A is agreed; agree there needs to be safeguards in place; the description is appropriate; and support the policy.

The most common concern regarding the policy is that it should support the demolition and rebuilding of existing buildings. Furthermore it has been suggested that extensions can make conversions suitable residential properties.

Other concerns/ suggestions made include:

- i. Section A should be amended to add ‘and the amenities of adjoining properties’.

- ii. Section A should be extended to include Rural Areas in order to encompass small rural settlements lacking a settlement boundary.
- iii. Permitted development rights should still apply.

In addition Natural England stated that where buildings are converted into residential units, it should be ensured that their potential impact as dwellings (including potential drainage issues) be considered against the SSSI Impact Risk Zone.

How, where necessary, these issues were addressed

The policy has not been amended to include ‘and the amenities of adjoin properties’, as Policy BNE1 h) sets out the requirement that development should not adversely affect the privacy and amenity of nearby occupiers.

In addition the element of the explanation which states permitted development could be withdrawn as a condition of approval for a dwelling, is to remain. Removal of permitted development rights will be assessed on a case by case basis and will be removed when necessary to maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, the site area and effect upon neighbouring properties and/or the street scene.

Furthermore no amendment to the policy has been made in regards to extensions, alterations and rebuilding as the proposal does allow for some alteration, rebuilding and or extensions to take place.

The policy has not been amended to explicitly state Rural Areas. For clarification the policy has been amended to states “Outside settlement boundaries the conversion.....”.

In regards to Natural England’s comment, no wording to the policy or explanation has been added, as the proposals would be considered against the SSSI Impact Risk Zone during the application process.

H29: Non-Permanent Dwellings

Q13. Do you have any comments on the scope and content of this policy?

Several respondents to this question provided a neutral response and a further few of support for the policy as it stood. Representations were received expressing opposition to, and for tighter regulation of, mobile homes and caravans together with the concern that non-permanent dwellings eventually become permanent dwellings. A representation was received strongly objecting to the policy on the grounds that it was being unreasonable and contrary to the proper functioning of Mercia Marina. The respondent suggested that the policy wording for criteria B state “further moorings within marinas for either leisure, tourism or residential use will be permitted where there is a proven demand and it is in keeping with the scale and character of the marina.”

Other comments and suggestions included:

- i. Should the policy also include other non-permanent structures such as tents, canvas structures and camping vehicles.
- ii. Either the policy or explanation may need to recognise that caravans are not usually designed or constructed to be in keeping with the character of an area.
- iii. Paragraph A of the policy needs to make clear that the restriction does not apply to traveller sites.
- iv. Temporary restrictions should be used and enforced.

How, where necessary, these issues were addressed

This policy has been replaced by BNE7: Marina Development. This policy sets out the criteria for granting: new marina development; further development or re-development of existing marinas, and; permanent berths.

BNE5: Development in the Countryside

Q14. Is the policy sufficient to safeguard the countryside from inappropriate development?

A mixed response was received in response to this question. Those providing an outright “no” to the question tended to qualify their answer with a comment that this was because too much development has taken place in the Countryside of late, that any development in the Countryside was not a good thing and/or that housing allocations tend to be on greenfield sites.

Just over a fifth of respondents replied with a yes to the question and considered that the policy was sufficient to safeguard the Countryside.

One house builder suggested that a third bullet should be added to say that “development within the Countryside will be permitted where it meets a demonstrable housing need without undue harm to the setting or wildlife.” Similarly, three developers/planning consultancies suggested that the policy is too restrictive, not in line with national policy and contrary to the Government’s ambition to boost housing supply. Derbyshire County Council by contrast states that BNE5 is fully supported and is in accordance with the requirements of the NPPF regarding development in the countryside. The County suggested changes to policy wording: that there should be an ‘and’ not an ‘or’ between i) and ii) and that B should be reworded with a greater emphasis on mitigation, landscaping and planting. A query was raised as to the definition of a “rural-based activity”.

Other comments and suggestions included the following:

- i. It is only the first part of the policy, A i) that is required.
- ii. The policy should specify which rural activities would be approved.
- iii. There should be greater protection for agricultural land.
- iv. Criteria i) is not consistent with the NPPF; soften or remove this criteria.
- v. Include a fourth point, “iv) it is supported by a Neighbourhood Development Plan”.
- vi. Concern that the phrase “appropriate for its location” does not provide enough policy direction.
- vii. The effectiveness of the policy is dependent on accurate settlement boundaries.
- viii. An additional section is required regarding traveller sites.
- ix. The policy should ensure all brownfield sites and allocations built before countryside.
- x. Greater protection is needed for hedgerows.
- xi. The policy should cross-refer to INF10.

How, where necessary, these issues were addressed

The Settlement Boundary policy, SDT1, is now specifically referred to in policy BNE5. Part A i) together with its reference to rural-based activities has been removed. A new Part B has been added to the policy to reflect the principle of sustainable development; this element of the policy sets out the circumstances in which development in the Countryside for ‘non-countryside uses’ would be acceptable, including consideration of whether this would be on best and most versatile land. Policy BNE 5 as revised now incorporates the previously proposed Infill Policy, H23. Examples of appropriate development in the Countryside are set out in the explanation to the Policy.

BNE6: Recreational Uses in the Countryside

Q15. Does the policy provide sufficient scope for recreational uses whilst also safeguarding the countryside?

- (i) Some respondents commented that there was no mention of footpaths or cycle routes in the policy and that potential housing sites would impair public rights of way.
- (ii) Others felt that the policy should seek to protect the amenity of adjacent buildings, conservation areas and the surroundings in general.
- (iii) CSJ Planning Consultants Ltd on behalf of Mercia Marina queries the need for the policy requirement that countryside recreation facilities be open and outdoor in nature. The National Trust seeks clarification as to the distinction between “visitor attractions”, as

referred to in emerging Local Plan part 1 Policy INF10 'Tourism Development' and "countryside recreation facilities" as referred to in this policy. There was a need to avoid any potential conflict between the two policies.

(iv) There is a suggestion that the policy should require that any development should be warranted. Another respondent considers that the policy should require that development be justified and suitable.

(v) Derbyshire County Council propose that the policy and explanatory text should refer to the protection of landscape character.

(vi) Concern is expressed about a potential policy loophole that might allow for noisy activities in inappropriate locations. Another consultee is concerned that odours be addressed in the policy.

(vii) One respondent considers that trees and land in the National Forest should be protected from development and that there should be no building there.

(viii) One respondent suggests that many footpaths could be re-designated as bridleways to keep horses and cyclists off the road.

(ix) Another respondent considers that the policy should be worded more forcefully to protect agricultural land.

(x) A respondent considers that the policy should be related to the equine population.

(xi) One respondent makes comments in regard to open space provision.

How, where necessary, these issues were addressed

(i) Public footpaths and cycle routes are addressed in the Local Plan Part 1 Policy INF2: "Sustainable Transport". No further action proposed.

(ii) The protection of amenity, local character and visual attractiveness is addressed in Local Plan Part 1 Policy BNE1 (e, g and h) 'Design Excellence'. The protection of heritage assets is addressed in the Local Plan Part 1 Policy BNE2 'Heritage Assets'. No further action proposed.

(iii) In regard to the suggestion that the words "open and outdoor in character" should be removed, it is considered that Local Plan Part 1 of Policy INF10, "Tourism Development", together with the proposed inclusion in Draft Local Plan Part 2 of Policy BNE5 "Development in the Countryside" provide sufficient control over this type of development and that Policy BNE6 can therefore be deleted.

(iv) In regard to the suggestion that development should be warranted, Draft Policy BNE5 indicates that it should be "appropriate". A more restrictive approach to development, as

would be implied though the use of such words as “warranted” and “justified” would be inconsistent with the National Planning Policy Framework para 28 , which takes a very positive approach to sustainable development in rural locations. No further action proposed.

(v) It is considered that Policy BNE6 can be omitted for the reasons given in point (iii), above. Policy BNE5 “Development in the Countryside” indicates that development should not unduly impact the countryside and landscape quality.

(vi) In regard for the potential to allow noisy activities in inappropriate locations and pollution in the form of odours, these matters are addressed in Local Plan Part 1, PolicySD1.

(vii) With regard to the protection of trees and land from development in the National Forest, it would be unreasonable to prevent building necessary to meet the housing, employment and other needs of the area. The approach to development and protection of trees is set out in Draft Local Plan Part 2 Policy BNE8 and to development within the National Forest in Local Plan Part 1 Policy BNE4 D. No further action proposed.

(viii) The Local Plan Part 1, Policy INF2 “Transport” does refer to the enhancement of public rights of way and this suggestion can be addressed within the context of this policy.

(ix) Protection of the best and most versatile agricultural land is addressed in the Local Plan Part 1 Policy BNE4. No further action proposed.

(x) Concerning the comment regarding the equine population it is proposed that Policy BNE6 be deleted for the reasons given in point (iii), above. Draft Policy BNE5 provides for appropriate development in the countryside provided that it would not result in unacceptable harm to valued landscapes.

(xi) Open space provision is addressed in the Local Plan Part 1 Policy INF9. No further action proposed.

BNE7: Agricultural Development

Q16. Does the policy provide sufficient scope for agricultural development whilst also safeguarding the countryside?

(i) One respondent expresses concern about permitted development rights relating to agricultural activity, particularly in regard to Conservation Areas, and asks whether this can be controlled. Another considers that the requirement that development be sited in close proximity to existing buildings, where possible, could lead to undesirable development in conservation areas.

(ii) There is concern from Castle Donington and Castle Gresley Parish Councils and several individual respondents that development could involve the loss of agricultural land. Two others believe that development should take place on brownfield sites.

(iii) Derbyshire County Council considers that in order to be acceptable the applicant may also need to consider additional landscape mitigation measures and proposals should also be appropriate to the local landscape character.

(iv) One consultee is concerned that the policy does not provide for alternative approaches to farming, such as permaculture design and land use.

(v) Hartshorne Parish Council considers that the buildings should be functional and not capable of conversion to dwellings in the near future.

(vi) Two consultees raise concerns about potential amenity impacts of agricultural development such as noise, odours and scale.

(vii) Melbourne Civic Society consider that the policy should be strengthened to exclude large sheds for intensive milk and livestock production due to landscape and animal welfare concerns.

(viii) One consultee asks whether the policy differentiates between agriculture and associated processes such as produce cleaning and packaging (i.e. manufacturing).

How, where necessary, these issues were addressed

(i) Permitted development rights in regard to agricultural activity are nationally prescribed in the General Permitted Development Order. Draft Policy BNE7 seeks to control development that lies outside these rights, but the point indicating that development should be “required” is now proposed for deletion, as its implementation would be impracticable. Any such development that would affect a Conservation Area would be subject to Local Plan Part 1 Policy BNE2 “Protection of Heritage Assets”.

(ii) Local Plan Part 1 Policy BNE4 E “Landscape Character and Local Distinctiveness” seeks to protect the best and most versatile agricultural land and this accords with the National Planning Policy Framework, para 112, which indicates that where development of agricultural land is necessary, poorer quality land should be used in preference to higher quality land. Whilst national policy requires that brownfield development be prioritised, there are few remaining brownfield sites in South Derbyshire and those which are suitable and available, such as the former Hilton Depot and the former Drakelow Power Station sites, have been identified for redevelopment in the Local Plan Part 1. A new policy is proposed for the Local Plan Part 2 (BNE13) addressing potential redevelopment on the part of the Drakelow Power Station site falling outside the Local Plan Part 1 housing and employment land allocations. It is proposed that the policy be strengthened by indicating that agricultural development should be suitable for its intended purpose; of an appropriate design and sited in proximity to agricultural buildings and by requiring that appropriate landscape mitigation be included.

(iii) Accepted. The Policy and explanation have been amended accordingly.

(iv) The policy approach embodied in the Local Plan Parts 1 and 2 seeks to accommodate necessary agricultural development, whilst recognising the intrinsic character and beauty of the countryside, in accordance with National Planning Policy Guidance. Policy H25 identifies the circumstances in which agricultural workers dwellings would be considered acceptable.

(v) To address this concern the proposed amended wording requires that new agricultural buildings should be suitable for their intended purpose.

(vi) The proposed policy, both in its original and amended form addresses the issue of scale. Noise, odours and other potential amenity impacts of development are addressed by policy SD1 of the Local Plan Part 1. No further action proposed.

(vii) National policy does not allow planning policy to militate against large agricultural buildings in principle. The proposed amended wording of the policy and explanation requires that appropriate landscape mitigation be provided to minimise landscape impact. Animal welfare concerns fall outside the remit of the local planning authority.

(viii) Manufacturing processes, such as those described, would be considered to represent industrial development and therefore would be considered in relation to policies contained in the employment chapter of the Local Plan Part 1.

BNE8: Protection of Trees Woodland and Hedgerows

Q17. Do you think this policy provides for the adequate protection of trees, woodland and hedgerows within the District?

A notable number of representations have been received regarding this policy (71 in total). Around a quarter of responses indicate that they support the policy. However many consultees indicated that they did not support the policy as drafted and the policy required amending to provide a greater level of protection or widen the scope of the policy to ensure that all trees and hedgerows are protected.

A notable number of representations have also been received regarding the previous wording of the policy which requires that 'there will be no unacceptable loss of trees, hedgerows and woodland. Many consultees thought this requirement lacked clarity and as a result weakened the policy.

A number of consultees considered that this this policy was unnecessary and sought to over regulate development. In particular there has been a suggestion that any reference to the UTAQS requirement to plant trees which contribute towards improving air quality. This response was on the basis that no air quality management areas are located in the district and hence this part of the policy is not justified.

Natural England have recommended that the policy make reference to ancient woodland and veteran trees. Whilst the Wildlife trust have indicated that the policy should protect

trees, woodland and hedgerow of biodiversity value, stating that broadleaved woodland and hedgerows are habitats of principal importance (UK BAP Priority Habitat types) and are material considerations within the planning process.

How, where necessary, these issues were addressed

The policy has been altered significantly to clarify its scope. The policy as now drafted has removed reference to unacceptable impacts and instead requires that losses of hedgerows, trees and woodland on development sites are minimised with layout and form of development informed by appropriate survey effort.

Greater detail on the felling of protected trees and important hedgerows has been included in the policy and requirements for replacement planting included in the policy where losses occur. A general requirement for biodiversity gain in line with NPPF requirements is also included in the policy

References to UTAQS have been removed and replaced with a simplified requirement for developers to consider the use of tree species in urban areas which are known to contribute towards improving air quality.

No changes have been made in respect of responses from Natural England or the wildlife trust. Veteran Trees and Ancient Woodland and priority habitats and species are protected in the Part 1 Local Plan within Policy BNE3 (Biodiversity). Any amendments along the lines proposed by these consultees would simply repeat the protections already provided in this strategic policy.

BNE9: Local Green Spaces

Q18. Do you agree that the authority needs to designate Local Green Spaces?

There was a proportionally large response to this question. Respondents had different reasons for feeling it important that Local Green Spaces be designated; for instance, for children to play safely, for the protection of environment, wildlife and public enjoyment, for the wellbeing and health of the population, or for preservation of the street scene. Over 92% of respondents expressed support for the designation of Local Green Spaces. Some respondents suggested areas for designation as part of their response. Natural England welcomed the policy and encouraged making the distinction between natural greenspace and open space in general. The Home Builders Federation pressed the importance of ensuring that Local Green Spaces were consistent with the definitions set out in the NPPF.

Other comments and suggestions included:

- i. Only as part of the overall plan. Don't listen to NIMBYs.
- ii. Allotment areas are not Local Green Spaces, as they don't contribute to the character of the area.

- iii. Yes; there are not enough public local green spaces.
- iv. Allotments are particularly vulnerable but are an important community asset.
- v. This is a vital provision of the Plan.
- vi. More consideration should be given to green spaces within Conservation Areas.

How, where necessary, these issues were addressed

A criteria-based approach reflecting the criteria set out in the NPPF has been undertaken in determining which sites to take forward for designation as Local Green Spaces. Allotments, Fields in Trust or areas with restrictive covenants are not being taken forward for Local Green Space designation as they are either protected in their own right or by other policies in the Local Plan.

Q19. Of the Local Green Spaces proposed, are there any that you consider should not be designated?

Of those who responded to this question, 55% did so to state that they did not consider that any of the proposed Local Green Spaces should not be designated as such. Several other respondents commented that if anything there should be more rather than fewer Local Green Spaces. Some sites however were suggested as not suitable for designation, these were:

- Weston on Trent
- Willington Village Hall
- Allotment, Blacksmith's Lane, Egginton
- The private gardens backing onto Melbourne Pool
- The proposed designation at Church Broughton
- Are allotments green spaces?
- North of Twyford Road, Willington has village green application pending.
- Ticknall Village Hall itself and car park.

Other comments included:

- Within the DUA, SDDC should allocate proper open spaces that are fully functional instead of a piecemeal approach.
- The Council need to ensure that the Local Plan designations align with national policy and that they are able to demonstrate the rationale behind such designation.

How, where necessary, these issues were addressed

All of these comments have been taken into account when reviewing which Local Green Spaces to take forward for designation. Details of the proposed designations are within the Local Green Space Topic Paper.

Q20. Are there other sites that meet the requirements of Local Green Space as set out in the NPPF and therefore should be included?

Many sites were suggested by respondents for designation for Local Green Space. Ticknall Parish Council suggested a further eight sites/areas; Repton Village Society suggested four sites and the Parish Council, five; Castle Gresley Parish Council suggested five sites and two war memorials; Egginton Parish Council suggested three sites; Etwall Parish Council suggested three sites; Hartshorne Parish Council suggested two sites and Hartshorne Village Residents Association enclosed a map of sites; Rosliston Parish Council suggested Strawberry Lane Playing Field; Willington Parish Council suggested three further sites; Linton Parish Council suggested SHLAA site S0050, and Walton on Trent Parish Council suggested Walton Playing Field. Other individuals and organisations suggested other sites or reiterated the suggestions of these sites.

How, where necessary, these issues were addressed

All of these sites have been considered when reviewing which Local Green Spaces to take forward for designation. Details of the proposed designations are within the Local Green Space Topic Paper.

BNE10: Advertisements and Visual Pollution

Q21. Does the policy provide adequate protection whilst also offering sufficient flexibility to allow necessary development to which the policy refers?

Over half of those who responded to this question felt that the policy provided adequate protection whilst allowing for necessary development. A few respondents commented to say that they do not appreciate billboards, seasonal advertisements or street clutter. A few respondents commented that temporary advertisements were fine, provided that they are removed after the relevant event. One local group felt that the policy was over-prescriptive and that the Part 2 should not seek to control advertisements.

Other comments and suggestions included:

- i. That the policy should include light and sound pollution.
- ii. A time limit should be placed on advertisements for new housing developments.
- iii. More stringent controls needed, particularly for temporary signs on farmland.

How, where necessary, these issues were addressed

Reference to a relevant SPD has been moved from the policy itself to the explanation; in other respects the policy is unchanged.

BNE11: Heritage

Q22. Does this policy provide for suitable levels of protection, preservation and enhancement of heritage assets within the District?

(i) Kings Newton Residents Association and some other respondents considered that the policy could provide more protection for the areas around heritage assets.

(ii) Repton Parish Council suggests that the policy should begin with “The Council will only grant permission....” Another respondent considered that the use of the words “will resist” suggests that the Council might be overly flexible.

(iii) Some respondents wish to see more depth and clarity to ensure that the heritage and conservation of important historical areas are preserved. There is a concern that the past efforts and documentation would be lost and replaced by the Local Plan part 2 policy, which could lead to a dilution of the protection towards conservation areas.

i(v) Gladman Developments object on the basis that no distinction is made in terms of the weight given to the protection of designated and non-designated heritage assets. The policy test that the Framework applies to the level of harm to designated heritage asset also differs to the approach set out in Policy BNE1. The National Planning Policy Framework states that if harm is substantial then the proposal needs to achieve substantial public benefits to outweigh that harm. If the harm is less than substantial then the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. The Policy makes no such distinction and is therefore unsound. Para 135 of the Framework relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgement should be reached having regard to the scale of any harm and the significance of the heritage asset. Whilst section D of Policy BNE11 refers specifically to non-designated heritage assets it fails to make reference to the need for a balanced judgement to be made and is therefore unsound.

(v) Historic England does not consider that the policy provides appropriate levels of protection for heritage assets. It would be helpful to make policy reference to the information requirements needed for applications affecting heritage assets. Wording for an additional paragraph requiring the submission of heritage assessments is suggested. There is concern from Historic England, the National Trust and another respondent that the policy could be construed to suggest that ‘less than substantial harm’ is acceptable. It is suggested that references to substantial harm be deleted. Thomas Taylor Planning consider that the

policy should indicate how public benefits will be taken into account where less than substantial harm is involved. The supporting text to the policy could signpost that where harm is identified, the relevant tests as set out in the NPPF (133 and 134) will be used. B) listed buildings –the policy does not reference instances where development proposals may just affect setting (for example building in the grounds of a listed building). C) Conservation Areas – greater detail is required. D) Non-designated heritage assets - there should be more information in the supporting text about non-designated assets. F) the criteria are overly broad and should be amended.

(vi) Melbourne Parish Council and others consider that the policy needs to be more explicit about encouraging positive improvements to heritage assets, to promote restoration, enhancement and repairs. It also needs to be more explicit in preventing spoiling such sites by enabling adjacent car parking on verges.

(vii) The National Trust considers that criterion B - listed buildings should indicate that it is harm or loss to the significance of the asset which ought to be resisted. It would be helpful for the policy to protect the settings of conservation areas. (D) - Non-designated heritage assets - it may be preferable to use the terminology 'significance' rather than 'special interest' to align with the NPPF. (F) - historic parks and gardens - is couched negatively and may inhibit appropriate and sensitive development within registered parks.

(viii) One respondent considers that the policy should not restrict improvements which make buildings more environmentally friendly.

(ix) Thomas Taylor Planning considers that the policy should not seek to enhance non-designated landscapes as this represents a greater degree of control than is provided for in the National Planning Policy Framework.

How, where necessary, these issues were addressed

(i) The introduction of the policy (formerly Part A) refers to heritage assets and their settings, thereby addressing the concern expressed.

(ii) Although the reference to resisting harmful development remains in relation to Conservation Areas, the policy has been strengthened in other ways which are considered to help address the concerns expressed here (see below).

(iii) All relevant records continue to be held by the District Council and other bodies and can be referred to as appropriate. The policy has been strengthened in ways that will help to address the concerns expressed here (see below).

(iv) Concerns relating to the distinction between substantial and non-substantial harm are addressed through changes to the policy proposed in response to comments from Historic England and the National Trust (see below).

(v) The policy has been strengthened to address the concerns expressed as follows: including a sentence in the first section indicating that applications will be expected to be accompanied by a proportionate heritage assessment; by deleting all references to “substantial” harm; to refer to the settings of listed buildings; additional detail has been provided in relation to the character of Conservation Areas and the section on Historic Parks and Gardens has been amended in accordance with the wording suggested by Historic England.

(vi) Enhancement of heritage assets is referred to in overall terms in the first part of the policy and is also referred to specifically in regard to Conservation Areas, thereby addressing the concerns expressed.

(vii) The policy wording in relation to listed buildings has been amended to refer to proposals which would be harmful to the significance of the heritage asset. The wording of the section on historic parks and gardens has been amended in accordance with the suggestion from Historic England (see point (v)) and this change is considered to address the concerns expressed by the National Trust in this regard.

(viii) A balance needs to be struck in relation to such matters, but it is not considered that any change to the wording of the policy needs to be made to address this concern.

(ix) This aspect of the policy has been retained as it is considered that enhancement of the landscape is a laudable objective.

BNE12: Shopfronts

Q23. Do you have any comments on the scope and content of this policy?

There is general support for this policy. However, one respondent considers that there should be some recognition of light sources and their efficacy and illumination times due to their impact on the environs and Melbourne Civic Society considers that the policy may be over prescriptive.

How, where necessary, these issues were addressed

Consideration of illumination times can be considered within the terms of the policy as worded.

EDU1: Provision of Education Facilities

Q24. Do you have any comments regarding this policy?

A mixed response was received regarding this policy. Some consultees have stated their support for the policy and others have raised issues.

A large number of consultees have expressed the need for new educational facilities (primary and secondary) within the District and have stated that primary and secondary schools are at capacity. Schools specifically mentioned include Chellaston Academy, John Port Academy, Burton Schools, Melbourne Junior and Infant School, Linton and Coton in the Elms Primary Schools. Some consultees have raised concern that the policy does not make reference to primary school provision.

In addition further comments raising concern with the policy have been received, these include: the policy is vague; its inadequate; needs to be more robust than just the provision of an 800 place secondary school; the policy is overly prescriptive at this stage; there should be provision in the policy relating to the impact of development on existing schooling and the ability of children who already live in the area being able to attend the local school; the policy must take account of the impact of a super-sized secondary school on the daily lives of Etwall village particularly in terms of traffic.

It has also been suggested that a secondary school will have a major impact in the area where it is developed and therefore needs to be considered alongside other proposals/opportunities identified within the plans.

Furthermore specific locations and broad locations of a new secondary school were suggested, these include: Thulston Fields; Hilton or Mickleover; near Derby City; Midway area; the site should be accessible by public transport through Ticknall.

How, where necessary, these issues were addressed

This policy has been drawn up in consultation with Derbyshire County Council who is statutorily responsible for providing school places to children within the District (and Derbyshire). The County Council need to identify a suitable site for a new secondary school and advise the District Council of the location so that it can be included in the policy. Due to the growth within South Derbyshire it is known that a new school will be required at a point in the future though the exact timing is dependent on the expansion of other schools within South Derbyshire and also Derby City.

The information within the policy includes what is known at this point in time as being required. A change to the policy has been included to ensure that the school site minimising any undue impacts on surrounding land uses and the wider environment which addresses some comments received during the consultation.

The provision of primary schools is not mentioned as many new primary schools are being provided across the District with the requirement set out within the relevant housing policy in the Local Plan Part 1. New schools are to be built at: Hilton, Boulton Moor, Wragley Way, New House Farm, Chellaston Fields and Highfields Farm and extensions made to several others. If a new school site was needed for a primary school that was not to part of a

housing site then the County could ask that a site is notified within the Local Plan which means that the site is protected from development for the period of the plan.

RTL1: Swadlincote Town Centre

Q.25 Do you agree with the proposed town centre boundary, as identified on the town centre map?

Support from a number of respondents to the proposed town centre boundary, although one considered that Hill Street should be excluded.

How, where necessary, these issues were addressed

The town centre boundary has been retained without alteration. The Hill Street area is considered to represent the eastern gateway to the town centre and has attracted investment in building frontage enhancements, with scope for further environmental improvement. The junction of Church Street and Hill Street is identified as an aspirational node and centre of activity in the Swadlincote Town Centre Vision and Strategy 2012. Furthermore, the north side of Hill Street lies within the Town Centre Conservation Area. Hill Street has therefore been retained within the town centre boundary.

Q26. Do you agree with the primary and secondary frontages, as identified on the town centre map?

Support from a number of respondents for the proposed primary and secondary frontages, although one considers that the whole of High Street should be primary frontage.

How, where necessary, these issues were addressed

It has been decided that the frontages identified as primary and secondary in the consultation document should all be identified as primary and that the policy should be amended to allow hot food takeaways (Use Class A5) in these locations as well as A1, A2, A3 and A4 uses to provide maximum flexibility, reducing the likelihood of vacant units along town centre frontages.

Q27. Should there be a locally set threshold for the floorspace area at which a retail impact assessment is required with an application, or is the NPPF default threshold of 2500sqm appropriate?

A clear majority of respondents felt that the use of the NPPF threshold was appropriate. One considered that whilst this was so, there needed to be some mechanism for supporting small traders.

How, where necessary, these issues were addressed

It is proposed that the NPPF threshold should be used.

Q28. Do you have any further comments on the scope and content of this policy?

One respondent requests that the policy include a reference to Community Assets

Derbyshire County Council requested an amendment to the policy Part B to indicate that development proposals on sites both on the edge of and outside the town centre be subject to an impact assessment, as per the NPPF.

Some respondents consider that there are too many charity shops on the High Street and that more commercial retail shops should be encouraged. One considers that too many charity shops and betting shops depress the area.

How, where necessary, these issues were addressed

Since the right to nominate and bid for Community Assets is not directly linked to planning policy, it is proposed that a reference be included as part of the introduction to the chapter.

Part B can be amended to indicate that sites both on the edge of and outside the town centre will be subject to an impact assessment.

The Council's overall strategy for retail in the town centre seeks to protect and enhance its vitality and viability through planning and other measures. However, General Development Order Use Class A1 does not distinguish between charity shops and other retail facilities and the Council therefore has no direct planning control in this respect. However, the policy does not provide for changes of use to betting shops, which occupy a separate use class, and is thus restrictive in this respect.

RTL2: Local Centres and Villages

Q29. Does the policy identify the correct Local Centres and should they be listed in the policy?

- (i) One respondent considers that there is a clear conflict between creating new local centres and retaining small rural villages and Key Service Villages.
- (ii) Another respondent does not believe that Repton can be claimed as a local centre, particularly since the opening of the new Co-op in Willington has impacted smaller retailers in both villages.
- (iii) Melbourne Parish Council suggests that the policy could refer to the Neighbourhood Development Plan, where in existence.
- (iv) Willington Parish Council and two respondents express concern that the policy does not identify local centres and that the Appendix E map for the Derby fringe is too small scale and has no key.

(v) A respondent is concerned that brownfield land should be used instead of greenfield land.

(vi) Another respondent considers that building should be kept to a minimum in rural villages and not allowed to take over from the village community and the vitality of the centres.

(vii) A respondent comments that Dalbury has no local services.

(viii) Planning and Design Group on behalf of Hallam Land Management acknowledge the aspiration for a new local centre at the Wragley Way strategic housing site and indicate that such is included within the emerging masterplan.

(ix) A respondent notes that the policy makes no reference to proposed development on land to the west of Mickleover.

(x) Willington parish Council is concerned that the policy makes no distinction between local centres, villages and key service villages and considers that there should also be some form of policy to assist the longer term viability / growth of key villages to ensure that they are able to continue to provide the services they currently offer to the wider community.

How, where necessary, these issues were addressed

(i) It is intended that all parts of the policy should be read together. Therefore proposals to establish local service centres as referred to in Part C of the policy, would need to be consistent with the requirements of Part A of the policy. It is proposed that the text be amended to clarify this point.

(ii) Repton is identified as a Key Service Village. The policy provides for the establishment of new retail facilities, whilst resisting the loss of established shops and pubs, where appropriate. This approach supports the continued provision of local retail facilities in villages such as Repton.

(iii) In regard to the suggested reference to the Neighbourhood Development Plans, it is proposed that the explanatory text be amended to indicate that they will be taken into account where they exist in relation to the potential loss of established facilities.

(iv) The existing and proposed local centres are identified in the explanatory text, but can also be referred to in the Policy itself. Amend the introduction to the policy accordingly.

(v) This is addressed in NPPF para 17. No further action required. Amend the map at Appendix E to show the locations of proposed local centres at a larger scale and to include a key.

(vi) The wording of the policy addresses these concerns in that it requires that development be consistent with the scale and function of the settlement or locality.

(vii) Noted. This has no bearing on the policy. No further action required.

(viii) Noted. No further action required.

(ix) As a local centre is proposed to be included as part of the development of the land to the west of Mickleover, this will be referred to in the policy. Amend policy and explanatory text accordingly.

(x) It is proposed that the policy be amended to distinguish between local centres and key service/local service villages. Policy for the long term viability and growth of key villages is reflected in the Local Plan Part 1 Policy H1, which identifies their position within the settlement hierarchy and indicates that development up to and including small strategic sites can be located here.

Q30. Does the policy satisfactorily provide for the maintenance and enhancement of the viability and vitality of local centres and villages?

(i) Some respondents are concerned that the policy makes no distinction between local centres, villages and key service villages and considers that there should also be some form of policy to assist the longer term viability / growth of key villages to ensure that they are able to continue to provide the services they currently offer to the wider community.

(ii) CAMRA considers that the assessment of viability should be more rigorous and fleshed out and propose a potential form of words to this end. They note that there is no mention of Assets of Community Value.

(iii) Dalbury Lees Parish Council, are concerned that the policy may lead to vacant buildings where no alternative facilities exist.

(iv) Etwall Parish Council support the policy

(v) Hallam Land Management and Turley Associates note that housing growth can help maintain and enhance the viability of local centres and villages

(vi) Hartshorne Parish Council note that the village has lost 2 shops in the past 45 years and there is no site for a new one.

(vii) One respondent says that the Council is not bothered about village life and considers that open spaces are for building on.

(viii) Two respondents are concerned that lack of viability can lead to the loss of facilities.

(ix) One respondents considers that villages are becoming too large and that village centres are dying due to lack of parking.

(x) One respondent thinks that developers will do as little as possible to enhance local areas, especially as much of what is expected of them is voluntary.

(xi) Willington Parish Council considers that the policy is vague in regard to local centres and villages and requests that there should be a policy to assist the viability/growth of key villages.

How, where necessary, these issues were addressed

(i) See response to Q29, point (x)

(ii) It is agreed that greater clarification as to the requirements for the assessment of viability would be helpful. It is also proposal. Also include a reference to Assets of Community Value in relation to the potential loss of established facilities. Amend lower case text accordingly.

(iii) The policy allows for a change of use where the current use is demonstrably unviable.

(iv) Support welcomed.

(v) Noted. No further action proposed.

(vi) Noted. The policy allows for the development of new facilities, but this is dependent on suitable sites being available.

(vii) The policy seeks the provision of new, and retention of existing, facilities. No further action required.

(viii) The retention of unviable facilities can result in vacant buildings, which represent an eyesore and a wasted resource that could otherwise be put to beneficial use. No further action proposed.

(ix) In most cases housing growth should lead to greater, rather than lesser patronage of such facilities, thus enhancing their viability. No further action proposed.

(x) It would be unreasonable to expect developers to provide shop and service accommodation where any occupying business could not operate on a profitable basis. No further action proposed.

(xi) See response to Q29(x)

Q31. Do you have any further comments on the scope and content of this policy?

(i) Parish of Repton Neighbourhood Development Plan is concerned that there do not appear to be any policies that are relevant to Key Service Villages.

- (ii) Repton Parish Council consider In areas where significant parking and traffic management issues exists, retail development should only be allowed when it can be demonstrated adequate provision is made to address these issues.
- (iii) One respondent considers that villages are potentially expanding too much.
- (iv) CAMRA asks that the Council consider adopting its model policy to be employed where existing pubs and other community facilities are in danger of being lost.
- (v) Dalbury Lees Parish Council considers that local centres should serve the areas they are in and so should be awarded on their own merits and not on the locality of the local centres nearby.
- (vi) Hartshorne Residents Association have an aspiration to open a community shop.
- (vii) Willington Parish Council and another respondent consider that traffic impacts of retail development should be taken into account.
- (viii) Melbourne Parish Council consider that there should be stress on the need to prevent unsustainable out of town retail developments.
- (ix) A respondent notes that whilst Etwall does not have the variety of retail activities of other service centres and has suffered losses since the opening of Aldi in Hilton. Lack of GP facilities in the village should not be underestimated.
- (x) Thomas Taylor Planning consider that the policy should make provision for other retail developments outside villages and local centres where they would represent diversification of the rural economy and agriculture.
- (xi) The suitability of a 2km walking threshold in considering the acceptability of proposals is queried.

How, where necessary, these issues were addressed

- (i) Reword policy to clarify approach to be taken in key service villages.
- (ii) This matter is addressed in the Local Plan Part 1 Policy INF2. No further action proposed.
- (iii) Village expansion, where it exists or is proposed, can often help to enhance the viability of existing shops and services, representing a community benefit. No further action proposed.
- (iv) The policy itself and the explanatory text can be amended to incorporate elements of CAMRA's model policy.
- (v) The location of local centres can potentially undermine the vitality and viability of nearby centres, depending on their scale and the extent of their catchment areas. Planning can

seek to ensure that local centres prosper by discouraging potentially harmful competition. No further action proposed.

(vi) The policy as drafted would allow for the establishment of a community shop in an appropriate location. No further action proposed.

(vii) Traffic impacts of development are addressed in Local Plan Part 1 Policy INF2.

(viii) Policy RTL1 (A) addresses this point. No further action proposed.

(ix) The extent of retailing facilities within any given settlement is influenced by a wide range of factors, which would need to be measured and carefully considered before any conclusions could be drawn. No further action proposed.

(x) Permitted development rights provide broad scope for the establishment of farm shops in appropriate circumstances. No further action proposed.

(xi) The reference to the 2km walking threshold was intended to apply in the case of the considering the availability of alternative comparable facilities where an existing facility may potentially be lost. However, this paragraph is considered unnecessary and can be deleted.

INF11: Telecommunications

Q32. Does the policy provide enough protection whilst allowing enough scope to allow necessary telecommunications development?

A little under half of respondents answered yes and considered that the policy provided the right balance between protection and allowing necessary telecommunications development. One respondent felt that the policy provided too much protection and that NIMBYism gets in the way of needed telecommunications development. Other respondents echoed this view and also stated that either mobile phone signal was not good enough where they lived, or that broadband speeds were not sufficient to work from home.

A few respondents felt that the policy did not provide enough protection, particularly with respect to health concerns or sensitive sites. That National Trust requested that the policy refer to all designated heritage assets rather than just Conservation Areas and Listed Buildings.

Other comments and suggestions included:

- i. All future development must incorporate fibre optic cable.
- ii. Telecoms companies should be obliged to install underground cabling.
- iii. The policy should include a requirement for an ICNIRP certificate.

- iv. The policy refers to mobile telecommunications but does not refer to other infrastructure needs such as highways, drainage and broadband.

How, where necessary, these issues were addressed

The policy as revised now specifically refers to designated heritage assets, rather than Conservation Areas and Listed Buildings. Two further criteria have been added to the policy; the first is to ensure that apparatus is located to complete or improve coverage and the second is to ensure that, where feasible, all cables and pipelines are placed underground. Reference is made in the explanation to infrastructure other than mobile telecommunications.

Other comments

Q33. Should Part 2 continue with Part 1 policy numbering or start again?

The overwhelming majority of responses to this question favoured continuation of policy numbering from the Local Plan Part 1.

How, where necessary, these issues were addressed

The numbering system adopted for the Local Plan Part 2 consultation document is consistent with this approach. No further action proposed.

Q.34 Do you wish to make any other comments?

- (i) Some respondents express concern that transport concerns such as highway congestion, narrow roads and parking are not addressed in the document.
- (ii) A number of respondents are concerned that the infrastructure required to support new development, such as health care, schools etc., may not be adequately addressed.
- (iii) A respondent asks that there be no more housing allocated to Linton. Affordable housing for families leads to pressure on the primary school. Linton Parish Council advises that the improvement of the sewage treatment site at Colliery Lane may be feasible through the provision of a second foul drain pipe.
- (iv) A number of respondents call for the Local Plan to be adopted as quickly as possible to protect the district against unplanned strategic scale development proposals and to ensure that all policy requirements can be applied.
- (v) One consultee considers that the Local Plan needs to provide stronger protection for the natural environment and should have a better evidence base ensuring that the cumulative

impacts of development in the Derby Urban Area are taken into account in relation to school place and open space provision and environmental protection.

(vi) One consultee identifies a need for more all-weather paths in the countryside.

(vii) Aston-on-Trent Parish Council ask that any development outside the Aston-on-Trent settlement boundary should be in keeping with the scale and character of the existing settlement and should not reduce the strategic gap separating the village from Weston-on-Trent. One respondent considers that the Aston Hall Hospital allocation contained in emerging Local Plan Part 1 Policy H8 was not based on sound evidence. Another considers that the housing sites identified for consultation in Aston-on-Trent are too many and too big as village services are overstretched and the roads are too small.

(viii) Barton Willmore acting for the Chamberlain family refers to a planning consent for a farmhouse to the north of Shardlow. They consider that the settlement boundary should be extended to include this site and that the Green Belt boundary should be amended to exclude the site.

(ix) Willington Parish Council expresses concern about the impact on the village of housing growth in terms of roads, schools, amenities and village character. They consider that there is a need for the introduction of traffic management and pedestrian access measures in the village. They draw attention to the uncertainty regarding proposals for a new power station and intermodal park in the area and believe there is a case for delaying any further development until the outcomes are known. Flood risk is a further area of concern in the south of the village. The pro-formas make no assessment of the effect of drainage to the Trent and associated flood risk. There needs to be an assessment of the cumulative impact of development. One respondent considers that It is misleading to say that Willington has had no new housing allocations as this does not take account of committed development.

(x) Mercia Marina say that the facility has developed into a sustainable location due to the variety of uses established and with planning consent on the site, including residential berths, and that it has developed into a small settlement.

(xi) Eon consider that there is a need for an additional policy to support the reuse of brownfield land and to ensure that the employment development target set out in emerging Local Plan Part 1 Policy S5 is met.

(xii) One respondent considers that protection should be provided for Government assisted forest areas, such as those found within the National Forest.

(xiii) Derbyshire County Council consider that a more detailed policy for managing development within the Green Belt may be appropriate. They also suggest that it may be appropriate to consider defining more detailed boundaries for the Green Belt. An individual respondent asks for consideration to be given to the review of the Green Belt boundary.

(xiv) Melbourne Parish Council and a number of individual respondents say that there needs to be greater acknowledgement of Neighbourhood Plans in the Part 2 Local Plan.

(xv) One respondent expresses concern regarding the capacity of the Etwall highway infrastructure to cope with current levels of traffic and parking. It is suggested that this could be partially alleviated by connecting the bottom of Willington Lane to the A50.

(xvi) One respondent asks that there be no more housing developments in the Swadlincote, Woodville and Hartshorne areas.

(xvii) The Home Builders Federation consider that there is uncertainty that the Objectively Assessed Housing Need for the Derby Housing Market Area can be met following the withdrawal of the Amber Valley Local Plan and that settlement boundaries may therefore be too tightly drawn. They consider that the Council should therefore reconsider its proposals as set out in emerging Local Plan Parts 1 and 2 and request that allocations contiguous with existing settlement boundaries be included within those boundaries. White Young Green acting for the Church Commissioners makes similar points about housing delivery.

(xviii) One respondent considers that the policies contained in the draft Local Plan Part 2 are too vague and open to interpretation.

(xix) One respondent asks that brownfield, rather than greenfield, sites be utilised.

(xx) Melbourne Civic Society considers that there should be an explicit policy discouraging solar arrays in the countryside and encouraging them on large buildings. They also consider that there should be a housing policy to encourage new zero carbon dwellings within settlement boundaries.

(xxi) Repton Neighbourhood Development Plan points out that residential development permitted at Longlands, Repton exceeds the numbers identified in the strategic allocation for that site. They say development must be limited to that identified in the Local Plan and that there was minimal consultation concerning the additional numbers at the planning application stage.

(xxii) One respondent considers that the document should address all types of infrastructure and not just telecommunications equipment.

(xxiii) One respondent considers that locations close to the District and County boundaries should have their needs jointly assessed and opportunities to address these addressed on a cross-boundary basis.

(xxiv) One respondent considers that the Local Plan Part 1 has been ineffective in limiting development and asks whether the same will be true of Part 2.

(xxv) One respondent expresses concern about the amount of house building that has happened in Hilton in recent times and planned for the future. Amenities are insufficient, as is access to open green spaces.

(xxvi) One respondent suggests that housing needs be met through the establishment of a new village or through small infill projects. There is a need for 1-3 bedroom houses, rather than 4-5 bedrooms.

(xxvii) One respondent considers that Local Plan Part 2 policies on heritage and conservation cover some points, but do not go far enough.

(xxix) Sport England recommends that consideration be given to the inclusion of a reference to “Active Design” in the Local Plan Part 2.

(xxx) Tetlow King Planning Ltd acting for Rent plus refer to their innovative housing model of discounted rented homes.

(xxxi) Two respondents ask whether there could be a more accessible version of the information presented in emerging Local Plan Part 2 as there is so much material it is difficult to find detail, which is significant when trying to form a judgement about something.

How, where necessary, these issues were addressed

(i) Transport matters are addressed in the Local Plan Part 1 policy INF2. No further action proposed.

(ii) The strategic housing allocation policies and Policy INF1 contained in the Local Plan Part 1 address supporting infrastructure provision. No further action proposed.

(iii) The Local Plan Part 2 proposes no new housing allocations at Linton. Linton Parish Council comments re. sewerage infrastructure noted.

(iv) The local planning authority is endeavouring to proceed to adopt Local Plan Parts 1 and 2 at the earliest opportunity.

(v) The policies affecting the Derby Urban Area and the policies upon which they are based have been prepared in close consultation with Derby City Council to ensure proper consideration of cross-boundary and cumulative impacts of policies and development proposals.

(vi) Proposals such as this can be considered in the context of the Local Plan Part 1 Policy INF2.

(vii) Development outside settlement boundaries would be considered in relation to Policy BNE5, the wording of which is proposed for amendment alongside other policies addressing

specific types of development. In relation to housing development, the policy requires that development should be restricted to the infilling of small gaps. The Aston Hall Hospital allocation formed part of the Local Plan Part 1 and does not represent part of this consultation exercise. The capacity of settlements to absorb further development has been taken into account in selecting housing allocation sites for inclusion in the Part 2 Local Plan.

(viii) The case referred to has been considered in relation to proposed policy SDT1: Settlement Boundaries and Development (see above). It is considered that there is no case for the amendment of the Green Belt boundary in this location. The fact that planning consent was granted for the proposed development indicates that it was not considered to be inappropriate development in a Green Belt location.

(ix) Local Plan Part 1 policy INF1 seeks to ensure that the infrastructure necessary to support or mitigate the impact of new development will be provided. Emerging Local Plan Part 2 Policy H23 identifies a site off Repton Road for the development of an additional 50 dwellings. However, as a non-strategic scale site any development here is unlikely in itself to have a significant impact on the village. Traffic management and pedestrian safety measures for Willington would be a matter for the local highway authority in the first instance, although there may be scope for securing developer contributions in future, should a suitable scheme be identified. The proposed power station already has the benefit of planning consent and any associated traffic impacts would be taken into account in considering the cumulative impact of any further development proposals with significant transport implications in or around the village. Any proposal for the development of an intermodal park would need to demonstrate through a Transport Assessment that it would not have unacceptable traffic impacts, again taking account of the traffic implications of other major consented development proposals in the area. The pro formas do take account of flood risk and the surface water drainage implications of new development.

(x) A new policy addressing marina development is proposed.

(xi) A new brownfield land development policy would be strategic in nature and it would therefore be inappropriate for inclusion in the Part 2 Local Plan. Furthermore, the Inspector has concluded that employment development target set out in Local Plan Part 1 Policy SD1 can be met. However, if a new policy is proposed to address redevelopment of the former Drakelow Power Station site to provide a basis for the consideration of proposals involving the redevelopment of land on this large brownfield site.

(xii) This matter is addressed by the Local Plan Part 1 Policy BNE8.

(xiii) It is considered that the National Planning Policy Framework provides sufficient detail for the consideration of development proposals within the Green Belt without the need for further local elaboration. It is considered unnecessary to define the Green Belt boundaries in more detail as the question as to whether or not a site has fallen within or beyond the

Green Belt designation has never arisen. There is not considered to be a need for a review of the Green Belt boundary as part of the Local Plan Part 2. No further action proposed.

(xiv) The relationship between Local Plans and Neighbourhood Plans is considered to be adequately explained in the National Planning Policy Framework without the need for further elaboration. There are references in the Local Plan Part 1 Introduction and Policy S2 to Neighbourhood Plans and the explanatory text accompanying Policy RTL3 (formerly RTL2) is proposed to be amended to refer to them in the context of the protection of established retail facilities. No further action proposed.

(xv) Transport matters are addressed by the Local Plan Part 1 Policy INF2. The suggested connection of Willington Road to the A50 would be a matter for the Highways Agency.

(xvi) National policy requires that the Council should plan to meet its housing needs through the Local Plan and in order to do so it will be necessary to accommodate new homes. The overall strategy for housing development is set out in the Local Plan Part 1, Policy H1 and has been accepted by the Inspector following consideration of all the evidence put before her. The policy establishes a settlement hierarchy, which is to be referred to in determining the location of housing development. Urban areas, including Swadlincote and Woodville, occupy the first tier of that hierarchy as they represent the most sustainable locations for new housing development. Hartshorne is identified as a Local Village, where a more restrictive approach is to be applied, commensurate with the scale of service provision within the settlement.

(xvii) The Planning Inspector has accepted the approach to housing provision embodied in Local Plan Part 1 and there is therefore no need to reconsider this. It is intended that allocated sites should be included within settlement boundaries.

(xviii) There is a need for a degree of flexibility in Local Plan policy as not all circumstances are predictable. There are often material considerations, not necessarily fully addressed by Local Plan policies, which need to be taken into account in decision making. A more rigid approach would be less capable of satisfactorily accommodating such cases.

(xix) There are few significant brownfield sites that are suitable for development available within the District. Where they exist, as at Drakelow Park and Hilton Business Park, they have been allocated in the Local Plan Part 1 for development (policies H6 Drakelow Park, H7 Hilton Business Park, H8 Aston Hall Hospital, E1 Tetron Point, Dove Valley Business Park, and Hilton Business Park). Furthermore, it is now proposed to include a policy in the Local Plan Part 2 to address any proposals that may come forward on the remaining area of the former Drakelow Power Station site during the plan period in the (see xi, above). It can be seen therefore that the Council is seeking to accommodate development on brownfield land as far as possible.

(xx) Emerging Local Plan Policy SD6 addresses renewable energy. However, to specifically exclude development as proposed would be contrary to national policy. There is a unified set of building standards and a requirement for Zero carbon homes would not be supported by Government policy, which does not allow for the introduction of local standards.

(xxi) This matter relates to Local Plan Part 1 rather than Part 2

(xxii) Provision of infrastructure other than telecommunications equipment is addressed in the Infrastructure chapter of the Local Plan Part 1.

(xxiii) Planning legislation requires that neighbouring local authorities and other public bodies work together to identify and address cross-boundary issues through the “Duty to Co-operate” and the emerging Local Plan Part 2 is being prepared in conformity with this requirement.

(xxiv) The Local Plan Part 1 has not yet been adopted and its effectiveness has therefore not yet been tested.

(xxv) Whilst the bulk of new housing development proposed for Hilton is addressed by Local Plan Part 1 Policy H7 , the emerging Local Plan Part 2 Policy H23 allocates land at Derby Road for a further 40 dwellings. The Council has sought to ensure the provision of new amenities to serve the expanded village, including a village hall, retail area, medical centre, expanded primary school, skate park and greenway linking to the countryside.

(xxvi) The possibility of establishing a new settlement was put forward during consultation on the then emerging Local Plan Part 1 “Options for Housing Growth” exercise and met with little public support. Emerging Local Plan Part 2 Policy H24 provides for small scale infill development in settlements. Local Plan Part 1 Policy H20 requires the provision of a mix of dwelling type, tenure, size and density.

(xxvii) Heritage and conservation related matters are also addressed by Local Plan Part 1 Policy BNE2.

(xxix) The principles of “Active Design” will be addressed in the proposed Design Supplementary Planning Document, which is linked to Local Plan Part 1 Policy BNE1.

(xxx) The Council will continue to monitor changes to planning policy at the national level and these will be taken into account in formulating Local Plan policy. At the present time the proposal to include this type of provision within the definition of affordable housing is only a proposal, rather than policy.

(xxxi) The Council seeks to ensure that the Local Plan Part 2 will be as accessible as possible, but the large volume of material is unavoidable as its production for consultation is a national requirement.

4 Consultation on the Draft Local Plan Part 2 (20th June - 15th August 2016)

4.1 Introduction

On 20th June 2016 South Derbyshire District Council published its second consultation on the Local Plan Part 2.

The consultation sought views on the following consultation documents:

- The Draft Local Plan Part 1 sets the proposed housing allocations and contains development policies
- Draft Sustainability Appraisal (SA) – has been prepared to accompany the Draft Local Plan Part 2 in accordance with national and European legislation. The SA assesses the environmental, economic and social impacts of the Plan.
- The Draft Consultation Statement – outlines the consultation work undertaken at each stage of the Local Plan preparation process and summarises the main issues raised.
- The Settlement Boundary Topic Paper – sets the methodology for reviewing and establishing new settlement boundaries
- The Local Green Spaces Topic Paper – sets the methodology for establishing Local Green Spaces

The consultation documents can be found on the Council's website (www.south-derbys.gov.uk/localplanpart2) and the responses can be found at <http://www.ldf.consultations.south-derbys.gov.uk/>

4.2 Who was invited to be involved at this stage and how?

Different methods of public consultation were used to maximise community and stakeholder engagement including:

- a. All organisations and individuals on the LDF consultation database(including Parish Councils and South Derbyshire's MP) were contacted by letter or email where provided, informing consultees of the purpose of the consultation, how to find further information and how to make representation (Appendix B1, B2, B3). In total 1382 emails and 1722 letters were sent. An additional letter/email was sent to all those on the Local Plan database to inform consultees of the incorrect naming of one of the drop in events (Appendix B4).
- b. All South Derbyshire Parish Councils and Meetings were sent a paper copy of the Draft Local Plan Part 2, summary leaflet and questionnaire.

South Derbyshire District Councillors did not receive a hard copy of the consultation documents. This is due to the provision of hand held electronic devices which enable

Councillors to view documents online.

- c. Posters were distributed to all Parish Councils/Meetings and libraries (Appendix B5)
- d. A reference copy of the Draft Local Plan Part2 consultation documents were available to view in South Derbyshire District Councils Main Reception along with summary leaflets and questionnaires to take away.
- e. Posters and reference copies of the Draft Local plan 2 consultation documents were available to view at all South Derbyshire Libraries and the following libraries outside of the District: Burton on Trent, Chellaston, Mickleover and Sinfin. Summary leaflets and questionnaires were also available to take away.
- f. During the consultation period the Draft Local Plan Part 2 was advertised as part of a rolling presentation on screens in the Councils Office's Main Reception (Appendix B6)
- g. A banner advertising the Local Plan Part 2 consultation was uploaded on the home page of the District Councils webpage, during the consultation period. A hotlink on this banner connected directly to the Local Plan Part 2 webpage, which provided further information on the consultation and contained the consultations documents, summary leaflet and questionnaire to download (Appendix B7).
- h. Questionnaires were produced soliciting responses to the consultation documents. These were made available at all drop in events, all South Derbyshire Libraries (and the libraries outside of the District stated above), the District Councils Main Reception and to download from the District Councils webpage (Appendix B8).
- i. Drop in events were published on the District Councils website and the consultation documents, summary leaflets (Appendix B9) and questionnaire were available to view on-line or download.
- j. Seven Drop in vents were held in various locations, with the aim of reaching all sections of the community. Planning officers were at the events to talk through the consultation and answer questions from members of the public and stakeholders.

The exhibitions included information panels explaining the purpose of the consultation, the proposed housing allocations, purpose of Local Green Spaces, and explanation of settlement boundaries and a summary of the Part 2 policies (Appendix B10).

Reference copies of the consultation material were on display, along with copies of the summary leaflet and questionnaire which consultees could take away with them.

The drop in events took place at the following venues:

- Repton Village Hall, Askew Grove, Repton - Wednesday 22 June 2016 from 2.30pm to 6.45pm
 - Hilton Village Hall, Peacroft Lane, Hilton - Monday 27 June 2016 from 1.30pm to 5.45pm
 - Aston-on-Trent Primary School, Aston-on-Trent, Long Croft - Tuesday 28 June 2016 from 5pm to 7.45pm
 - Frank Wickham Hall, Portland Street, Etwall - Thursday 7 July 2016 from 1.30pm to 6.15pm
 - Rosliston Village Hall, Main Street, Rosliston - Friday 8 July 2016 from 2.30pm to 7.30pm
 - Woodville, Goseley Community Centre - Tuesday 12 July 2016 from 2.30pm to 7.30pm
 - Swadlincote Market, The Delph - Friday 1 July 2016 from 10am to 2pm.
- k. A short URL code was created for the District Council's webpage, which set out information on the consultation.
- l. The District Council issued a press release advertising the consultation drop in events (Appendix B11)
- m. Articles publicising the consultation, including the drop events was published on 24th June 2016 and 1st July 2016 in the Swadlincote Times and July 2016 in Melbourne Village Voice (Appendix B12, B13, B14)
- n. Each drop in-event was announced on the day on Twitter (Appendix B15)
- o. The consultation on the Local Plan Part 2 was advertised as part of the chairs announcements at the Area Forums (Etwall, Newhall, Repton, Swadlincote, Melbourne and Linton)
- p. Local Plan Member Working Groups have been held on 30th September 2015, 12th November 2015, 23rd May 2016 and 13th September 2016. This is a cross party meeting to discuss the Local Plan content and progress which also includes the Director of Community and Planning and/or Planning Services Manager.
- q. The Planning Policy Manager attended two drop in events regarding Repton Neighbourhood Development Plan (Repton 28th June and Milton 29th June) and attended two meetings. The Planning Policy Manager has also attended several meetings with Melbourne Neighbourhood Development Plan, in which the proposed Neighbourhood Plans and the Local Plan Part 1 and 2 were discussed.

4.3 What were the main issues raised?

A total of 184 consultees responded, raising around 808 Comments on all parts of the Draft Local Plan Part 2.

This section provided a summary of the responses received and is split into the questions asked in the Local Plan Part 2 questionnaire. Not every consultee response has been summarised below, however the main responses received have been grouped together.

Settlement Development

Q1. Do you think we have identified the correct settlements to have settlement boundaries?

The majority of consultation responses agree that the correct settlements have settlement boundaries. Reasons provided include: reflection of built up areas that already exist; the settlements selected are generally sustainable in terms of their location and access to services, public transport with potential for further development; Dalbury does not lend itself to a settlement boundary as it is a scattered collection of buildings; smaller and larger settlements have boundaries; and agreement has been received that Lees, Scropton, Hilton, Hartshorne, Overseal, Willington, Aston on Trent, Milton, Rosliston, & Etwall should have a settlement boundary.

However some consultees disagree that the correct settlements have settlement boundaries. The reasons for this include: all villages have a right to have green boundaries to other settlements (Woodville has no such boundary protection) and the latest proposal splits Swarkestone into two. In addition one consultee suggests that Mercia Marina should have its own settlement boundary or be part of Willington settlement boundary; a further respondent suggests that development at land west of Rosliston Road South, Drakelow should have a settlement boundary. And another states that rural communities are often focused in smaller settlements which also need an element of development to enhance and maintain their vitality.

Though not directly related to the question one consultee suggests that the settlement boundaries need to be fixed and protected, another suggests that the approach to settlement boundaries is supported (a presumption in favour of sustainable development within settlement boundaries, whilst land outside the boundaries will be regarded as countryside a more restrictive policy applies). And a further states that the principles used in the review/establishment of settlement boundaries are prescriptive in nature affording little scope for safeguarded or officer discretion, rather echoing planning consents or previously allocated sites. The consultee goes on to add that old Local Plan allocations not already under construction should be deemed undeliverable. And if the remit of settlement boundaries is intended to protect the countryside from unnecessary encroachment, the consultee would expect the defining principles pay greater regard to objective landscape and visual impact evidence in existing and commissioned.

Furthermore an additional consultee states that Policy SDT1 is not compatible with adopted

policy H1 which allows for up to 15 dwellings as exception housing in one form or another adjacent to settlement boundaries. Additionally a consultee suggests that for clarity the last sentence of SDT1 should include the words “and be subject to the requirements of Policy BNE5”.

How, where necessary, these issues were addressed?

The District Council intends to propose settlement boundaries for the settlements identified within the Settlement Boundary Topic Paper. A settlement boundary for Drakelow has been established. The Council does not intend to establish settlement boundaries for any of the suggested settlements.

Principle 2 of the Settlement Boundary Topic Paper states that settlement boundaries do not always need to be continuous and more than one element of the settlement can be established. However Mercia Marina is detached from Willington settlement boundary by approximately 1km. It is therefore not considered appropriate to include Mercia Marina within Willington settlement boundary. It is not considered necessary or appropriate to establish a separate settlement boundary for a Marina.

In response to further comments received, due to the nature and form of Swarkestone it is appropriate to define the settlement into two elements. Principle 2 of the Settlement Boundary Topic Paper states that more than one element of a settlement can be established.

In regards to the comment that the settlement boundaries are prescriptive in nature affording little scope for safeguarding or officer discretion, policies within the Local Plan Part 2 allow development outside of settlement boundaries provided particular criteria is met. Allocations are made in order to address above the housing requirement and in some appropriate locations boundaries have been drawn flexibly. Furthermore it is considered that Policy SDT1 is compatible with Policy H1 which sets out the Settlement Hierarchy.

Q.2 Do you wish to suggest any changes to the proposed boundaries?

Alterations to the Settlement Boundaries were suggested through the consultation. These include:

- The settlement boundary at Sutton Lane, Etwall should be amended to include the garden which has been in existence for over 40 years
- SHLAA site S/0284 in Etwall should not be included within Etwall settlement boundary
- SHLAA site S/0253 should be included within Etwall settlement boundary
- Askew Lodge should be included within Repton settlement boundary (SHLAA site S/0116)
- Include land at the edge of Egginton settlement boundary
- SHLAA site S/0265 in Etwall should be included within Etwall settlement boundary

- Land at Bond Elm, Melbourne should be included within Melbourne Settlement Boundary (SHLAA site S/0225)
- Land to the rear of Marcella House, Church Broughton should be included within Church Broughton Settlement Boundary
- All of SHLAA site S/0023 should be included within Hilton settlement boundary
- Overseal settlement boundary should extend around the whole of SHLAA site S/0250
- Aston on Trent settlement boundary should include SHLAA sites S/0272
- Ticknall settlement boundary should include SHLAA site S/0267
- Hartshorne Settlement Boundary should include SHLAA site S/0245
- The settlement boundaries are drawn to tightly, there is no opportunity for further growth in sustainable settlements
- The settlement boundary should remain as it is to protect wildlife and woodland
- SHLAA site S/0101 Repton should not be included within Repton settlement boundary
- Reduce or exclude SHLAA site S/0101 Repton.
- Land north of Ingleby Road should be included within Stanton By Bridge settlement boundary (part of SHLAA site S/0123)
- Include part of SHLAA site S/0130 within Repton Settlement Boundary
- Land east of Main Street should be incorporated into Milton Settlement Boundary (part of SHLAA site S/0126)
- Part of SHLAA site S/0108 should be included within Melbourne Settlement Boundary
- SHLAA site S/00062 should be included within Aston on Trent Settlement Boundary
- SHLAA site S/0271 should be removed from Aston on Trent Settlement Boundary
- SHLAA site S/0101 should be removed from Repton Settlement Boundary
- Part of SHLAA site S/0130 should be included within Repton Settlement Boundary
- Hilton settlement boundary should include land to the west of Lucas Lane and the south of the A5132
- SHLAA site S/0134 should be included within Repton Settlement Boundary
- SHLAA site S/0089 should be included within Repton Settlement Boundary
- SHLAA site S/0116 should be included within Repton Settlement Boundary
- Amend Etwall settlement boundary on the western side of Etwall to run along the Etwall Brook and along the southern boundary of the Taylor Wimpey planning application boundary (9/2015/0876).
- Include the whole garden at 41 Grove Close, Thulston – the boundary currently bisects the existing garden
- Remove the newly created gap between Trentside Cottages and Cobster Cottages
- Include the gardens at Trentside Cottages
- Give all villages the same boundary considerations

- SHLAA site S/0176 in Melbourne should be included within Melbourne settlement boundary
- Proposals to extend Repton settlement boundary is against the wishes of the majority of people of Repton based on the Neighbourhood Development Plan consultations.
- Some of the SHLAA sites for infill should be accepted S/0278, S/0181, S0209 (Repton)
- The inclusion of S/0154 in Rosliston could cause an unacceptable impact on the local character in terms of its siting, scale and site coverage which couldn't necessarily be mitigated to an acceptable level.
- SHLAA site S/0291 causes the settlement boundary of Scropton to protrude northwards well beyond existing buildings into open countryside. It may be best mitigated by withdrawing the boundary southward to be less visually and physically intrusive.
- Merica Marina should be included within Willington Settlement Boundary or have its own settlement boundary
- Settlement boundaries need to particularly take drainage issues into consideration
- The settlement boundaries should be drawn that will sufficiently identify a future supply of land which is suitable, available and achievable for housing over and beyond the plan period, reducing the likelihood of sites coming forward in the countryside.
- Rosliston settlement boundary should reflect the Reserved Matters application 9/2016/0615 on SHLAA site S/0015
- SHLAA site S/0175 should be included within Rosliston settlement boundary
- SHLAA site S/0050 should be included in Linton settlement boundary
- The northern part of SHLAA S/0189 should be included within Church Broughton settlement boundary
- SHLAA site S/0189 should be included within Church Broughton settlement boundary
- Part of site S/0032 not allocated within the Local Plan Part 1 can be included within Hatton settlement boundary
- Land adjacent to 63 Doles Lane, Findern should be included within Findern settlement boundary
- Land off Cockshut Lane and Derby Road should be included within Melbourne Settlement Boundary
- Land on the northern edge of Willington (north of Castle Way) should be included within Willington Settlement Boundary
- Land south of Ingelby Road should be included within Stanton By Bridge settlement boundary
- Consideration given to redrawing the settlement boundary ensuring the open aspects between properties – a characteristic of Milton

- Land at Moor Lane, Aston on Trent should not be included within the settlement boundary
- S0284 should not be included within Etwall Settlement boundary
- Further consideration should be given to development on sites adjoining existing settlement boundaries such as land 96-100 Derby Road and 80 Derby Road, Aston on Trent
- Land adjacent to 63 Doles Lane, Findern should be included in Findern settlement boundary

How, where necessary, these issues were addressed?

Planning Policy Officers reviewed the suggested alterations against the principles set out within the Settlement Boundary Topic Paper. Aerial photograph's, the District Councils Geographical Information System Mapping, Google Street View and site visits, were use/undertaken when applying the principles.

Suggested alterations which comply with principles 1, 2 and 3 of the Settlement Boundary Topic Paper have been included within the settlement boundary. For example at Sutton Lane, Etwall an area of garden has been incorporated into the Etwall settlement boundary. The garden has been in existence for a number of years (a lawful development certificate was granted by the District Council, for the existing use of the land as garden) and relates closely to the character of the built form (Principle 3c) and therefore should development occur on this area it would not be detrimentally impact on the surrounding area.

Suggestions which did not comply with Principle 3 but complied with Principle 4 were not included within the settlement boundary due to it being inappropriate to include.

For example Local Plan Part 2 allocations continue to be included within the revised settlement boundaries, despite some consultees suggesting that allocations should not be included. This is due to Principle 3a of the Settlement Boundary Topic Paper. If allocations were not included, once constructed, the relevant settlement boundaries would be considered out of date. Without updating the boundaries, there would be limited worth in having boundaries where growth has occurred or was planned outside of them.

Housing

Q3. Do you have any comments to make regarding the housing sites identified as allocations for Part 2 shown on the maps?

A large number of responses were received in regards to this question. A brief summary of the comments received per allocation is below:

A Moor Lane, Aston on Trent – around 40 dwellings

- Concern about the allocation. Any application for this area must make suitable provision for drainage of the area as it gets very wet after rain.
- The site has poor access

- The site should not be allocated
- The surrounding buildings have a single storey covenant
- There are bats in the neighbouring trees which will be disrupted by the influx of new homes.
- The roads are already struggling –including there are traffic jams on Weston Road and Derby Road already
- The school is already struggling
- The infrastructure cannot cope with more housing.
- There are limited amenities within the village (1 shop and a post office) which is sufficient to support the as is, but cannot accommodate any expansion
- One the settlements charm is its size which will disappear if the development goes ahead
- Impact on the agricultural land and subsequent wildlife.
- Health provision is inadequate
- Recent wet weather caused flooding in the village. Drains struggled to cope with the run off from existing developments.
- The site is physically separated from Aston and as such relates more to the open countryside than to Aston
- There is an ordinary watercourse that crosses the site for which Derbyshire County Council, as lead Local Flood Authority should be consulted.
- Allocation is supported
- The site spends significant periods waterlogged
- Any development could affect the surrounding water table and increase flooding risk to the adjacent woodland and also jeopardise the ancient public right of way which runs adjacent to the site.

B Jacksons Lane, Etwall – around 52 dwellings

- Do not believe that the site is suitable for development. If development is considered feasible on the site there will be pressure to increase the number of dwellings on the site
- A professional noise survey has been undertaken for the site which shows current highway noise level well above acceptable levels outside habitable use.
- Believe that the reasons for refusal of application on site S/0006 may apply to this site (character of the site and its effects on the visual impression when entering/leaving the village)
- An archaeological investigation has revealed a late prehistoric enclosure on the site which is of regional importance.
- Not enough consideration has been given to the likely extra traffic coming from the large Willington Road development if these two developments are linked by road. There is already a real traffic problem at the junction of Main Street and Willington

Road; there is a real danger of a rat run being created for motorists heading south and east from the village using the route through Jacksons Lane.

- Development would put unsustainable pressure levels upon the infrastructure, education, transport access, medical facilities etc.
- Difficulty of providing safe access to Egginton Road – Highways Agency were not satisfied that a solution could be found to an earlier application
- Short distance of the site to the village centre, shops and schools. Government policy should ensure that new development provides inclusive and easy accessibility to shops, schools etc.
- The addition of phase 1 and 2 at Willington Road already fulfils the projected allocation for new housing needed for the locality
- What would the actual allocation be? The Part 2 proposes 52 dwellings however the previous application was for 98 dwellings.
- The site extends the built form of the village further to the south and closer to the A50. This is unnecessary given site S/0006 in Etwall is available to allocate.
- The site is physically separated from Etwall and as such relates more to the open countryside than to Etwall
- The allocation is supported – The site is visually well contained by the landform, landscaped boundaries and surrounding development. It is an accessible location and within easy walking distance of a range of local services and amenities.

C Derby Road, Hilton – around 40 dwellings

- The allocation is supported and the developer suggests that the site should accommodate around 43 dwellings.
- If a pedestrian crossing is being put in, this needs to be towards the centre of the village near the junction with Egginton Rd.
- A lot of property has been built in the village without thought being given to infrastructure or community
- Doctors is at capacity
- The entrance to the development should be sympathetic and existing hedgerows should be kept and maintained
- There should be traffic calming on Derby Road
- Development should discourage cars and encourage green spaces
- The site is physically well related to Hilton

D Station Road, Melbourne – around 22 dwellings

- The site reduces the distance between Kings Newton and Melbourne
- The site is acceptable
- The site relates more to the open countryside than to Melbourne
- Flood Sequential Test should be applied to the allocation

- Objection regarding infrastructure to proposed development – development will further impact on the excessive volume of traffic along Milton Land and Brook End in Repton and on Swarkestone Bridge
 - Agree Melbourne has to support some of the additional housing requirements but feel the number of houses should be reduced
- E Station Road, Melbourne – around 24 dwellings**
- The site reduces the distance between Kings Newton and Melbourne
 - The site is acceptable
 - The site is completely isolated from residential development and as such relates more to the open countryside than to Melbourne
 - Flood Sequential Test should be applied to the allocation
 - Objection regarding infrastructure to proposed development – development will further impact on the excessive volume of traffic along Milton Land and Brook End in Repton and on Swarkestone Bridge
 - Agree Melbourne has to support some of the additional housing requirements but feel the number of houses should be reduced
- F Acresford Road, Overseal – around 70 dwelling**
- The site would be served by a sewerage works that discharges to the River Mease Special Area of Conservation which is failing its water quality objectives
 - The site relates to the open countryside more than Overseal. It is considered that the site does not relate well to the existing built form of the village
 - Allocation is supported
- G Valley Road, Overseal - around 64 dwellings**
- The site would be served by a sewerage works that discharges to the River Mease Special Area of Conservation which is failing its water quality objectives
 - The site relates to both the countryside and built form of Overseal
- H Milton Road Repton – around 40 dwellings**
- The site is well related to Repton
 - The allocation is supported and the developers seek to develop part of the site based on the analysis of landscape and visual matter and identified constraints and opportunities of the site. The policy should therefore be for 34 dwellings.
 - Traffic through the Repton is busy; more housing will make the situation worse. The roads are often gridlocked. The queues from Repton to Willington and back are dreadful. Development will further impact on the excessive volume of traffic along Milton Land and Brook End in Repton and on Swarkestone Bridge.
 - Services are struggling to cope with increased levels of development; schools, healthcare, water/sewerage
 - Unnecessary loss of natural green area when other options are available

- Drains from Askew House run diagonally across this field and are often a problem.
- Flooding in the area is a concern – Milton road has been awash with heavy rain, water from the proposed development will exacerbate this and could cause flooding in the downhill houses on Burdett Way. There has been flooding on Brookend and Pinfield Lane.
- There's a footpath through the site which would be lost if the site was developed
- The site is a significant distance from the centre of the village – causing problems for the less mobile wishing to access services locally
- Repton has had more than its fair share. With the further houses, 188 dwellings will be granted
- We do not need want or can sustain more housing
- The animals need room to roam safely away from the road
- We want a village not an estate
- Recent development are beginning to change the settlements character for the worse
- Repton cannot afford more housing until the traffic congestion is resolved
- The site has an abundance of wildlife – hares, pheasants, buzzards and a variety of butterflies. Green spaces are essential for the health and well-being of human beings as well as wildlife. These few wild green spaces are being eaten up by developers to the detriment of all
- Village is developing in a very lopsided way.
- The historic village and conservation is being expanded way beyond what is sustainable
- Inappropriate development of amenity land
- The Milton side of Repton is the only side being developed. Develop on Burton Road instead.
- Repton is in danger of merging with Milton
- Repton is a pretty village being ruined by over development and weight of traffic
- The site is clearly against the wishes of the majority of people in the Parish of Repton based on the responses from the Neighbourhood Development Plan consultation – residents want developments less than 10 houses.
- The site is elevated and prominent with a footpath crossing the site. Development could lead to the blocking of views of the historic centre of Repton, as well as an alteration of the character looking away from the centre due to the relatively elevated position of the site.
- Number of houses should be limited and in keeping with bungalows on Burdett Way
- The proposed development at Burdett Way/Milton Road is on very elevated land and would impact well into the skyline.

- An application for a new house in Askew House grounds was refused because it was outside the village envelope. This development is also outside the current village envelope.
- The site is of some historic interest being part of Askew Hill where field walking revealed sherds of pottery from a range of dates going back to Roman as well as worked flints – Neolithic or Mesolithic. The hill is also the site of a barrow. If the site is to be allocated, development work should be preceded by a thorough, planned, archaeological study involving proper geophysics, using more than one technique with excavation to explore anomalies found with the leads this generates followed by their conclusion.
- To be consistent with Repton Neighbourhood plan the site should be of 10 dwellings or less
- Milton Waste Water Treatment Works is at capacity
- The cumulative effect will involve further strain on the siting roads/necessitate the need for more shops/access routes/supermarkets that would significantly spoil the area
- The site is away from main facilities in the village
- The village is at danger of losing its character
- There's only one shop in the village meaning people have to travel outside to obtain more than the bare essentials
- It will suburbanise the entrance to Repton village from Milton with a large number of modern housing on both sides of the road
- Not clear that consideration has been given to light and noise pollution from development
- The site would lead to the loss of Grade 2 and 3a agricultural land
- The development of the site would comprise the social dimension of sustainable development, as development would not reflect the communities needs and support in respect of health, social and cultural well-being.
- The village is turning into a large suburban development project
- The village envelope should be preserved at all costs
- The allocation is supported
- The site is physically well related to Repton

I Mount Pleasant Road, Repton – around 24 dwellings

- Repton has had more than its fair share.
- We do not need want or can sustain more housing
- We want a village not an estate
- Unnecessary loss of natural green area when other options are available
- The cumulative effect will involve further strain on the siting roads/necessitate the need for more shops/access routes/supermarkets that would significantly spoil the area

- Repton cannot afford more housing until the traffic congestion is resolved
- Maintain the right of way through the site
- The inclusion of the site is supported as the site benefits from planning permission
- The village is turning into a large suburban development project
- Development on Mount Pleasant Road will see additional cars travelling down Pinfold Lane which will not be able to cater for further road traffic numbers
- Traffic through the Repton is busy, more housing will make the situation worse. The roads are often gridlocked. The queues from Repton to Willington and back are dreadful. Development will further impact on the excessive volume of traffic along Milton Lane and Brook End in Repton and on Swarkestone Bridge
- The Milton side of Repton is the only side being developed. Develop on Burton Road instead
- The site relates more to the open countryside than to Repton and as such any development of the site would be visually disruptive and an unwelcome addition to the countryside.
- Support the allocation

J Off Kingfisher Way, Willington – around 50 dwellings

- Support limited housing allocations for Willington
- Kingfisher Lane may lie in Flood Zone 2
- Would appear that the junction of Kingfisher lane and Repton Lane may be substandard and that the requisite visibility splays may be constrained by an existing substation on Repton Lane

K Oak Close, Castle Gresley – around 55 dwellings

- The land is in use as agricultural land and has been for the last 60 years or more. The consultee understands that the UK is trying to move self-sufficient, not build on land in use for food.
- There is an ordinary watercourse that crosses the site for which Derbyshire County Council as Lead Flood Authority should be consulted upon
- The new built form would appear to be clearly detached from the main village, to the detriment of the intrinsic character of the local area.

L Linton Road, Rosliston – around 20 dwellings

- The proposal could cause an unacceptable impact on the local character in terms of its siting, scale and site coverage which couldn't necessarily be mitigated to an acceptable level
- Development of the site would obtrude into the open undeveloped area, extending the village into the countryside. The character would be transformed from an area of open undeveloped land that currently blends seamlessly in the open rural landscape to one occupied by built form.
- The site does not relate well to the existing built form of the village.

M Linton Road, Rosliston – around 14 dwellings

- There is a Tree Preservation Order on the site
- The removal of the existing buildings on the site may affect the site's economic viability
- The site relates more to the built form of Rosliston more than to the open countryside.

N Midland Road, Swadlincote – around 57 dwellings

- Records indicate that the site is at high risk of surface water flooding
- The site is adjacent to a former landfill site

P Land north of Scropton Road, Scropton – around 10 dwellings

- The site protrudes northwards well beyond the existing buildings into open countryside. The northern extent of the boundary would need careful mitigation on this rural interface and it may be best mitigated by withdrawing the boundary southward to be less visually and physically intrusive.
- Support is given to allocation of the site. However the proposed yield should be indicative only and the actual housing number should be established through a planning application. It is considered that 10 -15 dwellings could be accommodated on the site.
- The site lies within Flood Zone 3
- The development of the site is considered to be out of character with the existing linear residential development
- A Flood Risk Sequential Test will need to be undertaken

Q Montracon Site, Woodville – around 60 dwellings

- The site could easily accommodate a density of 99 units
- A small part of the site may be impacted by surface water flooding
- The site is partly located on a former landfill site

R Stenson Fields – around 50 dwellings

- The site is adjacent to the A38, however its proposed means of access remains unclear. Highways England would not support the site having direct access onto the Strategic Road Network and would be expected to be consulted in relation to detail proposals for the site given the potential for impacts in the integrity of the A38 itself.
- Objection regarding infrastructure to proposed development – development will further impact on the excessive volume of traffic along Milton Lane and Brook End in Repton and on Swarkestone Bridge

Furthermore it was suggested that the District Council need to allocate more housing than proposed within the Local Plan Part 2. Reasons given for this include to comply with the NPPF.

A number of responses were received promoting particular SHLAA sites and additional sites

for allocation within the Local Plan Part 2, these include:

- S/0176 Breach Lane, Melbourne
- S/0050 Off Windsor Road, Linton
- Land at Bond Elm, Melbourne
- S0245 Hartshorne
- S/0089 Adjacent to Mount Pleasant PH, Mount Pleasant Road, Repton
- S/0006 Land at Egginton Road, Etwall
- S/0134 Burton Road, Repton
- S/0116 Askew Lodge, Milton Road, Repton (as the red plan submitted)
- Include all of SHLAA site S/0023 (Land at Derby Road, Hilton), rather than the small section allocated (H23C).
- S/0175 Burton Road, Rosliston
- S/0189 Land of Boggy Lane, Church Broughton
- S/0046 Adjacent to 37 Valley Road, Overseal
- Land adjacent to 63 Doles Lane, Findern
- The land north of Derby Road/east of the A516, Etwall
- Land at Weston Road, Aston on Trent
- South of Carr Brook Way, Melbourne
- Land adjoining SHLAA site S/0284 in Etwall
- S/0248 Land west of Longlands Lane, Midway
- Land off Station Road and Jawbone Lane, Melbourne
- Part of site S/0034 in Hatton, which is not allocated within the Local Plan Part 1 should be allocated
- Site at 99-100 Derby Road and 80 Derby Road, Aston
- More of S/0023 Land off Derby Road, Hilton should be allocated
- S/0050 off Windsor Road, Linton
- S/0267 Land at Ashby Road, Ticknall
- Land to the rear of 43 Repton Road, Hartshorne
- S/0062 Land to the east of Western Road, Aston on Trent
- Land west of Lucas Lane and south of the A5132, Hilton
- Site granted planning permission at appeal in Drakelow (appeal reference APP/F1040/W/15/3014387)
- Land off Milton Road, Repton should be allocated
- S/0075 Land at Cowlshaw Close/Aston Lane Shardlow
- S/0076 Land at Aston Lane, Shardlow
- S/0036 Land at OS part 1547, Derby Road, Etwall
- S/0253 Land of Willington Road, Etwall
- S/0015 Land to the south west side of Main Street/Coton Lane, Rosliston
- S/0154 Land to the corner of Linton Road and Coton Lane, Rosliston

- Land to the rear of the Pastures, Repton

How, where necessary, these issues were addressed?

Comments on individual sites have been considered and the evidence submitted used in assessing the sites in the Sustainability Appraisal process. The Sustainability Appraisal assesses the sites against set criteria to help select the most suitable sites for allocation. This document also provides reasons for both sites proposed for allocation and those not proposed.

Land at Linton Road, Rosliston (S/0154) has been removed as a Local Plan proposed allocation following comments from Derbyshire County Council suggesting that development of the site would obtrude into an open undeveloped area, extending the village into the countryside and that the character would be transformed from an area of open undeveloped land that currently blends seamlessly in the open rural landscape to one occupied by built form. Consequently Land at Linton Road, Rosliston (S/0160) has also been removed as an allocation due in part to the removal of site S/0154 as it could affect the potential to connect the site with facilities and would also have some landscape impact. Through further evidence received, it has been established that there is a proposed removal of the public subsidy to the existing 2 hourly bus service which would further diminish public transport provision locally and undermine the sustainability of any additional growth. The Local Education Authority also raised concerns regarding any further growth in Rosliston due to the constrained capacity and site of the village primary school.

New sites submitted through the Draft Local Plan Part 2 have not been assessed within the Sustainability Appraisal due to the late stage of receipt of the sites within the Local Plan process and would not therefore allow for a full assessment and consultation to be undertaken. The new sites however have been entered into the SHLAA database and will be considered for allocation alongside the remaining SHLAA sites in a Local Plan review.

Q4. Is it appropriate for all housing sites to be grouped together under one policy (H23), or should each site have its own separate policy?

A mixed response was received to this question, with some consultees suggesting that housing sites should be grouped together under one policy and others suggesting the each site should have its own policy. Reasons provided for grouping the housing sites under one policy include: ensures consistency throughout; sufficient to assist in bringing forward non-strategic allocations; and it is unnecessary to provide a separate site specific policy - paragraph 173 of the NPPF states 'the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'.

Reasons provided for the housing sites to have separate policies include: it enables better control of development and infrastructure and it allows for greater levels of instruction in terms of what is expected to be delivered by each allocation; whatever the size of development, its impact will be different on different sites; each village has a different look and feel; certain sites are within the River Mease catchment and with a separate policy,

specific recommendations and guidance can be given; individual constraints and opportunities can be addressed through a more detailed policy framework tailored to the site concerned; and separate policies would reflect each site's individual nature.

In addition one consultee states that it is acceptable to group small non-strategic sites with shared constraints. Where sites have specific sensitivities then these might merit specialised policies. Furthermore another response states that it is considered appropriate for all housing sites to be grouped under a single policy, if the Council is not proposing any site specific guidance; and another suggests that a separate policy should be made between Greenfield and Brownfield sites given the different considerations for each type.

On a separate matter one consultee states that the key considerations are considered unnecessary. And another respondent states that the policy needs rewording to confirm that the criteria listed are the reason these sites have been chosen in preference to others.

How, where necessary, these issues were addressed?

Policy H23 will contain key considerations to be evaluated for each housing allocation followed by requirements per site, allowing for site specific requirements to be addressed.

In response to the comment that the policy needs rewording to confirm that the criteria listed are the reason these sites have been chosen over others. The Sustainability Appraisal sets out the reasons for allocating certain sites over others; this does not need to be included within the allocation policies.

Q5. Do you have any comments or further information on the housing site pro-formas?

Some generic comments were received regarding the site pro-formas and some site specific comments were received.

Generic comments received include:

- The assessment includes no weighting to support the choices made.
- We expect that 80% of the assessment would be the same for any site in one key village, it is the differences that are important
- Do not think that non car transport concerns and access to local services for people are addressed properly nor is the support for elderly residents included
- All pro-forma sites should consider the benefits of ecological networks which may equate to biodiversity opportunity areas and look at how they can incorporate priority habitat creation per Derbyshire Biodiversity Action Plan.
- Concern about the consistency and validity of the information used. It is unclear whether the information has been tested by SDDC or whether the information supplied by developers has been taken as the basis of the information
- The traffic light system appears to be confused and applied differently.

Site specific comments were received, as a general rule requesting changes to the scoring of the site proformas. The SHLAA site proformas specifically commented on include:

- S/0267 - Land off Ashby Road, Ticknall
- S/0011- Land off Ingleby Lane Ticknall
- S/0176 - Breach Lane Melbourne
- All the sites in Aston
- S/0265 – Land north of Derby Road and east of the A516, Etwall
- S/0225 – Bond Elm, Jawbone Lane, Kings Newton
- S/0248 - Land west of Longlands Lane, Midway, Swadlincote
- S/0271 – Land off Moor Lane, Aston on Trent
- S/0272 – Land off Moor Lane, Aston on Trent
- S/0023 – Land off Derby Road, Hilton
- S/0284 – Land east of Egginton Road and north of Jacksons Lane, Etwall
- S/0291 – Land north of Scropton Road, Scropton
- S/0257 – Land off Milton Road, Repton
- S/0108 - Land fronting Blackwell Lane, Melbourne
- S/0062 – Land to the east of Weston Road, Aston on Trent
- S/0203 – Land west of Station Road, Hatton
- S/0040 – Land at Uttoxeter Road, Foston
- S/0036 – Land at OS part 1547, Derby Road, Etwall
- S/0285 – Land at Derby Road, Melbourne
- S/0046 – Adjacent to Valley Road, Overseal
- S/0006 – Land at Egginton Road, Etwall
- S/0134 – Burton Road, Repton
- S/0089 – Adjacent Mount Pleasant Public House, Mount Pleasant Road, Repton
- S/0130 – Land east of Milton Road, Repton
- S/0123 – North side of Church Close, Stanton by Bridge

How, where necessary, these issues were addressed?

All comments have been reviewed (and reassessed if required) and changes made where they are in compliance with the assessment criteria. In addition where new/additional information has been provided or obtained (such as further information has come to light during a planning application), the Sustainability Appraisal proformas have been updated with the relevant information.

H24: Replacement Dwellings in the Countryside

Q6. Is the policy sufficient to safeguard the countryside from inappropriate dwellings?

A mixed response was received to this question. Some consultees stated no to this question, reasons given include: developers walk all over us, please stand up to them; the countryside around Woodville is being eroded and I would personally like to see reports on local wildlife

sighting; we no longer see hedgerows, foxes and house martins and Swift and Swallow numbers have declined; the report is actively encouraging the development of inappropriate dwellings in the countryside; there is no reference to the state of the existing dwelling – there should be a reason for a replacement.

However some consultees support the policy. One consultee suggested that the policy was well worded.

A respondent suggests that Criteria iii) should be relaxed as there may be cases where relocation through replacement might result in an overall improvement to the character and appearance of the wider landscape which might better safeguard the countryside from inappropriate development rather than replacement in-situ. And another consultee suggests that a point v) is required relating to the replacement of very small dwellings.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received. It is considered that the policy already allows some movement of the location of replacement dwellings, by the policy stating “the new dwelling has substantially the same siting as the existing”.

Furthermore there is no need to create a separate criterion for very small dwellings, replacement of all dwelling sizes is covered by the policy and the policy does not need to require the reason for a replacement dwelling.

H25: Rural Workers’ Dwellings

Q7. Is the policy sufficient to safeguard the countryside from inappropriate dwellings?

The majority of respondents to this question agreed that the policy was sufficient to safeguard the countryside. Some stressed the importance of stipulating that the dwellings were only for rural workers. Two comments highlighted the need for affordable housing for young workers. Other comments reflected concern about the decline in local wildlife and the countryside being developed for housing in general. One respondent stated that clear cross-references to national planning policy should be made. Natural England emphasised that internationally and nationally designated sites should be taken into consideration, particularly those with drainage issues.

How, where necessary, these issues were addressed?

The request to ensure that no inappropriate dwellings significantly affect the notified features of any statutorily designated site is covered by policies BNE2: Heritage Assets and BNE10 Heritage. No change to the policy is being proposed at this stage.

H26: Residential Gardens within the Countryside

Q8. Do you have any comments on the scope and content of this policy?

The principle of the policy was generally supported. Derbyshire County Council suggested that a change be made to the policy explanation to reflect that most landscapes are not “unaltered”. One respondent stated that the policy needed to be enhanced but did not suggest how. A general concern about the loss of gardens to tarmac and concrete areas was expressed. Similarly, some of those expressing support for the policy did so on the proviso that development in the extended garden area was restricted. Concerns were also expressed regarding boundary treatments, both with regards to wildlife - how the use of fences hinders the movement of wildlife, with hedges being more appropriate, or with regards to aesthetics – with hedges or stone walls looking more in keeping with the countryside than fences.

How, where necessary, these issues were addressed?

Changes have been made to the policy explanation to take account of the County Council’s comment regarding unaltered landscapes and to reflect the policy wording that it is detrimental domestication the policy is seeking to prevent.

H27: Residential Extensions and Other Householder Development

Q9. Do you have any comments on the scope and content of this policy?

Limited responses were received regarding this question. 6 consultees stated no to this question. One consultee agreed but recommended that site visits are made before any decisions are made; another stated as long as neighbouring properties are not affected and plan etc. conform to local directives; a further respondent suggests the policy should also consider where buildings are extended, their potential impact as dwellings (including potential drainage issues) be considered against the SSSI Impact Risk Zone and an addition consultee states that a clause should be added that suitable and appropriate parking commensurate with the size of the development must be provided.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received.

In response to some of the comments, site visits are always undertaken by the application case officer; policy and guidance within Supplementary Planning Documents will ensure that neighbouring properties are not detrimentally affected by development; and where appropriate Policy INF2 Sustainable Transport within the Adopted Local Plan Part 1 and guidance within Supplementary Planning Documents (regarding parking) will be used in the determination of householder applications.

Furthermore Policy BNE3 in the adopted Local Plan Part 1 contains requirements for proposals which could have a direct or indirect impact on SSIs. This issue is therefore looked

at during the application process and there is therefore no need to put a requirement in the policy.

H28: Residential Conversions

Q10. Do you have any comments on the scope and content of this policy?

Few responses were received to this question, however those that were received were of mixed opinions. 6 consultees states no to this question.

One consultee states that the policy was well worded, another stated it appears to be NPPF compliant and another respondent partly agrees with the policy, however states that many properties that are converted do need sympathetic rebuilding/and an extension to make them suitable properties for residential use. Although permitted development rights should still apply.

A further consultee states that paragraph B should be deleted as it conflict with paragraph 55 of the NPPF which specifically identifies the reuse of redundant or disused buildings as one of the few instances where isolated homes in the countryside might be acceptable. Another states the policy should also consider where buildings are converted into residential units, it should be ensures that their potential impacts as dwellings (including potential drainage issues) be considered against the SSI Impact Risk Zone.

And an additional respondent states as long as neighbouring properties are not affected and plans etc. conform to local directives and the planning issues should be made more people friends.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received.

In response to some of the comments any residential conversion will be assessed against policy BNE1 of the adopted Local Plan Part 1, which expects new development to be well designed and not have an undue adverse effect on the privacy and amenity of nearby occupiers.

In addition the element of the explanation which states permitted development could be withdrawn as a condition of approval for a dwelling, is to remain. Removal of permitted development rights will be assessed on a case by case basis and will be removed when necessary to maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, the site area and effect upon neighbouring properties and/or the street scene.

Furthermore no amendment to the policy has been made in regards to extensions and rebuilding, as the proposal does allow for some alteration, rebuilding and or extensions to take place. And Part B of the policy is to remain as it considered to be NPPF compliant. Moreover no wording to the policy or explanation has been added, as the proposal would

be considered against the SSI Impact Risk Zone during the application process.

Built and Natural Environment

BNE5: Development in the Countryside

Q11. Is the policy sufficient to safeguard the countryside from inappropriate development?

Mixed reviews were received regarding the policy. Some consultees stated yes to the question; one consultee states yes fields are protected; one consultee states the policy appears to be in keeping with the requirements of the NPPF and other states it is in accordance with the NPPF; two consultees welcome the reference to the presumption in favour of sustainable development within the explanatory text and support the District's aim to avoid isolated unsustainable development in the countryside; one consultee acknowledges the tests set out in section A and B of the policy which details where planning permission will be granted and another respondent supports the policy and states there is enough flexibility in the policy to supplement the support for marinas given in Policy BNE7, whilst protecting landscape character, biodiversity and best and most versatile land.

Another respondent agrees with the policy, as long as it is for forestry, agricultural or equestrian. The consultee feels outdoor recreation gaining planning permission will have an effect not only on the landscape but wildlife too, so each application needs to be strictly vetted.

However some consultees do not consider that the policy will safeguard the countryside from inappropriate development in the countryside. One consultee states no because the developers will buy anything for a large amount of money and the Council won't do anything about it. Another respondent states that the policy needs strengthening to say development in the countryside will not generally be granted, where no buildings already exist or where there is clear agricultural need. A further suggests that a clearer definition and clarification is needed as what is classed as countryside and the settlement boundaries and building adjacent to those boundaries. An additional consultee states that the policy should recognise the exception which needs to be made in respect of Traveller site provision and another states that infill should not be more than two houses and should not be allowed if it means the destruction of existing gardens to create the appearance of more dense housing.

Two consultees question what appropriate means and do not think the policy should set criteria for appropriate development. One of the states there should be a specific exclusion in BNE5 for land adjacent to settlement boundaries and a reference back to Policy H1. Furthermore it has been suggested that the Policy should include a definition of appropriate development which should include tourism and leisure development. In addition one consultee suggests that it would be clearer if 'it' in the first line in A was replaced by 'the development' and another states that the policy should include the same key considerations contained within Policy H23.

Moreover one consultee states that Part Bii) is overly restrictive, as forest-related development is unlikely to be related to a settlement. The consultee considers that a similar statement to policy INF10 'in other appropriate locations where identified needs are not met by existing facilities' should be included in the policy, especially for non-residential development.

Comments have also been raised regarding Biii) of the policy. One consultee states the section is too vague and should not be used to prevent all forms of development. Another suggests that this section should be deleted as flexibility is not given to development proposals affecting valued landscape. Another consultee states that if applicants have to demonstrate that landscape is not valued, this is onerous and counterproductive and does not allow for appropriate and well-designed development within valued landscape e.g. play equipment, signage, art installation etc. It has been suggested that section Bi) should read "will not unduly impact on: landscape character, valued landscapes, biodiversity, best and most versatile land, historic assets; and...." Furthermore another consultee suggests that the Council on its Proposals Map should set out the nature and extent of the valued landscapes.

How, where necessary, these issues were addressed?

In response to a consultee comment, the word 'it' within the first line of part A has been replaced with 'the development'. The policy has not been amended to specifically state that tourism and leisure development is an appropriate use within the countryside. However the policy explanation has been amended to clarify that development allowed by other policies could be considered appropriate development in the countryside, including policy INF10 Tourism Development within the Local Plan Part 1.

In response to comments received regarding forest-related development then the policy does require any change as that use would be determined under section A of the policy as appropriate which is clear in the policy explanation. The policy is therefore not considered to be overly restrictive. Furthermore the National Trust raised concern that the policy does not allow for play equipment, signage and art installation within a valued landscape. However, depending on the exact proposal, these developments could be considered to be appropriate development in the countryside and again would be dealt with under Part A of the policy.

Section Biii of the policy is to remain. It is considered to be appropriate and NPPF compliant.

In addition it is not considered that the policy needs to make special provision for Traveller sites. Policy H22 of the Adopted Local Plan Part 1 sets the criteria for determining planning applications for Gypsies and Traveler and Travelling Showpeople pitches/plots and Policy BNE5 will be used in the determination of applications where appropriate. Sites will be allocated through a separate development plan document as national guidance requires.

The Council does not intend setting the nature and extent of valued landscapes. The consideration of valued landscape will be undertaken during the application process using the factors set out in the GLVIA 3rd Edition (or further editions).

BNE6: Agricultural Development

Q12. Does the policy provide sufficient scope for agricultural development whilst also safeguarding the countryside?

A mixed response was received regarding the policy. It has been suggested by some that agricultural fields are being destroyed and being built on. However other consultees have stated yes to the question, and others have states yes with caveats. The caveats provided include; as long as construction of any buildings are in keeping with the surroundings and are warranted by the application; provided buildings are purely functional for the use proposed and not capable of conversion to dwellings in the near future; and depending upon how the policy is interpreted.

In addition one consultee states that the policy should also consider where any agricultural development takes place and that all environmental factors can be considered against the SSI Impact Risk Zone. Any agricultural development within the River Mease Special Area of Conservation Catchment should be considered in terms of whether it will cause likely significant effect and whether a Habitats Regulation Assessment would be required. Furthermore another respondent states that the policy should be re-worded to promote the preservation of agricultural land, or for any other use of the land to leave intact the option to revert to agricultural land.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received. In response to the comment buildings need to be in keeping with the surroundings and warranted by the application, the policy contains criteria (ii it is of an appropriate scale and design) which will ensure that the policy is in keeping with its surroundings and for applications to be assessed under this policy, the proposal must be for agricultural development.

Furthermore no wording to the policy or explanation has been added regarding SSIs, as the proposal would be considered against the SSI Impact Risk Zone during the application process. And no wording or explanation has been added regarding the River Mease Special Area of Conservation as the likely effect of the proposal on the River Mease Special Area of Conservation and whether a Habitats Regulation Assessment would be required, is a legal requirement and will be assessed through a planning application.

Moreover it is not reasonable to add a requirement that the land be reverted back to agricultural land.

BNE7: Marina Development

Q13: Do you have any comments on the scope and content of this policy?

The majority of respondents expressed support for this policy. One respondent suggested that the policy should be divided into two policies, thereby dealing separately with new and

existing marinas. One respondent questioned whether the policy was strong enough and whether the 51% threshold was appropriate; the policy tended to imply that large-scale marinas are acceptable. A Planning Consultancy commented that given many existing marinas have uncertain future viability, perhaps applicants should be required to prove the need and demonstrate that business plans are in place, to secure the marina's long term future.

The Environment Agency drew attention to the ambiguity regarding the Flood Risk Vulnerability Classification of 'water-based recreation which includes sleeping accommodation' in the current national guidance. The Environment Agency state that it may be a reasonable interpretation that permanent residential berths fall into the definition of 'More Vulnerable Development', which if sound would mean such development should not be permitted in the functional floodplain. The result being that marina development is appropriate for canal systems (that are not within the functional flood plain) but not river systems.

The Canal and River Trust have no objection in principle to the inclusion of a policy which supports new marina development, or appropriate expansion of existing marinas but express concern that the policy is lacking in clarity and purpose. They state that criterion iv) of Part A does not sit appropriately within Part A because demand is not a material planning consideration. However, if it is actually need, rather than demand, being referred to, then that is capable of being a material planning consideration. The Trust considers that it would be appropriate to include reference to proposals being acceptable in terms of navigational safety and availability of water resources in the development management criteria in Part A. The Trust further states that there appears to be conflict between Parts B and C, and that the final paragraph of the explanation is unclear.

One respondent contends that the 51% requirement for berths for leisure/tourism use is not justified, rather the onus should be put on the applicant to demonstrate the need for either residential or leisure moorings, at any time. The respondent suggests that the second sentence to criteria C be deleted.

How, where necessary, these issues were addressed?

Water-based recreation that excludes sleeping accommodation is classified as 'water-compatible development'. Marinas and wharves are also classified as 'water-compatible development'. This does leave ambiguity regarding water-based recreation that includes sleeping accommodation with regard to its vulnerability classification and the development to which Policy BNE7 relates. The Environment Agency made further policy suggestions including making the development safe in terms of flood risk, however flood risk is already covered by Policy SD2 of the Local Plan Part 1.

Following consideration of all the responses regarding Policy BNE7 the Authority consulted further with the Canal and River Trust. The Trust were of the opinion that once the Policy had been modified in the light of the responses detailed above, the Policy did not add further detail to that already covered by Policy INF10 in the adopted Local Plan Part 1. As such, the Trust recommended the deletion of Policy BNE7 and the Authority agrees with this

recommendation.

BNE8: Protection of Trees, Woodland and Hedgerows

Q14: Do you think this policy provides for the adequate protection of trees, woodland and hedgerows within the District?

The majority of respondents to this question expressed their support for, and the importance of, trees, woodland and hedgerows. One expressed support for the policy as it is. Four respondents singled out the hedge the runs along Moor Lane. Some felt that the policy did not provide adequate protection because development on greenfield sites would still take place. A Parish Council requested that the term 'unacceptable loss' be quantified, which is taken to mean that 'minimise the loss' should be quantified.

Derbyshire County Council suggested that the amenity value of trees be made reference to, both in the policy text and the explanation. The County Council also comments on the wider benefit of trees than simply improving air quality, such as improved drainage and providing shade, and also recommends not identifying specific tree species in the policy but rather keeping planting in keeping with the urban or rural character. Natural England recommends consideration of ancient woodland, aged and veteran trees. A Planning Consultant responding on behalf of a developer considers that an excessive period of management could be imposed upon developers due to the policy's requirement for "new planting... to be adequately managed to reach full maturity". In addition, the respondent considers that the requirement for net biodiversity gain is inconsistent with the NPPF.

How, where necessary, these issues were addressed?

Reference to trees, woodland and hedgerows of high value will be included in the policy text and reference made to the need for new tree planting to be appropriate for the urban or rural character of the area. The explanatory text will be amended to include a definition of 'full maturity' in the context of the policy. The policy wording will be amended to ensure references to net biodiversity gain are consistent with the NPPF. Ancient woodland and veteran trees are protected under Policy BNE3: Biodiversity in the Local Plan Part 1.

BNE9: Local Green Spaces

Q15. Of the Local Green Spaces provided, are there any that you consider should not be designated?

Objections were received to land at Kendrick's Close, Hartshorne; land adjoining Melbourne Pool from Penn Lane; land north of the river at Willington; The Millfield, Shardlow; and Mitre Fields, Repton. At High Street, Repton a request was made to amend the boundary to avoid a private garden.

How, where necessary, these issues were addressed?

Landowners of the proposed Local Green Spaces were contacted directly and asked for their

views on the proposed designation of land in their ownership in a concurrent consultation. Following the response to this consultation, further work on which Local Green Spaces should be taken forward in the Plan is required. As such, the policy wording has been amended to allow for a Local Green Spaces to be detailed in a forthcoming Development Plan Document.

Q16. Are there other areas that meet the requirements for Local Green Spaces that you wish to see designated? Please state how the area is special to the community e.g.; beauty; historic significance; recreational value; tranquility or; richness of wildlife.

Sites that had been previously suggested through the first Part 2 consultation tended to be reiterated at this stage. Respondees also expressed support for designations already included within the Draft Plan.

How, where necessary, these issues were addressed?

As set out above, the policy will be amended to allow for Local Green Spaces to be detailed in a forthcoming Development Plan Document. This will facilitate the collection of further evidence on how each proposed Local Green Space is demonstrably special to the local community it serves.

BNE10: Advertisement and Visual Pollution

Q17. Does the policy provide adequate protection whilst also offering sufficient flexibility to allow necessary development to which the policy refers?

The majority of respondents considered that the policy does strike the right balance between protection and necessary development. One respondent commented that advertisements are often left in place well beyond the date of the event they are advertising, and made the suggestion that adverts should be removed within one month. Another respondent commented that whilst individually such structures do not give rise to significant harm to the public realm, cumulatively they can cause significant harm.

How, where necessary, these issues were addressed?

No specific change to the policy wording was requested through the consultation and none is being proposed at this stage. In response to the comment that advertisements are left in place beyond the date of what is being advertised, there are existing regulations determining that such advertisements should be taken down within a specified time.

BNE11: Heritage

Q18. Does the policy provide for suitable level of protection, preservation and enhancement of heritage assets within the District?

The majority of respondents expressed support for the policy however four consultees, including planning consultancies and the National Trust, commented that the policy was not

in compliance with the NPPF, particularly with regard to the requirement to balance harm and loss with (public) benefit, depending on the significance of the heritage asset, as set out in paragraphs 132 – 135 of the Framework. One Parish Council states that the policy does not give a total level of protection for heritage assets and their settings, and is concerned with the allowance of any infill development affecting the setting of heritage assets. Comment was also made that it would be easier if the first section of the policy were broken up with numbering or bullet points.

How, where necessary, these issues were addressed?

Changes have been made in order to ensure compliance with the NPPF with regard to the circumstances in which it is acceptable to permit harm to or loss of heritage assets. The policy structure has been altered and the policy wording sets out that development that affects any heritage asset will need to ensure proposals contribute positively to the character of the built, historic and natural environment.

BNE12: Shopfronts

Q19. Do you have any comments on the scope and content of this policy?

Comments received in response to this question reflected that the appearance of shop fronts within heritage assets are of importance to the community and that such a policy in the Plan is supported. No changes to the policy were requested through the consultation and none are being proposed at this stage.

How, where necessary, these issues were addressed?

No specific change to the policy wording was requested through the consultation and none is being proposed at this stage, however the structure of the policy has been amended to assimilate it with that of other policies in the Plan.

BNE13: Former Power Station, Drakelow

Q20. Do you have any comments on the scope and content of this policy?

A range of comments were received regarding this policy, including nine consultees who stated no to the question.

One consultee states that they supports the policy however states that the last paragraph of the supporting text incorrectly refers to SD3 in the Local Plan Part 1 instead of SD6. Another respondent welcomes the policy however requests policy wording changes to require this document to be produced and submitted with any substantial planning application being made. The consultee suggested two wording options:

‘Development will be supported for Use Class B1, B2, B8 and energy purposes to assist in the regeneration of previously developed land at the Former Drakelow Power Station. An agreed development framework document between the developer and the Council will

be produced and submitted in advance of any major planning application made.'

Or

'An agreed development framework document between the developer and the Council will be produced and submitted within 12 months of the Local Plan Part 2 being adopted to guide development of the site over the plan period.

The existing Drakelow Nature Reserve will be retained to its current extent.'

A further consultee states as long as the nature reserve and wildlife corridors are protected, at least this mainly brownfield site is being developed. And another suggests that the opportunity should be taken for a further review into the long term use of the site for mixed uses.

An additional respondent stated that the redevelopment of the site should ensure Drakelow Nature Reserve is fully protected, but is enhanced through the creation of a buffer zone or creation of complementary habitats close to the reserve.

Moreover a consultee states that the policy should ensure that a buffer is included in any masterplan between the development area and the Nature Reserve to minimise the impact of development on the Nature Reserve and also provide an area with public access to discourage and provide an alternative to, access to the Nature Reserve by new occupiers.

In addition one respondent suggests the policy should incorporate Green Infrastructure and priority habitat as part of the overall development, taking into consideration of the existing Drakelow Nature Reserve and the potential for ecological networks.

Furthermore one consultee suggests that the plan should have a policy regarding the possible development at Willington Power Station, along the same lines as BNE13.

How, where necessary, these issues were addressed?

The policy explanation has been reworded to state that an agreed framework between developer(s) and the Council will be submitted with any major planning application and not all applications, as the policy previously stated.

Moreover the policy has amended to strengthen the protection of the Nature Reserve and introduce the creation of buffer zones as suggested by a consultee. The Policy now states 'The existing Drakelow Nature Reserve will be retained to its current extent along with the creation of a buffer zone'. Further comments regarding Green Infrastructure are not felt necessary and are covered by other policies in the Plan.

In response to the comment received and further consideration by the Council, it is agreed that consideration should be given to the other former power station in the District. Accordingly, the policy has been renamed to remove the reference just to Drakelow and now includes an element regarding development at the former Willington Power Station.

Retail

RTL1: Swadlincote Town Centre

Q21. Do you agree with the primary frontages, as identified on the town centre maps?

Three consultees stated yes to this question, one of which stated they appear to be the existing primary shopping frontages.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received.

Q22. Do you have any further comments on the scope and content of this policy?

Few comments were received regarding this policy. Seven consultees stated no to this question with one stating I have seen how Swadlincote Centre has developed and it is all for the good. A further consultee supports the policy.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received.

RTL2: Swadlincote Town Centre Redevelopment Sites

Q23. Do you have any comments regarding the identified town centre redevelopment sites?

The County Council expressed their support for the policy and for the separating out of Policy RTL2 from Policy RTL1. Another respondent supports the policy with the exception of site 1, which includes the Civic Offices and leisure centre, stating that the policy should provide further detail including where the civic functions and leisure centre would be relocated to. One respondent, whilst expressing support for the improvement of semi-derelict land raised concerns over already stretched parking provision, especially if the car park is then redeveloped for another use. The respondent also stated that Green Bank leisure centre needs to be kept, and parking provided for it.

How, where necessary, these issues were addressed?

No change to the policy wording is being proposed at this stage.

RTL3: Local Centres and Villages

Q24. Does the policy identify the correct local centres?

None of the comments received stated that the local centres identified were incorrect. It was confirmed through a consultation response that provision for a new local centre is included within the emerging master plan for the Wragley Way housing site. One

respondee stated that the local centres identified appeared to be the most sustainable centres in terms of proximity to population centres and access to shops, services and employment. Another respondee highlighted that may eventually be relevant for the developments west of Mickleover, at Pastures, Etwall and Hilton.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received. Policy RTL3 is to be included within Policy RTL1.

Q25. Does the policy satisfactorily provide for the maintenance and enhancement of the viability and vitality of local centres?

Support for this policy was expressed by all respondents with the exception of Melbourne and Kings Newton Action Group, who raised concerns regarding the adequacy of infrastructure within Melbourne including parking and congestion on Derby Road, which some retailers feel is detrimental to the viability of the businesses. One respondee expressed that Swadlincote town centre had been enhanced but did not know if similar initiatives were in place for Woodville.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received. Policy RTL3 is to be included within Policy RTL1. Sustainable Transport, including parking provision, is covered under Policy INF2 in the Local Plan Part 1.

Q26. Does the policy satisfactorily provide for the maintenance and enhancement of shopping and service provision in Key Service Villages and Local Services Villages?

The majority of responses to this question agreed that the policy was satisfactory for its aims. Some respondents reflected on the retail provision in Repton as being inadequate for the amount of development, both existing and proposed. One comment was received regarding the need for off-street parking provision to be included with retail developments.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received. Parking provision is dealt with under Policy INF2 of the Local Plan Part 1.

Q27. Do you have any further comments on the scope and content of this policy?

Two respondents, including Repton Village Society requested that off-street parking be requested for retail developments. One respondee commented that all outlying villages should be allocated the provisions of Policy RTL3.

How, where necessary, these issues were addressed?

No changes to the policy have been made based on the comments received. Parking provision is dealt with under Policy INF2 of the Local Plan Part 1.

Infrastructure

INF11: Telecommunications

Q28. Does the policy offer enough protection whilst providing sufficient scope to allow necessary telecommunications development?

The majority of consultation responses received were in support of the policy as it is. One respondent referred to the unsightly nature of installing telecommunications development. A Parish Council requested the minimisation of visual intrusion arising from such development and requested that the Policy include reference to ICNIRP certificates. Another comment was regarding the slow broadband capability provided by telephone exchanges. Melbourne Civic Society responded to the question with a 'no', stating that there should be consultation with local bodies such as Parish Councils and amenity societies before broadband cabinets are installed in sensitive locations such as Conservation Areas.

How, where necessary, these issues were addressed?

No change to the policy wording is being proposed at this stage. Should any application for telecommunications development be forthcoming, parish councils will be directly notified and any individual or group will have the opportunity to respond during the consultation on the application.

INF12: Provision of Education Facilities

Q29. Do you have any comments regarding this policy?

Some consultees have raised school capacity issues (in Etwall, Melbourne and Repton). Two consultees have stated that in the Repton Area, land has been built on which could be used for school expansion and one respondent states that the protection of space for primary schools needs to be addressed. In addition consultees have stated that the policy makes no reference to Primary Schools.

In addition it was stated that the policy needs to be implemented quickly and new education facilities before new estates would be a good idea.

Furthermore one consultee comments that it is right to plan for a new secondary school and the pupils attending should reflect the local demographics, for example the rural nature of the district; another states that this should be linked to areas of population growth and significant house building. And a further respondent states that a further consultation on the need for a secondary school should be widely and appropriately targeted, the consultation was not widely known.

In regards to the exact location of a secondary school, one consultee asks whether Melbourne would be a good place for an additional secondary school and another states that Wragley Way is not suitable. A further consultee states that wherever the secondary school is, the children in the outlying villages should still go to Chellaston Academy. In addition one consultee supports the policy however suggests the wording of the policy be amended to:

“Land will be allocated for education provision by the Local Education Authority or other statutory provider. The site(s) at (location to be confirmed) will be:

- I. For a minimum 800 pupil place secondary school;
- II. Of a minimum of 10 hectares; and
- III. Designed and laid out so to minimise and undue impacts in surrounding land uses and the wider environment”

How, where necessary, these issues were addressed?

Derbyshire County Council is statutorily responsible for providing school places to children within the District (and Derbyshire). The County Council has identified the suitable sites for a new secondary school at Thulston Fields, Boulton Moor and Lowes Farm, Chellaston. The proposed wording suggested by the County Council including the locations of the secondary school forms for basis of Policy INF12. In order for the County Council to reach this point they have undertaken consultations on several site options including Melbourne.

The provision of primary schools is not a part of the policy as many new primary schools are being provided across the District with the requirement set out within the relevant housing policy in the Local Plan Part 1. New schools are to be built at: Hilton, Boulton Moor, Wragley Way, Newhouse Farm, Chellaston Fields and Highfields Farm and extensions made to several others. If a new school site was needed for a primary school that was not part of a housing site or a site large enough to warrant a school (normally around 600 dwellings), Derbyshire County Council notify a site within the Local Plan, protecting the site from development for the plan period.

Q30. Do you wish to make any other comments?

Objections and concerns have been raised regarding development on sites not allocated within the Local Plan Part 2. These include sites at:

- Land of Mill Street, Coton in the Elms
- S/0064 – Land east of A511, Burton Road, Upper Midway, Swadlincote
- S/0208 - Land at Sandcliffe Road, Swadlincote
- S/0248 – Land west of Longlands Lane, Midway, Swadlincote
- S/0026 – Valerie Road/Chellaston Lane, Aston on Trent
- S/0062 – Land to the east of Weston Road, Aston on Trent
- S/0285 - Land at Derby Road, Melbourne

- Mickleover area
- Dalbury
- Concern raised about sites S/0226, S/0225, S/009, S0108 regarding outstanding applications or appeals
- S/0285 – Land at Derby Road, Melbourne
- S/0271 – Land off Moor Lane, Aston on Trent
- S/0176 – Breach Lane, Melbourne
- S/0020 – Land adjacent to The Homestead, Weston Road, Weston on Trent
- S/0026 – Valerie Road/Chellaston Lane, Aston on Trent
- S/0062 – Land to the east of Weston Road, Aston on Trent

In addition a range of additional comments were received including the following:

- Feel all developments are being considered and consent given despite local concerns and opinions
- Don't forget the path to nowhere between the Foss Road development and the Lily Garden development linking Hilton village east to west and north to south. This would improve the quality of life in Hilton
- It is considered that more detailed development management policy for assessing new development within the Districts Green Belt may be appropriate in the Part 2 and it may be appropriate to consider defining more detailed boundaries of the Green Belt
- Lynnhurst, Newhall should be removed from the Green Belt.
- It would be helpful if proposed Designated Local Green Spaces, settlement boundaries and site allocations were shown on the same map.
- Consider that the crossing of Sinfin Lane by carriageway way to the Employment Allocation at Sinfin Moor is not necessary
- How the Local Plan Part 2 will impact on road infrastructure and will road improvements and modifications will be made? There is no mention of transport and traffic
- A degree is needed to answer the questions
- Need buses in Repton
- What happening to the Health Centre in Repton
- South Derbyshire roads, schools and medical facilities need to be upgraded before extra housing is considered.
- Seven Trent Water have no specific comments to make
- For an area whose potential sustainability is linked to the National Forest the opportunity to link this as a theme across policies feels lost. For example could be an area that really promotes eco-housing and innovative developments and minimises identikit houses.

- The Part 2 Plan should include a policy on the Southern Derby Area (a cross boundary growth area to meet the housing and employment land needs of both South Derbyshire and Derby City throughout the present plan period and beyond) which recognises the interrelationship between the strategic allocations and infrastructure provision.

How, where necessary, these issues were addressed?

No changes to the Local Plan Part 2 have been made based on the comments received.

In response to some of the comments made, the Local Plan Part 2 is not proposing to allocate any of the sites discussed within the other comments questions.

In regards to Green Belt comments, it is considered that the National Planning Policy Framework and Policy S8 of the Local Plan Part 1 provide sufficient detail for consideration of development proposals within the Green Belt, without the need for a further Part 2 policy. Whilst the Part 2 initially set out to consider Green Belt anomalies, following initial work, it was clear that it was unnecessary to review the Green Belt boundaries given the disproportionate amount of resource that would be required in order to undertake the process. Specific comments have been received on a couple of sites with regards to minor green belt changes which have been considered but there is no reason or policy support to make those changes.

In response to concern regarding road infrastructure and improvements and service provision such as schools and medical facilities, it is considered that any Part 2 housing site will not need to provide significant infrastructure to enable development to proceed. However during the planning application process, contributions will sought towards healthcare, education, open space as well as other requirements where appropriate. Furthermore during the Local Plan process County Highways and the Highways Agency have been consulted, and during any subsequent planning application County Highways will be consulted. This will ensure that the housing sites satisfactorily meet transport/highways requirements.

The Local Plan Part 1 Proposals Map will be updated into include the Part 2 allocations and settlement boundaries.

In regards to the National Forest comment, the Local Plan Part 1 contains Policy INF8 which seeks National Forest Planting over developments of a particular size and BNE1 which expects all new development to be well designed.

Regarding the employment allocation at Sinfin Moor, this was allocated within the Local Plan Part 1 and no further policy requirements are needed within the Local Plan Part 2. Regarding paths within Hilton, policy can only request improvements which assist/are essential to the development of the site.

Appendices

Local Plan Part 2 - 15th December - 12th February 2016

Appendix A1:	Letter sent/emailed to all consultees on the Local Plan database
Appendix A2:	Letter sent to South Derbyshire's MP
Appendix A3:	Letter sent to South Derbyshire Parish Councils
Appendix A4:	Poster
Appendix A5:	Advert on screen in main reception
Appendix A6:	Banner
Appendix A7:	Questionnaire
Appendix A8:	Summary Leaflet
Appendix A9:	Consultation Display Boards
Appendix A10:	Press Release 18 th December 2015
Appendix A11:	Press Release January 2016



Stuart Batchelor
Director of Community and Planning
 South Derbyshire District Council
 Civic Offices, Civic Way,
 Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for Nicola Sworowski
 Phone (01283) 228735
 Typetalk (0870) 2409598
 DX 23912 Swadlincote

Email: planning.policy@south-derbys.gov.uk

Our Ref:
 Your Ref: Part 2

Date: 10 December 2015

Dear Consultee

Consultation: South Derbyshire Local Plan Part 2

South Derbyshire's Local Plan is being prepared in two parts. This consultation is regarding Part 2 of the Local Plan. Part 1 of the Local Plan deals with strategic allocations for matters such as housing and employment, together with other key policies. The Part 1 Local Plan was submitted to the Secretary of State in August 2014 and the Council is awaiting the outcome of its examination.

Part 2 of the Local Plan deals with smaller site allocations, known as non-strategic allocations, and further development management policies. The topics covered include housing, retail, heritage, countryside, telecommunications, advertisements, local green spaces, settlement boundaries, education facilities and the protection of trees, woodland and hedgerows.

The Part 2 will need to allocate enough sites for housing across the District to accommodate 600 dwellings. These will be on non-strategic housing sites – sites of fewer than 100 dwellings. A housing site options document forms part of this consultation and sets out the possible locations of these 600 dwellings. Not all of the sites in the options document will be allocated for housing through Part 2 of the Local Plan.

Through this consultation we would like to hear your views on the options proposed, including on the settlement boundaries and Local Green Spaces. Both of these matters are covered in more detail in separate appendices in the consultation document. A questionnaire has been produced to make it easier to make comments.

As part of this consultation we will be holding several drop-in events across the District. The details of these events are:

- 8 January, 2.30pm - 7.30pm at **Newhall** - Old Post Centre
- 11 January, 2.30pm - 7.30pm at **Woodville** - Goseley Community Centre
- 12 January, 2.30pm - 7.30pm at **Aston** Heritage Centre
- 15 January, 2.30pm - 7.30pm at **Rosliston** Village Hall
- 18 January, 2.30pm - 7.30pm at **Repton** Village Hall
- 19 January, 3.15pm - 7.30pm at **Church Gresley** - Church Rooms of St. George and St. Mary's



21 January, 2.30pm - 7.30pm at **Etwall** - Frank Wickham Hall
25 January, 1.30pm - 5.45pm at **Hilton** Village Hall
27 January, 2.30pm - 7.30pm at **Melbourne** Assembly Rooms

All of the consultation material will be available at the drop-in events and Planning Officers will be available to answer your questions. If you aren't able to make it to a drop-in event, the consultation material will also be available at South Derbyshire's public libraries as well as the libraries in Burton upon Trent, Chellaston, Mickleover and Sinfen.

Comments made in response to this consultation need to be made in writing. Questionnaires are available from the Council Offices, the libraries listed above and at **www.south-derbys.gov.uk/localplanpart2**

You can also respond by email to **planning.policy@south-derbys.gov.uk** or you can write to:

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

If you would like to find out more about this consultation before responding please ring the planning policy team on 01283 228735. The consultation will close at 5pm on Friday 12 February 2016.

Yours faithfully,

Nicola Sworowski
Planning Policy Manager





Stuart Batchelor
Director of Community and Planning
 South Derbyshire District Council
 Civic Offices, Civic Way,
 Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for Nicola Sworowski
 Phone (01283) 228735
 Typetalk (0870) 2409598
 DX 23912 Swadlincote

Email: planning.policy@south-derbys.gov.uk

Our Ref:
 Your Ref: Part 2

Date: 10 December 2015

Dear Heather Wheeler MP

Consultation: South Derbyshire Local Plan Part 2

I am writing to keep you informed of work regarding the South Derbyshire Local Plan.

South Derbyshire's Local Plan is being prepared in two parts. The Council is currently awaiting the outcome of the examination of the Local Plan Part 1. The first consultation regarding Part 2 of the Local Plan commences on 15 December 2015.

Part 2 of the Local Plan deals with smaller site allocations, known as non-strategic allocations, and further development management policies. The topics covered include housing, retail, heritage, countryside, telecommunications, advertisements, local green spaces, settlement boundaries, education facilities and the protection of trees, woodland and hedgerows.

Further details of the consultation are set out in the enclosed leaflet and a number of drop-in events will be held across the District in January. More information of the Local Plan Part 2 in general can be found at the following web link: www.south-derbys.gov.uk/localplanpart2

The consultation will close at 5pm on 12th February 2016.

Yours sincerely,

Nicola Sworowski
 Planning Policy Manager
 Encs.





Stuart Batchelor
Director of Community and Planning
 South Derbyshire District Council
 Civic Offices, Civic Way,
 Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for Nicola Sworowski

Phone (01283) 228735
 Typetalk (0870) 2409598
 DX 23912 Swadlincote

Email: planning.policy@south-derbys.gov.uk

Our Ref:
 Your Ref: Part 2

Date: 10 December 2015

Dear Parish Council

Consultation: South Derbyshire Local Plan Part 2

South Derbyshire's Local Plan is being prepared in two parts and this consultation is regarding Part 2 of the Local Plan. The Council is currently awaiting the outcome of the examination of the Local Plan Part 1.

Part 2 of the Local Plan deals with smaller site allocations, known as non-strategic allocations, and further development management policies. The topics covered include housing, retail, heritage, countryside, telecommunications, advertisements, local green spaces, settlement boundaries, education facilities and the protection of trees, woodland and hedgerows.

The Part 2 will need to allocate enough sites for housing across the District to accommodate 600 dwellings. These will be on non-strategic housing sites – sites of fewer than 100 dwellings. A housing site options document forms part of this consultation and sets out the possible locations of these 600 dwellings. Not all of the sites in the options document will be allocated for housing through Part 2 of the Local Plan.

We would like to know the views of the Parish Council on the options put forward through this consultation, including on the revised settlement boundaries and proposed Local Green Spaces. Both of these matters are covered in more detail in the appendices of the consultation document.

As part of this consultation we will be holding several drop-in events across the District where Planning Officers will be available to answer questions. The details of these events are:

8 January, 2.30pm-7.30pm at **Newhall** - Old Post Centre
 11 January, 2.30pm-7.30pm at **Woodville** - Goseley Community Centre
 12 January, 2.30pm-7.30pm at **Aston** Heritage Centre
 15 January, 2.30pm-7.30pm at **Rosliston** Village Hall
 18 January, 2.30pm-7.30pm at **Repton** Village Hall
 19 January, 3.15pm-7.30pm at **Church Gresley** - Church Rooms of St. George and St. Mary's
 21 January, 2.30pm-7.30pm at **Etwall** - Frank Wickham Hall
 25 January, 1.30pm-5.45pm at **Hilton** Village Hall
 27 January, 2.30pm-7.30pm at **Melbourne** Assembly Rooms



Comments made in response to this consultation need to be made in writing and a questionnaire has been enclosed, together with the consultation document itself, for this purpose. The consultation material is also available from the Council Offices, public libraries and at **www.southderbys.gov.uk/localplanpart2**

You can also respond by email to **planning.policy@south-derbys.gov.uk** or you can write to:

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

We will be contacting you in due course to arrange delivery of the consultation documents; it is not practical to post them due to their size.

If you would like to find out more about this consultation before responding please ring the planning policy team on 01283 228735. The consultation will close at 5pm on Friday 12 February 2016.

Yours faithfully,

Nicola Sworowski
Planning Policy Manager
Encs.





**South
Derbyshire**
District Council

Local Planning Consultation

The District Council is holding a series of 'drop in' events during January 2016 to talk to people about the Local Plan Part 2.

The Part 2 consultation covers:

- Proposed Local Plan Part 2 Policies
- Non-Strategic Housing Site Options
- Proposed Settlement Boundaries
- Proposed Local Green Spaces

Venue: **Hilton Village Hall**
Date: 25th January 2016
Time: 1:30pm - 5.45pm

Venue: **Frank Wickham Hall, Etwall**
Date: 21st January 2016
Time: 2.30pm - 7.30pm

Venue: **Repton Village Hall**
Date: 18th January 2016
Time: 2.30pm - 7.30pm

Venue: **Elvaston Village Hall, Elvaston**
Date: 28th January 2016
Time: 2.30pm - 7.30pm

Venue: **All Saints' Heritage Centre, Aston on Trent**
Date: 12th January 2016
Time: 2.30pm - 7.30pm

Venue: **Old Post Centre, Newhall**
Date: 8th January 2016
Time: 2.30pm - 7.30pm

Venue: **Melbourne Assembly Rooms**
Date: 27th January 2016
Time: 2.30pm - 7.30pm

Venue: **Goseley Community Centre, Woodville**
Date: 11th January 2016
Time: 2.30pm - 7.30pm

Venue: **Church Rooms of St George and St Mary's, Church Gresley**
Date: 19th January 2016
Time: 3.15pm - 7.30pm

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Venue: **Rosliston Village Hall**
Date: 15th January 2016
Time: 2.30pm - 7.30pm

Further information can be found on our website at

www.south-derbys.gov.uk/localplanpart2

or by calling 01283 228735



**South
Derbyshire**
District Council
Community and
Planning Services

Local Plan Consultation

South Derbyshire Local Plan Part 2



**Have your say at one of our drop in events, for further information
visit: www.south-derbys.gov.uk/localplanpart2**



South Derbyshire Changing for the better



Please note that this questionnaire accompanies the Local Plan Part 2 consultation document, which you should read first. This document and an electronic version of the questionnaire can be found at:

www.south-derbys.gov.uk/localplanpart2

South Derbyshire Local Plan Part 2

Questionnaire

December 2015 – February 2016

Please provide your contact details – as this will enable us to keep you informed of future consultations.

Name

Company/Organisation

Address (including postcode)

Tel

E-mail address



All information provided will be treated in confidence and in accordance with the Data Protection Act 1998. We will only use the information to develop the Core Strategies for Derby HMA, which forms part of our Local Development Frameworks. As a part of the reporting process for this consultation only your name, organisation and comments will be published where this information is given.

Settlement Development

SDT1: Settlement Boundaries and Development

Q1. Is the use of settlement boundaries the correct mechanism to direct appropriate development? Are there any other options? (Please give reasons)

(Appendix A of the Local Plan Part 2 consultation document shows the proposed settlement boundaries)

Q2. Do you think we have identified the correct settlements to have settlement boundaries? (Please give reasons)

Q3. Do you wish to suggest any changes to the proposed boundaries? (Please give reasons for suggested amendments)

Housing

H22: Part 2 Housing Allocations

Q4. Do you have any comments regarding the proposed distribution of 600 dwellings across the District?

Q5. Do you have any comments to make regarding the housing site options for Part 2 shown on the maps?

(Maps showing housing site options can be seen in Appendix B of the Local Plan Part 2 consultation document)

Q6. Do you have any comments or further information on the housing site pro-formas?

(The housing site pro-formas can be found in Appendix C of the Local Plan Part 2 consultation document)

H23: Infill

Q7. Do you have any comments on the scope and content of this policy?

H24: Replacement Dwellings in the Countryside

Q8. Is the policy sufficient to safeguard the countryside from inappropriate dwellings? (Please give reasons)

H25: Rural Workers Dwellings

Q9. Is the policy sufficient to safeguard the countryside from inappropriate dwellings? (Please give reasons)

H26: Residential Curtilages

Q10. Do you have any comments on the scope and content of this policy?

H27: Development within Residential Curtilages

Q11. Do you have any comments on the scope and content of this policy?

H28: Residential Conversions

Q12. Do you have any comments on the scope and content of this policy?

H29: Non-Permanent Dwellings

Q13. Do you have any comments on the scope and content of this policy?

Built and Natural Environment

BNE5: Development in the Countryside

Q14. Is the policy sufficient to safeguard the countryside from inappropriate development? (Please give reasons)

BNE6: Recreational Uses in the Countryside

Q15. Does the policy provide sufficient scope for recreational uses whilst also safeguarding the countryside? (Please give reasons)

BNE7: Agricultural Development

Q16. Does the policy provide sufficient scope for agricultural development whilst also safeguarding the countryside? (Please give reasons)

BNE8: Protection of Trees Woodland and Hedgerows

Q17. Do you think this policy provides for the adequate protection of trees, woodland and hedgerows within the District? (Please give reasons)

BNE9: Local Green Space

**Q18. Do you agree that the authority needs to designate Local Green Space?
(Please give reasons)**

**Q19. Of the Local Green Spaces proposed, are there any that you consider
should not be designated? (Please give reasons)**

*(Maps showing proposed Local Green Spaces can be seen in Appendix D of the
Local Plan Part 2 consultation document)*

**Q20. Are there other sites that meet the requirements of Local Green Space
as set out in the NPPF and therefore should be included? (Please give
reasons)**

BNE10: Advertisements and Visual Pollution

**Q21. Does the policy provide adequate protection whilst also offering
sufficient flexibility to allow necessary development to which the policy
refers? (Please give reasons)**

BNE11: Heritage

Q22. Does this policy provide for suitable levels of protection, preservation and enhancement of heritage assets within the District? (Please give reasons)

BNE12: Shopfronts

Q23. Do you have any comments on the scope and content of this policy?

Education

EDU1: Provision of Education Facilities

Q24. Do you have any comments regarding this policy?

Retail

RTL1: Swadlincote Town Centre

Q25. Do you agree with the proposed town centre boundary, as identified on the town centre map? (Please give reasons)

(Proposed town centre boundary can be found on page 29 of the Local Plan Part 2 consultation document)

Q26. Do you agree with the primary and secondary frontages, as identified on the town centre map? (Please give reasons)

(Proposed primary and secondary frontages can be found on page 29 of the Local Plan Part 2 consultation document)

Q27. Should there be a locally set threshold for the floorspace area at which a retail impact assessment is required with an application, or is the NPPF default threshold of 2500sqm appropriate? (Please give reasons)

Q28. Do you have any further comments on the scope and content of this policy?

RTL2: Local Centres and Villages

Q29. Does the policy identify the correct Local Centres and should they be listed in the policy? (Please give reasons)

(Maps of Local Centres can be found in Appendix E of the Local Plan Part 2 consultation document)

Q30. Does the policy satisfactorily provide for the maintenance and enhancement of the viability and vitality of local centres and villages? (Please give reasons)

Q31. Do you have any further comments on the scope and content of this policy?

Infrastructure

INF11: Telecommunications

Q32. Does the policy provide enough protection whilst allowing enough scope to allow necessary telecommunications development? (Please give reasons)

Other comments

Q33. Should Part 2 continue with Part 1 policy numbering or start again?

Q34. Do you wish to make any other comments? (Please state relevant policy number or paragraph number)

All comments should be submitted by **5pm on 12th February 2016**.

Please return this questionnaire to South Derbyshire District Council:

email: planning.policy@south-derbys.gov.uk

Post: South Derbyshire District Council, Planning Services, Civic Offices, Civic Way, Swadlincote, Derbyshire DE11 0AH.

Web: www.south-derbys.gov.uk/localplanpart2

We can give you this information in any other way, style or language that will help you access it. Please contact us on:

Phone: **01283 595795**

email: **customer.services@south-derbys.gov.uk**.

Jeśli chcieliby Państwo otrzymać ten dokument w innym języku lub potrzebują Państwo usług tłumacza, prosimy o kontakt. Informacje te są również dostępne na życzenie w wydaniu dużym drukiem, w alfabecie brajla lub w wersji audio.

如果您需要这份文件的中文翻译，或者需要传译员的帮助，请联系我们。这些数据也各有大字体印本、盲人点字和录音带，欢迎索取。

ほかの言語でこの文書をご希望の場合、もしくは通訳サービスをご希望の場合はご連絡ください。

またこの情報は、ご要望により大きなプリント、点字版、または音声形式でも承っております。

यदि आपको ये दस्तावेज किसी दूसरी भाषा में चाहिये, या किसी दुभाषिये की सेवाओं की जरूरत है तो हमें सम्पर्क करने की कृपया करें। ये जानकारी माँग करने पर बड़े अक्षरों, ब्रेल या आडिओ के रूप में भी उपलब्ध करवाई जा सकती है।

ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤਾਵੇਜ਼ ਕਿਸੇ ਦੂਸਰੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਜਾਂ ਕਿਸੇ ਦੁਭਾਸ਼ੀਏ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਲੋੜ ਹੈ ਤਾਂ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾ ਕਰੋ ਜੀ ਇਹ ਜਾਣਕਾਰੀ ਮੰਗ ਕਰਨੇ ਵੱਲੋਂ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ ਜਾਂ ਆਡੀਓ ਦੇ ਰੂਪ ਵਿਚ ਵੀ ਉਪਲੱਬਧ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ।

اگر آپ یہ ڈاکیومنٹ کسی اور زبان میں چاہتے ہیں، یا اگر آپ کو کسی ترجمان کی خدمات درکار ہوں، تو براہ کرم ہم سے رابطہ کریں۔ درخواست کرنے پر یہ معلومات بڑے پرنٹ، بریل یا آڈیو فارمیٹ میں بھی دستیاب ہیں۔

EQUALITIES MONITORING INFORMATION

This information will be used for monitoring purposes only. Equality monitoring helps us improve our services by better understanding the people we are serving. The form will be collected separately from any other forms attached.

Further information on equality monitoring can be found in the equality service monitoring guidance. None of the questions are compulsory however by completing the form you will be helping us create a better service.

Which age group do you belong to?	<input type="checkbox"/> 16–24	<input type="checkbox"/> 25–44	<input type="checkbox"/> 45–64	<input type="checkbox"/> 65 and over
	<input type="checkbox"/> Prefer not to say			
Your sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Prefer not to say	

A disabled person is someone who has a physical or mental impairment, which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. Do you consider yourself to have a disability?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
--	------------------------------	-----------------------------

To which of these ethnic groups do you consider you belong?		
Asian or Asian British <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani <input type="checkbox"/> Chinese <input type="checkbox"/> Any other Asian background Black or Black British <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other Black, African or Caribbean background	Mixed <input type="checkbox"/> White & Asian <input type="checkbox"/> White & Black African <input type="checkbox"/> White & Black Caribbean <input type="checkbox"/> Any other mixed/multiple ethnic background White <input type="checkbox"/> English/ Welsh/ Scottish/ Northern Irish/ British <input type="checkbox"/> Irish <input type="checkbox"/> Gypsy or Irish Traveller <input type="checkbox"/> Any other white background	Other Ethnic Group <input type="checkbox"/> Arab <input type="checkbox"/> Any other ethnic group

Privacy Statement - Data Protection 1998 and Freedom of Information Act 2000

The data supplied on this form will be held on a computer and will be used in accordance with the Data Protection Act 1998 for statistical analysis, management, planning and the provision of services by South Derbyshire District Council and its partners. The information will be held in accordance with the Council's records management and retention policy.

Information contained in this document may be subject to release to others in accordance with the Freedom of Information Act 2000. Certain exemptions from release do exist including where the information provided is protected by the Data Protection Act 1998.



South
Derbyshire
District Council

Community and
Planning Services

Summary Leaflet

South Derbyshire

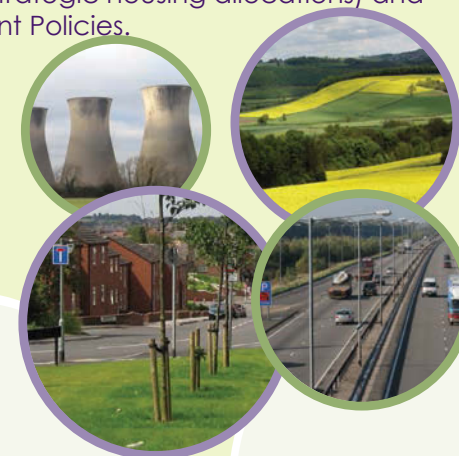
Local Plan

PART 2

The Local Plan is being prepared in two parts. This consultation concerns Part 2 of the Plan. The Part 1 was submitted to the Secretary of State in August 2014 and examination of the Plan took place in late 2014 and December 2015. Part 1 deals with strategic allocations and key policies, while Part 2 is concerned with smaller housing sites (known as non-strategic housing allocations) and more detailed Development Management Policies.

This consultation invites your comments on Part 2 of the Local Plan and covers the following areas:

- Non-strategic housing site options
- Proposed Local Green Spaces
- Proposed settlement boundaries
- Proposed Local Plan Part 2 policies:
 - Housing policies
 - Retail policies
 - Heritage policies
 - Policies for development in the countryside
 - Local Green Spaces
 - Provision of education facilities
 - Telecommunications and adverts
 - Settlement boundaries and development
 - Protection of trees, woodland and hedgerows



**Please submit
your comments
by 5pm on
12th February
2016**

This leaflet is only a summary, please refer to the consultation document for further information, which is available to view at:

www.south-derbys.gov.uk/localplanpart2

7 of 373

December 2015

South Derbyshire Changing for the better

Housing

The Local Plan Part 2 needs to allocate non-strategic housing sites sufficient for 600 dwellings across the District in total. This is part of the overall strategy (see Policy S4 of the Part 1 Plan). Non-strategic sites are sites for fewer than 100 dwellings.

The housing allocations will be selected from sites held on the Strategic Housing Land Availability Assessment (SHLAA) database. This is an ongoing mechanism for landowners, developers and agents to submit and promote sites to the Council, which they consider to be suitable for development.

For this initial consultation, only a small number of sites have been considered to be not appropriate. Further information can be seen in **Appendix B** of the Local Plan Part 2 consultation document, which contains maps showing the housing site locations.

It is important to note that NOT all sites listed on the maps will become allocations.

Following this consultation, the preferred housing sites will be set out in a subsequent Part 2 consultation. Considerations such as highways, access, landscape, heritage impact and wider flooding issues have not been taken into account at this point.

Future proposed allocations will accord to draft policy H22 of the Local Plan Part 2, which at this stage proposes a suggested strategy for distributing the 600 dwellings to Urban Areas, Key Service Villages, Local Service Villages and Rural Villages (as defined by Policy H1: Settlement Hierarchy of the Local Plan Part 1).

Settlement Hierarchy Category	Number of dwellings
Urban Areas	150 - 300
Key Service Villages	150 - 400
Local Service Villages and Rural Villages	Around 150
	500 - 850

Comments can be made on the housing sites and Housing Policy H22.

Other Housing Policies for consideration include:

- H23 Infill
- H24 Replacement Dwellings in the Countryside
- H25 Rural Workers Dwellings
- H26 Residential Curtilage
- H27 Development within Residential Curtilages
- H28 Residential Conversions
- H29 Non-permanent Dwellings

Settlement Boundaries

Settlement boundaries define the built limits of a settlement and distinguish between it and the countryside. Areas outside of settlement boundaries are considered to be countryside. There is a presumption in favour of sustainable development (subject to meeting other material considerations) within settlement boundaries, whereas in the countryside more restrictive policies apply.

The District Council is consulting on proposed settlement boundaries for Swadlincote (including Woodville), those settlements defined (within Policy H1 of the Part 1 Plan)as Key Service Villages, Local Service Villages and some Rural Villages (the latter being where there is a compact group of dwellings within a settlement).

The proposed settlement boundaries can be seen within **Appendix A** of the Part 2 Plan. Comments on the boundaries can be made and suggestions made for alterations.

Local Green Spaces

The Local Plan Part 2 identifies areas of Local Green Space. Areas which are particularly special to a community can be nominated through this consultation to become a designated area of Local Green Space, if they meet certain criteria. For example this can be for reasons of beauty, wildlife, tranquillity, recreational value or historical significance.

This is a way of providing special protection against development for green areas of particular importance to local communities. However, Local Green Spaces are not a tool to simply prevent unwanted development, indeed Government policy is clear that it will not be appropriate for most green areas.

A number of potential Local Green Spaces have already been identified and are listed and mapped in **Appendix D** of the Local Plan Part 2 consultation document. Please take a look to see if you agree that the sites meet the criteria of a Local Green Space. Equally if you know of an area of land within your community that has not been included, please tell us about it through this consultation.

How to respond....

Comments on this consultation need to be made in writing.

Questionnaires are available:

- From the District Council Offices
- To download from: **www.south-derbys.gov.uk/localplanpart2**
- At all South Derbyshire libraries and the following libraries outside of the District: Burton on Trent, Chellaston, Mickleover and Sinfin



You can respond by email to: **planning.policy@south-derbys.gov.uk**



Or you can write to: **Planning Policy, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH**



If you would like to find out more about this consultation before responding please ring the planning policy team on: **01283 228735**



**Please submit your comments by
5pm on 12th February 2016**

What happens next....



Local Plan Part 2 - December 2015- February 2016



Draft Local Plan Part 2 Consultation - June 2016



Pre-Submission Local Plan Part 2 Consultation - October 2016



Submission - December 2016



Public Examination - date to be confirmed following submission [Page 15](#)



Adoption - Mid 2017

South Derbyshire Local Plan Part 2

The Local Plan is being prepared in two parts. This consultation concerns Part 2. The Part 1 Local Plan deals with strategic allocations for matters such as housing and employment, together with other key policies. The Part 1 Local Plan was submitted to the Secretary of State in August 2014 and the Council is awaiting the outcome of the examination of the Plan.

This consultation invites your comments on Part 2 of the Local Plan in the following areas:

- Non-strategic housing site options
- Proposed Local Green Spaces
- Proposed settlement boundaries
- Local Plan Part 2 Development Management Policies

What's in the room?

- Exhibition boards
- Reference copies of the full documents
- Maps of the non-strategic housing site options
- Maps of the proposed settlement boundaries
- Maps of the proposed Local Green Spaces
- Summary leaflet
- A questionnaire

We have more work to do before we can publish a draft Local Plan Part 2 and hearing your views is part of the process as we develop the Part 2 Plan.

**Please submit your
comments by 5pm on 12th
February 2016**

Non-Strategic Housing Site Options

The Local Plan Part 2 needs to allocate non-strategic housing sites sufficient for 600 dwellings across the District. This is part of the overall strategy set out in Policy S4 of the Part 1 Plan. Non-strategic sites are for fewer than 100 dwellings.

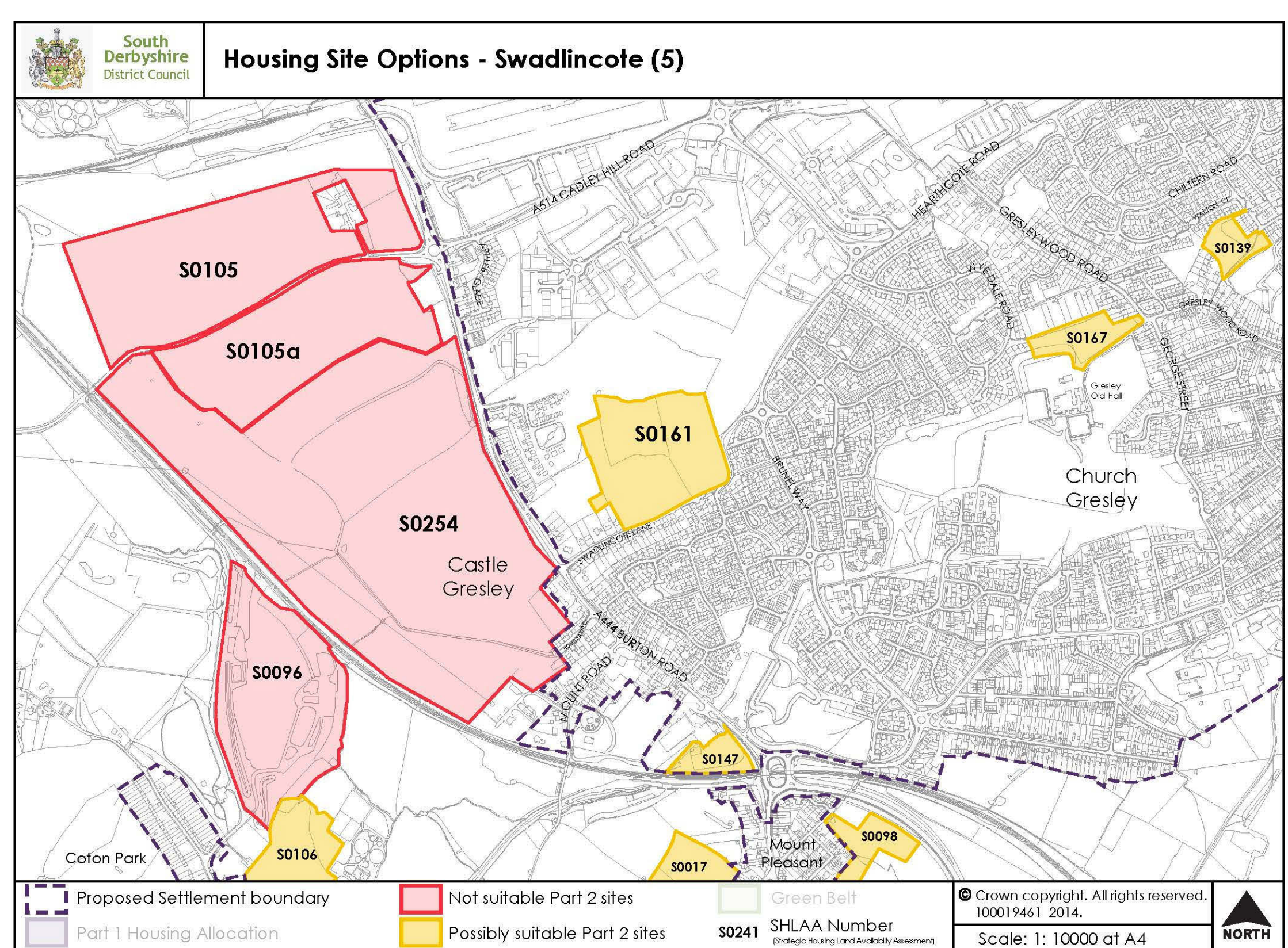
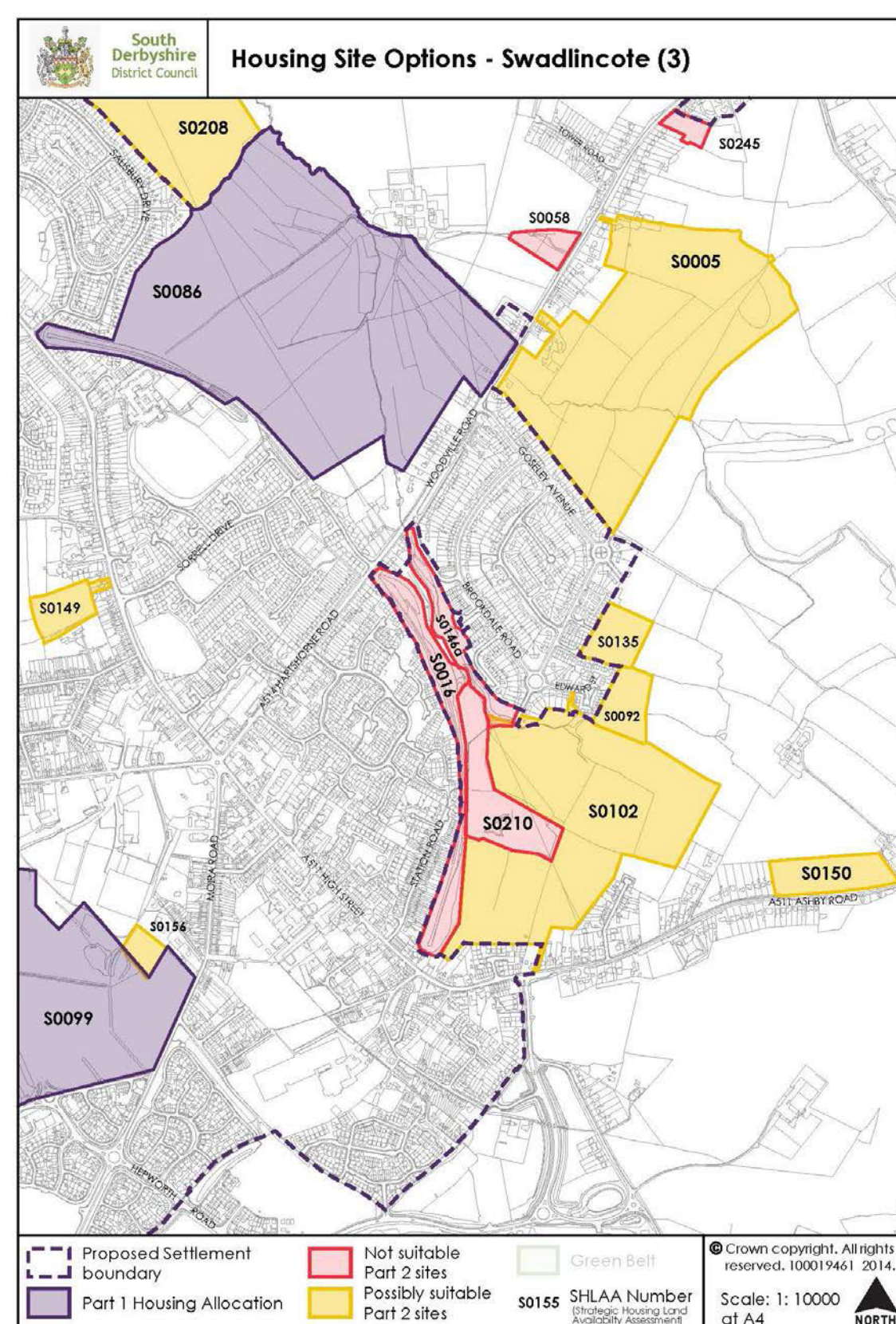
The housing allocations will be selected from sites held on the Strategic Housing Land Availability Assessment (SHLAA) database. This is an ongoing mechanism for landowners, developers and agents to submit and promote sites to the Council, which they consider to be suitable for development.

For this initial consultation, only a small number of sites have been considered as not suitable because they are:

- Within flood zone 3b
- Within the Green Belt
- Mostly covered by tree preservation order(s)
- Considered to form a strategic gap between two settlements
- Are not well related to the settlement

The housing site options maps (such as the Swadlincote maps below) have been colour coded:

- Purple sites - Part 1 housing allocations
- Yellow sites - possibly suitable Part 2 housing sites
- Red sites - not suitable housing sites (according to the above criteria)
- Purple dashed line - proposed settlement boundary



IT IS IMPORTANT TO NOTE THAT **NOT** ALL SITES LISTED ON THE MAPS WILL BECOME ALLOCATIONS.

The preferred housing sites will be set out in a subsequent Part 2 consultation, following consideration of responses to this consultation. **Considerations such as highways, access, landscape, heritage impact and wider flooding issues have not been taken into account at this point.**

Further work will be undertaken on the merits of each potential housing site. The first stage of this work has taken place by assessing all of the possible Part 2 sites against criteria from the Sustainability Appraisal. This can be found in Appendix C.

Settlement Boundaries

Settlement boundaries define the built limits of a settlement and distinguish between it and the countryside. Areas outside of settlement boundaries are considered to be countryside. There is a presumption in favour of sustainable development (subject to meeting other material considerations) within settlement boundaries, whereas in the countryside more restrictive policies apply.

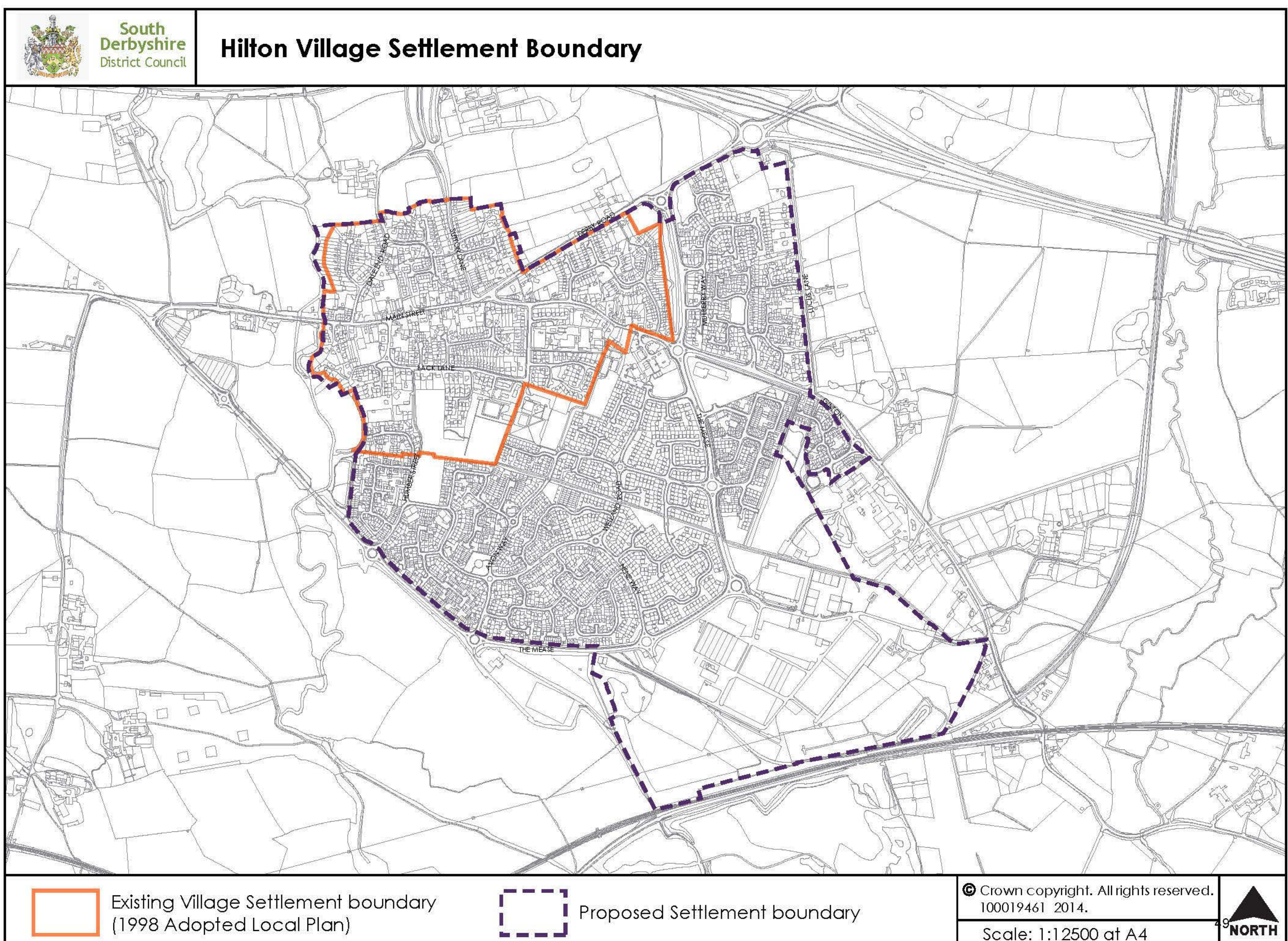
The District Council intends to continue the use of settlement boundaries for Swadlincote (including Woodville), those settlements defined (within Policy H1: Settlement Hierarchy of the Part 1 Plan) as Key Service Villages, Local Service Villages and some Rural Villages (the latter being where there is a compact group of dwellings within a settlement).

Settlement boundaries have been reviewed to:

- Ensure that settlement boundaries are logical and reflect what's on the ground
- Identify what land should be included within the settlement boundaries.

The settlement boundaries maps, such as the Hilton Map below, show:

- The proposed settlement boundary - purple dash line
- The existing adopted 1998 settlement boundary (where applicable) - orange



Local Green Spaces

What are Local Green Spaces?

Local Green Spaces are areas of land that are clearly special to the local community. What makes the space special will vary depending on the area's local significance. For example, it could be because of the area's beauty, wildlife, tranquillity, recreational value or historical significance. A Local Green Space must be local in character, rather than a large expanse of land and must be reasonably close to the community it serves.

How are Local Green Spaces decided?

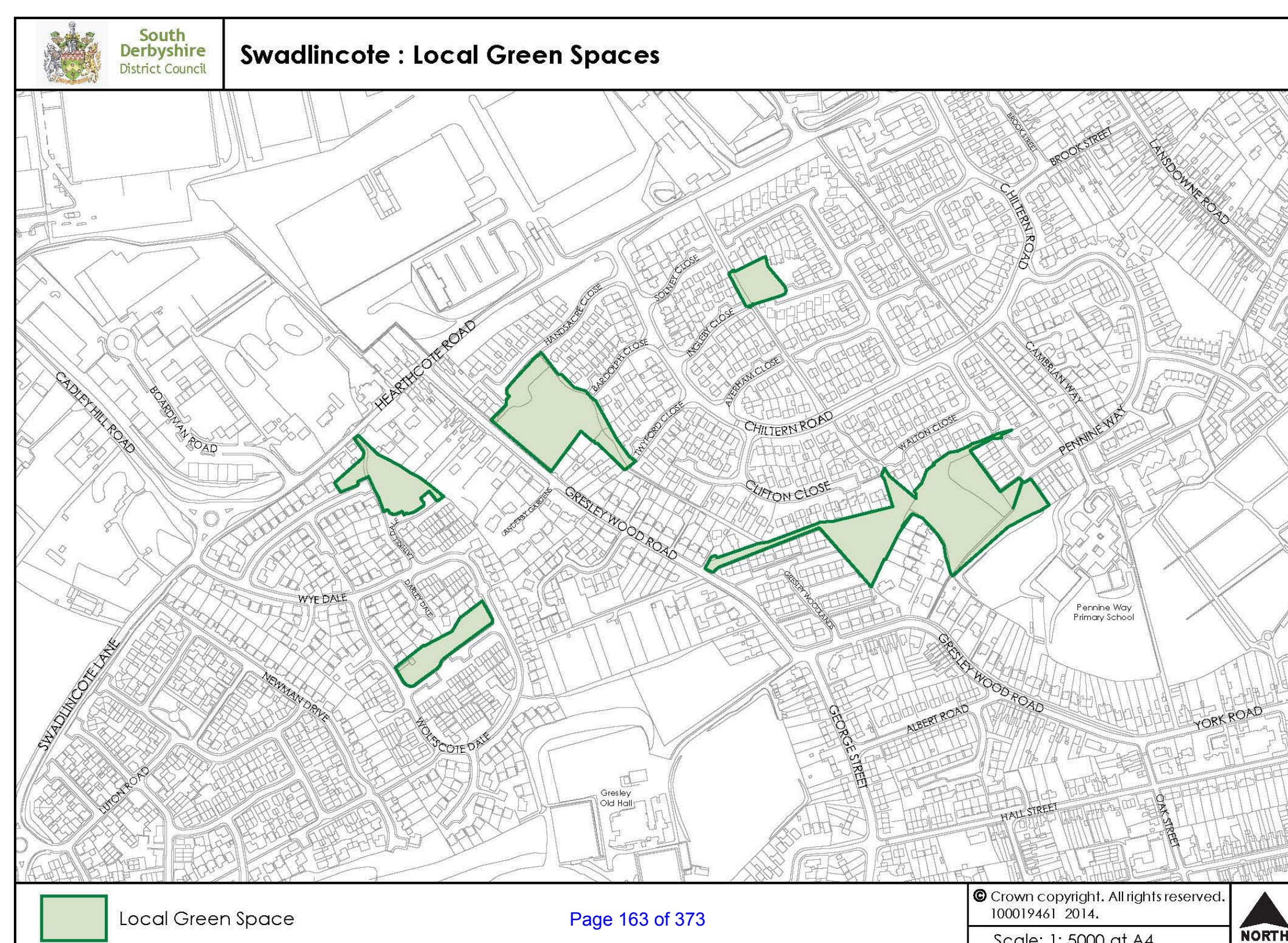
Local Green Spaces can be designated through Local Plans or Neighbourhood Plans. As part of the work undertaken on the Local Plan Part 2 to date we have liaised with officers within the Council specialising in communities and open spaces, to determine which spaces are thought to be of particular importance to local people.

Through the questionnaire associated with this Part 2 consultation, local residents can voice either their support for the Local Green Spaces that are being consulted upon, specifying why the space is important to the local community, or disagree with the designation being considered. Furthermore, through this consultation local residents can suggest additional spaces for inclusion in the Local Plan Part 2 that meet the Local Green Space criteria described above.

Are there any restrictions on a Local Green Space once it is designated?

Local Green Spaces are not a tool to simply prevent unwanted development, indeed Government policy is clear that it will not be appropriate for most green areas. Local Green Space's must be justified with regard to the definition set out in the National Planning Policy Framework. However, once a Local Green Space is designated the policy for managing the area is consistent with that of managing areas of Green Belt.

Below is an example of a map depicting the suggested Local Green Spaces.



The consultation document proposes Development Management policies for the Local Plan Part 2, which once adopted (along within the Local Plan Part 1) will be used to guide the Development Management Team in making decisions on planning applications.

Settlement Development

Policy SD1: Settlement Boundaries and Development: *The policy seeks to restrict new development to within settlement boundaries.*

Housing

Policy H22: Part 2 Housing Allocations

Future proposed non-strategic allocations will be led by this policy, which proposes at this stage a suggest strategy for distributing the 600 Part 2 dwellings to Urban Areas, Key Service Villages, Local Service Villages and Rural Villages (as defined by Policy H1: Settlement Hierarchy of the Local Plan Part 1).

Settlement Hierarchy category	Number of dwellings
Urban Areas	150 - 300
Key Service Villages	150 - 400
Local Service Villages and Rural Villages	Around 150
	500 - 850

Policy H23: Infill

Policy H24: Replacement Dwellings in the Countryside

Policy H25: Rural Workers Dwelling

These policies seek to allow new housing development within the countryside, provided particular criteria is met.

These policies seek to allow: extensions to residential curtilages, development within residential curtilages, residential conversions and non-permanent dwellings - provided particular criteria is met.

Policy H26: Residential Curtilages

Policy H27: Development within Residential Curtilages

Policy H28: Residential Conversions

Policy H29: Non-Permanent Dwellings

Retail

Policy RTL1: Swadlincote Town Centre

Policy RTL2: Local Centres and Villages

The policies are intended to protect and enhance the vitality and viability of Swadlincote by directing retail, office, leisure and other main town centre development to this location and resisting out of town centre development, except for facilities to meet local needs in villages and in new and existing local centres.

Education

Policy EDU1: Provision of Education Facilities: *The policy seeks to safeguard land for a new secondary school, in a location decided by Derbyshire County Council.*

Infrastructure

Policy INF11: Telecommunications : *The policy seeks to strike a balance between delivering infrastructure and preserving landscape and buildings of particular importance.*

Part 2 Policies

Built and Natural Environment

- Policy BNE5: Development in the Countryside**
- Policy BNE6: Recreational Uses in the Countryside**
- Policy BNE7: Agricultural Development**
- Policy BNE8: Protection of Trees, Woodland and Hedgerows**

National Planning Policy requires that an appropriate balance is struck between supporting a prosperous rural economy and conserving and enhancing the natural environment. These policies seek to provide the appropriate safeguards to ensure that development which must take place in countryside does not lead to unacceptable environmental effects.

Policy BNE9: Local Green Spaces : The policy allocates areas of particular importance to local communities that meet the necessary criteria, in order to protect them from future development

Policy BNE10: Advertisements and Visual Pollution : Advertisements, street furniture and smaller scale infrastructure can significantly affect the overall appearance and feel of an area. This policy seeks to ensure that such development is appropriately controlled.

South Derbyshire has a wealth of designated and non-designated heritage assets. Its important that the fabric of heritage assets is maintained to ensure the continued contribution to the economic prosperity of the District and their protection for future generations.

- Policy BNE11: Heritage**
- Policy BNE12: Shopfronts**

Timetable and how to respond

The responses to this consultation will help us draw up a Draft Part 2 Plan, which will Include preferred housing allocations and detailed policies to guide the determination of planning applications. The plan will be published for 6 weeks during which you may comment.

The table below summaries the next steps on adopting the Local Plan Part 2:

-  **Local Plan Part 2 Consultation – December 2015 – February 2016**
-  Draft Local Plan Part 2 Consultation – June 2016
-  Pre-Submission Local Plan Part 2 Consultation – October 2016
-  Submission – December 2016
-  Public Examination – date to be confirmed following submission
-  Adoption – Mid 2017

Your views and comments are important in helping to shape the Local Plan.

A questionnaire is available at this event, on our website, at the Council Offices and at all South Derbyshire Libraries and Burton on Trent, Chellaston, Mickleover and Sinfin library.

www.south-derbys.gov.uk/localplanpart2

planning.policy@south-derbys.gov.uk

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

01283 228735



Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

James Benstead
Social media and PR specialist

Phone 01283 228761 Fax 01283 595853 Mobile 07816 231433
email james.benstead@south-derbys.gov.uk

Local Plan Part 2 consultation launched

South Derbyshire District Council has launched a public consultation on Part 2 of its Local Plan – the document that will guide the number of homes to be built in the District up to 2028.

While Part 1 of the plan – which it is anticipated will be officially adopted by spring 2016 – allocated larger housing sites, Part 2 will deal with sites in urban areas and villages of up to 100 homes, as well as identifying areas of local green space which would be protected from future development.

Topics such as retail, heritage and educational facilities are also covered by the Local Plan Part 2.

Members of the public are being invited to find out more by attending one of ten drop-in events to be held across South Derbyshire in January.

The details of the sessions are:

- Old Post Centre, High Street, Newhall on January 8, 2016, from 2.30pm to 7.30pm;
- Goseley Community Centre, Hartshill Road, Woodville on January 11, 2016, from 2.30pm to 7.30pm;
- All Saints' Heritage Centre, Shardlow Road, Aston on Trent on January 12, 2016, from 2.30pm to 7.30pm;
- Rosliston and Cauldwell Village Hall, Main Street, Rosliston on January 15, 2016, from 2.30pm to 7.30pm;
- Repton Village Hall, Askew Grove, Repton on January 18, 2016, from 2.30pm to 7.30pm;

- Church Rooms, adjacent to St George and St Mary's Church, Church Street, Church Gresley on January 19, 2016, from 3.15pm to 7.30pm;
- Frank Wickham Hall, Portland Street, Etwall on January 21, 2016, from 2.30pm to 7.30pm;
- Hilton Village Hall, Peacroft Lane, Hilton on January 25, 2016, from 1.30pm to 5.45pm;
- Melbourne Assembly Rooms, High Street, Melbourne on January 27, 2016, from 2.30pm to 7.30pm and
- Elvaston Village Hall, Thulston on January 28, 2016, from 2.30pm to 7.30pm

Cllr Peter Watson, Chairman of the District Council's Environmental and Development Services Committee, said: "Our officers are working extremely hard to bring the Local Plan to fruition and it is important that residents are given an opportunity to have their say on its contents.

"We'd urge people to come along to one of the drop-in sessions to give us their thoughts."

South Derbyshire's Local Plan addresses building over the period 2011 to 2028 and is currently considering 12,618 dwellings in that period.

Questionnaires about what is proposed in Part 2 of the plan are available from the Civic Offices in Swadlincote and from all South Derbyshire libraries, as well as those in Burton, Chellaston, Mickleover and Sinfyn and via the Council's website at www.south-derbys.gov.uk/localplanpart2

The website also features downloadable consultation documents.

The closing date for the consultation is Friday, February 12, 2016.

December 18th, 2015



Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

James Benstead
Social media and PR specialist

Phone 01283 228761 Fax 01283 595853 Mobile 07816 231433
email james.benstead@south-derbys.gov.uk

Local Plan Part 2 consultation extra date added

Another drop-in session to give members of the public the maximum opportunity to have their say on future development in South Derbyshire has been scheduled.

South Derbyshire District Council recently launched a consultation on Part 2 of its Local Plan, the section of the document that will allocate sites in the District for developments of fewer than 100 homes.

Ten drop-in events to take place throughout January at locations across the District were announced, with an 11th now due to take place at Swadlincote Market from 10am to 2pm on Friday, January 22.

The details of the other sessions are:

- Old Post Centre, High Street, Newhall on January 8, 2016, from 2.30pm to 7.30pm;
- Goseley Community Centre, Hartshill Road, Woodville on January 11, 2016, from 2.30pm to 7.30pm;
- All Saints' Heritage Centre, Shardlow Road, Aston on Trent on January 12, 2016, from 2.30pm to 7.30pm;
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- Melbourne Assembly Rooms, High Street, Melbourne on January 27, 2016, from 2.30pm to 7.30pm and
- Elvaston Village Hall, Thulston on January 28, 2016, from 2.30pm to 7.30pm.

While Part 1 of the plan – which it is anticipated will be officially adopted by mid-summer 2016 – allocated larger housing sites, Part 2 will deal with sites in urban areas and villages of up to 100 homes.

It will also identify areas of green space which are of particular importance to local communities and would be protected from future development, while topics such as retail, heritage and educational facilities are also covered.

South Derbyshire's Local Plan addresses building over the period 2011 to 2028 and is currently considering 12,618 dwellings in that period.

Questionnaires about what is proposed in Part 2 of the plan are available from the Civic Offices in Swadlincote and from all South Derbyshire libraries, as well as those in Burton, Chellaston, Mickleover and Sinfen and via the Council's website at www.south-derbys.gov.uk/localplanpart2

The website also features downloadable consultation documents.

The closing date for the consultation is Friday, February 12, 2016.

January 6th, 2016

Local Plan Part 2 (20th June 2016 – 15th August 2016)

Appendix B1: Letter sent/emailed to all consultees on the Local Plan database

Appendix B2: Letter sent to South Derbyshire Parish Councils

Appendix B3: Letter sent to South Derbyshire's MP

Appendix B4: Additional letter/email sent to all those on the Local Plan database.

Appendix B5: Poster

Appendix B6: Advert on screen in main reception

Appendix B7: Banner

Appendix B8: Questionnaire

Appendix B9: Summary Leaflet

Appendix B10: Consultation Display Boards

Appendix B11: Press release June 2016

Appendix B12: Swadlincote Times Newspaper Article 24th June 2016

Appendix B13: Swadlincote Times Newspaper Article 1st July 2016

Appendix B14: Melbourne Village Voice July 2016

Appendix B15: Twitter Posts

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: planning.policy@south-derbys.gov.uk

Our ref:

Your ref:

Date: 17th June 2016

Dear Resident/Consultee

South Derbyshire Draft Local Plan:

You are invited to comment on South Derbyshire's Draft Local Plan Part 2, Sustainability Appraisal, Habitats Regulations Screening Assessment and Draft Consultation Statement.

You may recall that the Council consulted on the Local Plan Part 2 between December 2015 and February 2016. We have considered the representations received in response to that exercise and have undertaken some additional evidence gathering, which have informed and helped us to produce a Draft Local Plan Part 2.

We are asking for your views on ...

- Draft Local Plan Part 2
 - Non-strategic scale housing land allocations.
 - Settlement boundaries
 - Development Management Policies dealing with Housing, the Built and Natural Environment, Retail development and Infrastructure.
- Sustainability Appraisal – this document assesses the environmental, economic and social impact that the Local Plan as a whole will have on the District.
- Habitats Regulations Screening Assessment
- Draft Consultation Statement – outlines consultations undertaken to date and how we have responded to the issues raised.

How you can have your say ...

All consultation documents can be found on our website at www.south-derbys.gov.uk/localplanpart2. Reference copies will also be available at the Council's offices and in all local libraries from **20th June 2016**. We will also be holding **drop-in events** around the District as listed in the table overleaf. The events are open to all and you don't have to attend your nearest one. As always we would like you to extend the

invitation far and wide. Please do tell your family, friends and neighbours about this consultation and the opportunity to respond to shaping the District up to 2028.

We will be accepting comments on the consultation documents until **15th August 2016 at 5.00pm.**

Yours faithfully



Nicola Sworowski
Planning Policy Manager

‘Drop In’ Events

Venue	Date	Time
Repton Village Hall, Askew Grove, Repton	Wednesday 22 nd June	2.30pm - 6.45pm
Hilton Village Hall, Peacroft Lane, Hilton	Monday 27 th June	1.30pm - 5.45pm
Aston-on-Trent Primary School, Aston-on-Trent	Tuesday 28 th June	5.00 – 7.45 pm
Frank Wickham Hall, Portland Street, Etwall	Thursday 7 th July	1.30pm - 6.15pm
Rosliston Village Hall, Main Street, Rosliston	Friday 8 th July	2.30pm - 7.30pm
Goseley Community Centre, Woodville	Tuesday 12 th July	2.30pm - 7.30pm
Swadlincote Market, The Delph	Friday 1 st July	10.00am– 2.00pm





**South
Derbyshire**
District Council

Director of Community and Planning
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: planning.policy@south-derbys.gov.uk

Our ref:

Your ref:

Date: 16th June 2016

Dear Parish Clerk

South Derbyshire Draft Local Plan:

You are invited to comment on South Derbyshire's Draft Local Plan Part 2, Sustainability Appraisal, Habitats Regulations Screening Assessment and Draft Consultation Statement.

You may recall that the Council consulted on the Local Plan Part 2 between December 2015 and February 2016. We have considered the representations received in response to that exercise and have undertaken some additional evidence gathering, which have informed and helped us to produce a Draft Local Plan Part 2.

We are asking for your views on ...

- Draft Local Plan Part 2
 - Non-strategic scale housing land allocations.
 - Settlement boundaries
 - Development Management Policies dealing with Housing, the Built and Natural Environment, Retail development and Infrastructure.
- Sustainability Appraisal – this document assesses the environmental, economic and social impact that the Local Plan as a whole will have on the District.
- Habitats Regulations Screening Assessment
- Draft Consultation Statement – outlines consultations undertaken to date and how we have responded to the issues raised.

How you can have your say ...

All consultation documents can be found on our website at www.south-derbys.gov.uk/localplanpart2 from 20th June 2016. Reference copies will also be available at the Council's offices and in all local libraries from **20th June 2016**. We will also be holding **drop-in events** around the District as listed in the table overleaf. The events are open to all and you don't have to attend your nearest one. As always we would like you to extend the invitation far and wide. Please do tell your family, friends and



neighbours about this consultation and the opportunity to respond to shaping the District up to 2028.

We will be accepting comments on the consultation documents until **15th August 2016 at 5.00pm.**

Yours faithfully



Nicola Sworowski
Planning Policy Manager

‘Drop In’ Events

Venue	Date	Time
Repton Village Hall, Askew Grove, Repton	Wednesday 22 nd June	2.30pm - 6.45pm
Hilton Village Hall, Peacroft Lane, Hilton	Monday 27 th June	1.30pm - 5.45pm
Aston-on-Trent Primary School, Aston-on-Trent	Tuesday 28 th June	5.00 – 7.45 pm
Frank Wickham Hall, Portland Street, Etwall	Thursday 7 th July	1.30pm - 6.15pm
Rosliston Village Hall, Main Street, Rosliston	Friday 8 th July	2.30pm - 7.30pm
Goseley Community Centre, Woodville	Tuesday 12 th July	2.30pm - 7.30pm
Swadlincote Market, the Delph	Friday 1 st July	10.00am– 2.00pm



**South
Derbyshire**
District Council

Director of Community and Planning
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: LDF.options@south-derbys.gov.uk

Our ref:

Your ref: Part 2

Date: 17th June 2016

Dear Heather Wheeler MP,

South Derbyshire Draft Local Plan:

This letter is to inform you of progress on South Derbyshire's Draft Local Plan Part 2, Sustainability Appraisal, Habitats Regulations Screening Assessment and Draft Consultation Statement.

You may recall that the Council consulted on the Local Plan Part 2 between December 2015 and February 2016. We have considered the representations received in response to that exercise and have undertaken some additional evidence gathering, which has informed and helped us to produce a Draft Local Plan Part 2.

Further details of the consultation are set out in the enclosed leaflet and a number of drop-in events will be held across the District in June and July. More information on the Local Plan Part 2 in general can be found on the web link: www.south-derbys.gov.uk/localplanpart2.

The consultation will close on 15th August 2016 at 5.00pm.

Yours sincerely,

Nicola Sworowski
Planning Policy Manager





**South
Derbyshire**
District Council

Director of Community and Planning
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: planning.policy@south-derbys.gov.uk

Our ref:

Your ref:

Date: 20th June 2016

Dear Resident/Consultee

South Derbyshire Draft Local Plan Part 2:

Further to our previous letter, please find below information regarding the Local Plan Part 2 consultation. The consultation event at Goseley Community Centre on Tuesday 12th July was incorrectly listed on the previous letter as Gresley Community Centre. The updated table is shown below:

Venue	Date	Time
Repton Village Hall, Askew Grove, Repton	Wednesday 22 nd June	2.30pm - 6.45pm
Hilton Village Hall, Peacroft Lane, Hilton	Monday 27 th June	1.30pm - 5.45pm
Aston-on-Trent Primary School, Aston-on-Trent	Tuesday 28 th June	5.00 – 7.45 pm
Frank Wickham Hall, Portland Street, Etwall	Thursday 7 th July	1.30pm - 6.15pm
Rosliston Village Hall, Main Street, Rosliston	Friday 8 th July	2.30pm - 7.30pm
Goseley Community Centre, Woodville	Tuesday 12 th July	2.30pm - 7.30pm
Swadlincote Market, The Delph	Friday 1 st July	10.00am– 2.00pm

Kind Regards

Nicola Sworowski
Planning Policy Manager





**South
Derbyshire**
District Council

Local Planning Consultation

The District Council is holding a series of 'drop in' events during June and July 2016 to talk to people about the Draft Local Plan Part 2.

The Draft Part 2 consultation covers:

- Proposed Local Plan Part 2 Policies
- Proposed Housing Allocations
- Proposed Settlement Boundaries
- Proposed Local Green Spaces

Venue: **Hilton Village Hall**
Date: 27th June 2016
Time: 1:30pm - 5.45pm

Venue: **Frank Wickham Hall, Etwall**
Date: 7th July 2016
Time: 1.30pm - 6.15pm

Venue: **Repton Village Hall**
Date: 22nd June 2016
Time: 2.30pm - 6.45pm

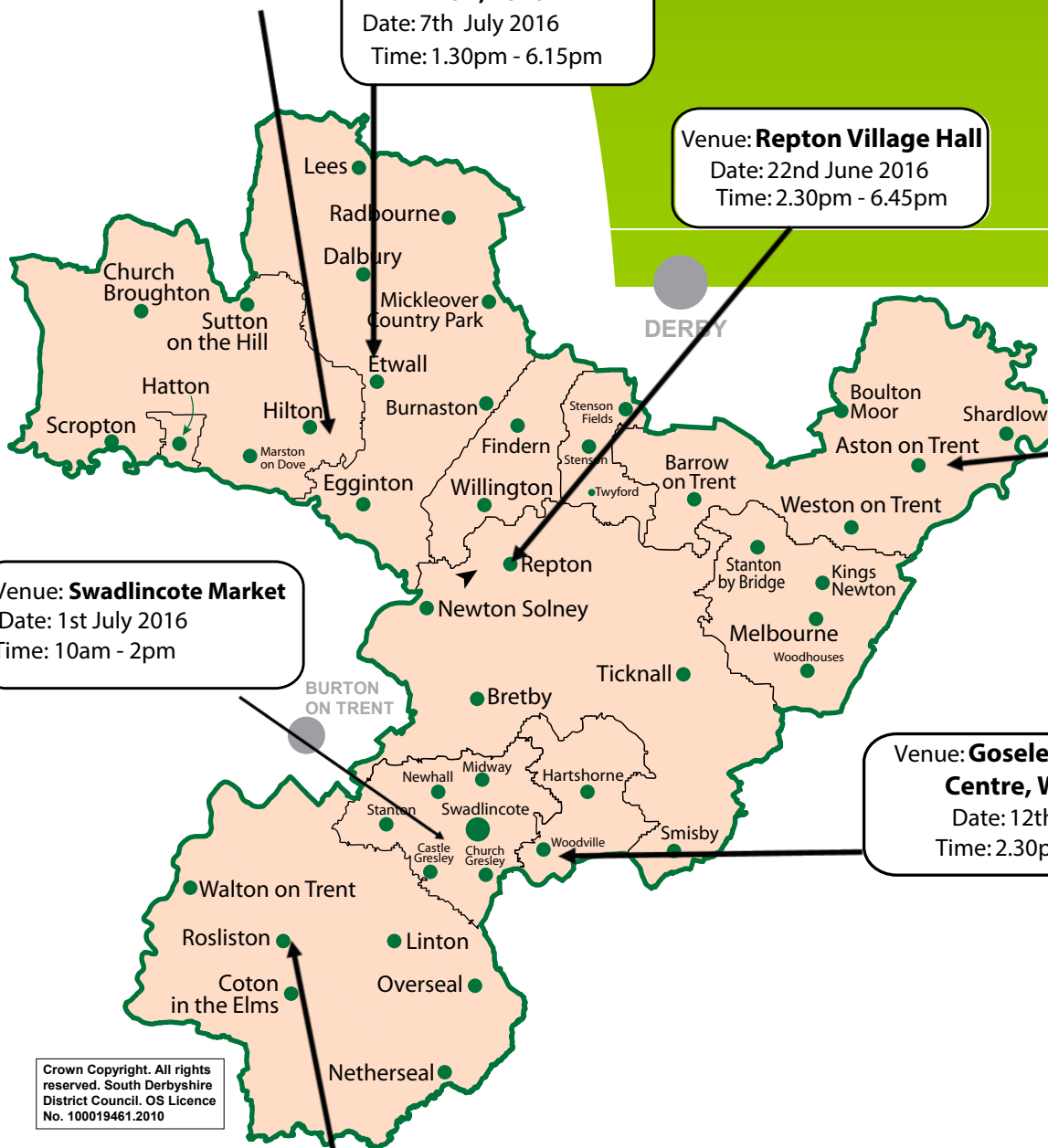
Venue: **Aston on Trent Primary School**
Date: 28th June 2016
Time: 5pm - 7.45pm

Venue: **Swadlincote Market**
Date: 1st July 2016
Time: 10am - 2pm

Venue: **Goseley Community Centre, Woodville**
Date: 12th July 2016
Time: 2.30pm - 7.30pm

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Venue: **Rosliston Village Hall**
Date: 8th July 2016
Time: 2.30pm - 7.30pm



Further information
can be found on
our website at

www.south-derbys.gov.uk/localplanpart2

or by calling 01283 228735



**South
Derbyshire**
District Council
Community and
Planning Services

B6

Local Plan Consultation

South Derbyshire Local Plan Part 2



**Have your say at one of our drop in events, for further information
visit: www.south-derbys.gov.uk/localplanpart2**





Please note that this questionnaire accompanies the Draft Local Plan Part 2 consultation document, which you should read first. This document and an electronic version of the questionnaire can be found at:

www.south-derbys.gov.uk/localplanpart2

South Derbyshire Local Plan Part 2

Questionnaire

20th June – 15th August, 2016

Please provide your contact details – as this will enable us to keep you informed of future consultations.

Name

Company/Organisation

Address (including postcode)

Tel

E-mail address



All information provided will be treated in confidence and in accordance with the Data Protection Act 1998. We will only use the information to develop the Core Strategies for Derby HMA, which forms part of our Local Development Frameworks. As a part of the reporting process for this consultation only your name, organisation and comments will be published where this information is given.

Settlement Development

SDT1: Settlement Boundaries and Development

Q1. Do you think we have identified the correct settlements to have settlement boundaries? (Please give reasons)

Q2. Do you wish to suggest any changes to the proposed boundaries? (Please give reasons for suggested amendments)

Housing

H23: Part 2 Housing Allocations

Q3. Do you have any comments to make regarding the housing sites identified as allocations for Part 2 shown on the maps?

Q4. Is it appropriate for all the housing sites to be grouped together under one policy (H23), or should each site have its own separate policy?

Q5. Do you have any comments or further information on the housing site pro-formas?

(The housing site pro-formas can be found in Appendix 3 of the Technical Appendices to the Sustainability Appraisal)

--

H24: Replacement Dwellings in the Countryside

Q6. Is the policy sufficient to safeguard the countryside from inappropriate dwellings? (Please give reasons)

--

H25: Rural Workers Dwellings

Q7. Is the policy sufficient to safeguard the countryside from inappropriate dwellings? (Please give reasons)

--

H26: Residential Gardens within the Countryside

Q8. Do you have any comments on the scope and content of this policy?

--

H27: Residential Extensions and Other Householder Development

Q9. Do you have any comments on the scope and content of this policy?

H28: Residential Conversions

Q10. Do you have any comments on the scope and content of this policy?

Built and Natural Environment

BNE5: Development in the Countryside

Q11. Is the policy sufficient to safeguard the countryside from inappropriate development? (Please give reasons)

BNE6: Agricultural Development

Q12. Does the policy provide sufficient scope for agricultural development whilst also safeguarding the countryside? (Please give reasons)

BNE7: Marina Development

Q13 Do you have any comments on the scope and content of this policy?

BNE8: Protection of Trees, Woodland and Hedgerows

Q14. Do you think this policy provides for the adequate protection of trees, woodland and hedgerows within the District? (Please give reasons)

BNE9: Local Green Space

Q15. Of the Local Green Spaces proposed, are there any that you consider should not be designated? (Please give reasons)

Maps showing proposed Local Green Spaces can be seen in Appendix C of the Draft Local Plan Part 2 consultation document.

Q16. Are there other areas that meet the requirements for Local Green Spaces that you wish to see designated? Please state how the area is special to the community e.g. beauty; historic significance; recreational value; tranquillity or; richness of wildlife. Please also attach a map of the area.

BNE10: Advertisements and Visual Pollution

Q17. Does the policy provide adequate protection whilst also offering sufficient flexibility to allow necessary development to which the policy refers? (Please give reasons)

BNE11: Heritage

Q18. Does this policy provide for suitable levels of protection, preservation and enhancement of heritage assets within the District? (Please give reasons)

BNE12: Shopfronts

Q19. Do you have any comments on the scope and content of this policy?

BNE 13: Former Power Station, Drakelow

Q20. Do you have any comments on the scope and content of this policy?

Retail

RTL1: Swadlincote Town Centre

Q21. Do you agree with the primary frontages, as identified on the town centre map? (Please give reasons)

(Proposed primary frontages can be found on page 45 of the Draft Local Plan Part 2 consultation document)

Q22. Do you have any further comments on the scope and content of this policy?

RTL2: Swadlincote Town Centre Redevelopment Sites

Q23. Do you have any comments regarding the identified town centre redevelopment sites?

RTL3: Local Centres and Villages

Q24. Does the policy identify the correct local centres? (Please give reasons)

(Maps of Local Centres can be found on pages 48, 49 and 50 of the Draft Local Plan Part 2 consultation document)

Q25. Does the policy satisfactorily provide for the maintenance and enhancement of the viability and vitality of local centres? (Please give reasons)

Q26. Does the policy satisfactorily provide for the maintenance and enhancement of shopping and service provision in Key Service Villages and Local Service Villages? (Please give reasons)

Q27. Do you have any further comments on the scope and content of this policy?

Infrastructure

INF11: Telecommunications

Q28. Does the policy offer enough protection whilst providing sufficient scope to allow necessary telecommunications development? (Please give reasons)

INF12: Provision of Education Facilities

Q29. Do you have any comments regarding this policy?

Other comments

Q30. Do you wish to make any other comments? (Please state relevant policy number or paragraph number)

All comments should be submitted by **5pm on 15th August 2016**.

Please return this questionnaire to South Derbyshire District Council:

email: planning.policy@south-derbys.gov.uk

Post: South Derbyshire District Council, Planning Services, Civic Offices, Civic Way, Swadlincote, Derbyshire DE11 0AH.

Web: www.south-derbys.gov.uk/localplanpart2

We can give you this information in any other way, style or language that will help you access it. Please contact us on:

Phone: **01283 595795**

email: **customer.services@south-derbys.gov.uk**.

Jeśli chcieliby Państwo otrzymać ten dokument w innym języku lub potrzebują Państwo usług tłumacza, prosimy o kontakt. Informacje te są również dostępne na życzenie w wydaniu dużym drukiem, w alfabecie braila lub w wersji audio.

如果你需要这份文件的中文翻译，或者需要传译员的帮助，请联系我们。这些数据也各有大字体印本、盲人点字和录音带，欢迎索取。

ほかの言語でこの文書をご希望の場合、もしくは通訳サービスをご希望の場合はご連絡ください。

またこの情報は、ご要望により大きなプリント、点字版、または音声形式でも承っております。

यदि आपको ये दस्तावेज किसी दूसरी भाषा में चाहिए, या किसी दुभाषिये की सेवाओं की जरूरत है तो हमें सम्पर्क करने की कृपया करें। ये जानकारी माँग करने पर बड़े अक्षरों, ब्रैल या आडिओ के रूप में भी उपलब्ध करवाई जा सकती है।

ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤਾਵੇਜ਼ ਕਿਸੇ ਦੂਸਰੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਜਾਂ ਕਿਸੇ ਦੁਭਾਸ਼ੀਏ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਲੋੜ ਹੈ ਤਾਂ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾ ਕਰੋ ਜੀ ਇਹ ਜਾਣਕਾਰੀ ਮੰਗ ਕਰਨੇ ਵਾਲੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ ਜਾਂ ਆਡੀਓ ਦੇ ਰੂਪ ਵਿਚ ਵੀ ਉਪਲੱਬਧ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ।

اگر آپ یہ ڈاکیومنٹ کسی اور زبان میں چاہتے ہیں، یا اگر آپ کو کسی ترجمان کی خدمات درکار ہوں، تو براہ کرم ہم سے رابطہ کریں۔ درخواست کرنے پر یہ معلومات بڑے پرنٹ، بریل یا آڈیو فارمیٹ میں بھی دستیاب ہیں۔

EQUALITIES MONITORING INFORMATION

This information will be used for monitoring purposes only. Equality monitoring helps us improve our services by better understanding the people we are serving. The form will be collected separately from any other forms attached.

Further information on equality monitoring can be found in the equality service monitoring guidance. None of the questions are compulsory however by completing the form you will be helping us create a better service.

Which age group do you belong to?	<input type="checkbox"/> 16–24	<input type="checkbox"/> 25–44	<input type="checkbox"/> 45–64	<input type="checkbox"/> 65 and over
	<input type="checkbox"/> Prefer not to say			
Your sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Prefer not to say	

A disabled person is someone who has a physical or mental impairment, which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. Do you consider yourself to have a disability?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
--	------------------------------	-----------------------------

To which of these ethnic groups do you consider you belong?		
Asian or Asian British <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani <input type="checkbox"/> Chinese <input type="checkbox"/> Any other Asian background Black or Black British <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other Black, African or Caribbean background	Mixed <input type="checkbox"/> White & Asian <input type="checkbox"/> White & Black African <input type="checkbox"/> White & Black Caribbean <input type="checkbox"/> Any other mixed/multiple ethnic background White <input type="checkbox"/> English/ Welsh/ Scottish/ Northern Irish/ British <input type="checkbox"/> Irish <input type="checkbox"/> Gypsy or Irish Traveller <input type="checkbox"/> Any other white background	Other Ethnic Group <input type="checkbox"/> Arab <input type="checkbox"/> Any other ethnic group

Privacy Statement - Data Protection 1998 and Freedom of Information Act 2000

The data supplied on this form will be held on a computer and will be used in accordance with the Data Protection Act 1998 for statistical analysis, management, planning and the provision of services by South Derbyshire District Council and its partners. The information will be held in accordance with the Council's records management and retention policy.

Information contained in this document may be subject to release to others in accordance with the Freedom of Information Act 2000. Certain exemptions from release do exist including where the information provided is protected by the Data Protection Act 1998.

How to respond....

Comments on this consultation need to be made in writing.

Questionnaires are available:

- From the District Council Offices
- To download from: **www.south-derbys.gov.uk/localplanpart2**
- At all South Derbyshire libraries and the following libraries outside of the District: Burton on Trent, Chellaston, Mickleover and Sinfin



You can respond by email to: **planning.policy@south-derbys.gov.uk**



Or you can write to: **Planning Policy, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH**



If you would like to find out more about this consultation before responding please ring the planning policy team on: **01283 228735**



**Please submit your comments by
5pm on 15th August 2016**

What happens next....



Local Plan Part 2 Consultation - December 2015 - February 2016



Draft Local Plan Part 2 Consultation - June 2016



Pre-Submission Local Plan Part 2 Consultation - October 2016



Submission - December 2016



Public Examination - date to be confirmed following submission



Adoption - Mid 2017

Summary Leaflet

South Derbyshire Draft Local Plan

PART 2

The Local Plan is being prepared in two parts; Part 1 was adopted on 13th June 2016 and identifies strategic allocations and key Development Management Policies. Whilst Part 2 is concerned with non-strategic housing allocations and more detailed Development Management Policies

This consultation is about the Draft Local Plan Part 2 and we welcome your comments.



Policies

The Local Plan Part 2 contains the following policies:

Settlement Development

SDT1: Settlement Boundaries and Development

Housing

H23: Non-Strategic Housing Allocations

H24: Replacement Dwellings in the Countryside

H25: Rural Workers Dwellings

H26: Residential Gardens within the Countryside

H27: Residential Extensions and Other Householder Development

H28: Residential Conversions

Built and Natural Environment

BNE5: Development in the Countryside

BNE6: Agricultural Development

BNE7: Marina Development

BNE8: Trees, Woodland and Hedgerows

BNE9: Local Green Spaces

BNE10: Advertisements and Visual Pollution

BNE11: Heritage

BNE12: Shopfronts

BNE13: Former Power Station, Drakelow

Retail

RTL1: Swadlincote Town Centre

RTL2: Swadlincote Town Centre Potential Redevelopment Sites

RTL3: Local Centres and Villages

Infrastructure

INF1: Telecommunications

INF12: Provision of Education Facilities

Policy H23: Non-Strategic Housing Allocations

The Local Plan Part 2 will allocate non-strategic housing sites (less than 100 dwellings) for a minimum of 600 dwellings across the District. This is part of the overall strategy for the District (see policy S4 of the Local Plan Part 1)

The housing allocations have been selected from sites held on the Strategic Housing Land Availability Assessment (SHLAA) database. This is an ongoing mechanism for landowners, developers and agents to submit and promote sites to the Council. Hundreds of SHLAA sites have been submitted to the Council with a small number allocated within the Local Plan Part 1 and suggested for allocation in the Local Plan Part 2. To view all the SHLAA sites please see Appendix B of the Draft Local Plan Part 2 or the County Councils website.

The proposed allocations are as follows:

- A** Moor Lane, Aston (S/0271) - around 40 dwellings
- B** Jacksons Lane, Etwall (S/0284) - around 52 dwellings
- C** Derby Road, Hilton (S/0023) - around 40 dwellings
- D** Station Road, Melbourne (S/0109) - around 22 dwellings
- E** Station Road, Melbourne (S/0256) - around 24 dwellings
- F** Acresford Road, Overseal (S/0250) - around 70 dwellings
- G** Valley Road, Overseal (S/0022) - around 64 dwellings
- H** Milton Road, Repton (S/0101) - around 40 dwellings
- I** Mount Pleasant Road, Repton (S/088) - around 24 dwellings
- J** Off Kingfisher Way, Willington (S/0266) - around 50 dwellings
- K** Oak Close, Castle Gresley (S/0239) - around 55 dwellings
- L** Linton Road, Rosliston (S/0154) - around 20 dwellings
- M** Linton Road, Rosliston (S/0160) - around 14 dwellings
- N** Midland Road, Swadlincote (S/0133) - around 57 dwellings
- O** Cadley Hill, Swadlincote (S/0161) - around 99 dwellings
- P** Land north of Scropton Road, Scropton (S/0291) - around 10 dwellings
- Q** Montracon Site, Woodville (S/0292) - around 60 dwellings
- R** Stenson Fields (S/0206) - around 50 dwellings

() refers to SHLAA number

Maps of the allocations can be seen from page 7 of the Draft Local Plan Part 2.

The sites are not anticipated to require significant on-site infrastructure due to their size. However, contributions will be sought towards healthcare, education, open space as well as other requirements where appropriate.

At this stage, the sites are suggested for allocation based on information already gathered. Further information will continue to be collected to ensure that the sites put forward as part of the submitted plan are demonstrably deliverable.

BNE9: Local Green Spaces (LGS's)

The Draft Local Plan Part 2 identifies areas of LGS. This is a way of providing special protection against development for green areas of particular importance to local communities. They are not a tool to simply prevent unwanted development, indeed Government policy is clear that designation will not be appropriate for most green areas.

LGS's have been identified in the following settlements:

Aston on Trent	Boundary	Etwall	Findern
Hartshorne	Hatton	Hilton	Melbourne
Milton	Netherseal	Overseal	Repton
Rosliston	Shardlow	Ticknall	Willington

Maps of the LGS's can be seen at Appendix C of the Draft Local Plan Part 2.

Many sites were suggested to us through the initial consultation, some of which have been included. If you have further information on a site already suggested or would like to propose a new site explaining how it meets the LGS criteria below, please submit the information and we will give these due consideration.

The LGS Criteria used are as follows:

- Not an extensive tract of land
- Not Local Authority/Parish Owned/Fields in Trust
- Is demonstrably special and holds significance
 - Tranquillity
 - Richness of Wildlife
 - Beauty
 - Historic
 - Recreational
- Reasonably close to community it serves

SDT1: Settlement Boundaries and Development

Settlement Boundaries define the built limits of a settlement and distinguish between it and the countryside. Areas outside of settlement boundaries are considered to be countryside. There is a presumption on favour of development (subject to meeting other material considerations) within settlement boundaries whereas in the countryside other policies apply, such as BNE5, BNE6 in the Part 2 and E7 of the Local Plan Part 1.

Comments are invited on the proposed settlements boundaries which can be seen within Appendix A of the Draft Local Plan Part 2.

This leaflet is a summary, please refer to the consultation document for further information, which is available at: www.south-derbys.gov.uk/localplanpart2

South Derbyshire Local Plan Part 2

The Local Plan is being prepared in two parts. The Local Plan Part 1 was adopted on 13th June 2016 and contains strategic housing and employment allocations and other key policies. Part 2 is concerned with smaller housing sites (known as non-strategic housing allocations) and more detailed Development Management Policies.

This consultation invites your comments on the Local Plan Part 2 in the following areas:

- Proposed housing allocations
- Proposed Local Green Spaces
- Proposed settlement boundaries
- Development management policies

What's in the room?

- Exhibition boards
- Reference copies of the full documents
- Maps of the proposed housing allocations
- Maps of the proposed settlement boundaries
- Maps of the proposed Local Green Spaces
- Summary leaflet
- A questionnaire

We have more work to do before we can publish a Pre-Submission Local Plan Part 2 and hearing your views is part of the process as we develop the Part 2 Plan.

**Please submit your
comments by 5pm on
15th August 2016**

Non-Strategic Housing Site Options

The Local Plan Part 2 will allocate non-strategic housing sites (less than 100 dwellings), which together should provide capacity for the delivery of a minimum of 600 dwellings across the District. This will form part of the overall strategy set out in Policy S4 of the Local Plan Part 1.

The housing allocations have been selected from sites held on the Strategic Housing Land Availability Assessment (SHLAA) database. This is an ongoing mechanism for landowners, developers and agents to submit and promote sites to the Council, which they consider to be suitable for development. Hundreds of SHLAA sites have been submitted to the Council, of which only a small number have been allocated in the Local Plan Part 1 or suggested for inclusion in the Local Plan Part 2. The SHLAA sites may be viewed at Local Plan Part 2 Appendix B.

The proposed allocations are as follows:

- A Moor Lane, Aston (S/0271) - around 40 dwellings**
- B Jacksons Lane, Etwall (S/0284) - around 52 dwellings**
- C Derby Road, Hilton (S/0023) - around 40 dwellings**
- D Station Road, Melbourne (S/0109) - around 22 dwellings**
- E Station Road, Melbourne (S/0256) - around 24 dwellings**
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- G Valley Road, Overseal (S/0022) - around 64 dwellings**
- H Milton Road, Repton (S/0101) - around 40 dwellings**
- I Mount Pleasant Road, Repton (S/088) - around 24 dwellings**
- J Off Kingfisher Way, Willington (S/0266) - around 50 dwellings**
- K Oak Close, Castle Gresley (S/0239) - around 55 dwellings**
- L Linton Road, Rosliston (S/0154) - around 20 dwellings**
- M Linton Road, Rosliston (S/0160) - around 14 dwellings**
- N Midland Road, Swadlincote (S/0133) - around 57 dwellings**
- O Cadley Hill, Swadlincote (S/0161) - around 99 dwellings**
- P Land north of Scropton Road, Scropton (S/0291) - around 10 dwellings**
- Q Montracon Site, Woodville (S/0292) - around 60 dwellings**
- R Stenson Fields (S/0206) - around 50 dwellings**

() refers to SHLAA number

The proposed allocations are not anticipated to provide significant new facilities on site due to their size. However, contributions will be sought towards healthcare, education, open space and other provision to meet the needs of residents where appropriate.

The sites are identified for allocation on the basis of currently available information. Further information will continue to be collected to ensure that the sites are deliverable before finally being put forward as part of the submitted plan.

Maps of the allocations are set out in the Draft Local Plan Part 2 from page 7 onwards and are available to view in the exhibition room.

Settlement Boundaries

Settlement boundaries define the built limits of a settlement and distinguish between it and the countryside. Areas outside of settlement boundaries are considered to be countryside.

Boundaries are defined for Swadlincote, including Woodville, and those settlements identified (in Policy H1: Settlement Hierarchy of the Part 1 Plan) as Key Service Villages, Local Service Villages and some Rural Villages (where a compact group of dwellings exists).

Settlement boundaries have been reviewed to:

- Ensure that they are logical and reflect what is on the ground
- Incorporate land allocations
- Take account of responses to the initial consultation on the Part 2 Plan.

The settlement boundaries maps in Appendix A and in the room show:

- The proposed settlement boundary - purple dash line ()
- The adopted Local Plan (1998) settlement boundary - orange line ()

Local Green Spaces

The Local Plan Part 2 identifies areas of Local Green Space. This is a way of providing special protection against development on green areas that are of particular importance

Local Green Spaces have been identified in the following settlements:

- Aston on Trent
- Boundary
- Etwall
- Findern
- Hartshorne
- Hatton
- Hilton
- Melbourne
- Milton
- Netherseal
- Overseal
- Repton
- Rosliston
- Shardlow
- Ticknall
- Willington

The Local Green Space maps are identified at Appendix C of the Local Plan Part 2 and are available to view in this room.

Many potential sites were suggested through the initial consultation, some of which have been included as Local Green Spaces. If you have further information on these, or wish to propose new sites, then please submit the information, explaining how any new sites meet the Local Green Space criteria set out below, and we will give it due consideration.

Local Green Space Criteria

- Not an extensive tract of land
- Not Local Authority/Parish Owned/Fields in Trust
- Demonstrably special and holds significance
 - Tranquillity
 - Richness of Wildlife
 - Beauty
 - Historic
 - Recreation
- Reasonably close to community it serves

Part 2 Policies

The consultation document proposes Development Management policies for the Local Plan Part 2, which, once adopted, will be used alongside those in the Local Plan Part 1 to guide the Council in making decisions on planning applications. Where the same policy chapter headings exist within both parts of the plan, the policy numbers within Part 2 continue on from those within the Local Plan Part 1.

Settlement Development

Policy SD1: Settlement Boundaries and Development: *The policy establishes which settlements have settlement boundaries and that outside of settlement boundaries land will be considered as countryside. The policy states that within settlement boundaries development will be permitted where it accords with the development plan.*

Housing

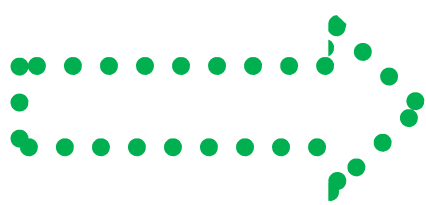
Policy H23: Non Strategic Housing Allocations: *The policy sets out the proposed housing allocations and the key considerations relating to each of the sites.*

Policy H24: Replacement Dwellings in the Countryside

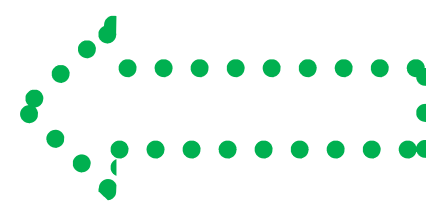
Policy H25: Rural Workers Dwelling

Policy H28: Residential Conversions

These policies seek to allow: extensions to residential curtilages within the countryside and development within residential curtilages - provided particular criteria are met.



These policies seek to allow appropriate housing development within the countryside, provided particular criteria are met.



Policy H26: Residential Gardens within the Countryside
Policy H27: Residential Extensions and other Householder Development

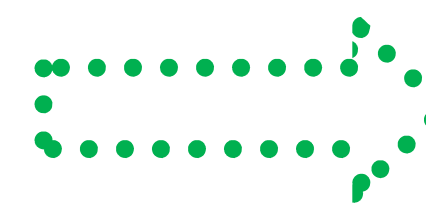
Built and Natural Environment

Policy BNE5: Development in the Countryside

Policy BNE6: Agricultural Development

Policy BNE8: Trees, Woodland and Hedgerows

These policies seek to provide the appropriate safeguards to ensure that development which must take place in countryside does not lead to unacceptable environmental effects



National Planning Policy requires an appropriate balance to be struck between supporting a prosperous rural economy and conserving and enhancing the natural environment.

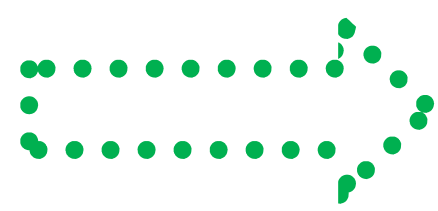
Policy BNE7: Marina Development: *The policy seeks to allow new marinas, further development or redevelopment of existing marinas and the provision of permanent berths, provided particular criteria are met.*

Policy BNE9: Local Green Spaces: *The policy allocates areas of particular importance to local communities that meet the necessary criteria, in order to protect them from future development.*

Part 2 Policies

Policy BNE11: Heritage

Policy BNE12: Shopfronts



South Derbyshire has a wealth of designated and non-designated heritage assets. It is important that the fabric of heritage assets is maintained to ensure their continued contribution to the economic prosperity of the District and their protection for future generations.

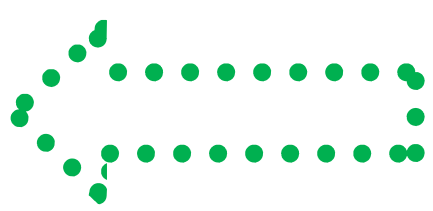
Policy BNE10: Advertisements and Visual Pollution: Advertisements, street furniture and smaller scale infrastructure can significantly affect the overall appearance and feel of an area. This policy seeks to ensure that such development is appropriately controlled.

Policy BNE13: Former Power Station, Drakelow: The policy seeks to support the comprehensive redevelopment of this previously developed site.

Retail

Policy RTL1: Swadlincote Town Centre

**Policy RTL2: Swadlincote Town Centre
Potential Redevelopment
Sites**



The policies are intended to protect and enhance the vitality and viability of Swadlincote by directing retail, office, leisure and other main town centre development to this location and resisting out of town centre development, except for facilities to meet local needs in villages and in new and existing local centres.

Policy RTL3: Local Centres and Villages

Infrastructure

Policy INF11: Telecommunications: The policy seeks to strike a balance between delivering infrastructure and preserving landscape and buildings of particular importance.

Policy INF12: Provision of Education Facilities: The policy seeks to safeguard land for a new secondary school, in a location to be identified by Derbyshire County Council.

What has changed since the first consultation?

Removal of policies for:

“Infill” - The policy has now been incorporated into BNE5: Development in the Countryside.

“Recreation Uses in the Countryside” - The policy has been removed as it overlapped with INF9 Open Space, Sport and INF10 Tourism Development of the Adopted Local Plan Part 1.

“Non Permanent Dwellings” - The policy has has been replaced by Policy BNE7, which solely considers Marina Development. This is because development considered under Part A of Policy H29 is sufficiently covered by other policies in the Local Plan. Similarly so with development associated with canal-side moorings, which had been covered by Part C. What remained outstanding therefore was development either associated with existing marinas, or for new marinas.

New policies:

BNE7: Marina Development

BNE13: Former Power Station, Drakelow

Timetable and how to respond

Your views and comments are important in helping to shape the Local Plan. The plan will be made available for consultation for a period of 8 weeks and any comments must be submitted before 5pm on the 15th August. The responses will help us draw up the Pre-Submission Local Plan Part 2.

A questionnaire is available at this event; on our website; at the Council Offices and at all South Derbyshire libraries and Burton on Trent, Chellaston, Mickleover and Sinfen Libraries.

Website: www.south-derbys.gov.uk/localplanpart2

Email: **planning.policy@south-derbys.gov.uk**

Postal Address:
Planning Policy
South Derbyshire District Council
Civic Offices, Civic Way
Swadlincote
DE11 0AH

Phone: **01283 228735**

The table below summarises the preparation stages for the Local Plan Part 2:

Local Plan Part 2 Consultation – December 2015 – February 2016

**Draft Local Plan Part 2
Consultation – June 2016**

Pre-Submission Local Plan Part 2 Consultation – October 2016

Submission – December 2016

Public Examination – date to be confirmed following submission

Adoption – Mid 2017

Drop-in events as next phase of Local Plan Part 2 consultation launched

A series of drop-in events to give members of the public the opportunity to comment on future development in their area has been announced.

The second phase of consultation on South Derbyshire District Council's Local Plan Part 2, which will allocate sites in the District for developments of fewer than 100 homes and identify local green spaces to be protected up to 2028, has been launched.

Following the first round of consultation between December 2015 and February this year, a draft document has been produced and it is this – as well as a Sustainability Appraisal, Habitats Regulations Screening Assessment and Draft Consultation Statement – that people are invited to consider.

The details of the seven scheduled drop-in events across the District are as follows:

- Repton Village Hall, Repton – 2.30pm to 6.45pm on Wednesday, June 22;
- Hilton Village Hall, Hilton - 1.30pm to 5.45pm on Monday, June 27;
- Aston-on-Trent Primary School – 5pm to 7.45pm on Tuesday, June 28;
- Frank Wickham Hall, Etwall – 1.30pm to 6.15pm on Thursday, July 7;
- Rosliston Village Hall, Rosliston – 2.30pm to 7.30pm on Friday, July 8;
- Goseley Community Centre, Hartshorne – 2.30pm to 7.30pm on Tuesday, July 12;
- and
- Swadlincote Market, The Delph – 10am to 2pm on Friday, July 1.

All consultation documents can be found online at www.south-derbys.gov.uk/localplanpart2, while reference copies are also available at the Council's Civic Offices in Swadlincote and at all local libraries.

Comments will be accepted until 5pm on August 15, 2016.

The aim is to submit Part 2 to an independent Government Inspector by the end of this year, with a planned adoption in summer 2017.

Last week, the Local Plan Part 1 – which addresses development requirements over the period 2011 to 2028 and considers how 12,618 additional homes in that period, as well as 53 hectares of new employment land, will meet needs – was officially adopted by the Council.

It came after a Government Inspector ruled that the plan was 'sound' and legally compliant, meaning the Plan is now a formal document ready for planning teams to use.

June 20th, 2016

Opportunity for the public to comment on future development

A DROP-in to give members of the public the opportunity to comment on future development in their area has been announced.

The second phase of consultation on South Derbyshire District Council's Local Plan Part 2, which will allocate sites in the district for developments of fewer than 100 homes and identify green spaces to be protected up to 2028, has been launched.

Following the first round of consultation between December 2015 and February this year, a draft document has been produced and it is this – as well as a Sustainability Appraisal, Habitats Regulations Screening Assessment and Draft Consultation Statement – that people are invited to consider.

A drop-in session for the public to look and scrutinise the plans will take place in Swadlincote on Friday, July 1. It will be held at the Delph between 10am until 2pm.

All consultation documents can be found online at: www.south-derbys.gov.uk/localplanpart2, while reference copies are also available at the Council's Civic Offices in Swadlincote and at all libraries.

Comments will be accepted until 5pm on August 15.

The aim is to submit Part 2 to an independent government Inspector by the end of this year, with a planned adoption in summer 2017.

Volunteers wanted to run community

COUNCILLORS AGREE TO CLOSE CHILDREN'S CENTRE

28 further centres to be closed to help save the authority £4.7 million from their budget

By LEE GARRETT

NEW HALL'S Children's Centre will now close in its current form after councillors agreed to shut it and 28 other centres as part of massive budget cuts.

The decision was made last week at a full cabinet meeting of Derbyshire County Council, where following an extensive review into proposals, it was agreed to close the facilities to help save the authority £4.7 million from their budget.

The cuts come after the budget for children's services has already been cut from £127m to £90, with the authority stating that that figure will then be slashed to around £68m by 2019.

Speaking of the decision,



Councillor Jim Coyle, the authority's cabinet member for children's services, said: "We don't want to be in a position where we have to reduce services or close facilities like children's centres, but we faced a difficult

decision and had to make a very difficult choice.

"Our children's centres and the staff who run them play an important role in supporting the town's young people and their families but the review showed that reduced budgets meant we had to consider some closures."

The review, which saw

faces, Cllr Coyle continued: "We're facing unprecedented financial pressures but will continue to work hard to provide the highest possible standard of services for children and young people and join forces with our partner organisations to make the best possible use of our dwindling resources."

At a closer level, the loss

Two Ibstock schools have lead stolen from the roof

TWO schools in Ibstock have become victims of theft after having lead taken from their buildings.

St Denys Infant School in Laud Close, and Ibstock Junior School in Melbourne Road both had lead taken from their roofs.

The thefts are said to have taken place between 5pm on Friday, June 3 and 7am on Monday, June 6.

A spokesperson for Leicestershire Police said: "Do you know who is responsible for these incidents? Did you see anyone acting suspiciously over that weekend in the Ibstock area?"

"Get in touch with us and call 101 with information."

The incident happened when a suspect climbed existing scaffold.

Drop-in event to comment on future development

PEOPLE are being reminded that a drop-in event to comment on the future of development in their area is being held today.

The consultation, on South Derbyshire District Council's Local Plan Part 2, will be running today (July 1) during the Swadlincote Market at the Delph.

Running from 10am until 2pm, the opportunity will be there for people to say have their on how the district council will allocate site in the area for developments of fewer than 100 homes as well as identifying green spaces to be protected up to the year 2028.

Comments will be accepted on the Local Plan Part 2 until August 15.

TONI ON A MISSION TACKLE FOOD WASTE

Emphasis is on making exchanging food as easy and fun as

By LEE GARRETT

A GRANDMOTHER with a passion for cooking is on a mission to get South Derbyshire swapping food as part of a war on waste.

Toni Dean has been appointed community lead for Olio, a smartphone app being trialled in the district for the first time outside of London in conjunction with the Sainsbury's Waste less, Save more initiative. Since the app's launch the Olio community has expanded in Swadlincote, allowing people to share surplus or unwanted food by posting pictures of it and inviting each other to collect what might otherwise have been binned.

The emphasis is on making exchanging food as easy and fun as possible, giving people a go-to place to post and swap items and showing hints and tips on how to create delicious dishes by using food that could well be sat in the back of a cupboard or bottom of a



fridge.

Ms Dean will spend the coming months championing Olio by visiting various community events and groups to spread the word of its benefits.

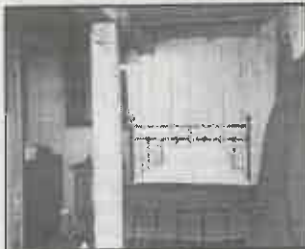
The grandmother-of-two said:

"I joined the app as I really liked the concept and wanted to be part of the food-sharing community. I then saw a job opening as community lead and realised that, with my keen interest in the subject and my previous

experience, I re

of it. "With children the value that has

LAMBS TO THE SLAUGHTER



A subterranean German bunker

to pass through my fingers; rich with iron from shell splinters and human-worth returned to dust. I stood where Coalville's Sergeant Major J. R. Hill won his D.C.M. for saving the life of his officer and where my grandfather and others were trying to dig a forward trench under a heavy enemy bombardment.

For a thousand yards towards Gommecourt Wood, I



German machine-gunners

bles of thunder – but no barrage.

I was satisfied to have experienced such emotions, furthered my compassion, my appreciation and understanding of my grandfather's generation: the finest this country has ever produced – we will never see their like again!

The photograph shows those

reunions.

Along the Somme, despite the first day casualties, the attack continued and several days of fighting were made, indeed the German line was almost breached on July 14th.

A lull in fighting was required to regain strength and reorganisation. Both British and French command

I wrote the following poem nearly forty years ago.

SOME OF THE SOMME

Steely sharp stars, perhaps they are all shooting stars
Pierce the satanic black sky on this wretched winter's night.
Steely sharp stars with one being the god of war, Mars,
Compel soldiers on the Somme to dwell only for the fight.

Crisp, frosty evening air, yet it is foul and gaseous air,
Stinging eyes and nostrils with its deathly rancid stench.

Crisp, frosty evening air and the Devil may care,
For suffering soldiers lurching in the shadowy trenches.

Good cheer for a harmonica:
"It's a long way to Tipperary",
And even further for the

German Spring hoped to capture the British Army under German back, which is flanking British 3rd Armies to

The Germans Montdidier and of Arras before held as their co became distant will have heard Roses of Picard memorate the ing the above b

Who was to ing days of the the planners b the seven day Day', but could underrating

Sparkling diamond duo



THIS King's Newton couple are a pair of diamonds as they celebrate 60 years of married life.

Bryan and Eileen Hardy, of Trent Lane, tied the knot at Boulton St Mary's Church in Alvaston on June 30, 1956.

They celebrated their 60th anniversary at The Bay Tree in Melbourne in a family occasion attended by two of their bridesmaids.

Bryan and Eileen met at Rolls-Royce in Derby at a Christmas dinner dance when both were working at the materials testing laboratory.

Eileen was 16 when she joined the department as a junior typist and Bryan was 18.

The couple moved to King's Newton in 1960 and had four children in the 1960s: Graeme, Simon, Alison and Sarah – but sadness came in 1981 when Simon was

killed in a motorbike accident in King's Newton aged only 18.

While Bryan continued to work for Rolls-Royce for 44 years, Eileen left but went on to have several jobs in Melbourne, including getting up at five in the morning in order to bunch onions at the Earp market garden in King's Newton, working in the stocking factory in Castle Square and, for 26 years, at British Midland. She was also a parish councillor in the 1970s.

Today the couple have four grandchildren who all live locally: Aimee, Gemma, Connor and Rhys.

As for the secret of a long marriage? "I'd like to tell you there was never a cross word but that wouldn't be true!" says Bryan.

"It's all about give and take," added Eileen.

Plan is in place to shape our future

THE blueprint that will guide the scale of future home building in South Derbyshire has been officially adopted.

After a lengthy process of drafting and consultation, which originated back in 2009, South Derbyshire District Council's Local Plan Part 1 was finally adopted on June 13. It sets the long-term vision, objectives and strategy for development in this district and provides a framework both for promoting and controlling it.

It addresses the housing requirements for 12,618 additional homes until 2028 as well as 53 hectares of new employment land, and it sets out how and where those needs will be met.

Following hearings and public consultations, a Government Inspector has ruled that the plan is 'sound' and legally compliant – paving the way for the district's elected councillors to adopt it.

The district council met in June to approve it and, although there were some concerns raised about its sustainability by the opposition Labour group, the plan was adopted and is now a formal document ready for planning teams to use.

Council Chief Executive Frank McArdle said: "The Local Plan Part 1 is all about guiding and shaping the future of our district in a sustainable way, so it's a vitally important document to have in place.

"Officers have worked extremely hard to get it to this point. Their expertise has been invaluable and we're very grateful to them for helping to get things over this final hurdle.

"The document will help us to move forward with a focus on our corporate plan themes of people, place and progress as we seek continuous improvement for South Derbyshire."

There are no plans for any strategic housing sites in any of the local villages and it outlines one of the core objectives as "sustaining the vitality and viability of Melbourne through a combination of careful control over land uses and more widely through enhanced leisure and cultural facilities".

Housing for the smaller villages is being addressed in Part 2 of the Local Plan, which has been revised following consultation, and is once again out for further public con-

sultation

Scheduled drop-in events have been taking place in villages which are going to be particularly impacted, including Repton, Hilton, Aston on Trent, Etwell, Rosliston, Hartshorne and Swadlincote.

No event was planned in Melbourne as there is no additional housing envisaged in this area.

Comments on the plan can be made until August 15.

The intention is to submit Part 2 to the inspector by the end of this year, with a planned adoption in summer 2017.

Meanwhile, Melbourne's first draft Neighbourhood Development Plan has received an informal nod of approval from both the district planning team and from the local parish council.

The next stage is to raise a questionnaire about the content for the wider distribution and consultation in the village.

The draft plan is consistent with the revised Local Plan Part 2 and it is hoped that these emerging findings will influence applications which are currently in process.

– Frank Hughes

Art in the frame

MELBOURNE Art Group held its annual exhibition at Melbourne Assembly Rooms where visitors enjoyed free entry and refreshments.

Many of the images displayed were in a variety of different media including watercolour, acrylic, pen and ink and pencil. Handmade cards were available for sale with the proceeds going to charity.

The group meetings take place at





South Derbyshire DC @SDDC · Jul 12

Local Plan Part 2 consultation drop-in event today - Goseley Community Centre, Hartshorne, 2.30-7.30pm bit.ly/28IZu6M

🔗 1 ❤️ ...



South Derbyshire DC @SDDC · Jul 8

Local Plan Part 2 consultation drop-in event today - 2.30-7.30pm at Rosliston Village Hall bit.ly/28IZu6M

🔗 2 ❤️ 1 ...



South Derbyshire DC @SDDC · Jul 7

Local Plan Part 2 consultation drop-in event today - Frank Wickham Hall, Etwall, 1.30-6.15pm bit.ly/28IZu6M

🔗 ❤️ ...



South Derbyshire DC @SDDC · Jul 1

Local Plan Part 2 consultation drop-in event today - 10am-2pm at Swadlincote Market on The Delph bit.ly/28IZu6M

🔗 2 ❤️ 1 ...



South Derbyshire DC @SDDC · Jun 28

Local Plan Part 2 consultation drop-in event today - 5pm-7.45pm at Aston-on-Trent Primary School bit.ly/28IZu6M

🔗 ❤️ ...



South Derbyshire DC @SDDC · Jun 27

Local Plan Part 2 consultation drop-in event today - 1.30-5.45pm at Hilton Village Hall bit.ly/28IZu6M

🔗 2 ❤️ ...



South Derbyshire DC @SDDC · Jun 22

Local Plan Part 2 consultation drop-in event today - 2.30-6.45pm at Repton Village Hall bit.ly/28IZu6M

🔗 2 ❤️ ...

Pre-Submission Local Plan Part 2

Appendix C1:	Letter sent/emailed to all consultees on the Local Plan database
Appendix C2:	Letter sent to South Derbyshire Parish Councils/Meetings
Appendix C3:	Letter sent to South Derbyshire's MP
Appendix C4	Letter sent/emailed to all consultees on the Local Plan database 24/10/2016
Appendix C5:	Letter to Parish Meetings 24/10/2016
Appendix C6:	Letter to Parish Councils 24/10/2016
Appendix C7:	Letter to four consultees 27/10/2016
Appendix C8:	Advert on screen in South Derbyshire District Councils main reception
Appendix C9:	Banner
Appendix C10:	Representation form
Appendix C11:	Summary Leaflet
Appendix C12:	Consultation Display Boards
Appendix C13:	1 st Press Release
Appendix C14:	2 nd Press Release
Appendix C15:	Poster



**South
Derbyshire**
District Council

Director of Community and Planning
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: planning.policy@south-derbys.gov.uk

Our ref:

Your ref:

Date: 12/10/2016

Dear Resident/Consultee

South Derbyshire Pre-Submission Local Plan Part 2:

We would like to invite you to comment on South Derbyshire's Pre-Submission Local Plan Part 2 and accompanying documents: Sustainability Appraisal, Consultation Statement, and Habitats Regulations Screening Report.

Representations at this stage must be on the grounds of soundness, legal and procedural compliance and whether the plan is in conformity with the Duty to Cooperate. The representations received will be considered by an independent Planning Inspector at an examination in public (date to be set).

The Pre-Submission Local Plan Part 2 consultation will run from the **10am on 14th October 2016** until 5pm on 25th November 2016.

The enclosed Statement of Representations Procedure contains further information regarding the upcoming consultation, including where to view consultation material and how to make representations.

Yours faithfully

Nicola Sworowski
Planning Policy Manager



Statement of Representation Procedure and Availability of Documents
Regulation 19, 20 and 35 of the Town and Country Planning (Local Planning)
(England) Regulations 2012

Title of document:

South Derbyshire District Council Pre-Submission Local Plan Part 2

The subject matter of and areas covered by the Pre-Submission Local Plan Part 2 is:

South Derbyshire District Council will publish its Pre-Submission Local Plan Part 2 for consultation prior to its submission to the Government for independent examination.

South Derbyshire's Pre-Submission Local Plan Part 2 comprises non-strategic housing allocations, defines Settlement Boundaries, and contains development management policies. It will be used to guide development (along with Adopted Local Plan Part 1) in the determination of planning applications in the District up to 2028.

Period of publication for representations:

The consultation on the Pre-Submission Local Plan part 2 and accompanying documents runs for a period of 6 weeks beginning on 14th October 2016 until 5pm on 25th November 2016.

Statement of fact:

From 10am on 14th October 2016 copies of South Derbyshire's Pre-Submission Local Plan Part 2 and its accompanying documents, including the representation form, will be available to view on the Councils website at:
www.south-derbys.gov.uk/localplanpart2

From 10am on 14th October 2016 all proposed submission documents will also be available for inspection at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH, during normal opening hours (excluding bank holidays).

Hard copies of the Pre-Submission Local Plan Part 2 and accompanying documents including representation forms will also be available for inspection, during normal opening hours (excluding bank holidays) from 10am on 14th October 2016 at:

- Libraries throughout the District, including mobile libraries
- The following libraries outside the District: Burton upon Trent, Chellaston, Mickleover and Sinfin

In addition the Council has also organised two 'drop in' events where members of the Planning Policy Team will be available to answer any questions regarding the consultation. The 'drop in' events will take place in the following locations:

- Aston on Trent War Memorial Hall, Aston on Trent, Weston Road, DE72 2AS on 25th October between 2.30pm to 7.30pm
- Frank Wickham Hall, Portland Street, Etwall, DE65 6JF on 3rd November between 2.30pm to 7.30pm

Furthermore between **9.30am** and **2pm** at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH on the below dates, members of the Planning Policy Team will be available to answer questions regarding the consultation:

- Thursday 20th October
- Thursday 27th October
- Thursday 3rd November
- Thursday 10th November
- Thursday 17th November
- Thursday 24th November

Representations

Representations should be made using the prescribed form. The representation form can be downloaded to complete from the Council's website at www.south-derbys.gov.uk/localplanpart2

Completed representation forms can be emailed to: planning.policy@south-derbys.gov.uk or posted to: Planning Policy Team, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.

A paper copy of the representation form can also be provided by phoning 01283 228735 or an electronic copy by emailing planning.policy@south-derbys.gov.uk

All comments received will be submitted to the Secretary of State and considered as part of a public examination by an independent Planning Inspector. Representations at this stage should only be made in regards to the legal and procedural compliance of the Local Plan, the soundness of the Local Plan and whether the Local Plan is in conformity with the Duty to Cooperate.

Notification request:

Using the representation form you can request to be notified at an address/email address of the following:

- i. The submission of the Local Plan Part 2 for independent examination
- ii. Publication of the recommendation of any person appointed to carry out an independent examination of the Local Plan Part 2
- iii. The adoption of South Derbyshire Local Plan Part 2

For further information please contact Planning Policy on 01283 228735 or planning.policy@south-derbys.gov.uk



**South
Derbyshire**
District Council

Director of Community and Planning
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: planning.policy@south-derbys.gov.uk

Our ref:

Your ref:

Date: 11/10/2016

Dear Parish Council/Meeting

South Derbyshire Pre-Submission Local Plan Part 2:

We would like to invite you to comment on South Derbyshire's Pre-Submission Local Plan Part 2 and accompanying documents: Sustainability Appraisal, Consultation Statement, and Habitats Regulations Screening Report.

Representations at this stage must be on the grounds of soundness, legal and procedural compliance and whether the plan is in conformity with the Duty to Cooperate. The representations received will be considered by an independent Planning Inspector at an examination in public. The date of which will be set once the Plan has been submitted and considered by the Inspector

The Pre-Submission Local Plan Part 2 consultation will run from **10am on 14th October 2016** until 5pm on 25th November 2016.

The enclosed Statement of Representations Procedure contains further information regarding the upcoming consultation, including where to view consultation material and how to make representations. Also enclosed is a copy of the Pre-Submission Local Plan Part 2, summary leaflets and consultation response forms.

Yours faithfully

Nicola Sworowski
Planning Policy Manager



Statement of Representation Procedure and Availability of Documents
Regulation 19, 20 and 35 of the Town and Country Planning (Local Planning)
(England) Regulations 2012

Title of document:

South Derbyshire District Council Pre-Submission Local Plan Part 2

The subject matter of and areas covered by the Pre-Submission Local Plan Part 2 is:

South Derbyshire District Council will publish its Pre-Submission Local Plan Part 2 for consultation prior to its submission to the Government for independent examination.

South Derbyshire's Pre-Submission Local Plan Part 2 comprises non-strategic housing allocations, defines Settlement Boundaries, and contains development management policies. It will be used to guide development (along with Adopted Local Plan Part 1) in the determination of planning applications in the District up to 2028.

Period of publication for representations:

The consultation on the Pre-Submission Local Plan part 2 and accompanying documents runs for a period of 6 weeks beginning on 14th October 2016 until 5pm on 25th November 2016.

Statement of fact:

From 10am on 14th October 2016 copies of South Derbyshire's Pre-Submission Local Plan Part 2 and its accompanying documents, including the representation form, will be available to view on the Councils website at:
www.south-derbys.gov.uk/localplanpart2

From 10am on 14th October 2016 all proposed submission documents will also be available for inspection at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH, during normal opening hours (excluding bank holidays).

Hard copies of the Pre-Submission Local Plan Part 2 and accompanying documents including representation forms will also be available for inspection, during normal opening hours (excluding bank holidays) from 10am on 14th October 2016 at:

- Libraries throughout the District, including mobile libraries
- The following libraries outside the District: Burton upon Trent, Chellaston, Mickleover and Sinfin

In addition the Council has also organised two 'drop in' events where members of the Planning Policy Team will be available to answer any questions regarding the consultation. The 'drop in' events will take place in the following locations:

- Aston on Trent War Memorial Hall, Aston on Trent, Weston Road, DE72 2AS on 25th October between 2.30pm to 7.30pm
- Frank Wickham Hall, Portland Street, Etwall, DE65 6JF on 3rd November between 2.30pm to 7.30pm

Furthermore between **9.30am** and **2pm** at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH on the below dates, members of the Planning Policy Team will be available to answer questions regarding the consultation:

- Thursday 20th October
- Thursday 27th October
- Thursday 3rd November
- Thursday 10th November
- Thursday 17th November
- Thursday 24th November

Representations

Representations should be made using the prescribed form. The representation form can be downloaded to complete from the Council's website at www.south-derbys.gov.uk/localplanpart2

Completed representation forms can be emailed to: planning.policy@south-derbys.gov.uk or posted to: Planning Policy Team, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.

A paper copy of the representation form can also be provided by phoning 01283 228735 or an electronic copy by emailing planning.policy@south-derbys.gov.uk

All comments received will be submitted to the Secretary of State and considered as part of a public examination by an independent Planning Inspector. Representations at this stage should only be made in regards to the legal and procedural compliance of the Local Plan, the soundness of the Local Plan and whether the Local Plan is in conformity with the Duty to Cooperate.

Notification request:

Using the representation form you can request to be notified at an address/email address of the following:

- i. The submission of the Local Plan Part 2 for independent examination
- ii. Publication of the recommendation of any person appointed to carry out an independent examination of the Local Plan Part 2
- iii. The adoption of South Derbyshire Local Plan Part 2

For further information please contact Planning Policy on 01283 228735 or planning.policy@south-derbys.gov.uk



**South
Derbyshire**
District Council

Director of Community and Planning
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Nicola Sworowski

Phone: (01283) 595821

Fax: (01283) 595850

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: planning.policy@south-derbys.gov.uk

Our ref:

Your ref:

Date: 14/10/2016

Dear Heather Wheeler MP,

South Derbyshire Pre-Submission Local Plan Part 2

This letter is to inform you of progress on South Derbyshire's Local Plan Part 2 and accompanying documents: Sustainability Appraisal, Habitats Regulations Screening Assessment and Consultation Statement.

You may recall that the Council consulted on the Local Plan Part 2 between December 2015 and February 2016 and again between June and August 2016. We have considered the representations received in response to these consultations and have undertaken some additional evidence gathering, which has informed and helped us to produce a Pre-Submission Local Plan Part 2.

The Pre-Submission Local Plan Part 2 is currently out for consultation. Representations at this stage must be on the grounds of soundness or the legal and procedural compliance (including conformity with the Duty to Cooperate) of the Pre-Submission documents. The representations received will be considered by an independent Planning Inspector at the Local Plan's examination in public.

The enclosed Statement of Representations Procedure contains further information regarding the consultation, including where to view consultation material and how to make representations. More information regarding the Pre-Submission Local Plan Part 2 can be found on the web link: www.south-derbys.gov.uk/localplanpart2 Comments are invited on all documents up until 5pm on 25th November 2016.

Any comments you wish to make as the Member of Parliament would also, of course, be most welcome.

Yours sincerely,

Nicola Sworowski
Planning Policy Manager



Statement of Representation Procedure and Availability of Documents
Regulation 19, 20 and 35 of the Town and Country Planning (Local Planning)
(England) Regulations 2012

Title of document:

South Derbyshire District Council Pre-Submission Local Plan Part 2

The subject matter of and areas covered by the Pre-Submission Local Plan Part 2 is:

South Derbyshire District Council will publish its Pre-Submission Local Plan Part 2 for consultation prior to its submission to the Government for independent examination.

South Derbyshire's Pre-Submission Local Plan Part 2 comprises non-strategic housing allocations, defines Settlement Boundaries, and contains development management policies. It will be used to guide development (along with Adopted Local Plan Part 1) in the determination of planning applications in the District up to 2028.

Period of publication for representations:

The consultation on the Pre-Submission Local Plan part 2 and accompanying documents runs for a period of 6 weeks beginning on 14th October 2016 until 5pm on 25th November 2016.

Statement of fact:

From 10am on 14th October 2016 copies of South Derbyshire's Pre-Submission Local Plan Part 2 and its accompanying documents, including the representation form, will be available to view on the Councils website at:
www.south-derbys.gov.uk/localplanpart2

From 10am on 14th October 2016 all proposed submission documents will also be available for inspection at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH, during normal opening hours (excluding bank holidays).

Hard copies of the Pre-Submission Local Plan Part 2 and accompanying documents including representation forms will also be available for inspection, during normal opening hours (excluding bank holidays) from 10am on 14th October 2016 at:

- Libraries throughout the District, including mobile libraries
- The following libraries outside the District: Burton upon Trent, Chellaston, Mickleover and Sinfin

In addition the Council has also organised two 'drop in' events where members of the Planning Policy Team will be available to answer any questions regarding the consultation. The 'drop in' events will take place in the following locations:

- Aston on Trent War Memorial Hall, Aston on Trent, Weston Road, DE72 2AS on 25th October between 2.30pm to 7.30pm
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Furthermore between **9.30am** and **2pm** at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH on the below dates, members of the Planning Policy Team will be available to answer questions regarding the consultation:

- Thursday 20th October
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- Thursday 24th November

Representations

Representations should be made using the prescribed form. The representation form can be downloaded to complete from the Council's website at www.south-derbys.gov.uk/localplanpart2

Completed representation forms can be emailed to: planning.policy@south-derbys.gov.uk or posted to: Planning Policy Team, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.

A paper copy of the representation form can also be provided by phoning 01283 228735 or an electronic copy by emailing planning.policy@south-derbys.gov.uk

All comments received will be submitted to the Secretary of State and considered as part of a public examination by an independent Planning Inspector. Representations at this stage should only be made in regards to the legal and procedural compliance of the Local Plan, the soundness of the Local Plan and whether the Local Plan is in conformity with the Duty to Cooperate.

Notification request:

Using the representation form you can request to be notified at an address/email address of the following:

- i. The submission of the Local Plan Part 2 for independent examination
- ii. Publication of the recommendation of any person appointed to carry out an independent examination of the Local Plan Part 2
- iii. The adoption of South Derbyshire Local Plan Part 2

For further information please contact Planning Policy on 01283 228735 or planning.policy@south-derbys.gov.uk



Please ask for Planning Policy team
 Phone (01283) 228735
 Typetalk (0870) 2409598
 DX 23912 Swadlincote
planning.policy@south-derbys.gov.uk

Our Ref
 Your Ref: LP2/pre-submission

24 October 2016

Dear Consultee

South Derbyshire Pre-Submission Local Plan Part 2:

We have previously sent you information regarding the above consultation. It has come to our attention that the Pre-Submission version did not contain paragraph numbers. This has been rectified and the document has been re-issued online and in Libraries. All the information regarding the consultation can be seen at:

www.south-derbys.gov.uk/localplanpart2

Whilst the document content has not changed we feel it is appropriate to extend the consultation until **5pm on the 7th December 2016**. An updated copy of the Statement of Representation Procedure is included with the letter. All responses to the consultation should be emailed to planning.policy@south-derbys.gov.uk or posted to the Council Offices at the address shown below.

If you have any questions regarding the consultation then please use the email address: planning.policy@south-derbys.gov.uk or 01283 228735.

Yours faithfully

Nicola Sworowski
Planning Policy Manager

Statement of Representation Procedure and Availability of Documents
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South Derbyshire's Pre-Submission Local Plan Part 2 comprises non-strategic housing allocations, defines Settlement Boundaries, and contains development management policies. It will be used to guide development (along with Adopted Local Plan Part 1) in the determination of planning applications in the District up to 2028.

Period of publication for representations:

The consultation on the Pre-Submission Local Plan part 2 and accompanying documents runs for a period of 6 weeks beginning on 14th October 2016 until 5pm on 7th December 2016. This has been extended from the 25th November 2016 due to an administrative error.

Statement of fact:

From 10am on 14th October 2016 copies of South Derbyshire's Pre-Submission Local Plan Part 2 and its accompanying documents, including the representation form, will be available to view on the Councils website at:
www.south-derbys.gov.uk/localplanpart2

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All comments received will be submitted to the Secretary of State and considered as part of a public examination by an independent Planning Inspector. Representations at this stage should only be made in regards to the legal and procedural compliance of the Local Plan, the soundness of the Local Plan and whether the Local Plan is in conformity with the Duty to Cooperate.

Notification request:

Using the representation form you can request to be notified at an address/email address of the following:

- i. The submission of the Local Plan Part 2 for independent examination
- ii. Publication of the recommendation of any person appointed to carry out an independent examination of the Local Plan Part 2
- iii. The adoption of South Derbyshire Local Plan Part 2

For further information please contact Planning Policy on 01283 228735 or planning.policy@south-derbys.gov.uk



Please ask for Planning Policy team
Phone (01283) 228735
Typetalk (0870) 2409598
DX 23912 Swadlincote
planning.policy@south-derbys.gov.uk

Our Ref
Your Ref: LP2/pre-submission

24 October 2016

Dear Parish Meeting

South Derbyshire Pre-Submission Local Plan Part 2:

We have previously sent you information regarding the above consultation. It has come to our attention that the Pre-Submission version did not contain paragraph numbers. This has been rectified and the document has been re-issued online and in Libraries. An updated version of the Plan (and Statement of Representation procedure) is included in this envelope. Appendix A has not been re-printed as this is not affected.

Whilst the document content has not changed we feel it is appropriate to extend the consultation until **5pm** on the **7th December 2016**. All responses should be emailed to planning.policy@south-derbys.gov.uk or posted to the Council Offices address below.

If you have any questions regarding the consultation then please use the email address: planning.policy@south-derbys.gov.uk or 01283 228735.

Yours faithfully

Nicola Sworowski
Planning Policy Manager



Please ask for Planning Policy team
 Phone (01283) 228735
 Typetalk (0870) 2409598
 DX 23912 Swadlincote
planning.policy@south-derbys.gov.uk

Our Ref
 Your Ref: LP2/pre-submission

24 October 2016

Dear Parish Council

South Derbyshire Pre-Submission Local Plan Part 2:

We have previously sent you information regarding the above consultation. It has come to our attention that the Pre-Submission version did not contain paragraph numbers. This has been rectified and the document has been re-issued online and in Libraries. An updated version of the Plan (and Statement of Representation procedure) is included in this envelope. Appendix A has not been re-printed as this is not affected.

Whilst the document content has not changed we feel it is appropriate to extend the consultation until **5pm** on the **7th December 2016**. All responses should be emailed to planning.policy@south-derbys.gov.uk or posted to the Council Offices address below.

If you have any questions regarding the consultation then please use the email address: planning.policy@south-derbys.gov.uk or 01283 228735.

Yours faithfully

Nicola Sworowski
Planning Policy Manager



Please ask for Planning Policy team
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 DX 23912 Swadlincote
planning.policy@south-derbys.gov.uk

Our Ref
 Your Ref: LP2/pre-submission

27 October 2016

Dear

South Derbyshire Pre-Submission Local Plan Part 2:

Since receiving your consultation response to the Pre-Submission Local Plan Part 2, it has come to our attention that the Pre-Submission version did not contain paragraph numbers. This has been rectified and the document has been re-issued online and in Libraries. All the information regarding the consultation can be seen at:
www.south-derbys.gov.uk/localplanpart2

Whilst the document content has not changed we feel it is appropriate to extend the consultation until **5pm** on the **7th December 2016**.

We have checked your response and it would seem that no paragraph numbers would be required to make your representation clearer to the Inspector. However, if you wish to replace your consultation response due to this alteration, please submit your amended representation form/s by 5pm on the 7th December 2016. If no further response is received, we will submit your existing representation to the Secretary of State to be considered as part of a public examination, by an independent Planning Inspector.

If you have any questions regarding your response or the consultation then please use the email address: planning.policy@south-derbys.gov.uk or 01283 228735.

Yours faithfully

Nicola Sworowski
Planning Policy Manager



**South
Derbyshire**
District Council
Community and
Planning Services

Local Plan Consultation

South Derbyshire Pre- Submission Local Plan Part 2



Have your say. For further information visit:
www.south-derbys.gov.uk/localplanpart2



South Derbyshire District Council

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South Derbyshire Pre Submission Local Plan PART 2

Pre-Submission Local Plan Part 2

South Derbyshire District Council is now consulting upon its Pre-Submission Local Plan Part 2. Have your say!

Contact us

Contact Details

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South Derbyshire District Council

Pre-Submission Local Plan Part 2 Response Form

This form is for making representations to the Pre-Submission Local Plan Part 2.

This consultation offers an opportunity to comment on the Local Plan Part 2 before it is submitted to the Planning Inspectorate for independent examination. An independent Inspector will be appointed to examine the Plan and will consider responses alongside the Plan.

Representations at this stage of the plan making process must be made on the grounds of legal compliance, the duty to cooperate and the soundness of the Plan.

Legal Compliance and Duty to Cooperate

To be legally compliant the local plan has to be prepared in accordance within the Duty to Cooperate and legal and procedural requirements. This is set out by legislation and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Test of Soundness

The National Planning Policy Framework 2012 (paragraph 182) sets out the following in regards to Local Plan soundness:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

If you wish to make representations seeking change to the Local Plan Part 2 (or part of) you should make clear what you want to be changed, why and where possible state exactly how the Development Plan Document should be changed. Your representation should cover concisely all the information, evidence and supporting information necessary to support/justify the representation and suggested change. There will not normally be a subsequent opportunity to make further representation at publication stage.

After this stage, further submission will only be at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

General Guidance

- All respondents need to complete Part A – Your Contact Details
- All respondents need to complete Part B. **Please complete separate forms for each representation you wish to make**
- **If you are part of a group that shares a common view**, it would be helpful for the group to send in a single representation, rather than multiple representation forms stating the same comment. Please indicate how many people are represented and how it has been authorised (e.g. by a list with contact details for each person).

Where do I send the completed forms?

You can email your completed response form to: planning.policy@south-derbys.gov.uk or you can print and post your completed form to: **Planning Policy Team, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH**

Completed forms must be received no later than **5pm on 7th December 2016**

Please contact the Planning Policy Team on planning.policy@south-derbys.gov.uk or by phoning 01283 595921 if you have any queries.



All information provided will be treated in confidence and in accordance with the Data Protection Act 1998. We will only use the information to develop the Local Plan. As a part of the reporting process for this consultation only your name, organisation and comments will be published where this information is given.

Part A – Your Contact Details

If you are an agent, please specify the name of the organisation you are representing.

Name

Organisation

Address (including postcode)

Telephone number

E-mail address

Part B – Your Representation

Please use a separate form for each representation you wish to make.

Q1) Name of the Development Plan Document (DPD) to which this representation relates:

Q2) To which part of the Development Plan Document does this representation relate?

Paragraph no

Policy Reference

Q3) Do you consider the Local Plan is ...

3.1) Legally Compliant Yes ☐ No ☐

3.2) Sound Yes ☐ No ☐

3.3) Complies with the Yes ☐ No ☐

Duty to co-operate

Q4) If you consider the Development Plan Document to be unsound, do you consider this to be because it is not...

4.1) Positively Prepared ☐

4.2) Justified ☐

4.3) Effective ☐

4.4) Consistent with National Policy ☐

*(Please tick only **one** option; a separate form should be used if you wish to raise more than one concern).*

Q5) Please give details of why you consider the Development Plan Document is not legally compliant or is unsound. Please be precise as possible.

If you wish to support the legal compliance or soundness of the Development Plan Document, please also use this box to make your comments.

(Continue on a separate sheet/expand box if necessary)

Q6) Please explain what change(s) you think should be made to the Development Plan Document to make it legally compliant and/or sound. You will need to say why this change will make the Development Plan Document legally compliant and/or sound. Any revised wording of the policy or text would be helpful. Please be as precise as possible.

(Continue on a separate sheet/expand box if necessary)

Please note your representation should cover concisely all the information, evidence and supporting information necessary to support/justify the representation and suggested change, as there will not normally be a subsequent opportunity to make further representation at publication stage.

After this stage, further submission will only be at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

Q7) If your representation is seeking change, do you consider it necessary to participate at the oral part of the examination?

No I do not wish to participate at the oral examination ☐

Yes I do wish to participate at the oral examination ☐

If you select No, your representation(s) will still be considered by the Independent Planning Inspector by way of written representations.

Q8) If the answer to question 7 is yes, please explain why you consider it is necessary to participate at the oral part of the examination.

(Continue on a separate sheet/expand box if necessary)

Please note that the Planning Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the Examination In Public.

Q8a) Did you raise this matter at previous stages of the Local Plan process:

Yes ☐

No ☐

Q8b) If Yes, please specify at what stage:

Q9) I would like to be notified of the following events (please tick those that apply)

- I. That the Local Plan Part 2 has been submitted to the Secretary of State for Examination ☐
- II. That the person appointed to carry out the examination has published their representation ☐
- III. That the Local Plan Part 2 has been formally adopted by the Council ☐

How to respond....

Representations should be made using the prescribed representation form

Reference copies of the Pre-Submission Local Plan Part 2 and accompanying documents, together with representation forms to complete are available:

- From the District Council Offices
- To download from:
www.south-derbyshire.gov.uk/localplanpart2
- At all South Derbyshire libraries and the following libraries outside the District: Burton upon Trent, Chellaston, Mickleover and Sinfin



Completed representation forms can be emailed to:
planning.policy@south-derbys.gov.uk



Or posted to: **Planning Policy Team, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH**



All comments received will be submitted to the Secretary of State and considered as part of a public examination by an independent Planning Inspector.

**Please submit your comments by
5pm on 7th December 2016**

What happens next....



Pre-Submission Local Plan Part 2 Consultation - October 2016



Submission - January 2017



Public Examination - date to be confirmed following submission



Adoption - Summer 2017

What is this consultation about?.....

The Pre-Submission Local Plan Part 2 comprises non-strategic housing allocations, defines Settlement Boundaries, and contains development management policies. Once adopted the document will be used (along with Adopted Local Plan Part 1) to guide the Council in making decisions on planning applications in the District.

Representations made at this stage should only be made in regards to soundness, legal and procedural compliance and conformity with the Duty to Co-operate.

Soundness.....

The National Planning Policy Framework says that in order to be sound, the Local Plan should be:

- ✓ **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- ✓ **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- ✓ **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- ✓ **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Legal and Procedural Requirements.....

Representations in relation to the legal compliance of the Local Plan should consider whether it has been prepared in accordance with relevant **national policies, Local Plan Regulations, Statement of Community Involvement** and subjected to **Sustainability Appraisal** and **assessment in accordance with Habitats Regulation**.

Duty to Co-operate

Section 110 of the Localism Act 2011 introduced a 'Duty to Co-operate'. Local Authorities are required to work with neighbouring authorities and other prescribed bodies in preparing Development Plan Documents. Local Authorities must "engage constructively, actively and on an ongoing basis" during the preparation of Local Plans when they relate to strategic matters. Strategic matters are defined as development including infrastructure that "would have a significant impact on at least two planning areas"

Housing Allocations

The Local Plan Part 2 allocates non-strategic housing sites (less than 100 dwellings) for a minimum of 600 dwellings across the District. This is part of the overall strategy for the District set out in policy S4 of the Local Plan Part 1.

The proposed allocations are set out in the table below and maps of each site can be seen in the Pre-Submission document.

Reference	Site	No. of Dwellings
H23A	Moor Lane, Aston on Trent	Up to 42*
H23B	Jacksons Lane, Etwall	Up to 50*
H23C	Derby Road, Hilton	Up to 43*
H23D	Station Road, Melbourne	Up to 46
H23E	Acresford Road, Overseal	Up to 70
H23F	Valley Road, Overseal	Up to 64
H23G	Milton Road, Repton	Up to 25*
H23H	Mount Pleasant Road, Repton	Up to 24
H23I	Off Kingfisher Way, Willington	Up to 50
H23J	Oak Close, Castle Gresley	Up to 55
H23K	Midland Road, Swadlincote	Up to 57
H23L	Land north of Scropton Road, Scropton	Up to 10
H23M	Montracon Site, Woodville	Up to 95*
H23N	Stenson Fields	Up to 70*

* Dwelling numbers have changed from the Draft Local Plan Part 2

BNE8 Local Green Spaces (LGS)

The allocation of LGS is a way of providing special protection against development for green areas of particular importance to local communities.

The District Council has previously consulted on proposed LGS through the Draft Local Plan and has contacted individual landowners. Due to the level of interest and consequent further work required, the Council has decided to establish the principle of LGS in this document, but designate the areas within a separate Development Plan Document.

Local Plan Policies

SETTLEMENT DEVELOPMENT

SDT1: Settlement Boundaries and Development

HOUSING POLICIES

H23: Non-Strategic Housing Allocations
H24: Replacement Dwellings in the Countryside
H25: Rural Workers' Dwellings
H26: Residential Gardens in the Countryside
H27: Residential Extensions and Other Householder Development
H28: Residential Conversions

BUILT AND NATURAL ENVIRONMENT POLICIES

BNE5: Development in the Countryside
BNE6: Agricultural Development
BNE7: Trees, Woodland and Hedgerows
BNE8: Local Green Spaces
BNE9: Advertisements and Visual Pollution
BNE10: Heritage
BNE11: Shopfronts
BNE12: Former Power Station Land

RETAIL POLICIES

RTL1: Retail Hierachy
RTL2: Swadlincote Town Centre Potential Redevelopment Sites

INFRASTRUCTURE POLICIES

INF11: Telecommunications
INF12: Provision of Secondary Education Facilities

REMOVED POLICIES FROM THE PLAN

BNE7: Marina Development
RTL3: Local Centres and Villages

South Derbyshire Pre-Submission Local Plan Part 2

Welcome to our Pre-Submission Local Plan Part 2 consultation

As you may remember, South Derbyshire District Council (SDDC) consulted on its Draft Local Plan Part 2 between June and August 2016. All of the responses received during the consultation have now been considered and amendments to the Local Plan Part 2 have been made where necessary. SDDC has now produced and is consulting upon its Pre-Submission Local Plan 2.

What is this consultation about?

Representations made at this stage should only be made in regards to soundness, legal and procedural compliance, including whether the plan is in conformity with the Duty to Co-operate. The representations received will be considered by an independent Planning Inspector at a Local Plan examination in public.

Soundness:

The National Planning Policy Framework says that in order to be sound, the Local Plan should be:

- **Positively prepared**– the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

Legal and Procedural Requirements:

Representations in relation to the legal compliance of the Local Plan should consider whether it has been prepared in accordance with relevant **national policies, Local Plan Regulations, Statement of Community Involvement** and subjected to **Sustainability Appraisal** and **Habitats Regulations Assessment**.

Duty to Co-operate

Section 110 of the Localism Act 2011 introduced a 'Duty to Co-operate'. Local Authorities are required to work with neighbouring authorities and other prescribed bodies in preparing Development Plan Documents. Local Authorities must "engage constructively, actively and on an ongoing basis" during the preparation of Local Plans when they relate to strategic matters. Strategic matters are defined as development including infrastructure that "would have a significant impact on at least two planning areas".

Non-Strategic Housing Site Options

The Local Plan Part 2 will allocate non-strategic housing sites (less than 100 dwellings), which together will provide capacity for the delivery of a minimum of 600 dwellings across the District. This will form part of the overall strategy set out in Policy S4 of the Local Plan Part 1.

The housing allocations have been selected from sites held on the Strategic Housing Land Availability Assessment (SHLAA) database. This is an ongoing mechanism for landowners, developers and agents to submit and promote sites to the Council, which they consider to be suitable for development. Hundreds of SHLAA sites have been submitted to the Council, of which only a small number have been allocated in the Local Plan Part 1 or included in the Pre-Submission Local Plan Part 2.

The proposed allocations are as follows:

- H23A Moor Lane, Aston (S/0271) - up to 42 dwellings**
- H23B Jacksons Lane, Etwall (S/0284) - up to 50 dwellings**
- H23C Derby Road, Hilton (S/0299) - up to 43 dwellings**
- H23D Station Road, Melbourne (S/0109 & S/0256) - up to 46 dwellings**
- H23E Acresford Road, Overseal (S/0250) - up to 70 dwellings**
- H23F Valley Road, Overseal (S/0022) - up to 64 dwellings**
- H23G Milton Road, Repton (S/0101) - up to 25 dwellings**
- H23H Mount Pleasant Road, Repton (S/0088) - up to 24 dwellings**
- H23I Off Kingfisher Way, Willington (S/0266) - up to 50 dwellings**
- H23J Oak Close, Castle Gresley (S/0239) - up to 55 dwellings**
- H23K Midland Road, Swadlincote (S/0133) - up to 57 dwellings**
- H23L Land north of Scropton Road, Scropton (S/0291) - up to 10 dwellings**
- H23M Montracon Site, Woodville (S/0292) - up to 95 dwellings**
- H23N Stenson Fields (S/0206) - up to 70 dwellings**

() refers to SHLAA number

The proposed allocations are not anticipated to provide significant new infrastructure on site due to their size. However, contributions will be sought towards healthcare, education, open space and other provision to meet the needs of residents where appropriate.

Policy H23 provides a list of key considerations for each of the sites and sets site specific requirements for each of the allocations.

Maps of the allocations are set out in the Pre-Submission Local Plan Part 2 from page 6 onwards and are available to view in the exhibition room.

Settlement Boundaries

Settlement boundaries define the built limits of a settlement and distinguish between it and the countryside. Areas outside of settlement boundaries are considered to be countryside.

Boundaries are defined for Swadlincote, including Woodville, and those settlements identified (in Policy H1: Settlement Hierarchy of the Part 1 Plan) as Key Service Villages, Local Service Villages and some Rural Villages (where a compact group of dwellings exists).

Settlement boundaries have been reviewed to ensure that they are logical and reflect what is on the ground; incorporate allocations; and to take account of responses to the previous Local Plan Part 2 consultations.

The settlement boundaries maps in Settlement Boundaries Topic Paper and in the room show:

- The proposed settlement boundary - purple dash line (— — —)
- The adopted Local Plan (1998) settlement boundary - orange line (———)

Local Green Spaces

The allocation of Local Green Spaces is a way of providing special protection against development for green areas of particular importance to local communities. They are not a tool to simply prevent unwanted development. Indeed Government policy is clear that designation will be not be appropriate for most green areas.

The District Council has previously consulted on proposed Local Green Spaces. However further work needs to be undertaken to establish the exact location of the Local Green Spaces. Policy BNE8 establishes the principle and protection of Local Green Spaces within the District, **but proposed Local Green Space allocations will now be set out and consulted upon in a later Development Plan Document.**

Part 2 Policies

The Pre-Submission Local Plan Part 2 contains development management policies, which, once adopted, will be used alongside those in the Local Plan Part 1 to guide the Council in making decisions on planning applications. Where the same policy chapter headings exist within Part 1 and Part of the plan, the policy numbers within Part 2 continue on from those within the Local Plan Part 1.

Settlement Development

Policy SD1: Settlement Boundaries and Development: *The policy establishes which settlements have settlement boundaries and that outside of settlement boundaries land will be considered as countryside. The policy states that within settlement boundaries development will be permitted where it accords with the development plan (See Topic Paper for further information).*

Part 2 Policies

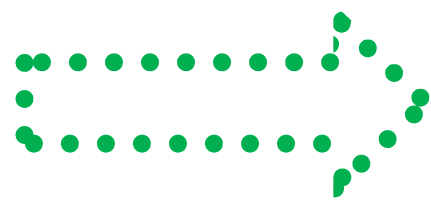
Housing

Policy H23: Non Strategic Housing Allocations: The policy sets out the proposed housing allocations, the key considerations relating to the sites and site specific requirements.

Policy H24: Replacement Dwellings in the Countryside

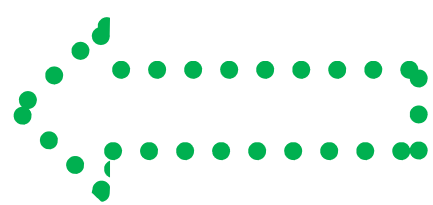
Policy H25: Rural Workers Dwelling

Policy H28: Residential Conversions



The policies seek to allow appropriate housing development within the countryside, provided particular criteria are met.

These policies seek to allow: extensions to residential curtilages within the countryside and development within residential curtilages - provided particular criteria are met.



Policy H26: Residential Gardens within the Countryside

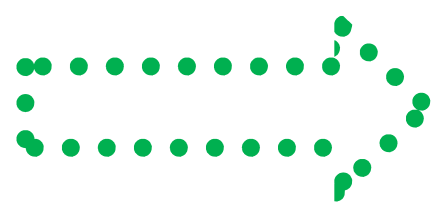
Policy H27: Residential Extensions and other Householder Development

Built and Natural Environment

Policy BNE5: Development in the Countryside

Policy BNE6: Agricultural Development

Policy BNE7: Trees, Woodland and Hedgerows



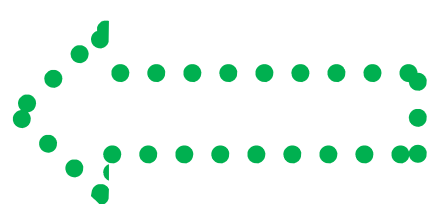
National Planning Policy requires an appropriate balance to be struck between supporting a prosperous rural economy and conserving and enhancing the natural environment.

These policies seek to provide the appropriate safeguards to ensure that development which must take place in countryside does not lead to unacceptable environmental effects

Policy BNE8: Local Green Spaces: The policy seeks the protection of Local Green Spaces and states that designations of Local Green Spaces will be made though a separate Development Plan Document.

Policy BNE9: Advertisements and Visual Pollution: Advertisements, street furniture and smaller scale infrastructure can significantly affect the overall appearance and feel of an area. This policy seeks to ensure that such development is appropriately controlled.

South Derbyshire has a wealth of designated and non-designated heritage assets. It is important that the fabric of heritage assets is maintained to ensure their continued contribution to the economic prosperity of the District and their protection for future generations.



Policy BNE10: Heritage

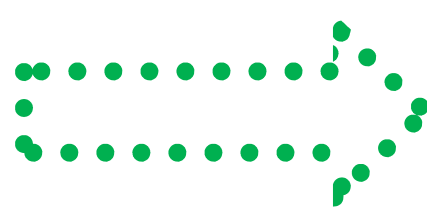
Policy BNE11: Shopfronts

Policy BNE12: Former Power Station Land: The policy seeks to support the comprehensive redevelopment of the former Drakelow Power Station and the former Willington Power Station.

Part 2 Policies

Retail

Policy RTL1: Retail Hierarchy
Policy RTL2: Swadlincote Town Centre Potential Redevelopment Sites



The policies are intended to protect and enhance the vitality and viability of Swadlincote by directing retail, office, leisure and other main town centre development to this location and resisting out of town centre development, except for facilities to meet local needs in villages and in new and existing local centres.

Infrastructure

Policy INF11: Telecommunications: *The policy seeks to strike a balance between delivering infrastructure and preserving landscape and buildings of particular importance.*

Policy INF12: Provision of Secondary Education Facilities: *The policy allocates land for a new secondary school(s), at Thulaston Fields and Lowes Farm.*

What has changed since the Draft Local Plan Part 2 consultation?

- Draft Local Plan Part 2 Policy BNE7: Marina Development** - The Canal and River Trust recommended the deletion of Policy BNE7. They were of the opinion that the policy did not add further detail to that already covered by Policy INF10 in the adopted Local Plan Part 1. The Authority agreed with this recommendation and has not carried the policy forward into the Pre-Submission Local Plan Part 2.
- Draft Local Plan Part 2 Policy RTL3: Local Centres and Villages** - The policy has been incorporated into Policy RTL1: Retail Hierarchy
- Pre-Submission Local Plan Policy H23: Non-Strategic Housing Allocations** - The policy no longer intends to allocate Land at Linton Road, Rosliston (SHLAA sites S/0154 & S/0160) and Cadley Hill, Swadlincote (SHLAA site S/0161). In addition the policy now sets site specific requirements for each housing allocation, as well as the key considerations for all sites.
- Pre-Submission Local Plan Policy BNE12: Former Power Station Land** - The policy now seeks to support the comprehensive redevelopment of the Former Willington Power Station as well as the Former Drakelow Power Station.
- Pre-Submission Local Plan Policy INF8: Local Green Spaces** - The policy no longer allocates Local Green Spaces within the Local Plan Part 2. However the policy still seeks the protection of Local Green Spaces and states that designations of Local Green Spaces will be made through a separate Development Plan Document.
- Pre-Submission Local Plan Policy INF12: Provision of Secondary Education Facilities** - Derbyshire County Council (the statutory Authority for education provision) has now selected two sites for secondary education provision. Consequentially land at Thulston Fields and Lowes Farm have been allocated within the policy.

Additional Documents

Sustainability Appraisal

A sustainability Appraisal (SA) has been prepared to accompany the Pre-Submission Local Plan Part 2 to adhere to legislation. The SA assesses the environmental, economic and social impacts of the Plan. The SA comprises the Main Report, Technical Appendices and Non-Technical Summary.

Consultation Statement

The Consultation Statement sets out how South Derbyshire District Council has undertaken community consultation and stakeholder involvement in preparation of the Pre-Submission Local Plan Part 2. The document describes the consultations undertaken, outlines who was consulted and how, presents a summary of the main issues raised and explains how they have shaped the Local Plan Part 2.

Timetable and How to Respond

This consultation on the Pre-Submission Local Plan Part 2 and accompanying documents runs for a period of 6 weeks until 25th November 2016.

Representations should be made using the prescribed representation form.

The representation form is available at this drop in events, on the District Councils website; at the Council Offices and at all South Derbyshire libraries and Burton on Trent, Chellaston, Mickleover and Sinfen Libraries.

Website: www.south-derbys.gov.uk/localplanpart2

Email: planning.policy@south-derbys.gov.uk



Postal Address:

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



Phone: **01283 228735**



All comments received will be submitted to the Secretary of State and considered as part of a public examination by an independent Planning Inspector.

**Please submit your comments by 5pm
on 25th November 2016**

Consultation on next phase of Local Plan Part 2 launched

A series of drop-in events to give members of the public the opportunity to comment on future development in their area has been announced.

The Pre-Submission consultation is the third phase of consultation on South Derbyshire District Council's Local Plan Part 2. The Plan will allocate housing sites in the District for developments of fewer than 100 homes and contains policies that will be used to guide development in the District.

Following consultation on the draft plan earlier this year, the Pre-Submission document has been produced and it is this – as well as a Sustainability Appraisal, Habitats Regulations Screening Assessment and Consultation Statement – that people are invited to consider.

The details of the scheduled drop-in events across the District are as follows:

- War Memorial Hall, Aston on Trent – 2.30pm to 7.30pm on Tuesday 25 October;
- Frank Wickham Hall, Etwell – 2.30pm to 7.30pm on Thursday 3 November;
- Civic Offices, Swadlincote – 9.30am – 2pm on the following Thursdays: 20 October; 27 October; 3 November; 10 November; 17 November and; 24 November.

All consultation documents can be found online at www.south-derbys.gov.uk/localplanpart2, while reference copies are also available at the Council's Civic Offices in Swadlincote and at all local libraries.

Comments will be accepted until 5pm on 25 November, 2016.

The aim is to submit Part 2 to an independent Government Inspector in January 2017 with adoption of the Plan in summer 2017.

October 14th, 2016

Have your say as next phase of Local Plan Part 2 consultation launched

A series of drop-in events to give members of the public the opportunity to comment on future development in their area has been announced.

The Pre-Submission consultation is the third phase of consultation on South Derbyshire District Council's Local Plan Part 2, which will allocate housing sites in the District for developments of fewer than 100 homes and contains policies that will be used to guide development in the District up to 2028.

Following consultation on the draft plan earlier this year, the Pre-Submission document has been produced and it is this – as well as a Sustainability Appraisal, Habitats Regulations Screening Assessment and Consultation Statement – that people are invited to consider.

The details of the scheduled drop-in events are as follows:

- War Memorial Hall, Aston on Trent – 2.30pm to 7.30pm on Tuesday, October 25;
- Frank Wickham Hall, Etwall – 2.30pm to 7.30pm on Thursday, November 3;
- Civic Offices, Swadlincote – 9.30am – 2pm on the following Thursdays: October 20 and 27, November 3, 10, 17 and 24.

All consultation documents can be found online at www.south-derbys.gov.uk/localplanpart2, while reference copies are also available at the Council's Civic Offices in Swadlincote and at all local libraries.

Comments will be accepted until 5pm on December 7, 2016.

The aim is to submit the Local Plan Part 2 to an independent Government Inspector in January 2017, with adoption of the Plan in summer 2017.

The Local Plan Part 1 – which addresses development requirements over the period 2011 to 2028 and considers how 12,618 additional homes in that period, as well as 53 hectares of new employment land, will meet needs – was officially adopted by the Council back in June.

It came after a Government Inspector ruled that the plan was 'sound' and legally compliant, meaning the Plan became a formal document for planning teams to use.

October 25th, 2016

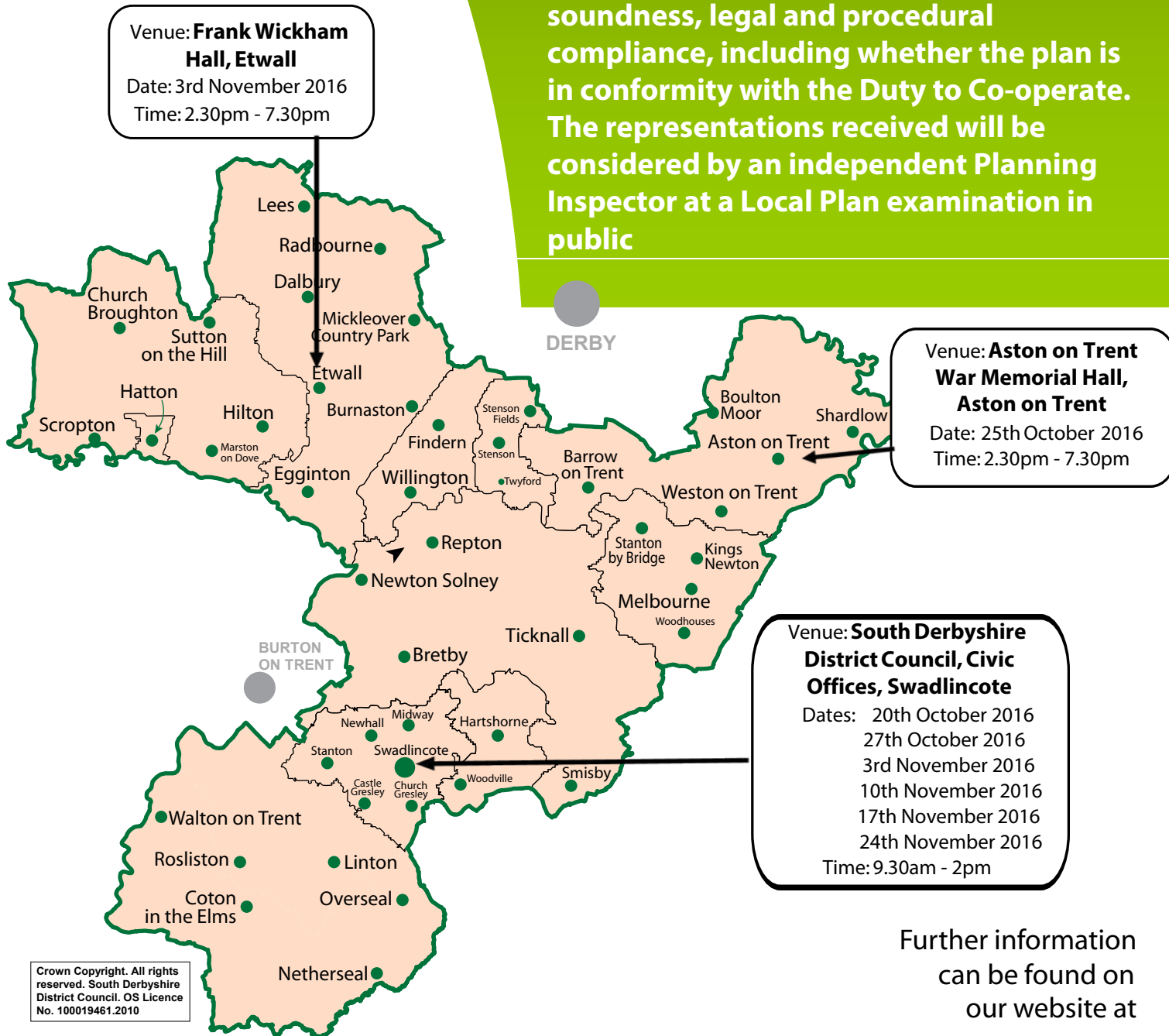


**South
Derbyshire**
District Council

Pre-Submission Local Plan Part 2

Consultation drop in event venues

This is the last opportunity to make comment on the Local Plan Part 2 before it is submitted to the Secretary of State. The purpose of the consultation is to enable people to make comments upon issues of soundness, legal and procedural compliance, including whether the plan is in conformity with the Duty to Co-operate. The representations received will be considered by an independent Planning Inspector at a Local Plan examination in public



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Further information
can be found on
our website at

www.south-derbys.gov.uk/localplanpart2

or by calling 01283 228735



**South
Derbyshire**
District Council
Community and
Planning Services

Schedule of Proposed Minor and Main Modifications to South Derbyshire Pre-Submission Local Plan Part 2

Appendix B



This document details the Council's proposed minor and main modifications to the South Derbyshire Pre-Submission Local Plan Part 2. These modifications largely seek to update the document and improve clarity and presentation.

The modifications are proposed in light of representations received during the Pre-Submission Local Plan Part 2 consultation, together with information arising since the document's publication.

The document is split into two sections. The first list the minor modifications and the second lists the main modifications.

The proposed modifications in both the minor and main modification sections are listed in the order they appear in the Pre-Submission version of the Plan. For each amendment, information on the proposed change and the reason for the change is given. Where new text is proposed it is shown in bold, 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*

The Schedule of Proposed Minor and Main Modifications is included as one of the Submission Documents for the purposes of the Examination.

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	Modified text (deleted text shown as struck through , additional text shown as bold and SDDC comments shown in <i>italics</i>)	Reasons for modification	Source of modification (including representation no. if applicable)
Introduction					
M1	1	1.1	The Local Plan is being was prepared in two parts and sets the spatial strategy for the District up to 2028. It identifies development sites and contains policies for dealing with planning applications for a range of different types of development.	To update the plan	SDDC
M2	1	1.3	Informal consultation on the Part 2 Plan took place between 15 December 2015 and 12 February 2016. Following consideration of the responses received, consultation took place on the Draft Local Plan Part 2 between 20 June and 15 August 2016. The timeframe for the remaining stages leading to adoption is set out below: Pre-Submission Local Plan Part 2 Consultation – October 2016 Submission – December 2016 Public Examination – To be confirmed following submission to PINS Adoption – May 2017.	To update the plan	SDDC
M3	1	1.4	Once adopted , Part 1 and Part 2 of the Plan should be read as a whole, as more than one policy may apply. Furthermore, once adopted , Part 1 and Part 2 of the Plan will supersede the saved policies from the 1998 Local Plan.	To update the plan	SDDC
M4	1	1.5	The following pages set out the proposed non-strategic	To update the plan	SDDC

			housing allocations and development management policies for the Local Plan Part 2, which, once adopted, will be used alongside policies in the Local Plan Part 1 in making decisions on planning applications. Where the same policy chapter headings exist within both parts of the Plan, the policy numbers within Part 2 continue on from those within Part 1. For example, the last policy within the Built and Natural Environment chapter of Part 1 Plan is BNE4, so the next policy within the Built and Natural Environment chapter within Part 2 is BNE5.		
M5	1	1.7	Like the Local Plan Part 1, Part 2 has been prepared following extensive consultation and participation from a wide range of individuals, interest groups, public service providers, infrastructure providers, investors, land owners and developers. Consultation has been undertaken in accordance with our published Statement of Community Involvement and, additionally, embedded the localism agenda being encouraged by the Government. A fuller explanation of how we have involved people in drawing up the Local Plan Part 2 can be viewed within the Consultation Statement at: www.south-derbys.gov.uk/localplanpart2	To update the plan	SDDC
M6	1	1.8	The Pre-Submission Local Plan Part 2 is supported by a robust and wide ranging technical evidence base. This includes a 'Sustainability Appraisal' of the likely significant social, economic and environmental effects of all the reasonable options considered, including the preferred strategy and policies. A Habitats Regulation Assessment (HRA) Screening Statement has also been prepared, which concludes that the Pre-Submission Local Plan Part 2 will not result in any significant harm to the River Mease Special Area of Conservation (SAC), or any other Natura 2000 site. This document forms part of the current Pre-Submission	To update the plan	SDDC

			Local Plan Part 2 consultation.		
M7	1	1.9	The Consultation Statement completes the documents for consultation. This document sets out the consultation undertaken and summarises the responses received including those from the Draft Plan consultation.	To update the plan	SDDC
	1	1.10	Documents will be written that provide additional guidance for policies in both the Part 1 and Part 2 in the form of s Supplementary Planning guidance Documents (SPDs) . Details of the SPDs are set out in the Local Development Schemes along with the timetable for consultation and implementation.	To update the plan	SDDC
Housing					
M8	5	3.1	<ul style="list-style-type: none"> Policy S4 in Part 1 of the Plan requires 600 dwellings to be allocated as non-strategic sites as part of the overall housing target of at least 12,618 dwellings. 	Change to ensure consistency with Policy S4	Framptons (60) and Framptons on behalf of McGrath Family (061)
M9	6	H23A	<ul style="list-style-type: none"> A Landscape buffer to the north, east and south west to be implemented and enhanced made to the south. 	Change for clarity	SDDC and Howard Sharp and Partners on behalf of Providence Land (027)
M10	6	H23A	<ul style="list-style-type: none"> Public open space to be provided to the eastern western part of the site. 	Change to correct reference to west rather than east of the site.	SDDC and Howard Sharp and Partners on behalf of Providence Land (027)
M11	6	H23A	<ul style="list-style-type: none"> Use of 1.5 storey dwellings along the eastern and southern edges of the site in close proximity to the southern boundary 	Change for clarity	SDDC and Howard Sharp and Partners on behalf of Providence Land (027)
M12	6	H23A	<ul style="list-style-type: none"> An off-site affordable housing contribution to be made. 	Change to provide up to date information.	SDDC
M13	7	H23B	<ul style="list-style-type: none"> Site Character area A – no more than 4 dwellings per hectare (gross) 	Change for clarity	SDDC
M14	7	H23B	<ul style="list-style-type: none"> Site Character area B – no more than 6 dwellings per 	Change for clarity	SDDC

			hectare (gross)		
M15	7	H23B	<ul style="list-style-type: none"> Site Character area C – no more than 8 dwellings per hectare (gross) 	Change for clarity	SDDC
M16	7	H23B	<ul style="list-style-type: none"> A Landscape buffer implemented along the eastern and western boundary of the site implemented and enhanced 	Change to detail	SDDC
M17	7	H23B	<ul style="list-style-type: none"> No more than 3 dwellings on the frontage of site to Egginton Road Jacksons Lane 	Change to correct reference of the road reference.	SDDC
M18	8	H23C	<ul style="list-style-type: none"> Up to 430 dwellings 	Change to ensure consistency with Policy H23	SDDC and Pegasus on behalf of Harworth (011)
M19	13	H23I	<i>Title</i> Policy 23I: Land at Mount Pleasant Road, Repton	Change to ensure consistency with Policy H23	SDDC
M20	15	H23J	<ul style="list-style-type: none"> Introduction of a landscaping buffer to all boundaries (where appropriate) of the site with an enhanced buffer required along the southern and eastern boundary A landscaping buffer to be implemented and enhanced on the south western area of the site. 	Change for clarity	SDDC
M21	15	H23J	<ul style="list-style-type: none"> Consideration of A detailed drainage issues strategy will be required 	Change for clarity	SDDC
M22	15	H23J	<ul style="list-style-type: none"> Consideration of topography and use of 1.5 storey dwellings in prominent parts of the site 	Change for clarity	SDDC
M23	18	H23M	<i>Title</i> Policy 23M: Land at Montracon, Woodville Swadlincote	Change for clarity	SDDC
M24	21	M25	i) There is an established existing essential need for an additional worker's dwelling; and	Change for clarity	SDDC
Built and Natural Environment					
M25	25-26	4.3 – 4.5	Proposals will be required to demonstrate that they are appropriate in the countryside. meet the Section A criteria. Examples of appropriate essential or unavoidable	Change following a recent appeal decision and clarity required.	SDDC

			<p>development in the countryside include forestry, agriculture, equestrianism and outdoor recreation and development allowed by other policies within the plan such as E7 and INF10 in Part 1 and H24, H25, H27 and H28 in Part 2.</p> <p>There may be other unforeseen circumstances development that could constitute unavoidable appropriate development in the countryside.</p> <p>In all cases however, it is necessary to ensure that development within the countryside should be integrated into the landscape sympathetically as possible with minimal impact. The design, layout (including density) and materials of the development should reflect the character of the countryside. In determining proposals for infill development, consideration will be given to whether the proposed scheme would result in the loss of an important gap between groups of housing.</p> <p>Should the development be considered as inappropriate within the countryside, then a further test will be applied through section B of the policy that considers the development's impact on a number of factors. The relationship to a settlement or settlements is important, as the Council want to avoid isolated unsustainable developments in the countryside.</p> <p>Where appropriate The the consideration of valued landscape character and quality will be undertaken by using the factors set out in the GLVA 3rd Edition (or further editions) which form the basis of an LVIA:</p> <ul style="list-style-type: none"> • Landscape quality (condition) • Scenic quality 		
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			<ul style="list-style-type: none"> • Rarity • Representativeness • Conservation interest • Recreation value • Perceptual aspects • Cultural Associations 		
M26	30-31	BNE10	<p>Development that affects any heritage asset will need to ensure that development proposals contribute positively to the character of the built, historic and natural environment.</p> <p>The heritage assets and their settings include:</p> <ul style="list-style-type: none"> i) Conservation Areas ii) Scheduled Monuments iii) Listed Buildings iv) Registered historic parks and gardens v) Undesignated heritage assets on the local list <p>This will be achieved in the following ways:</p> <ul style="list-style-type: none"> • All applications being accompanied by a proportionate heritage assessment, prepared with the appropriate expertise to compile the assessment. The assessment which should describes an asset's significance, identify the impacts of the proposed work and provides clear justification for the works. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence. • Seeking to maintain local distinctiveness by sensitively contributing to the creation of places with high architectural and built quality using traditional materials and techniques where appropriate. • Requiring proposed developments affecting a heritage asset or its setting, including alterations and extensions 	Change for clarity	SDDC Gladmans Development Ltd (050) Nathaniel Lichfield and Partners on behalf of Commercial Estates Group (054)

			<p>to existing buildings, to demonstrate how the proposal has taken account of design, form, scale, mass, use of traditional materials and detailing, siting and views away from and towards setting of the heritage asset, in order to ensure that the design is sympathetic and minimises harm to the asset.</p> <ul style="list-style-type: none"> Any proposed development which impacts on archaeological remains will be required to be accompanied by an archaeological evaluation of the site and statement demonstrating how it is intended to overcome the archaeological constraints of the site. Development will be resisted which would result in disturbance to Scheduled Ancient Monuments or other known archaeological sites or harm their setting or significance. Where there is an exceptional need for development, measures will be undertaken to minimise impact and preserve the site in situ. The District Council will require public display and interpretation where appropriate. Any investigation and recording of a site as part of any works will be published and archived. Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area would be through preservation or appropriate reuse and sensitive development, including enabling development. Any works should be appropriate to the asset's significance, unless it can be demonstrated that substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. 		
M27	46	INF12	<p>iv) Assessment of transport impact on the surrounding road network and pedestrian and cycle links.</p>	An assessment that will be required when the school or schools is progressed	SDDC Derbyshire County Council (057)

Main Modifications

Modification Ref.	Document Page No.	Policy/ Paragraph	Modified text (deleted text shown as struck through , additional text shown as bold and SDDC comments shown in <i>italics</i>)	Reasons for modification	Source of modification (including representation no. if applicable)
Built and Natural Environment					
MM1	25	BNE5	<p>Outside of settlement boundaries (as defined in policy SDT1), land will be considered as countryside.</p> <p>A Planning permission will be granted in the countryside where the development is:</p> <p>i) appropriate for its location in the countryside essential to a rural based activity; or</p> <p>ii) unavoidable in the countryside; or</p> <p>iii) considered to be infill that is in keeping with the character of the locality and represents the infilling of a small gap for not normally more than two dwellings, within small groups of housing.</p> <p>B If considered inappropriate by Development granted section A then planning permission will be granted in the countryside where it can be demonstrated that the development:</p> <p>i) will should not unduly impact on: landscape character and quality, biodiversity, best and most versatile land, and historic heritage assets.; and</p> <p>ii) is well related to a settlement or settlements; and</p> <p>iii) is not a valued landscape.</p>	Change following a recent appeal decision and clarity required.	SDDC
Retail					
MM2	37-38	RTL1	<p>E Outside of Defined Centres</p> <p>All retail proposals over 1,000 square metres gross will be</p>	Additional criteria to protect defined retail	SDDC

			<p>required to submit a detailed retail impact assessment</p> <p>E F Loss of Retail Loss of retail units in centres will be permitted where: i) The current use can be demonstrated to be no longer viable; and ii) The unit has been sufficiently and actively marketed for a range of retail uses over a 6 month period; and iii) The impacts arising from the resulting use do not cause an adverse effect on amenity, parking needs or highway safety.</p>	centres	
Infrastructure					
MM3			<p><i>New policy</i></p> <p>Policy INF 13 Southern Derby Area Development proposals and cross boundary collaboration will continue to be supported in the Southern Derby Area as shown on Map X for a mix of uses.</p> <p>In order to implement this development comprehensively and support the required infrastructure delivery, a joint development framework document will be prepared to ensure cross boundary collaboration between the Council, Derby City Council, Derbyshire County Council and developers. The development framework document will consider and/or identify delivery of:</p> <ul style="list-style-type: none"> • Policy H15 Wragley Way (LP1) • Policy E4 Infinity Park Extension (LP1) • The South Derby Integrated Transport Link (LP1 Policy INF4) • A new Local Shopping Centre (LP1 Policy H15 vii) • Green and Blue Infrastructure (LP1 Policy H15 ix) across the Southern Derby Area with consideration to 	Recent discussions with Derby City, Derbyshire County Council, Highways England and developers have made clear the benefit in producing a framework document to deliver the Southern Derby Area in an aligned manner.	SDDC Pegasus Planning (055)

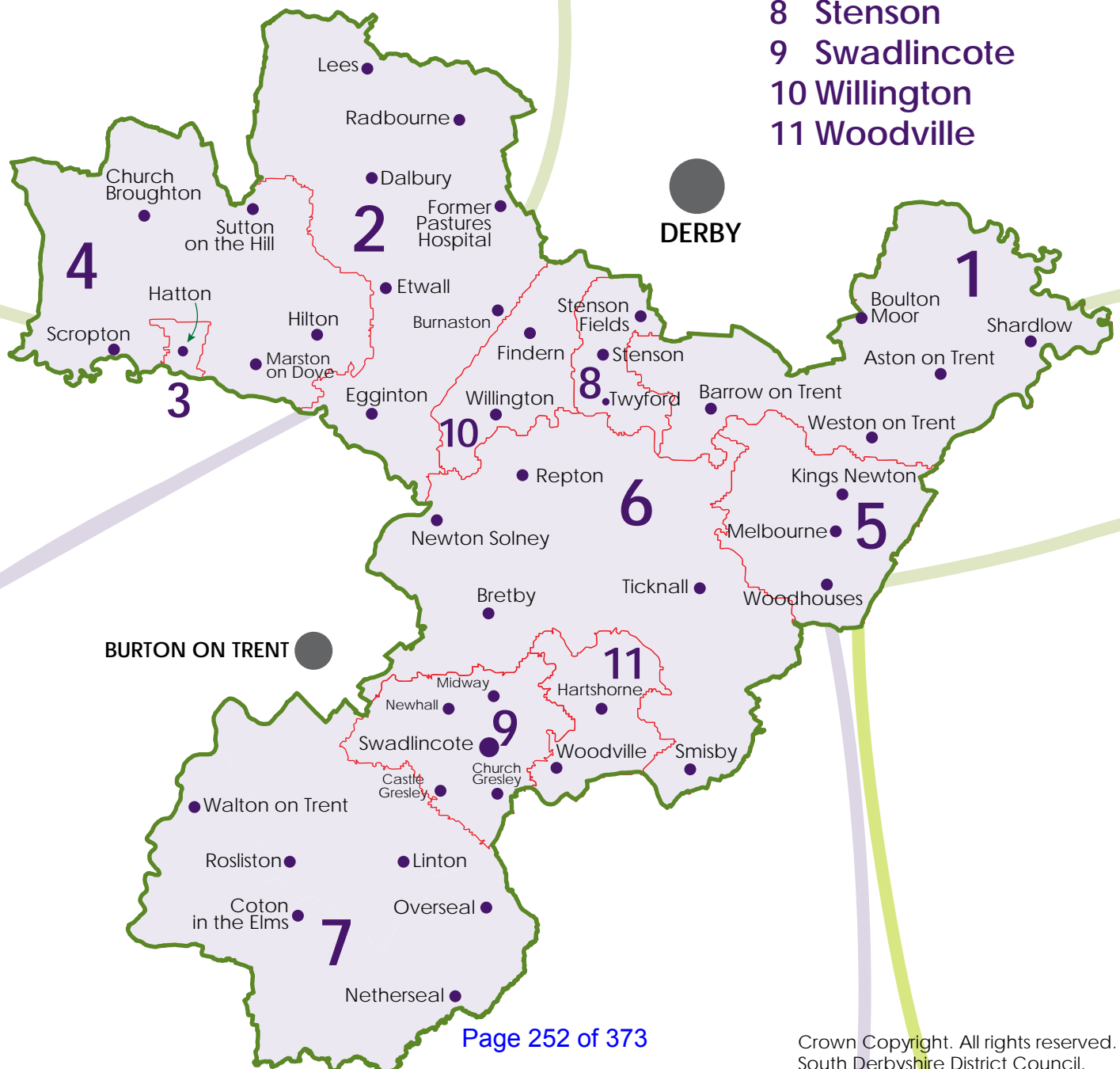
			<p>Derby City's Green Wedge policy</p> <ul style="list-style-type: none"> • Future housing and employment growth including a possible new secondary school on Lowes Farm. • An A50 junction at Deepdale Lane to serve the Southern Derby Area proposals <p>Explanation</p> <p>This policy is supported by the allocation of Wragley Way (H15) and Land at Sinfin Moor (E5) in the Local Plan Part 1 and the continued growth of Infinity Park in Derby City. In the interests of aligning the upcoming development opportunities it is important that consideration is given to the development in both administrative areas through an agreed framework document that can fully consider all the constraints and opportunities on the site to deliver the whole Southern Derby Area holistically. The document will be produced in collaboration with Derby City, Derbyshire County Council, relevant developers and landowners and Highways England.</p>		
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Proposals Maps

Proposals Maps

INDEX MAP

- 1 Aston
- 2 Etwall
- 3 Hatton
- 4 Hilton
- 5 Melbourne
- 6 Repton
- 7 Southern Villages
- 8 Stenson
- 9 Swadlincote
- 10 Willington
- 11 Woodville





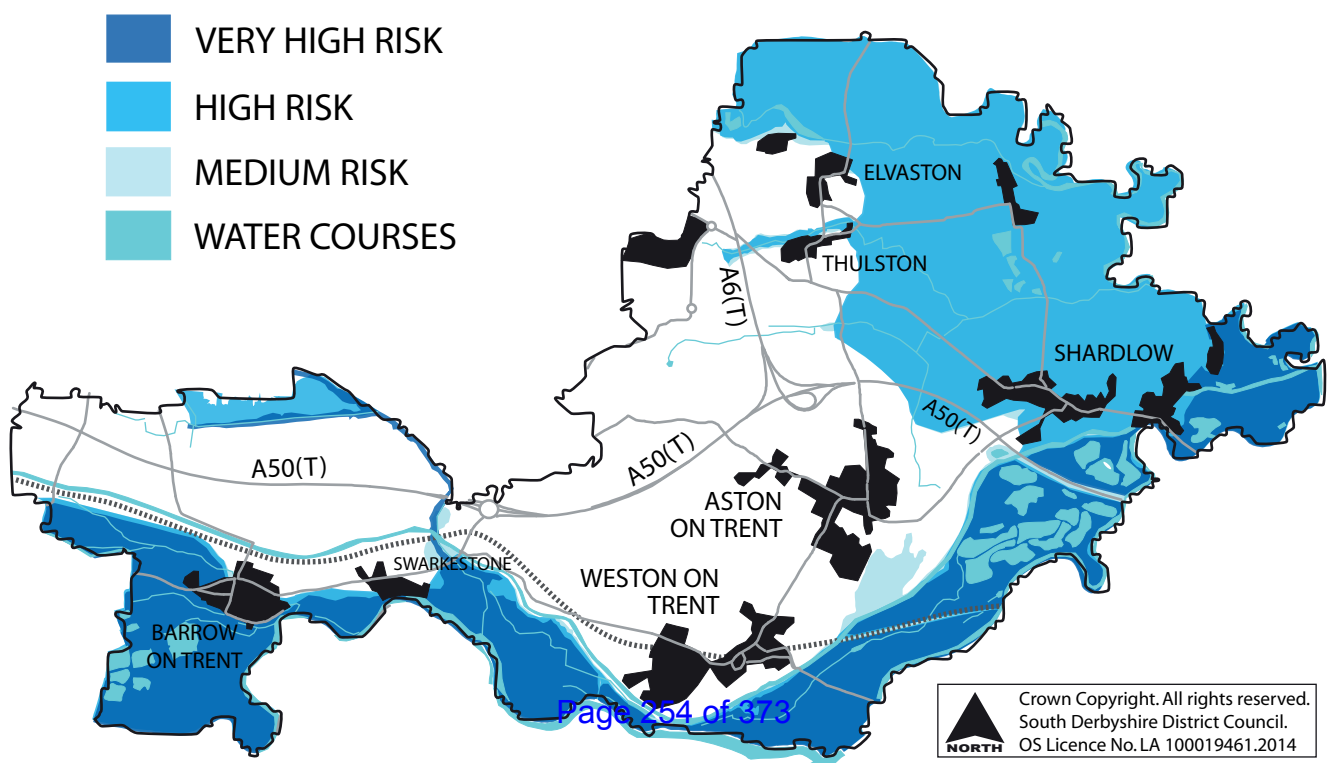
1

ASTON Area

ASTON Area



















HOUSING POLICY	HOUSING SITE
H8	Former Aston Hall Hospital, Aston on Trent
H13	Boulton Moor Phase 1 Boulton Moor Phase 2 Boulton Moor Phase 3
H14	Chellaston Fields, Chellaston
H15	Wragley Way (South of Derby)
H17	Holmleigh Way, Chellaston
H23A	Land at Moor Lane, Aston on Trent
EMPLOYMENT POLICY	EMPLOYMENT SITE
E4	The Global Technology Cluster extension – safeguarded site for employment

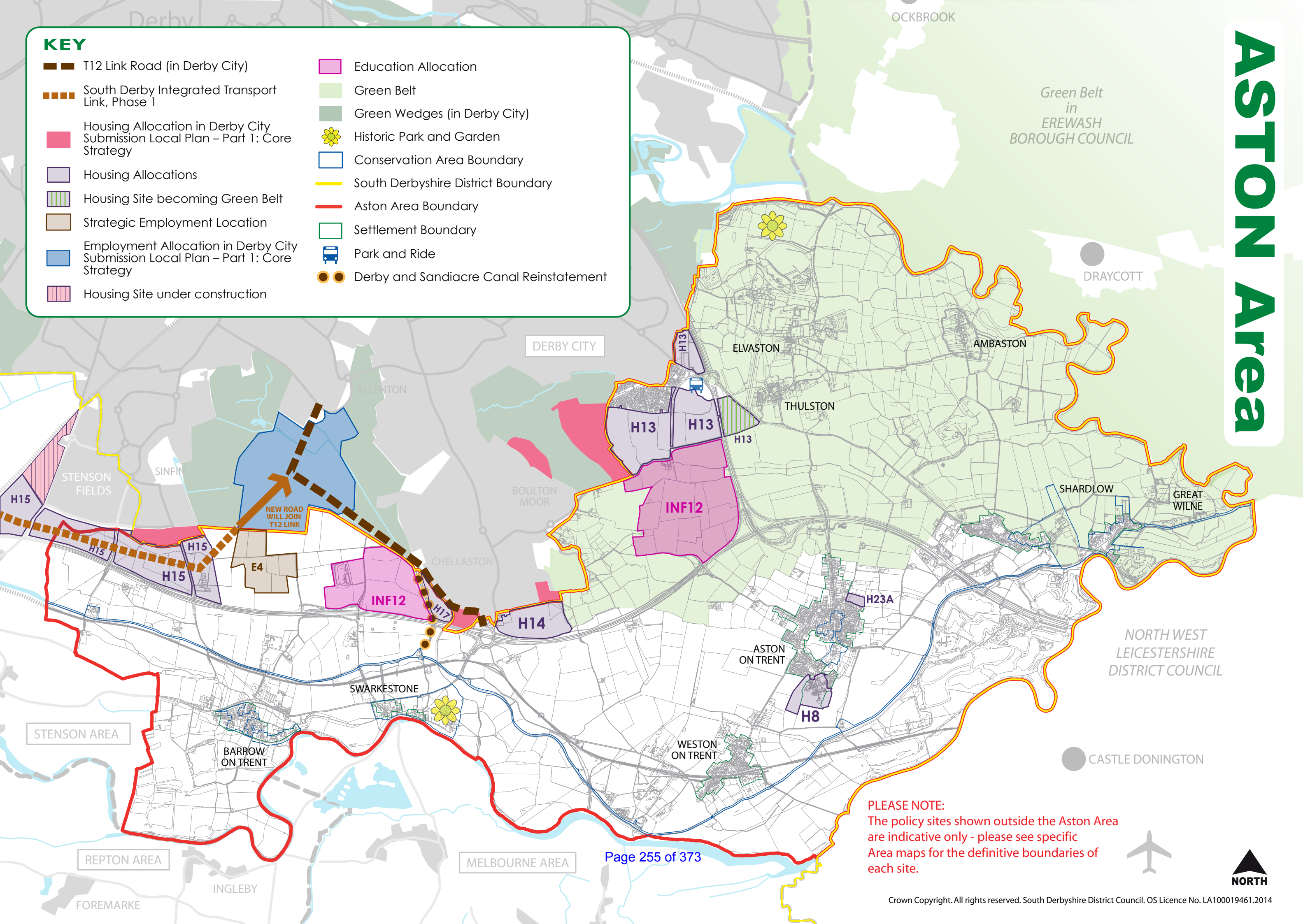
FLOOD RISK



Aston Area

KEY

-  T12 Link Road (in Derby City)
-  South Derby Integrated Transport Link, Phase 1
-  Housing Allocation in Derby City Submission Local Plan – Part 1: Core Strategy
-  Housing Allocations
-  Housing Site becoming Green Belt
-  Strategic Employment Location
-  Employment Allocation in Derby City Submission Local Plan – Part 1: Core Strategy
-  Housing Site under construction
-  Education Allocation
-  Green Belt
-  Green Wedges (in Derby City)
-  Historic Park and Garden
-  Conservation Area Boundary
-  South Derbyshire District Boundary
-  Aston Area Boundary
-  Settlement Boundary
-  Park and Ride
-  Derby and Sandiacre Canal Reinstatement



PLEASE NOTE:
The policy sites shown outside the Aston Area are indicative only - please see specific Area maps for the definitive boundaries of each site.





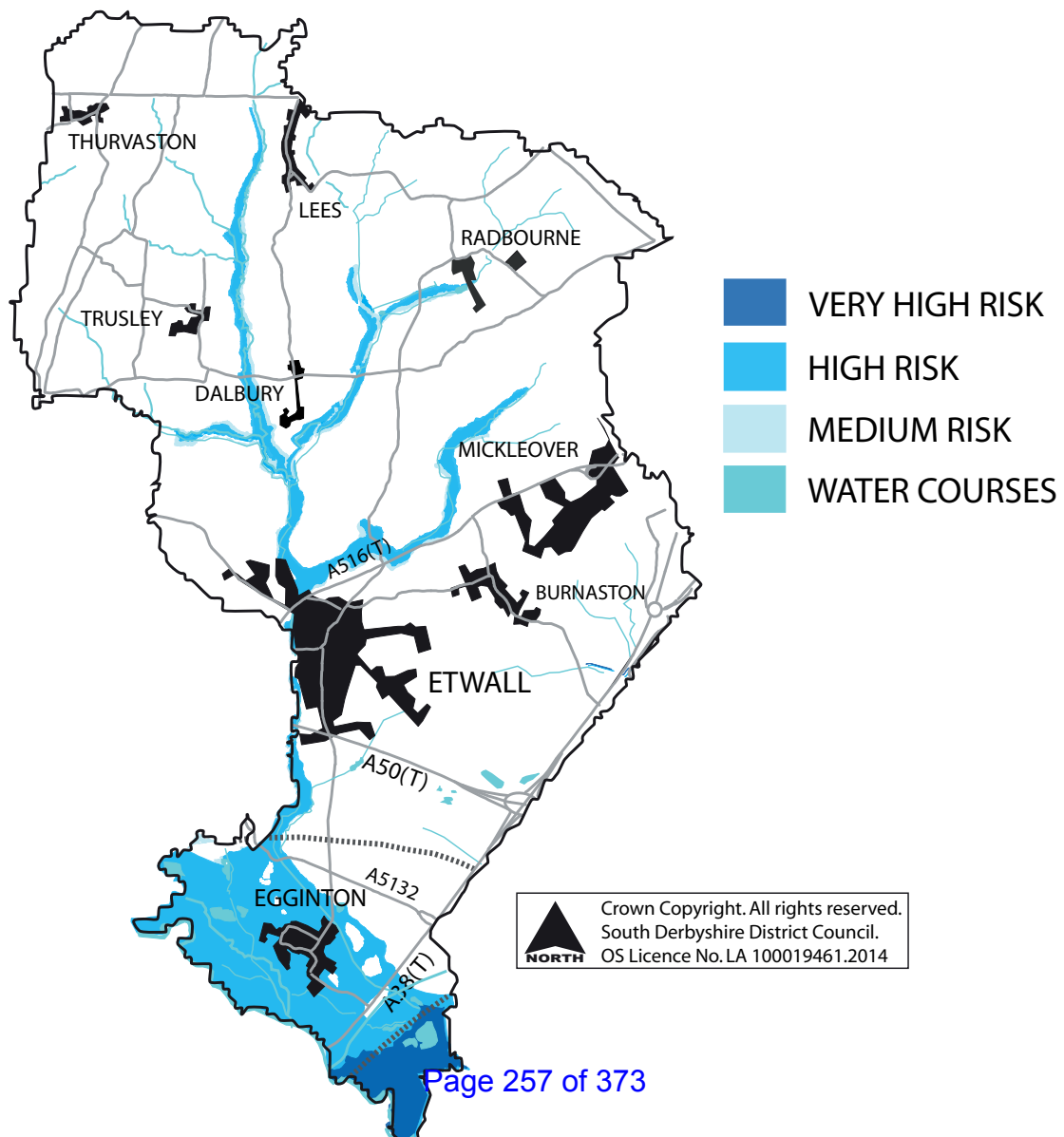
2

ETWALL Area

ETWALL Area

HOUSING POLICY	HOUSING SITE
H10	Land south of Willington Road and land south of Sutton Lane, Etwall
H18	Hackwood Farm, Mickleover
H19	Newhouse Farm, Mickleover
H23B	Jacksons Lane, Etwall

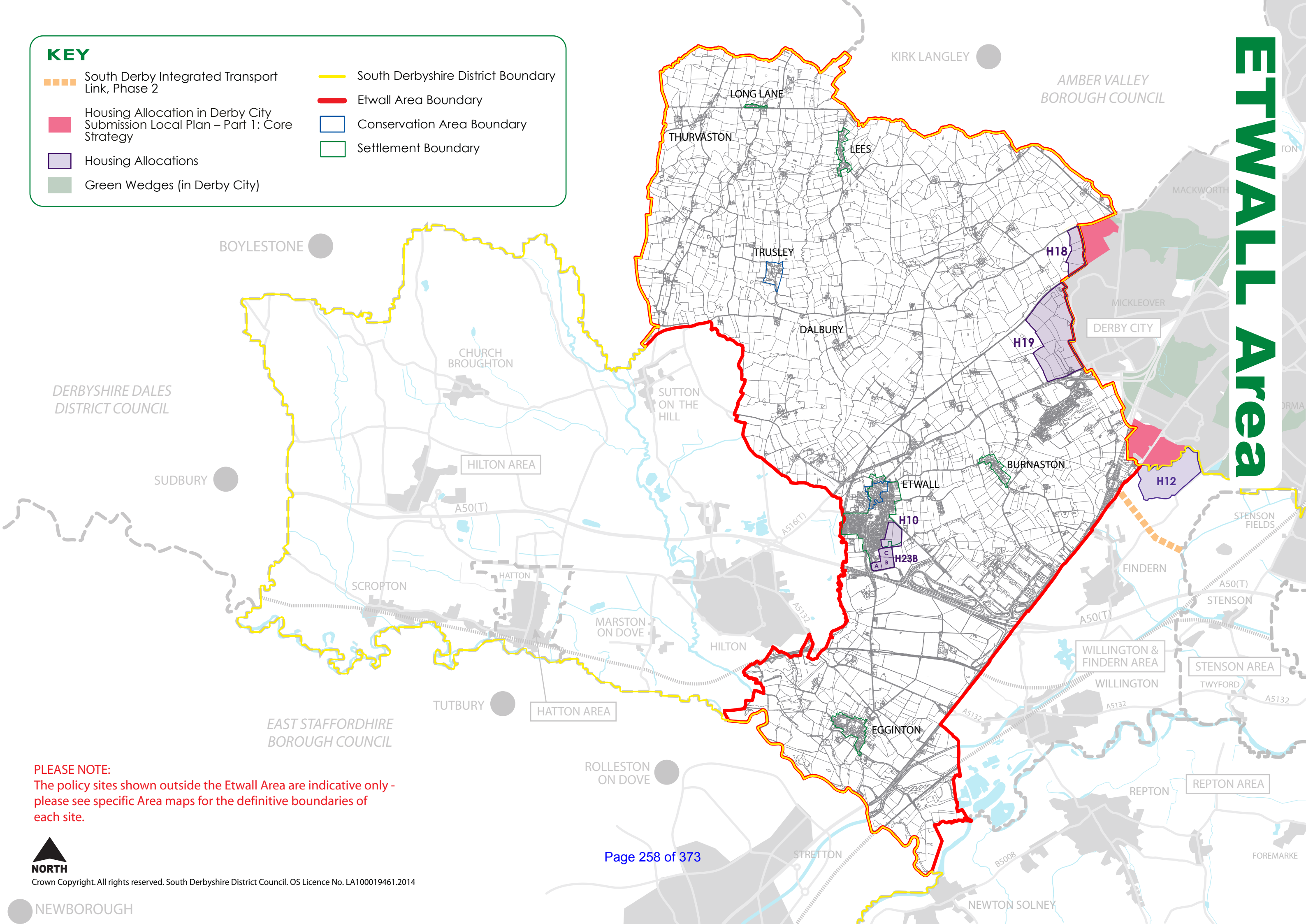
FLOOD RISK



KEY

- South Derby Integrated Transport Link, Phase 2
- South Derbyshire District Boundary
- Etwall Area Boundary
- Conservation Area Boundary
- Settlement Boundary
- Housing Allocation in Derby City Submission Local Plan – Part 1: Core Strategy
- Housing Allocations
- Green Wedges (in Derby City)

ETWALL Area



PLEASE NOTE:

The policy sites shown outside the Etwall Area are indicative only - please see specific Area maps for the definitive boundaries of each site.



NORTH

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NEWBOROUGH



3

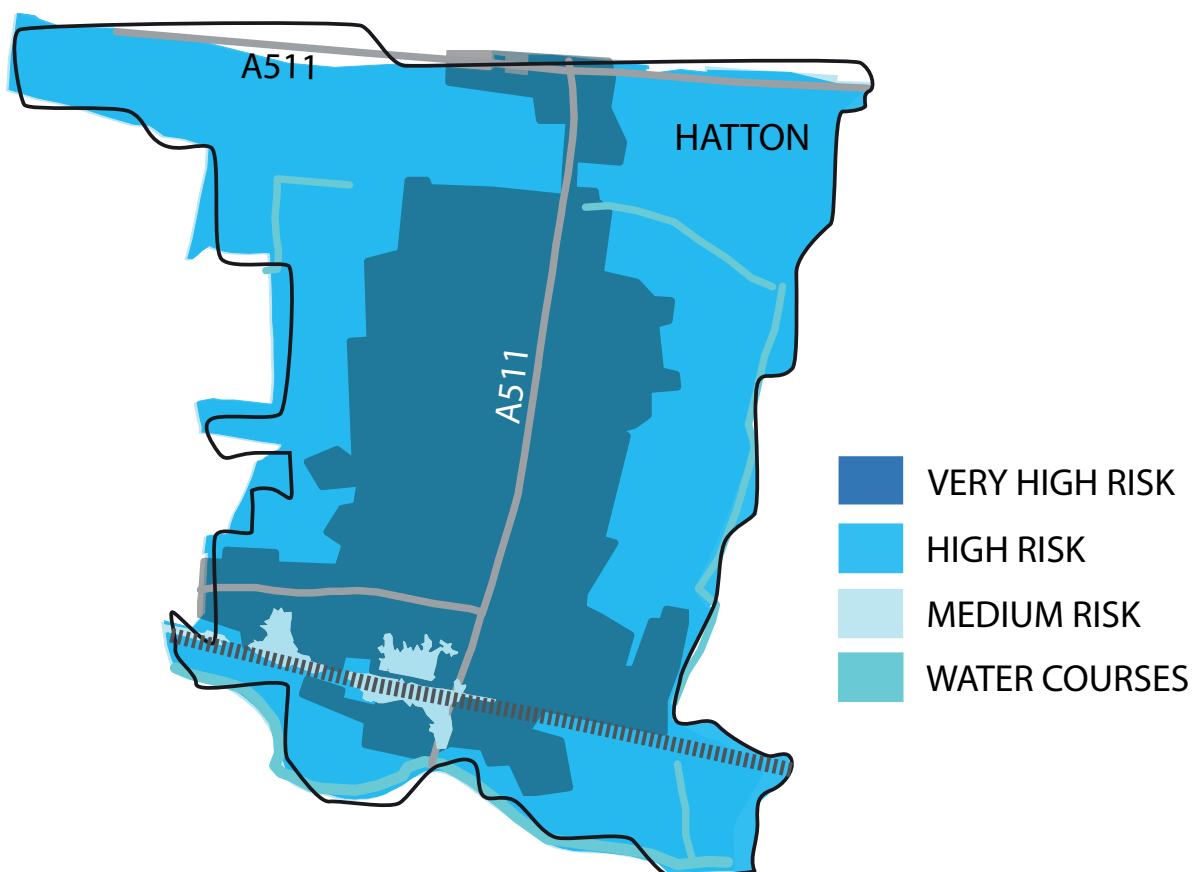
HATTON Area


HATTON Area

HOUSING POLICY	HOUSING SITE
H11	Land to the north east of Hatton

N.B. Area is now defended by Lower Dove Flood Scheme.
No development is now located in an area of high flood risk.






FLOOD RISK



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HATTON Area

KEY

-  Housing Allocations
-  Train Station
-  South Derbyshire District Boundary
-  Hatton Area Boundary
-  Settlement Boundary

HILTON AREA

SCROPTON

HATTON

H11





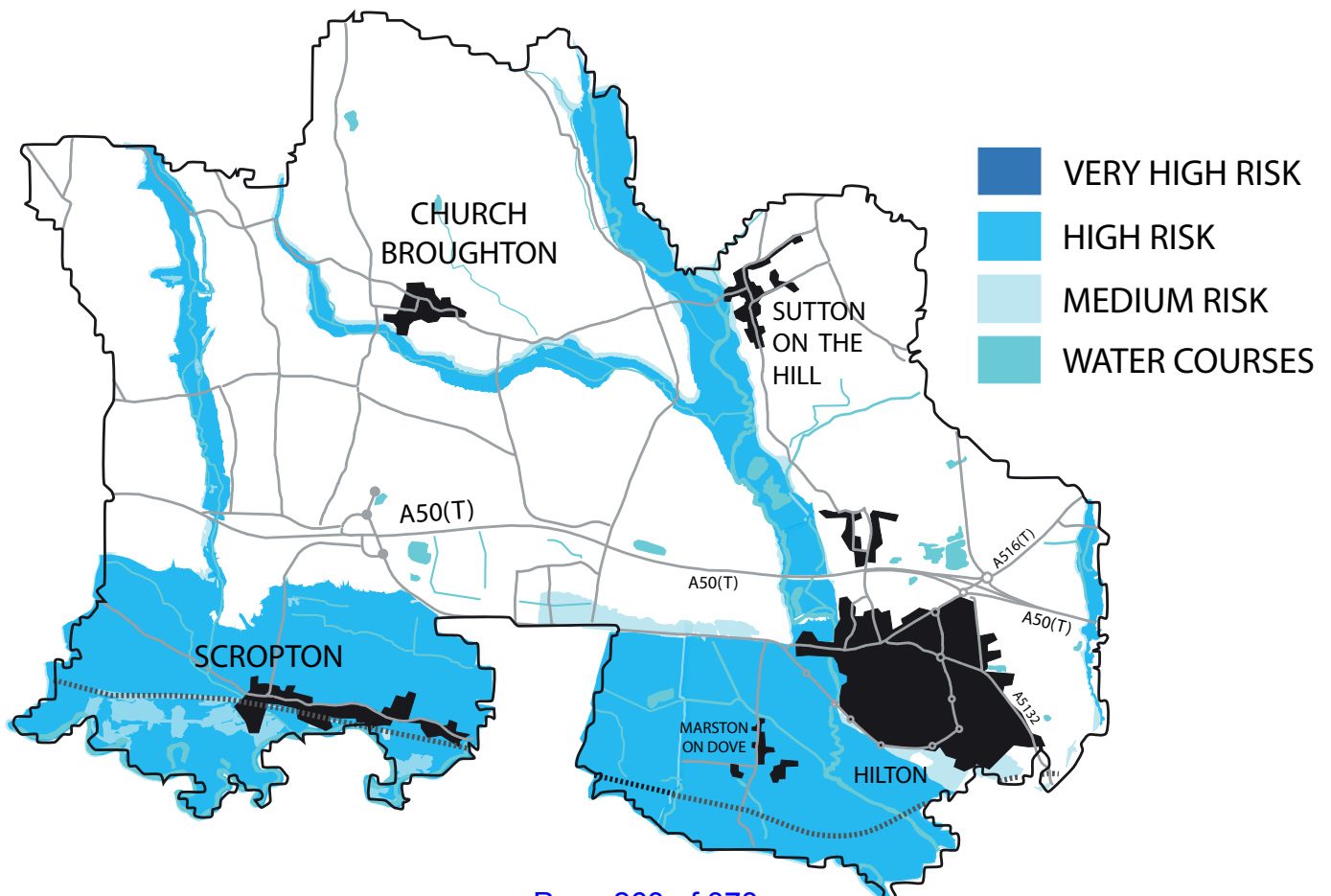
4

HILTON Area

HILTON Area

HOUSING POLICY	HOUSING SITE
H7	Land at Hilton Depot, Hilton
H23C	Derby Road, Hilton
H23L	Land north of Scropton Road, Scropton
EMPLOYMENT POLICY	EMPLOYMENT SITE
E1E	Dove Valley Business Park
E1B	Hilton Business Park
E5	Extension to Dove Valley Park

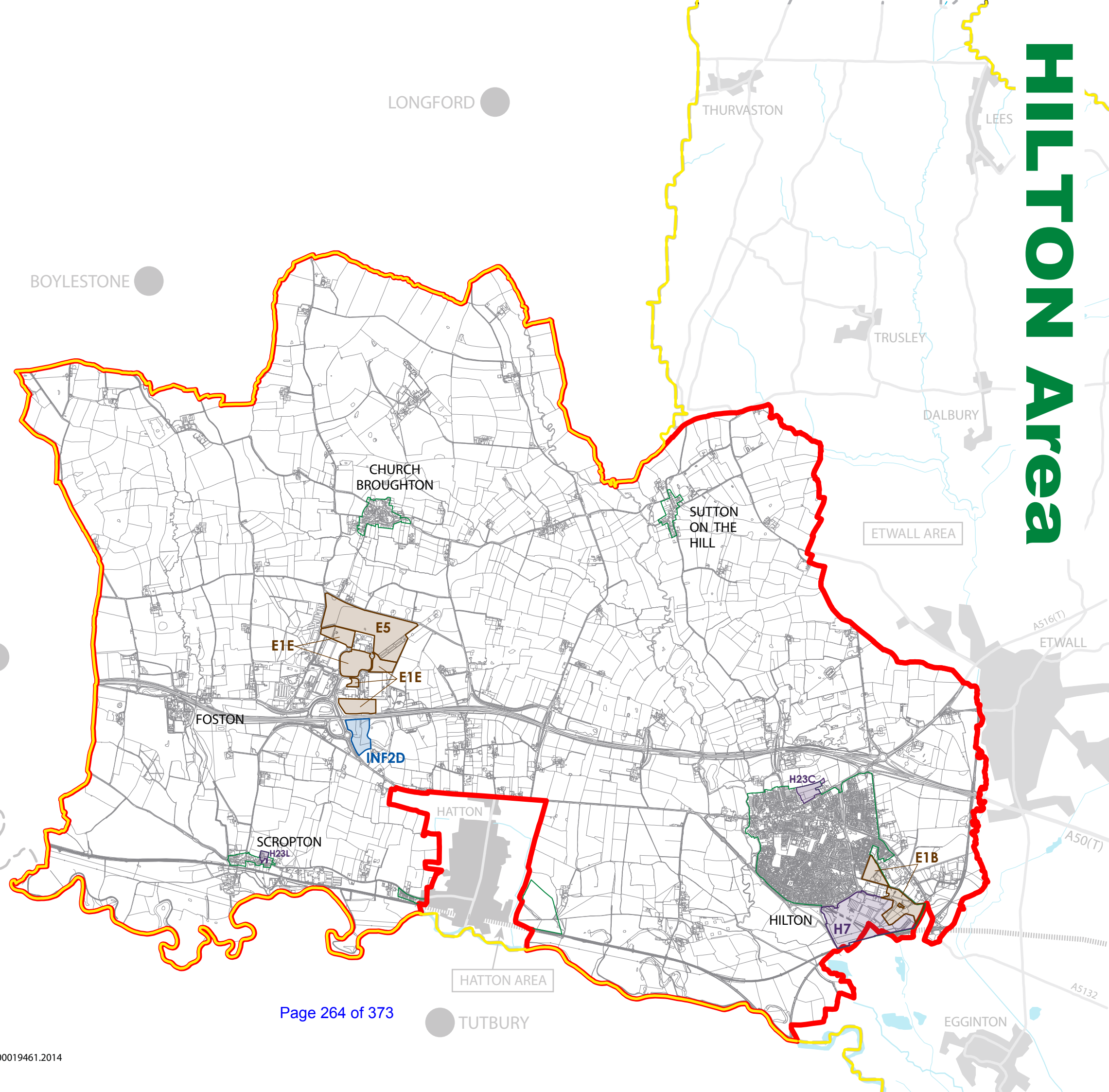
FLOOD RISK



HILTON Area

KEY

- Housing Allocations
- Employment Allocations
- Roadside Lorry Park
- South Derbyshire District Boundary
- Hilton Area Boundary
- Settlement Boundary



5

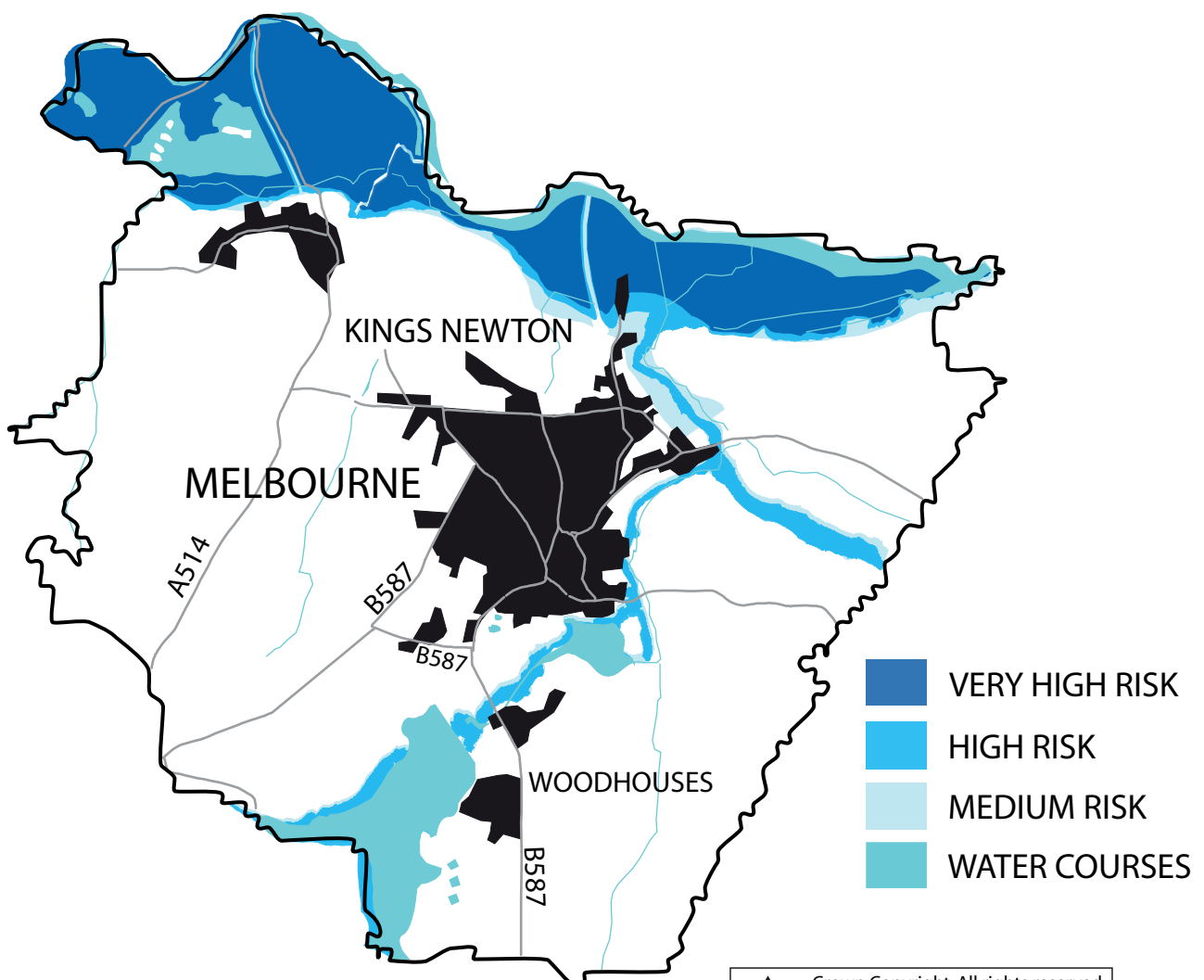
Appendix C

MELBOURNE Area

MELBOURNE Area

HOUSING POLICY	HOUSING SITE
H23D	Station Road, Melbourne

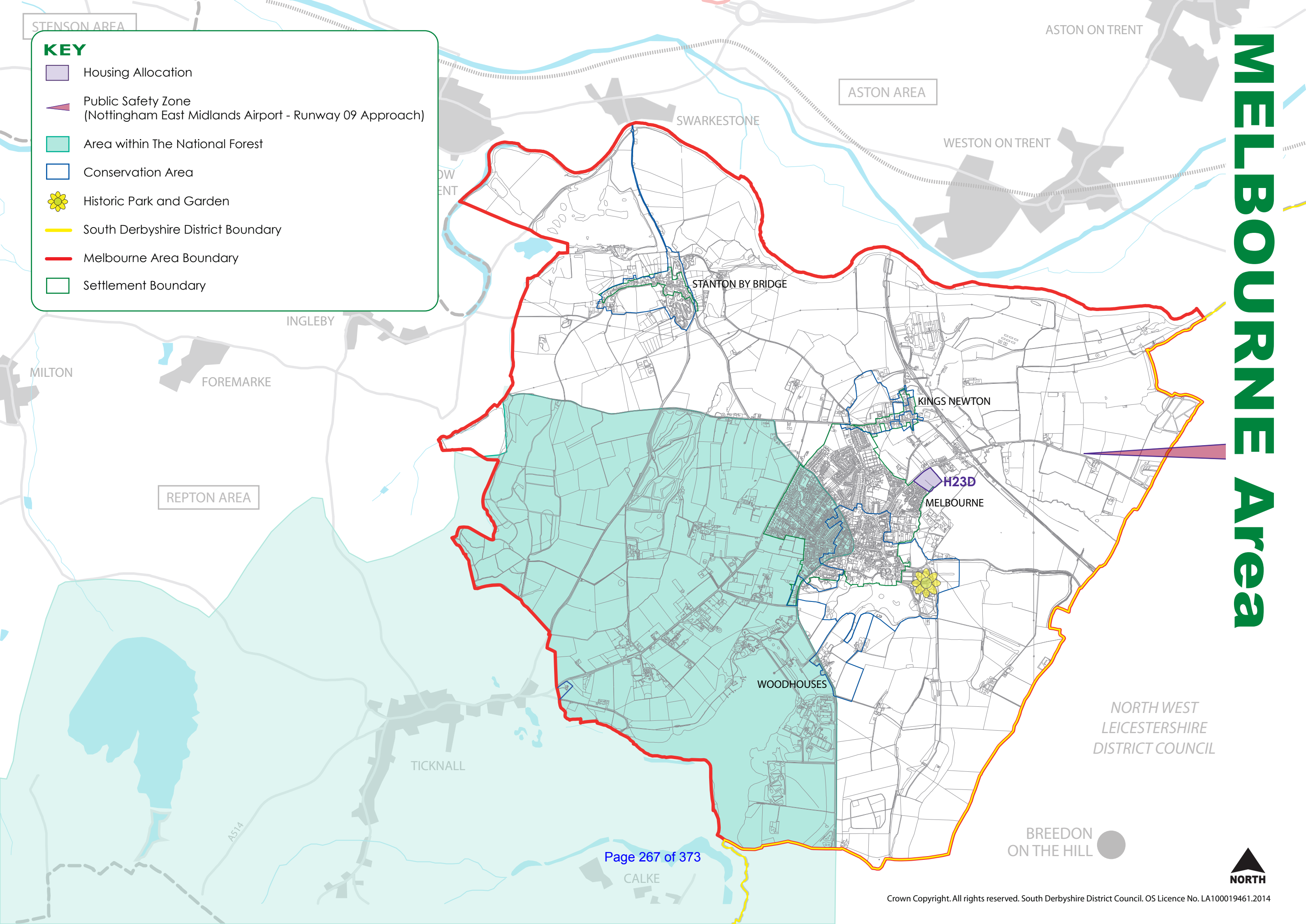
FLOOD RISK



MELBOURNE Area

KEY

-  Housing Allocation
-  Public Safety Zone
(Nottingham East Midlands Airport - Runway 09 Approach)
-  Area within The National Forest
-  Conservation Area
-  Historic Park and Garden
-  South Derbyshire District Boundary
-  Melbourne Area Boundary
-  Settlement Boundary





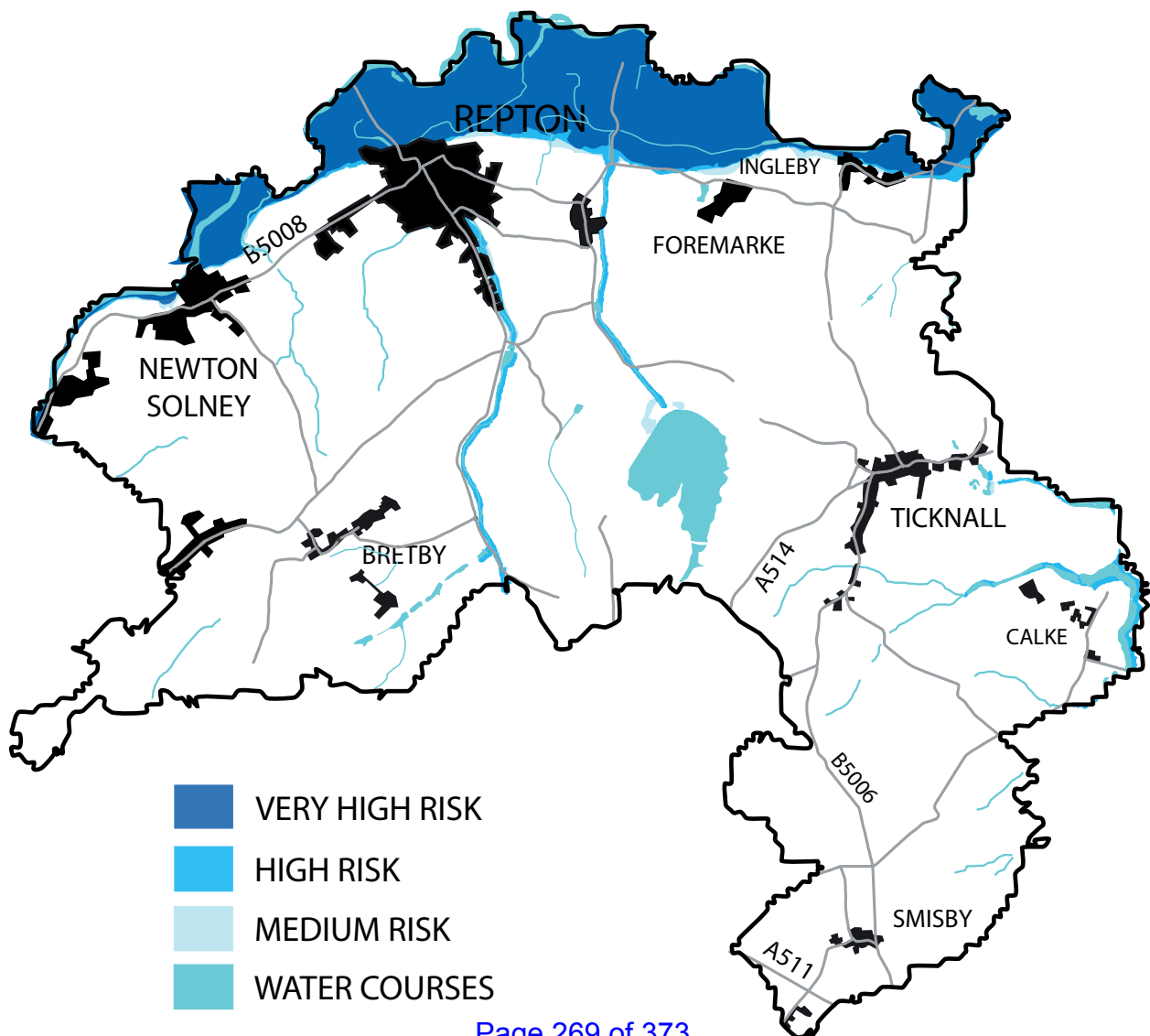
6

REPTON Area

REPTON Area










HOUSING POLICY	HOUSING SITE
H9	Land at Longlands, Repton
H23G	Milton Road, Repton
H23H	Mount Pleasant Road, Repton

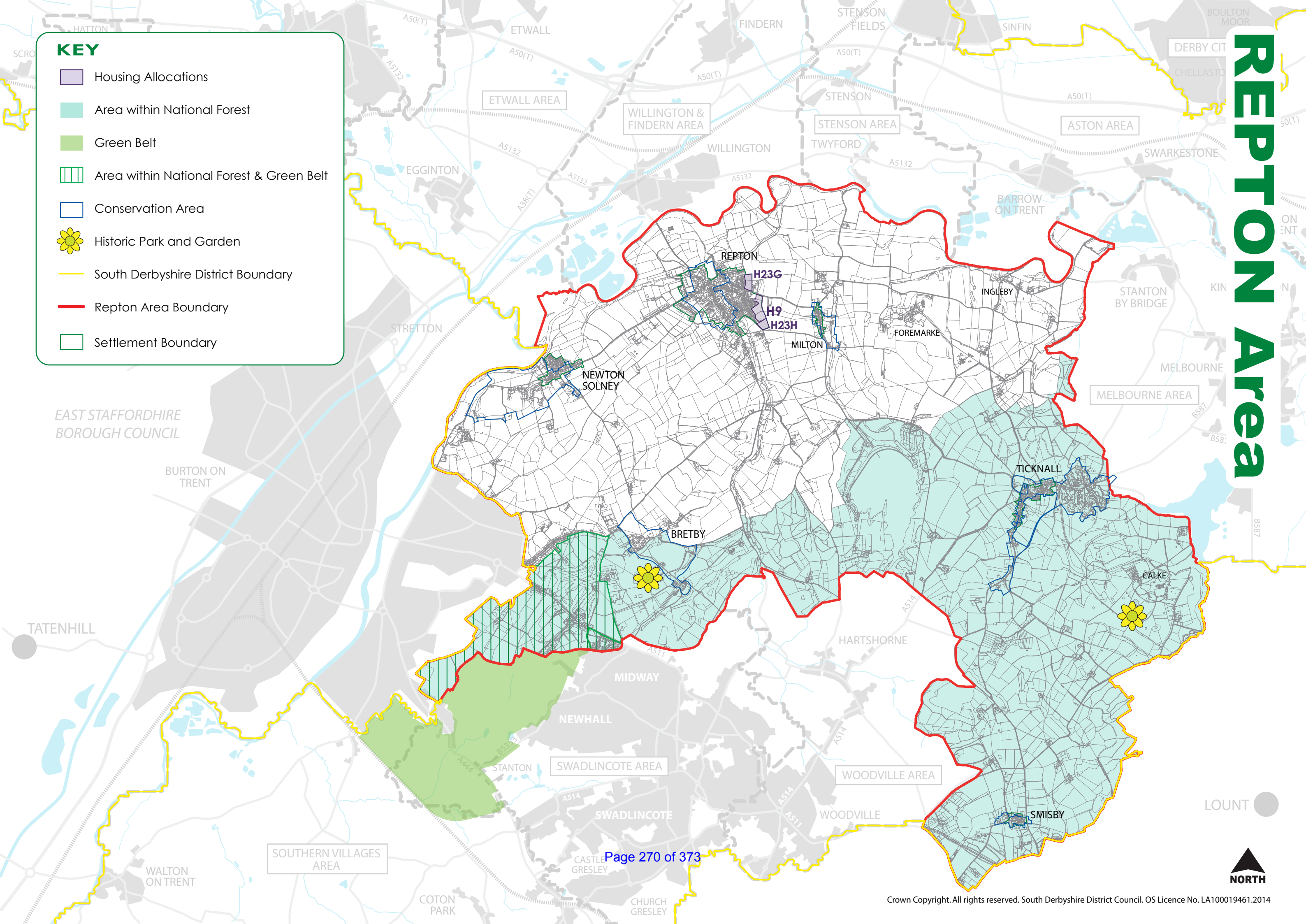
FLOOD RISK



REPTON Area

KEY

-  Housing Allocations
-  Area within National Forest
-  Green Belt
-  Area within National Forest & Green Belt
-  Conservation Area
-  Historic Park and Garden
-  South Derbyshire District Boundary
-  Repton Area Boundary
-  Settlement Boundary



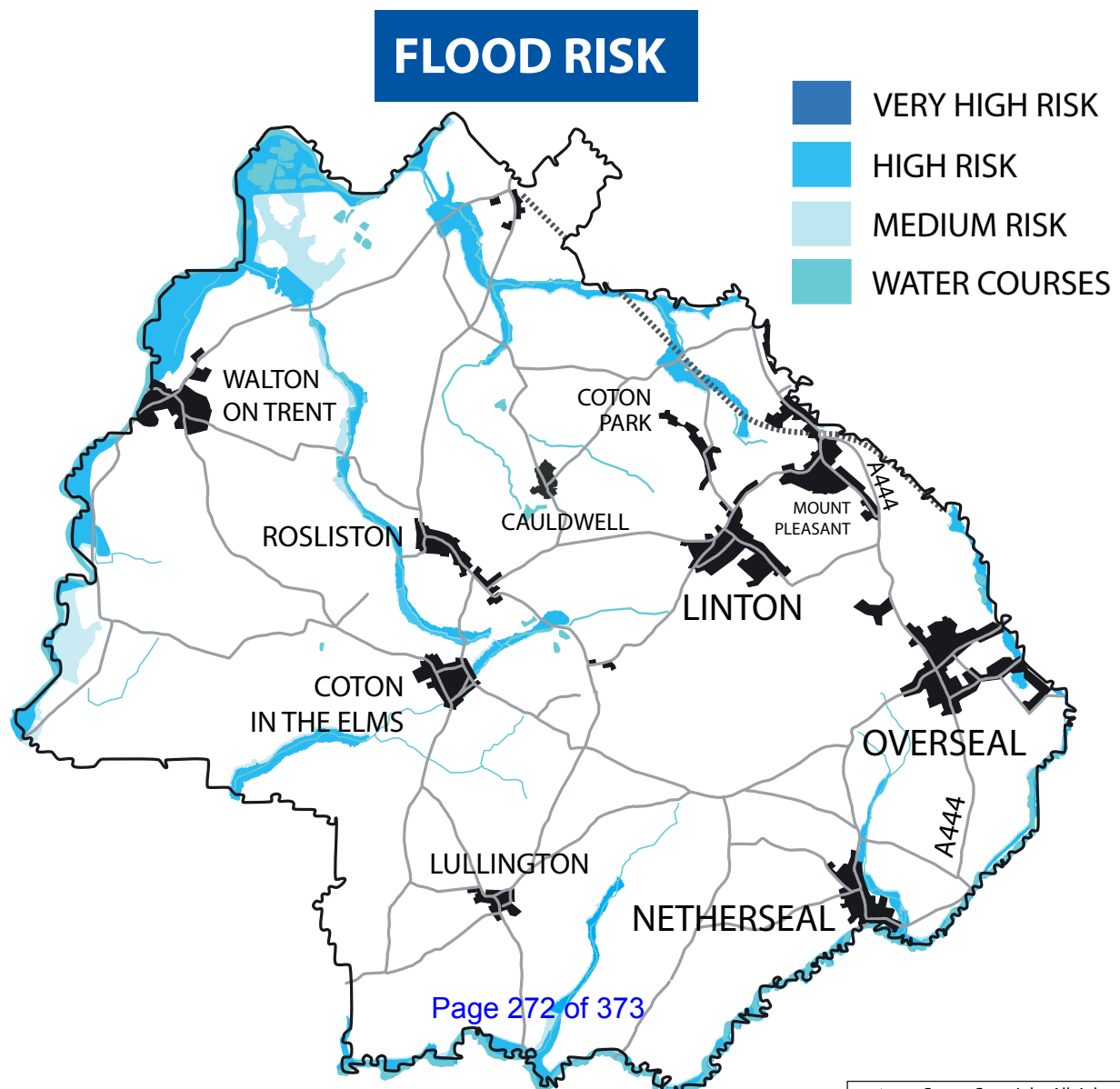


7

SOUTHERN VILLAGES Area

SOUTHERN VILLAGES Area

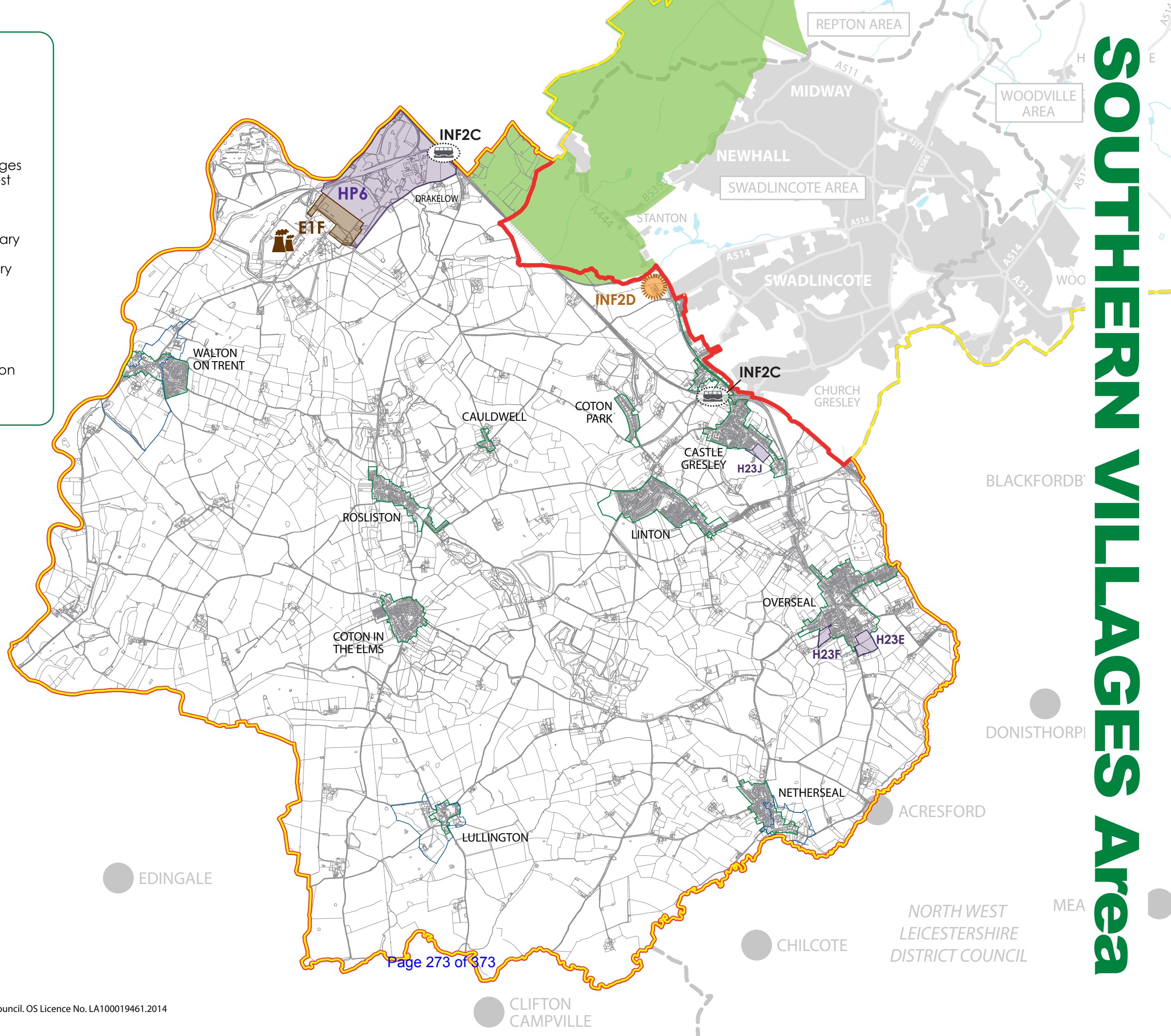
HOUSING POLICY	HOUSING SITE
H6	Drakelow Park
H23E	Acresford Road, Overseal
H23F	Valley Road, Overseal
H23J	Oak Close, Castle Gresley
EMPLOYMENT POLICY	EMPLOYMENT SITE
E1F	Former Drakelow Power Station



SOUTHERN VILLAGES Area

KEY

-  Housing Allocations
-  Committed Employment Sites
-  Green Belt
-  The whole of the Southern Villages Area is within The National Forest
-  Conservation Area
-  South Derbyshire District Boundary
-  Southern Villages Area Boundary
-  Settlement Boundary
-  Site protected for proposed Rail Freight
-  Site protected for Railway Station
-  Former Power Station Land



EAST STAFFORDSHIRE
BOROUGH COUNCIL

ALREWAS

EDINGALE

DONISTHORPE

NORTH WEST
LEICESTERSHIRE
DISTRICT COUNCIL

CHILCOTE

CLIFTON
CAMPVILLE

Page 273 of 373





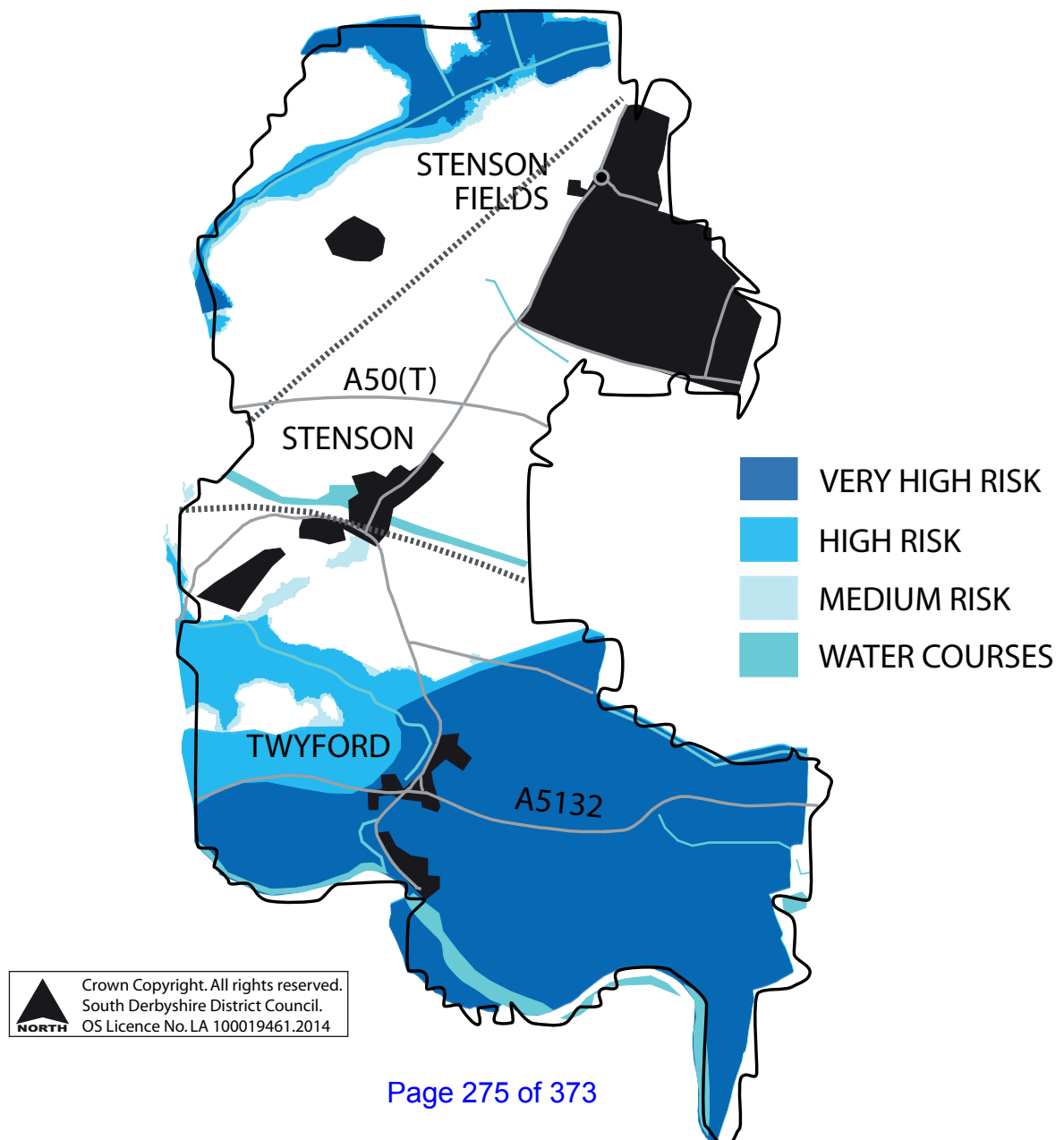
8

STENSON Area

STENSON Area











HOUSING POLICY	HOUSING SITE
H15	Wragley Way (South of Derby)
H16	Primula Way, Sunny Hill
H23N	Stenson Fields

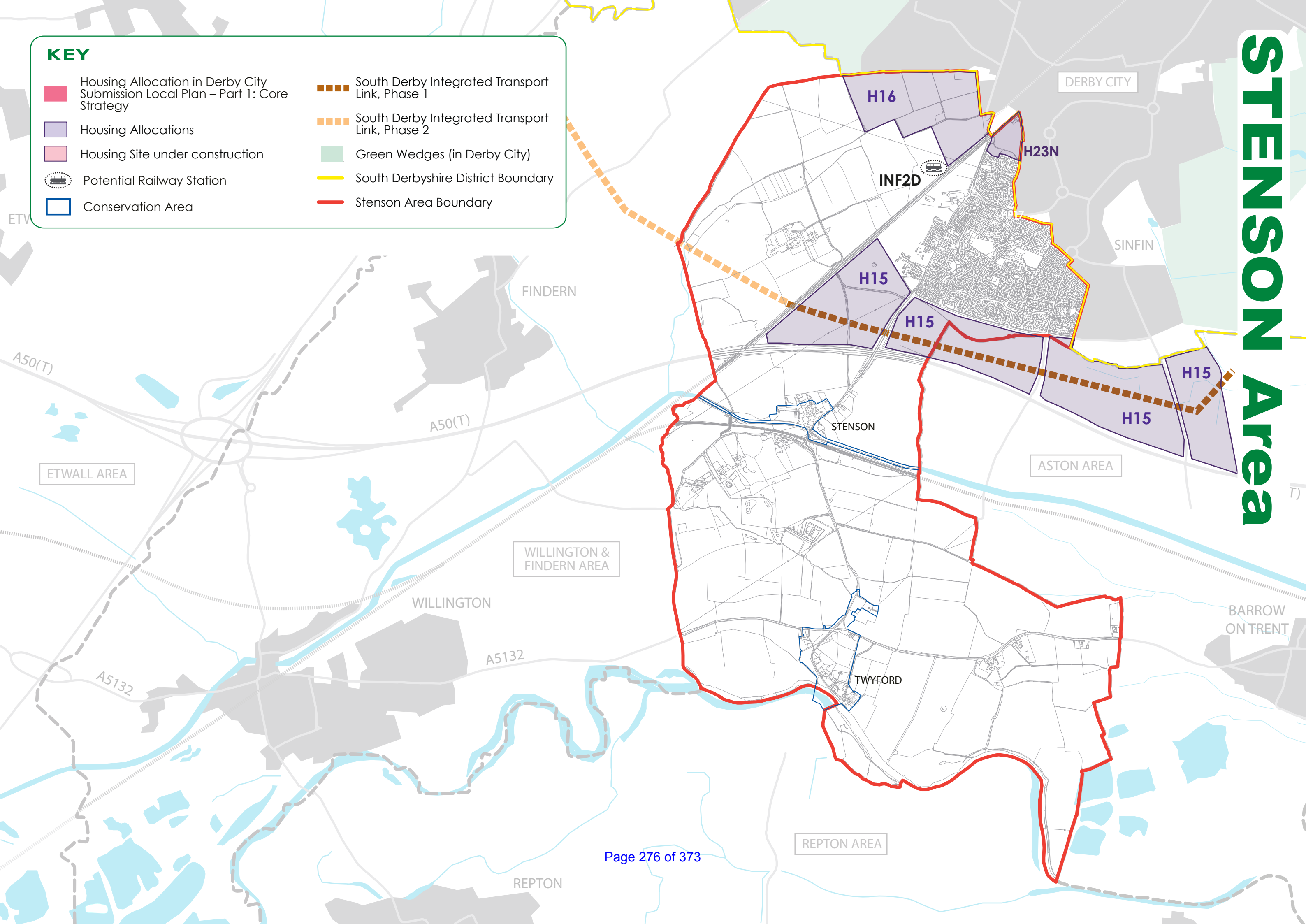
FLOOD RISK



STENSON Area

KEY

-  Housing Allocation in Derby City Submission Local Plan – Part 1: Core Strategy
-  Housing Allocations
-  Housing Site under construction
-  Potential Railway Station
-  Conservation Area
-  South Derby Integrated Transport Link, Phase 1
-  South Derby Integrated Transport Link, Phase 2
-  Green Wedges (in Derby City)
-  South Derbyshire District Boundary
-  Stenson Area Boundary



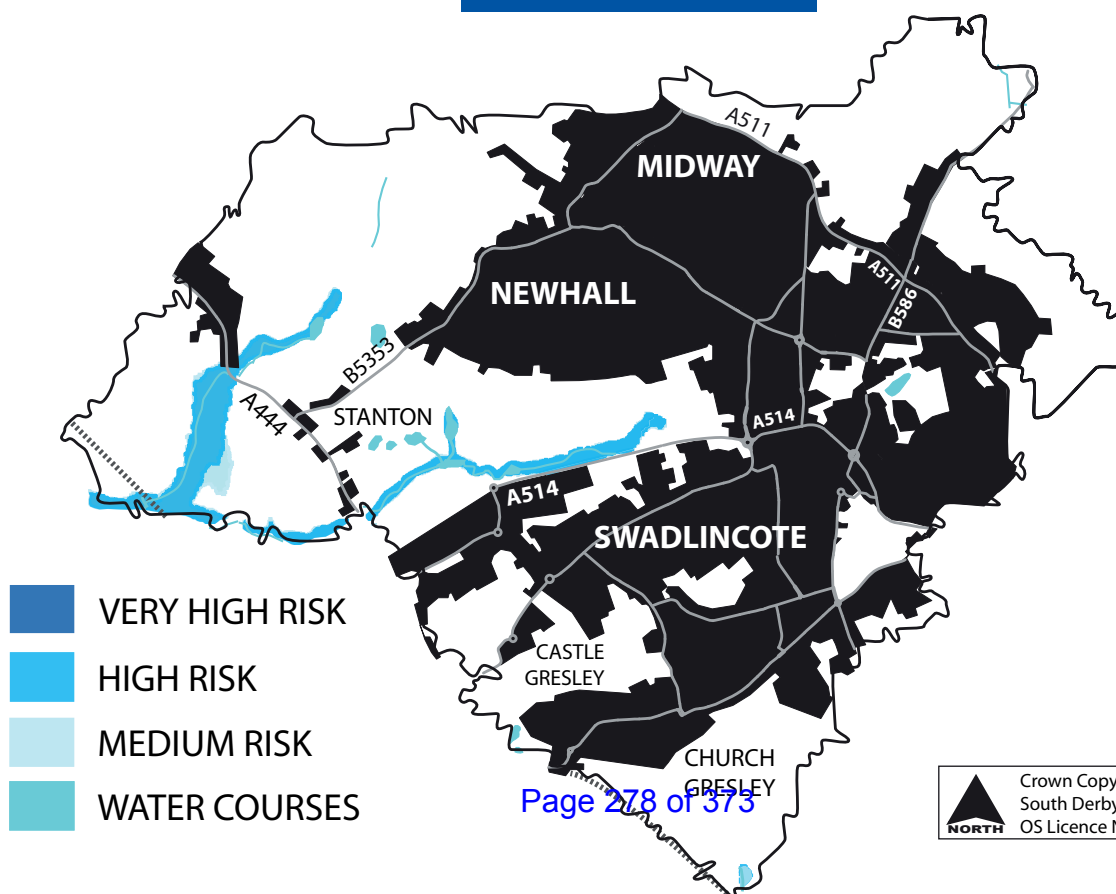
9

SWADLINCOTE Area

SWADLINCOTE Area

HOUSING POLICY	HOUSING SITE
H2	Land north of William Nadin Way, Swadlincote
H3	Land at Church Street/Bridge Street/ Football club site, Church Gresley
H4	Land at Broomy Farm, Woodville
H5	Council Depot, Swadlincote
H23K	Midland Road, Swadlincote
EMPLOYMENT POLICY	EMPLOYMENT SITE
E1A	Cadley Hill, Swadlincote
E1C & E6	Woodville Regeneration Area
E1D	Tetron Point
E1G	Cadley Hill, Swadlincote

FLOOD RISK

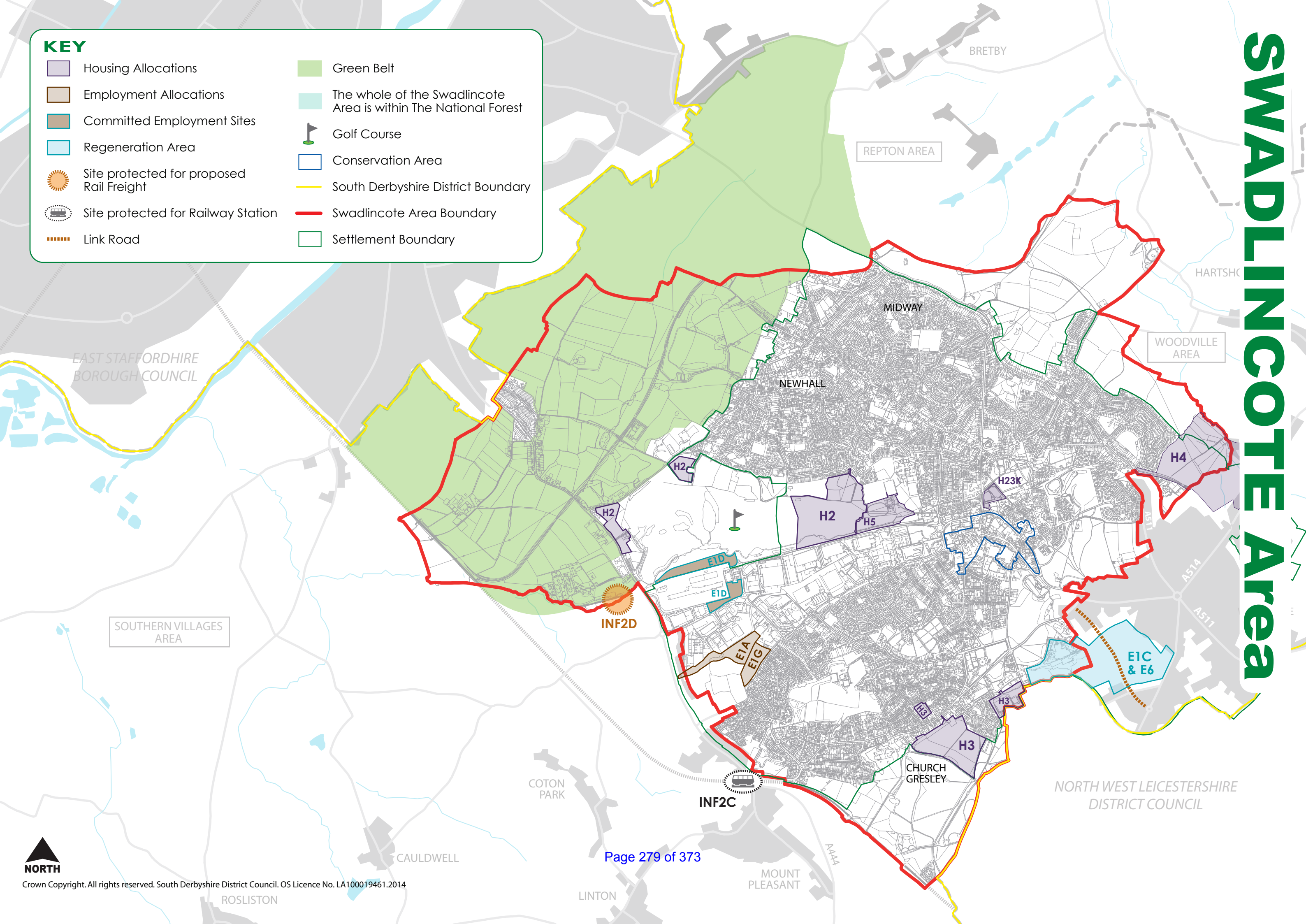


SWADLINCOTE Area

KEY

- Housing Allocations
- Employment Allocations
- Committed Employment Sites
- Regeneration Area
- Site protected for proposed Rail Freight
- Site protected for Railway Station
- Link Road

- Green Belt
- The whole of the Swadlincote Area is within The National Forest
- Golf Course
- Conservation Area
- South Derbyshire District Boundary
- Swadlincote Area Boundary
- Settlement Boundary



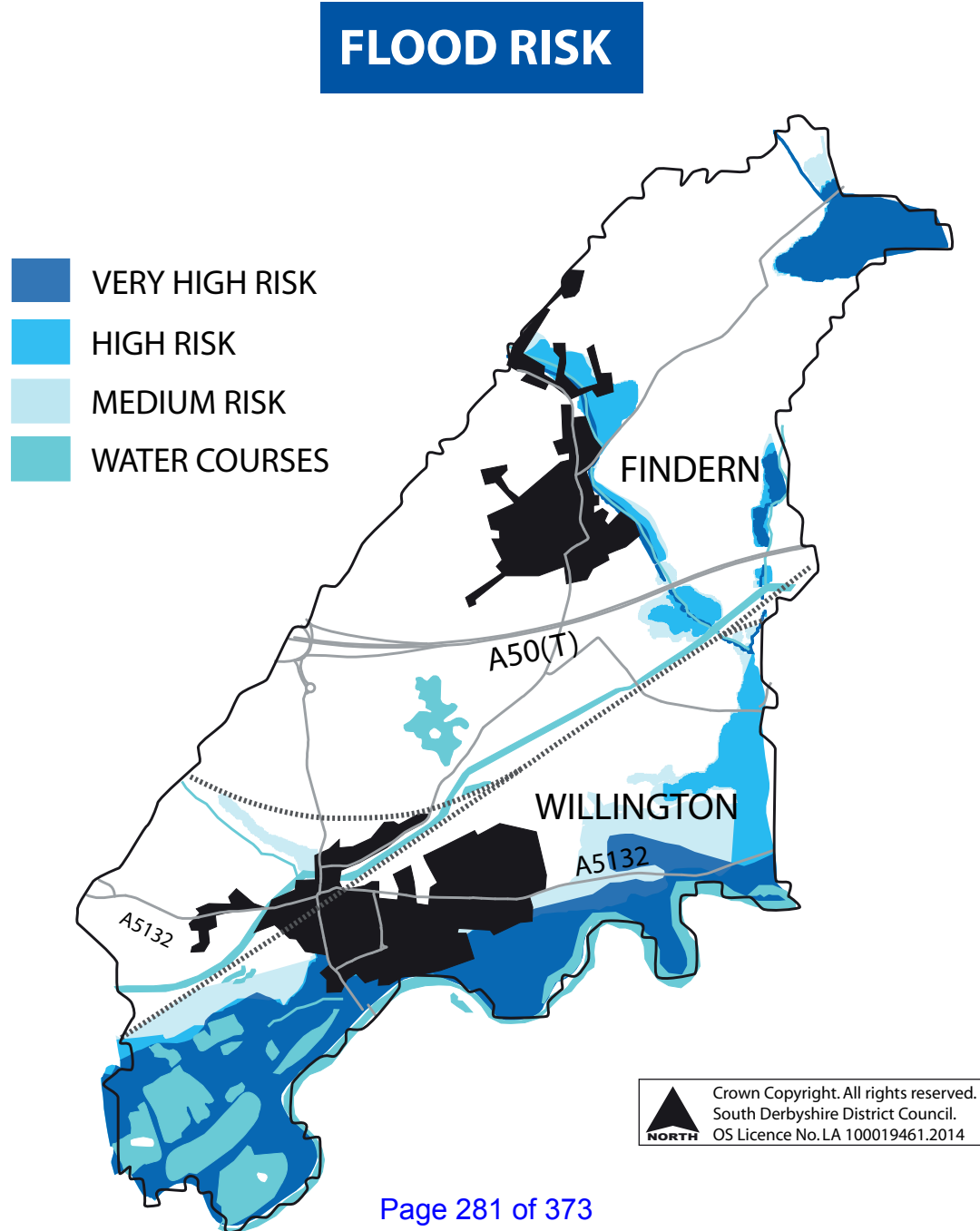


10

WILLINGTON Area

WILLINGTON Area

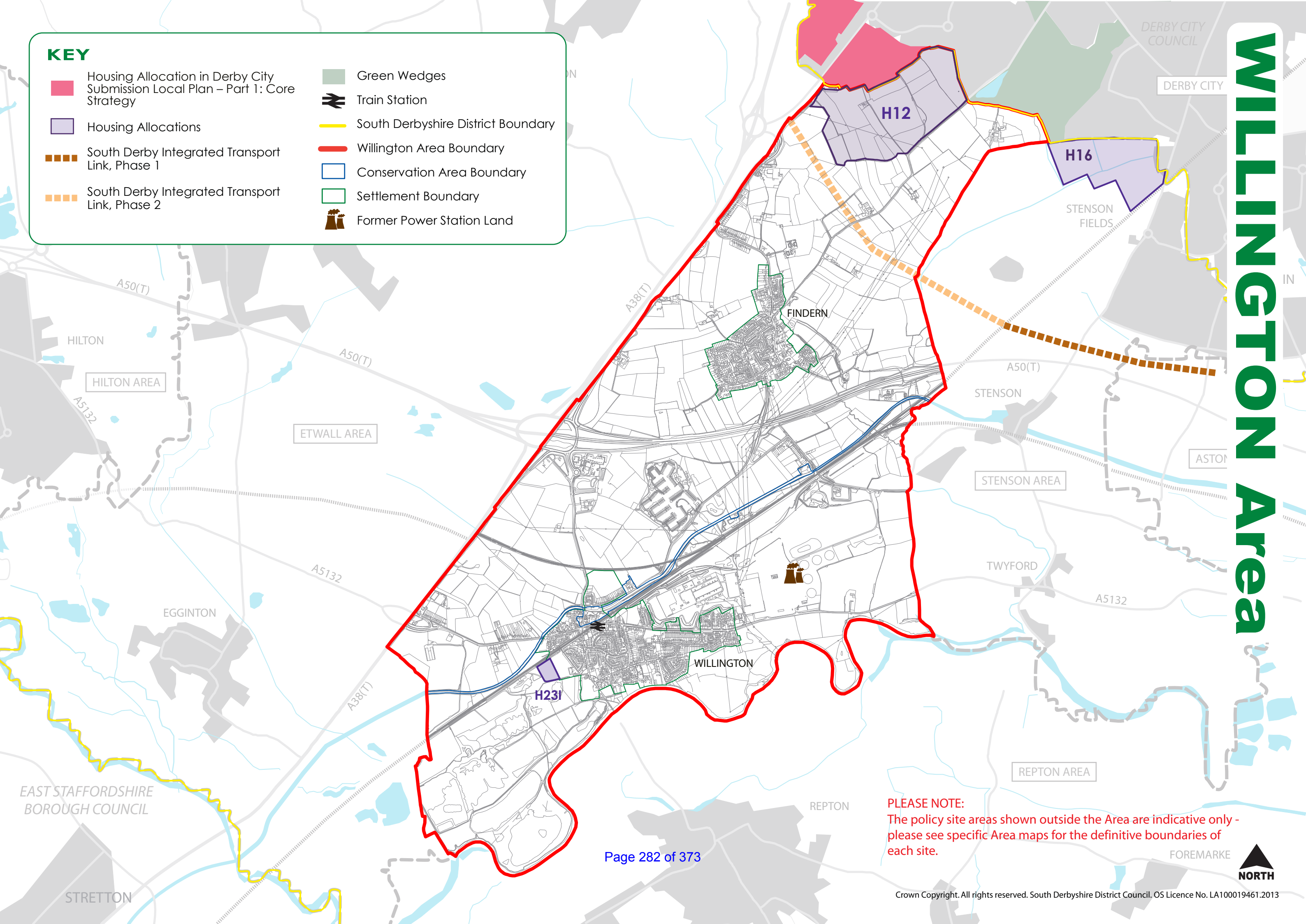
HOUSING POLICY	HOUSING SITE
H12	Highfields Farm (South West of Derby)
H23I	Off Kingfisher Way, Willington



WILLINGTON Area

KEY

- Housing Allocation in Derby City Submission Local Plan – Part 1: Core Strategy
- Housing Allocations
- South Derby Integrated Transport Link, Phase 1
- South Derby Integrated Transport Link, Phase 2
- Green Wedges
- Train Station
- South Derbyshire District Boundary
- Willington Area Boundary
- Conservation Area Boundary
- Settlement Boundary
- Former Power Station Land



PLEASE NOTE:
The policy site areas shown outside the Area are indicative only - please see specific Area maps for the definitive boundaries of each site.





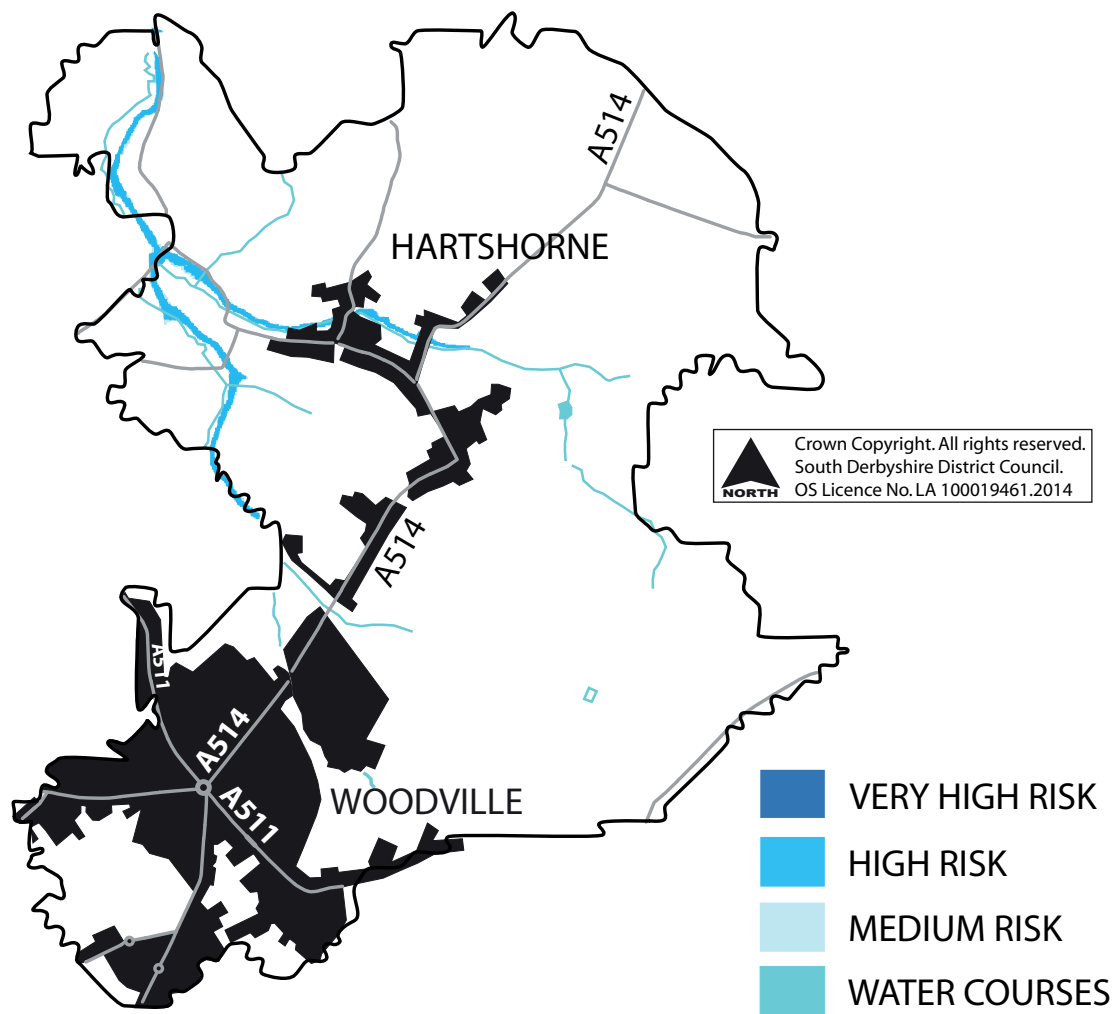
11

WOODVILLE Area

WOODVILLE Area








HOUSING POLICY	HOUSING SITE
H4	Land at Broomy Farm, Woodville
H23M	Montracon Site, Woodville
EMPLOYMENT POLICY	EMPLOYMENT SITE
E1C & E6	Woodville Regeneration Area

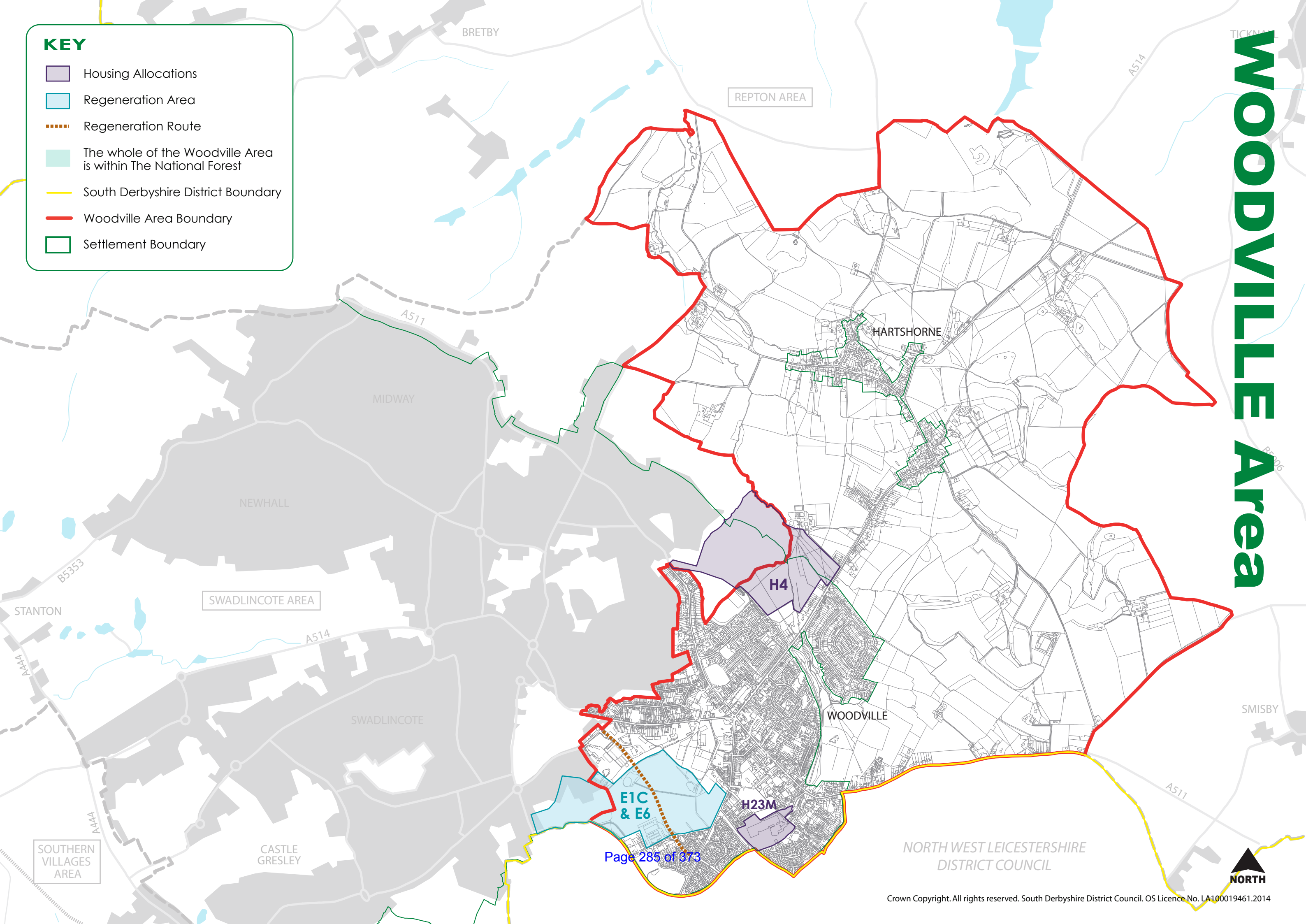
FLOOD RISK



WOODVILLE Area

KEY

-  Housing Allocations
-  Regeneration Area
-  Regeneration Route
-  The whole of the Woodville Area is within The National Forest
-  South Derbyshire District Boundary
-  Woodville Area Boundary
-  Settlement Boundary



REPORT TO:	COUNCIL	AGENDA ITEM: 10
DATE OF MEETING:	19th JANUARY 2017	CATEGORY: RECOMMENDED
REPORT FROM:	DIRECTOR OF FINANCE & CORPORATE SERVICES	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) Kevin.stackhouse@south-derbys.gov.uk	DOC: u/ks/revenues and benefits/council tax support scheme/scheme1718/local scheme regulations 2017
SUBJECT:	COUNCIL TAX REDUCTION SCHEME REGULATIONS 2017	REF
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 Under Section 10 of the Local Government Finance Act 2012, a Local Council Tax Support Scheme for South Derbyshire is adopted for the financial year commencing 1st April 2017.

1.2 Regulations are approved and cited as the Council Tax Reduction Scheme Regulations (South Derbyshire District Council Local Scheme 2017) and come into force on 19th January 2017.

1.3 These regulations amend the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013, as amended, set out in the Schedule to those Regulations for the purposes of paragraph 4 of Schedule 1A to the Local Government Finance Act 1992, by:

- Continuing the insertion of Section 18a Class G: exempt persons who are not pensioners.
- Continuing the insertion of Section 18b Class H: persons who are not pensioners.
- Continuing the amendment to Regulation 32 to vary the maximum entitlement in prescribed cases, i.e. to give effect to the designation of war pensioners and the disabled as protected groups (in addition to pensioners under the Prescribed Requirements) and to reduce benefit entitlement in non-protected groups by 8.5% for persons on passported benefit and by 10% in all other cases.
- Continuing the amendment to Schedule 8 (20) to ensure the disregard of war pensions, to include other payments made under the Armed Forces Compensation Scheme.

- Continuing the insertion at Part 12 Chapter 6 the provision to increase the period of extended payments (as defined in the Regulations) from 4 to 8 weeks.

1.4 That the amounts of pensions, tax credits, income related and non-income related social security benefits and allowances, component parts, applicable amounts, premiums and deductions are uprated in accordance with the 2013 Regulations in 1.3 above as set out in Circular A12/2016

2.0 Purpose of Report

2.1 To adopt the detailed regulations for the proposed Local Council Tax Reduction Scheme for South Derbyshire for 2017/18.

2.2 This is based on the recommendation of the Finance and Management Committee of 13th October 2016. After considering options available, the Committee recommended that the scheme in place for 2016/17 should be continued into 2017/18, with no changes.

2.3 As a billing authority, the Council is statutorily required to adopt a local scheme before 31st January 2017. The Regulations will come into force immediately and will be effective from 1st April 2017.

3.0 Detail

Council Tax Reduction Scheme

3.1 The South Derbyshire regulations are based on the previous national scheme that applied to Council Tax Benefit prior to 2013/14.

3.2 In summary, the Local Scheme incorporates the previous parameters and thresholds for calculating Council Tax Reduction for claimants, adjusted to reflect new parameters, as follows:

- That working age claimants currently receiving 100% benefit are deducted 8.5% from their entitlement calculated under the Local Scheme.
- That all other working age claimants are deducted 10% from their entitlement calculated under the Local Scheme.
- That full Council Tax Reduction for claimants entering work is extended from 4 weeks to 8 weeks in the Local Scheme.

3.3 Within the Local Scheme, certain claimants are protected and continue to receive the same level of support as existed under the previous national scheme. Protection is afforded to the following groups:

- All claimants of pensionable age (this is a statutory requirement).
- All households who qualify for benefit through disability premiums.
- All war widow and war disabled claimants.
- All military compensation payments are fully disregarded in calculating Council Tax Reduction.

3.4 The Local Scheme will also apply to all new claimants after 1st April 2017.

3.5 The detailed regulations, guidance and supporting information will be published on the Council's web site.

4.0 Financial and Corporate Implications

4.1 Detailed implications were considered in detail by the Finance and Management Committee in October 2016. The cost of the Local Scheme is currently being contained within the Council's Budget and it is anticipated that this will continue for 2017/18.

4.2 The Finance and Management Committee receive regular monitoring reports which keep under review actual claimants and costs. This will continue in 2017/18 with any changes being considered ahead of the budget round for 2018/19.

5.0 Community Implications

5.1 The proposals will have an impact upon residents of the District who currently claim support or in the future may become eligible under the Local Scheme.

5.2 Due to no changes being proposed, no formal consultation has been undertaken for the 2017 Local Scheme.

5.3 It is noted that a full consultation exercise was undertaken over a 12 week period from August to November 2012 which informed the basis of the original Local Scheme (2013).

5.4 Following the adoption of the 2017 Local Scheme, this will be communicated to all stakeholders.

6.0 Background Papers

6.1 Report to Finance and Management Committee on 13th October 2016:

<http://south-derbys.cmis.uk.com/south-derbys/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1990/Committee/416/Default.aspx>

6.2 The Prescribed Requirements (2016):

<http://www.legislation.gov.uk/uksi/2016/1262/made>

REPORT TO:	COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	19 th JANUARY 2017	CATEGORY: RECOMMENDED
REPORT FROM:	DIRECTOR OF FINANCE & CORPORATE SERVICES	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) Kevin.stackhouse@south-derbys.gov.uk	DOC: u/ks/audit/audit and accountability act/apt of auditor Jan 17.docx
SUBJECT:	APPOINTMENT OF THE COUNCIL'S EXTERNAL AUDITOR	
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That the Council opts into the national procurement framework for the appointment of its External Auditor from the financial year 2018/19.

2.0 Purpose of the Report

- 2.1 To consider a recommendation from the Audit Sub-Committee regarding the future appointment of the External Auditor. This is in accordance with the Local Audit and Accountability Act 2014 (*the Act*) which makes it a statutory requirement for the appointment to be made by Full Council.
- 2.2 The provisions contained in the Act were firstly considered by the Audit-Sub Committee in September 2014 and then again in December 2016, following additional guidance provided by the Government, together with the Local Government Association.

3.0 Detail

- 3.1 The Act introduced several new requirements regarding Governance and the publication of the Statutory Financial Statements. These have now been largely implemented, although the earlier timetable for closure of the Council's Accounts, together with the appointment of External Auditors, will apply in 2017/18 and 2018/19 respectively.
- 3.2 The Act abolished the Audit Commission and established new arrangements for the auditing of public bodies including the local appointment of external auditors (currently appointments are made nationally).

- 3.3 The Audit Commission was abolished on 31st March 2015 and the responsible body for appointing local government auditors was transferred to the Public Sector Audit Appointments (PSAA) Agency. This was initially designed to be a transitional body charged with managing existing contracts until their expiry in 2017.
- 3.4 It was expected that local councils would then become responsible for appointing external auditors. However, it was also envisaged that the date of 2017 would be extended to enable relevant procurement frameworks to be established.
- 3.5 The Council has received confirmation from the PSAA that the existing contract with its current auditors (Ernst and Young – EY) has been extended by a year to complete the audit of accounts for the financial year 2017/18.
- 3.6 The PSAA have also confirmed that arrangements for a local auditor appointment, as set out in the Act, will apply from the financial year 2018/19 onwards. This appointment for that year must be made by 31st December 2017.
- 3.7 Appointments can be made directly by the Council, in collaboration with other councils, or the appointment can be made through a “specified appointing person.”

Independent Auditor Panels

- 3.8 If the Council wishes to appoint its own auditor, it would need to establish a local independent Auditor Panel. This Panel would assume the role of an appointed body and be responsible for considering and recommending an external auditor to Full Council. It would also monitor the relationship with the external auditor.
- 3.9 A Panel could be the local Audit or Governance Committee if it can be demonstrated that that Committee is independent for this purpose.
- 3.10 The Act specifies that to demonstrate independence, a Panel must consist of a majority of independent persons and be chaired by an independent person, i.e. not a council officer, member or any person connected to them.

Collective Procurement

- 3.11 Alternatively, a council can opt into a sector led collective procurement exercise. In this case, an appointed body, approved by the Government, will procure and monitor auditors nationally, on behalf of all councils who choose to opt in.
- 3.12 The Act requires that any decision to opt-in to collective procurement will need to be taken by Full Council. Councils that opt-in will do so for the duration of the “appointing period” (expected to be between one and five years). The opportunity to opt-in will only occur at the formal invitation point.

- 3.13 The appointed body will be required to consult on and then set a scale of fees for audit, which opted-in councils will be required to pay. If a council uses the collective procurement option, there is no requirement to set up an Audit Panel.
- 3.14 The Secretary of State for Communities has approved the PSAA as a specified appointing person. Under the Act, the PSAA will be able to undertake a procurement exercise and appoint auditors for those councils opting in. The PSAA is developing the national appointment framework and they have issued a prospectus for local councils to consider.
- 3.15 It is considered that a sector wide procurement conducted by the PSAA will produce a more cost effective method of appointing future auditors. The benefits are considered to be as follows:
- Assurance that auditor appointments are completed in a proper and timely manner.
 - The independence of auditors is maintained.
 - More competitive pricing is likely to be achieved.
 - No procurement costs for individual councils.
 - It will save time and resources on setting up and administering Audit Panels.
- 3.16 The Local Government Association is leading on this work and a large number of councils have indicated that they will opt in. The Audit Sub-Committee, at its meeting on 14th December 2016, recommended that this is the option that is taken.
- 3.17 Under Regulation 19 of the Local Audit (Appointing Person) Regulations 2015, a decision to opt-in must be taken by the Full Council. It is planned that the PSAA will commence a formal procurement exercise from June 2017 in order to make appointments by December 2017, which is the statutory deadline.
- 3.18 To meet this timetable, the PSAA have requested that councils opt in by March 2017.

4.0 Financial Implications

4.1 None

5.0 Corporate Implications

5.1 None directly.

6.0 Community Implications

6.1 None directly.

7.0 Background Papers

7.1 The Audit and Accountability Act 2014

<http://www.legislation.gov.uk/ukpga/2014/2/contents/enacted/data.htm>

REPORT TO:	COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	19th JANUARY 2017	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR ardip.kaur@south-derbys.gov.uk EXT. 5715	DOC:
SUBJECT:	MEMBERS' ALLOWANCES SCHEME	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That Members approve the Members' Allowances Scheme attached at Annexe 'A'.

2.0 Purpose of Report

- 2.1 To put before Members for their approval a scheme of allowances in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

3.0 Detail

- 3.1 Members' allowances are governed by the Local Authorities (Members' Allowances) (England) Regulations 2003. These Regulations require all local authorities to maintain an Independent Remuneration Panel (IRP) to review and provide advice on each Council's Members' allowances.
- 3.2 The Panel met in October 2016 and a report outlining the Panel's recommendations was put to Council on 3rd November 2016. The Members' Allowances scheme has been amended to reflect the recommendations approved by Council.
- 3.3 The amended Members' Allowances Scheme will be effective from the date of this Council meeting.

4.0 Financial Implications

- 4.1 The cost of the additional Special Responsibility Allowances for the Chairman of the Licensing and Appeals Committee, together with the Audit Sub Committee, is £6,900 per year. This is more than offset by the reduction regarding the ending of the telephone allowance. This will reduce the cost by £7,200 per year. It should be noted that there may be some additional costs with Members able to claim expenses for travel and subsistence and attending Parish Council Meetings. The cost is not known at this stage, although it is likely to be contained in the overall budget for Members' Allowances and Expenses. This will be kept under review and any material implications will be reported to the Finance and Management Committee.

5.0 Corporate Implications

- 5.1 The Council will be complying with the provisions of The Local Authorities (Members' Allowances) (England) Regulations 2003.

6.0 Community Implications

- 6.1 None arising directly from this report.

7.0 Background Papers

- 7.1 Members' Allowances Scheme

Report of the Independent Remuneration Panel

South Derbyshire District Council

MEMBERS' ALLOWANCES SCHEME

(effective 19th January 2017)

The South Derbyshire District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme:

1. This scheme may be cited as the South Derbyshire District Council Members' Allowances Scheme and shall have effect from 19th January 2017, until the scheme is amended or a new scheme is adopted.

2. In this scheme,

“the Regulations” means the Local Authorities (Members' Allowances)(England) Regulations 2003.

“Member” means a Member of the South Derbyshire District Council who is an elected councillor;

“co-opted Member” means a co-opted Member of the Standards Committee.

“year” means the 12 months ending with 31 March.

3. **Basic Allowance**

- a. Subject to paragraph 7 (renunciation), for each year a Basic Allowance be paid to each Councillor (see Schedule 1).
- b. Where a Member is suspended or partially suspended from his / her responsibilities or duties as a Member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of basic allowance payable to him / her in respect of the period for which he / she is suspended or partially suspended may be withheld by the Council.

4. **Special Responsibility Allowances**

- a. For each year a Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority, which are specified in Schedule 1 to this scheme.
- b. Subject to paragraph 7 (renunciation), the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- c. Where a Councillor is entitled to more than one such allowance, he/she shall receive the higher or highest allowance.
- d. Where a Member is suspended or partially suspended from his / her responsibilities or duties as a Member of an authority in accordance with

Part III of the Local Government Act 2000 or regulations made under that Part, the part of special responsibility allowance payable to him / her in respect of the responsibility or duties from which he / she is suspended or partially suspended may be withheld by the Council.

5. Travelling and Subsistence Allowances

- a. Subject to paragraph 7, travelling and subsistence allowances shall be payable to each Councillor under the conditions and at the rates specified in Schedule 2 to this Scheme, for the approved duties listed in Schedule 3 to this Scheme.
- b. Where a Member is suspended or partially suspended from his / her responsibilities or duties as a Member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any travelling and subsistence allowance payable to him / her in respect of the responsibilities or duties from which he / she is suspended or partially suspended may be withheld by the Council.

6. Dependants' Carer's Allowance

- a. Subject to paragraph 7 (renunciation), a Dependants' Carer's allowance shall be paid to those Councillors who incur expenditure on the care of children or other dependants while carrying out any of the approved duties listed in Schedule 3 to this Scheme.
- b. A Councillor claiming this allowance will be reimbursed actual costs up to a maximum of £40 a day.
- c. The reimbursement for care of any dependants while a Member is undertaking an approved duty is not restricted to formal carers – care can be provided by informal carers.
- d. In all cases, regardless of who has provided the care, a receipt from the carer must be produced by the claimant seeking reimbursement.
- e. The childcare element will be paid at and indexed to the relevant national minimum wage applicable to age of the carer and should be for actual expenditure incurred up to a maximum of 12 hours in any one week claimed per Member. Thus, a Member can claim for care for multiple children but the total number of hours claimed for can be no more than 12 hours in total in any one week.
- f. The elderly and/or disabled dependant care element of the allowance will be paid at a similar rate chargeable by Derbyshire County Council Social Services Department for provision of a Home Care Assistant.
- g. The Dependants' Carers' Allowance will be made available to Members who have an express need for such an allowance. This express need should take the form of a written declaration by a Member, which will then be lodged with the Standards Committee (and the Monitoring Officer as a means of providing further audit).

- h. A Member cannot claim for multiple carers for multiple dependants within the same category of care.

7. Renunciation

A Councillor may by notice in writing given to the Director of Finance and Corporate Services elect to forego any part of his or her entitlement to an allowance under this scheme.

8. Part-year Entitlements

- a. The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to Basic and Special Responsibility Allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- b. If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance, then in relation to each of the periods
 - i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year, the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.
- c. Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- d. Where this scheme is amended as mentioned in sub-paragraph (b), and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (b)(i), the entitlement of any such Councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.
- e. Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a Special Responsibility Allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the

number of days during which he has such special responsibilities bears to the number of days in that year.

- f. Where this scheme is amended as mentioned in sub-paragraph (b), and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (b)(i) of that paragraph any such special responsibilities as entitle him / her to a Special Responsibility Allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he / she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

- a. Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to sub-paragraph (b), in instalments of one-twelfth of the amount specified in this scheme on the 15th day of each month or the nearest working day to the 15th day.
- b. Where a payment of one-twelfth of the amount specified in this scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 9, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- c. Payments in respect of a Dependents' Carer's Allowance will be based on the reimbursement of actual costs, supported by receipted accounts.
- d. Payments in respect of Travelling and Subsistence Allowances will be based on a claim submitted by the Member concerned.
- e. A claim for a Travelling and Subsistence or Dependents' Carer's Allowance must be made in writing within three months of the date on which the duty in respect of which the entitlement to the allowance arises.

10. Indexing and Backdating of Allowance

The Basic and Special Responsibility Allowances shall be increased with effect from the Annual Council Meeting each year in line with the annual local government pay settlement (linked to spinal column point 49 of the NJC Scheme). The allowances shown in this scheme are those to be applied from 19th January 2017.

11. Application of Scheme

All provisions in this Scheme shall come into effect on 19th January 2017.

Schedule 1

SOUTH DERBYSHIRE DISTRICT COUNCIL

MEMBERS' ALLOWANCES

	£
BASIC ALLOWANCE (paid to each Councillor)	6,175
SPECIAL RESPONSIBILITY ALLOWANCES	
Leader of the Council	18,518
Deputy Leader of the Council	10,178
Chairmen of Policy Committees (x 3)	9,249
Vice-Chairmen of Policy Committees (x 3)	2,312
Chairman of Planning Committee	9,249
Vice-Chairman of Planning Committee	2,312
Chairman of Overview and Scrutiny Committee	9,249
Vice-Chairman of Overview and Scrutiny Committee	2,312
Chairman of Licensing and Appeals Committee	4,630
Chairman of Audit Sub-Committee	4,630
Leader of Opposition	9,249
Deputy Leader of Opposition	2,312
Independent Persons of Standards Committee (x 2)	1,152

Schedule 2

Travel and Subsistence claims

Claims for travel and subsistence should be submitted monthly and no later than 3 months after the expense has been incurred.

Subsistence rates

Breakfast Allowance £4.77

More than 4 hours away from normal place of residence before 11.00am

Lunch Allowance £6.57

More than 4 hours away from normal place of residence including the lunchtime between 12 noon and 2.00pm

Tea Allowance £2.59

More than 4 hours away from normal place of residence including the period 3.00pm to 6.00pm

Evening Meal Allowance £8.13

More than 4 hours away from normal place of residence ending after 7.00pm

It is not possible to claim both the tea and evening meal allowance. Reimbursement will be for actual expenditure incurred to a maximum limit on production of receipts.

Subsistence Allowance for attending approved duties within the Authority is not payable.

Where Members are required to stay away from their residence on Council business, they may claim the full cost of accommodation and any applicable subsistence allowances, where these are not included in the accommodation cost. Where hotels are used the most economical option should be chosen and must first be approved by the Chief Executive and/or Director of Finance and Corporate Services. Receipts should be provided for the reimbursement of any claims.

Travel allowances may be paid for the approved duties detailed in Schedule 3.

In-authority travel

In-authority travel for Members is mainly journeys from home to the Civic Offices for approved duties. The District is irregular in shape with the administrative centre being in Swadlincote close to the southern boundary. The distance between Swadlincote and neighbouring authorities in the vicinity of the Civic Offices is only a few miles.

Members qualify for office based on a number of criteria and may not reside in the District. In this situation only part of each journey to the Civic Offices is made in the District. Whilst the remaining part is covered by out-of-district travel there needs to be a reasonable limit. In-authority travel for the purposes of travel between home and Swadlincote for approved duties is limited to a 20 mile radius from the Civic Offices.

Members' mileage rates are based on the current HMRC mileage rates, as follows:-

Vehicle Type	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p
Passenger Supplement Rate	5p per passenger	5p per passenger

Out-of-authority travel

Members travelling out of the District on approved duties are expected to travel by the most cost-effective methods that meet the needs of their travel requirements. In particular, Members who have to travel by train to out of authority meetings are expected to travel standard class unless exceptional circumstances require otherwise. In such a situation, travel by first class would need to be given prior approval by the Chief Executive and/or Director of Finance and Corporate Services.

If other types of journeys need to be taken by Members on out of authority business and the rates recommended are not practical, then these modes of travel must first be approved by the Chief Executive and/or Director of Finance and Corporate Services and receipts should be provided for the reimbursement of any claims.

Subsistence for attending approved duties out of the Authority is payable at the current rates if not pre-booked by the Authority.

Schedule 3

Approved Duties for the Purposes of Travelling and Subsistence and Dependants' Carer's Allowances

Approved Duties Within Categories Specified by the Local Authorities (Members' Allowances) (England) Regulations 2003

- (a) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that -
 - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
 - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) The attendance at a meeting of any association of authorities of which the authority is a member;
- (d) The attendance at a meeting of the executive (Cabinet) or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) The performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996;
- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.
(See below)

Other Approved Duties

Travelling and Subsistence Allowances may be paid for the following approved duties, which shall not include 'case work' on behalf of constituents or work in relation to individual preparation for formal meetings:-

- attendance at a meeting of the Authority
- attendance at a meeting of a Committee or Sub-Committee of the Authority
- attendance at a meeting of some other body to which the Authority make appointments or nominations
- attendance at Parish Council meetings within Members wards
- any duty of a Chairman and/or Vice-Chairman of a Committee or Sub-Committee of the Authority
- any duty of Leaders and Deputy Leaders of each political group including visits to the Council's offices to conduct Council business
- attendance at a meeting which has both been authorised by the Authority, a Committee, or Sub-Committee of the Authority or a Joint Committee of the Authority and one or more other authorities, or a Sub-Committee of a Joint Committee and to which representatives of more than one political group have been invited
- visits by Members (other than Leaders, Deputy Leaders and Chairmen and Vice-Chairmen of Committees and Sub-Committees) to the Council's offices to discuss Council business or to attend meetings
- attendance at a meeting of a Local Authority Association of which the Authority is a member
- duties undertaken on behalf of the Authority in pursuance of any Procedure Rule requiring a Member or Members to be present while tender documents are opened
- duties undertaken on behalf of the Authority in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises
- attendance at a Meeting/event to which the Member has received an official invitation from a representative of the Authority
- attendance at public meetings and public inquiries when acting in the capacity of a councillor or an office of special responsibility
- attendance at a conference, seminar or training event, subject to prior approval of the Chief Executive in consultation with the Leader of the Council
- attendance at any meeting to which a Member is invited as a Ward councillor
- Civic duties undertaken by the Chairman and Vice-Chairman of the Council
- any other duty approved by the Authority in connection with discharging the duties of the Authority or its Committees or Sub-Committees

PLANNING COMMITTEE

18th October 2016

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice-Chairman) and Councillors Atkin, Coe (substituting for Councillor Harrison), Mrs Coe, Ford, Mrs Hall, Mrs Patten (substituting for Councillor Stanton) and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Taylor (substituting for Councillor Tilley)

In Attendance

Councillor Swann (Conservative Group)

PL/83 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillors Harrison, Stanton (Conservative Group) and Tilley (Labour Group).

PL/84 **DECLARATIONS OF INTEREST**

Councillor Ford declared a personal interest in Item 1.1 by virtue of knowing one of the applicants. Councillor Mrs Brown declared a personal interest in Item 1.4 by virtue of being a member of the Egginton Parish Council. Councillor Shepherd declared a personal interest in Agenda Item 5 by virtue of knowing the resident.

PL/85 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

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

MATTERS DELEGATED TO COMMITTEE

PL/86 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports

to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/87 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF 14 DWELLINGS AND CONSTRUCTION OF NEW ACCESS ROAD ON LAND TO THE REAR OF 30 & 32 COMMON SIDE CHURCH GRESLEY SWADLINCOTE**

It was reported that members of the Committee had visited the site earlier in the day.

The Planning Services Manager presented the report to the Committee addressing the key points regarding access to the site and noise. The Committee was informed that this outline application for 14 dwellings on an unused site was accessed by an unadopted public right of way. The proposal to erect a suitably designed acoustic fence around the boundary had met the requirements of the Environmental Officer, The noise report submitted as part of the application had addressed concerns regarding the proximity of the scrapyard where appropriate mitigation would render the site habitable.

Concerns were raised by Councillors Southerd and Mrs Patten regarding the potential future implications of the unadopted road, which were resolved by the proposal to add an informative for future residents to ensure that the road is adequately maintained.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services with the additional informative advising to leave private road in reasonable condition post development

Councillor Swann left the Meeting at 6:20pm.

PL/88 **APPROVAL OF RESERVED MATTERS FOR LAYOUT, SCALE, APPEARANCE & LANDSCAPING OF PLANNING PERMISSION REF: 9/2014/1039 TO PROVIDE 100 DWELLINGS, INCLUDING PUBLIC OPEN SPACE AND ASSOCIATED SERVICE INFRASTRUCTURE ON LAND AT SK2624 5131 NEWTON ROAD NEWTON SOLNEY BURTON ON TRENT**

The Planning Services Manager informed the Committee that this application had originally been refused in outline but had been allowed at appeal. Since the report was written, the Committee was informed that amendments were made to Condition 1 relating to the latest drawing schedule, that no objections had been received from the County Highways Authority and Derbyshire Wildlife Trust, who also addressed their outstanding point in the report confirming that that there would be a net gain in biodiversity. The Committee were advised that National Grid had objected on the basis that the developer had not engaged with them, but Members were informed that it is incumbent on the developer to approach the Council for a revised permission should they not be able to agree with the National Grid's requirements.

Mr Robert Galij (applicant) attended the Meeting and addressed Members on this application.

Members raised concerns regarding the lack of bungalows on the site, the design of the houses, the lack of domestic sprinklers and the impact on the rural landscape and the landscaping scheme. Further clarification was sought on the use of the open space and whether there are any prescriptive rules on gardens. The Planning Services Manager addressed these concerns by suggesting the addition of an informative advising the use of sprinklers, specifying that up to 18 different house types were being incorporated into a loose-knit frontage to keep in line with the rural setting of the site and advised the Committee that although the provision of bungalows is encouraged, the Appeal Inspector did not consider this necessary.

Abstentions: Councillors Southerd and Patten

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community & Planning Services with the additional informative advising the use of sprinklers.

PL/89

**RETENTION OF 1 x ADVERTISING BOARD AT 464 BURTON ROAD
MIDWAY SWADLINCOTE**

The Principle Area Planning Officer presented the report informing the Committee that policy BNE9 (Draft Local Plan Part 2) was omitted from page 31.

Councillor Dr Pearson addressed the Committee as local Ward Member for Midway informing that the item had been referred to Committee by local Members due to the advertising board potentially distracting drivers and consequentially creating a hazard. It was advised that the size and height of the sign would be specified by conditions. Members sought clarification on the requirement of the signage and if there was a change of use for the property. The Principle Area Planning Officer explained that there was no change of use.

Councillor Dr Pearson suggested that the application was not acceptable given that it was out of character with the area and of unsympathetic size and colour.

Abstention: Councillor Mrs Brown

RESOLVED:-

That planning permission be refused contrary to the recommendation in the report of the Director of Community & Planning Services for being contrary to policy BNE9 in that the sign is out of character with the area and of unsympathetic size and colour.

PL/90 **THE CONVERSION OF THE GARAGE INTO LIVING ACCOMMODATION AND CREATING OF NEW PARKING SPACE AT THE STABLES IVY COURT EGGINTON DERBY**

The Principal Area Planning Officer advised that members of the Committee had visited the site earlier in the day and presented the report.

Sir Henry Every Bt (objector) attended the Meeting and addressed Members on this application.

Councillor Mrs Brown addressed the Committee as local Ward Member for Etwall, citing conditions 6 and 10 of the original planning application and drawing attention to the potential impact this proposal would have on this tightly confined location.

It was brought to the Committee's attention that condition 10 of the original planning application relating to parking provision affected this proposal to convert the garage. It was further noted that this requirement could potentially be fulfilled under permitted development rights, followed by an application for the conversion at a later date.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/91 **DISPLAY OF GRAPHIC SIGNS IN THE GLAZING OF THE EXISTING SHOP FRONT AT 2 MIDLAND ROAD SWADLINCOTE**

This application was considered jointly with the application below.

PL/92 **PAINTING OF THE FRONT OF THE PROPERTY AT 2 MIDLAND ROAD SWADLINCOTE**

The Principal Area Planning Officer presented the report.

RESOLVED:-

That permission be granted as recommendation in the report of the Director of Community & Planning Services.

PL/93 **OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT OF UP TO 58 DWELLINGS ON LAND AT SK4330 5222 LONDON ROAD SHARDLOW DERBY**

The Chairman informed the Committee that this application had been withdrawn.

PL/94 **PROPOSED TREE PRESERVATION ORDER 441 AT 3 NARROW LANE, TICKNALL**

The report was presented by the Planning Services Manager outlining the chronology of the proposal, which started with a notice to prune the tree. The tree was then made the subject of a Tree Preservation Order given its contribution to the visual amenity of the area. The applicant had submitted an objection to the order, which had initially been misfiled, but then unfortunately left no time for a report to the Committee. It was explained that the current order was to enable Members to consider an objection within the requisite time limit.

Councillor Atkin addressed the Committee requesting clarification on the applicant's reasons for the works. The Planning Services Manager read out the reasons from the application and confirmed that the Tree Officer had found the works to be unnecessary.

Abstention: Councillor Shepherd

RESOLVED:-

That this Tree Preservation Order (TPO) be confirmed without modification.

PL/95 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decision in relation to the following applications:

9/2015/1051 Fishpond Lane & Duck Street, Egginton

The Principal Area Planning Officer drew Members attention to the detail of the above decision.

PL/96 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

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

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.20pm.

COUNCILLOR A ROBERTS

CHAIRMAN

PLANNING COMMITTEE

8th November 2016

PRESENT:-

Conservative Group

Councillor Roberts (Chairman), Councillor Mrs Brown (Vice-Chairman) and Councillors Atkin, Mrs Coe, Ford, Mrs Hall, Harrison, Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillors Muller (Conservative Group) and Taylor (Labour Group)

PL/97 **APOLOGIES**

The Committee was informed that no apologies had been received.

PL/98 **MINUTES**

The Open Minutes of the Meeting held on 27th September 2016 (PL/67-PL/80) were taken as read, approved as a true record and signed by the Chairman.

PL/99 **DECLARATIONS OF INTEREST**

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

PL/100 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

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

MATTERS DELEGATED TO COMMITTEE

PL/101 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports

to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/102 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 85 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING, OPEN SPACE AND DRAINAGE INFRASTRUCTURE ON LAND AT SK4128 0287, WESTON ROAD, ASTON ON TRENT, DERBY**

It was reported that members of the Committee had visited the site earlier in the day.

Mrs Sharon Bowler (objector) attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as Ward Member for Aston on Trent, expressing the concerns of local residents, wishing to preserve the distinction between the two settlements of Aston and Weston. The Councillor also expressed surprise at the application having been lodged so close to the adoption of the Local Plan Part 1. Councillor Atkin, another Ward Member for Aston on Trent, also endorsed the recommendation to refuse the application.

RESOLVED:-

That planning permission be refused in accordance with the reasons set out in the report of the Director of Community & Planning Services.

PL/103 **RESIDENTIAL DEVELOPMENT OF 27 AFFORDABLE HOUSING UNITS AT THE FORMER BRETBY POTTERY SITE, SWADLINCOTE ROAD, WOODVILLE, SWADLINCOTE**

The Principal Area Planning Officer updated the Committee with updates to Conditions 14, 15 and 19. Reference was also made to planning guidance in relation to noise issues and outlined the findings of the noise survey commissioned after the previous committee.

Mr Anthony Rice (applicant's agent) attended the Meeting and addressed Members on this application.

It was noted that Councillor Southerd took exception to an individual Member being singled out in any way, given that decisions were made by a Committee.

Councillor Mrs Coe addressed the Committee as Ward Member for Woodville, stating that after close scrutiny of the noise report, which deemed it acceptable, she supported the application, given the need to develop the site and achieve affordable housing stock.

Councillor Taylor, another Ward Member for Woodville, asserted his right to speak on behalf of his constituent's and expressed his concerns regarding tenant choice, the comparisons to other sites at Rose Hill and Tunnel Close,

the external amenity aspect, the likelihood of noise complaints and the potential impact on local businesses.

The Environmental Health Manager clarified the position regarding noise, noting that whilst the site was not ideal, it was similar to other residential developments. Any noise complaints would be investigated and dealt with accordingly, although it was noted that the recycling plant also fell within the Environment Agency's remit.

Other Members added views on the demand for affordable housing, the need for consistent decisions, employment site status, other noise issues, the acknowledged reputation of the developer, government guidance, the likelihood of approval at any appeal and the plans for the listed building at the site. Responses were made by the Principal Area Planning Officer.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to amendments to Conditions 14, 15 and 19.

Abstention: Councillor Southerd.

PL/104 **LISTED BUILDING CONSENT FOR THE DEMOLITION AND REBUILDING OF THE EXISTING BOUNDARY WALL FRONTING THE SITE AT THE FORMER BRETBY POTTERY SITE, SWADLINCOTE ROAD, WOODVILLE, SWADLINCOTE**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/105 **APPROVAL OF RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, AS WELL AS DISCHARGE OF CONDITIONS 5, 11, 14, 15, 31, 35 OF PLANNING PERMISSION REF: 9/2014/1136 FOR THE ERECTION OF 288 DWELLINGS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE AT NEW HOUSE FARM ETWALL ROAD MICKLEOVER DERBY**

The Principal Area Planning Officer updated Committee with amendments to / omissions of Conditions 1, 2, 5, 6, 8 and 9, as well as referring to a further letter of objection.

Mr Robert Galij (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Taylor left the Meeting at 7.00pm.

Councillor Mrs Brown addressed the Committee as Ward Member for Etwall, stating her support for the current scheme, requesting that the trees planted on the site be of a good standard, to mitigate against the large build area.

Councillor Muller, the other Ward Member for Etwall, also supported the application and commended the good working relationship with the developer.

Other Members raised queries relating to the garage sizes, the potential for their future change of use, on-street parking, bus routes, clearways, affordable housing locations and the treatment of excess surface water, each responded to by the Principal Area Planning Officer.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to the amendments to Conditions 1, 2, 5, 6, 8 and 9.

PL/106 **THE VARIATION OF CONDITION 14 OF PLANNING PERMISSION REF: 9/2013/1040 (RELATING TO OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR DEVELOPMENT OF UP TO 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS) TO REDUCE EXTENT OF HIGHWAY WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/107 **APPROVAL OF LANDSCAPING RESERVED MATTER ON LAND SUBJECT TO OUTLINE PERMISSION 9/2013/1040 FOR 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY**

The Principal Area Planning Officer informed Committee that an additional letter of objection had been received, relating to the planting proposals at the site.

Councillor Mrs Brown addressed the Committee as Ward Member for Etwall, welcoming the additional hedgerow requests and querying the landscape management responsibilities, the quality of the trees to be planted and maintenance of the drainage ditch at the northern end of the site. The Principal Area Planning Officer responded to each of the queries. It was also agreed that three trees to the rear of Plot 19 be omitted rather than moved.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, with delegated authority also granted to the Planning Services Manager with regard to the amendment to landscaping to the rear of Plot 19.

PL/108 **APPROVAL OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED MATTERS RELATIVE TO SUBSTITUTION OF**

HOUSETYPES TO PLOTS 10, 11, 19, 20, 31, 33, 80, 85, 86 AND 95 AND REPOSITIONING OF PLOTS 18, 21-30, 32, 78, 79 AND 81 ON LAND SUBJECT TO OUTLINE PERMISSION 9/2013/1040 FOR 100 DWELLINGS, PUBLIC OPEN SPACE, DRAINAGE AND ASSOCIATED WORKS ON LAND AT SK2731 3037 WILLINGTON ROAD ETWALL DERBY

The Principal Area Planning Officer updated the recommendation in light of the resolution made at Item 1.5 regarding the trees to the rear of Plot 19.

Councillor Mrs Brown addressed the Committee as Ward Member for Etwall, querying the increase in some property sizes, a point responded to by the Principal Area Planning Officer.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, with delegated authority also granted to the Planning Services Manager with regard to the amendment to landscaping to the rear of Plot 19.

PL/109 REMOVAL OF THE NEED TO COMPLY WITH CODE FOR SUSTAINABLE HOMES LEVEL 3 TO BE ACHIEVED FOR AFFORDABLE HOUSING CONTAINED WITHIN THE S106 IN RESPECT OF PLANNING PERMISSION FOR 100 DWELLINGS ON LAND AT WILLINGTON ROAD, ETWALL

RESOLVED:-

Members authorised the removal of the need to comply with Code for Sustainable Homes Level 3 to be achieved for affordable housing. The overall level of provision would remain unchanged at 30% (30 homes).

PL/110 TREE PRESERVATION ORDER 432 AT 59 JUBILEE CLOSE, MELBOURNE

Councillor Watson raised concerns regarding applications for Tree Preservation Orders (TPO) for trees in inappropriate locations, requesting deferment for the future attendance of the Tree Officer or photographs and/or a site visit if required. Although the deferment proposal was not supported by the Committee, it was agreed that photographs would accompany future applications.

RESOLVED:-

Members confirmed this Tree Preservation Order (TPO) without modification.

PL/111 TREE PRESERVATION ORDER 433 AT 33 WOODFIELD DRIVE, SWADLINCOTE

RESOLVED:-

Members confirmed this Tree Preservation Order (TPO) without modification.

PL/112 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

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

EXEMPT MINUTES

The Exempt Minutes of the Meeting held on the 27th September 2016 (PL/81-PL/82) were taken as read, approved as a true record and signed by the Chairman.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.55pm.

COUNCILLOR A ROBERTS

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

17th November 2016

PRESENT:-

Conservative Group

Councillor Muller (Vice-Chairman), Councillors Mrs Brown, Mrs Coyle (substituting for Councillor Mrs Patten), Ford, Hall, Harrison (substituting for Councillor Watson), Hewlett (substituting for Councillor Coe) Roberts and Wheeler (substituting for Councillor Stanton).

Labour Group

Councillors Shepherd, Taylor and Tilley

In attendance

Councillor Atkin (Conservative Group)

EDS/47 **BRITISH CONSTRUCTION INDUSTRY AWARDS**

The Vice-Chairman notified the Committee of Councillor Watson's letter to Keystone Group UK and joined in congratulating them on winning the Product and Design Innovation Award at this year's British Construction Industry Award.

EDS/48 **APOLOGIES**

Apologies for absence from the meeting were received from Councillors Coe, Mrs Patten, Stanton, Watson (Conservative Group) and Chahal (Labour Group).

EDS/49 **MINUTES**

The Open Minutes of the Meeting held on 29th September 2016 were noted, approved as a true record and signed by the Chairman.

EDS/50 **DECLARATIONS OF INTEREST**

Councillor Roberts declared a personal interest in item 8 on the agenda by the way of being a Private Hire Driver licensed with SDDC under the Licensing Act 2003.

EDS/51 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

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

EDS/52 QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

EDS/53 REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE

The Committee was informed that there were no Overview & Scrutiny Committee reports for it to consider.

MATTERS DELEGATED TO COMMITTEE**EDS/54 CORPORATE PLAN 2016-21: PERFORMANCE MANAGEMENT (1 JULY – 30 SEPTEMBER 2016)**

The Director of Housing and Environmental Services presented the report to inform Members of the progress made during the period 1 July to 30 September 2016 highlighting action being taken to address those areas not currently on target.

Councillor Tilley, as local Ward Member for Swadlincote, whilst acknowledging the redevelopment of the Delph, addressed the Committee regarding plans for refurbishment for the remainder of the town. The Chief Executive responded advising that plans for refurbishment are in place, but the allocation of funding from Section 106 Agreements has delayed the process.

Councillor Harrison queried the number of noise complaints and asked for clarification on the types of noise the complaints related to. The Environmental Health Manager responded that the majority of complaints related to domestic noise.

RESOLVED:

Members noted progress against the performance targets.

EDS/55 KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT

The Chief Executive provided Members with an update on the Licensing Department Key Performance Indicators.

RESOLVED:

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

EDS/56 VEHICLE MANAGEMENT STRATEGY AND VEHICLE REPLACEMENT PLAN

The Direct Services Manager presented the report highlighting key areas identified relating to the procurement, maintenance and disposal of vehicles.

Councillors raised their concerns regarding cost implications of bulk replacement, the outright purchase of new and/or used vehicles, contract hire, and sought clarification on the seven year replacement programme.

The Direct Services Manager addressed these issues explaining that a large number of the vehicles currently owned were over seven years old, so replacement would be preferential, however, the performance of each vehicle would be assessed individually. The Direct Services Manager advised that the management strategy and replacement programme would involve monitoring mileage and consequent effective distribution of vehicles.

RESOLVED:

Members approved the Vehicle Management Strategy and the Vehicle Replacement Plan.

EDS/57 DRIVING AT WORK POLICY

The Direct Services Manager presented the report.

RESOLVED:

Members approved the draft 'Driving at Work Policy' for consultation with service areas and employees, through the Council's Health & Safety Committee.

EDS/58 CORPORATE ENFORCEMENT POLICY

The Environmental Health Manager presented the report highlighting that this combined regulatory policy would cover all of the regulatory functions of licensing, environmental health, planning enforcement and building control. Section 8.7 of the Corporate Enforcement Policy document was noted, in particular, where the policy commits that the Council would not automatically trigger enforcement action where those who are regulated showed a willingness to resolve non-compliance.

Councillor Mrs Coyle queried the reasons for this report being on both the agenda for this committee as well as the Housing and Community Services Committee and furthermore asked what the implications would be if one committee were to approve and the other reject. The Environmental Health Manager explained that due to the wide scope of the document, both committees needed to be consulted, but any changes would be incorporated and then re-submitted.

RESOLVED:

Members approved a new Corporate Enforcement Policy.

EDS/59 QUARTERLY ENFORCEMENT POLICY

The Environmental Health Manager presented the report on how enforcement would be monitored and the status of regulatory work undertaken. Feedback on the content, format and analysis was welcomed.

Councillor Mrs Brown, alluding to a case recently in the media queried how many cases have been taken to court. The Environmental Health Manager referred to the data in the report illustrating that three prosecutions had been made.

Whilst commending the work of the 'clean team', Councillors raised their concerns regarding fly tipping and to feedback from residents regarding the location of recycling facilities in / outside the District. Suggestions were made regarding collaboration with other neighbouring authorities. The Director of Housing and Environmental Services advised that this issue was being addressed and is also being reviewed by the Overview and Scrutiny Committee.

RESOLVED:

Members were satisfied that on the basis of the report the Council is using its regulatory powers in a way proportionate to the demands for regulatory services.

EDS/60 PUBLIC SPACES PROTECTION ORDERS UNDER THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

The Environmental Health Manager presented the report explaining that feedback to the proposal to prohibit dogs from the cemetery had shown strong opposition; therefore the consensus was to keep existing enforcement to keep dogs on a lead. The same enforcement action was proposed for Melbourne Sporting Partnership which was welcomed by Members.

RESOLVED:

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

EDS/61 WORK PROGRAMME 2016/17

Making reference to a recent Planning Committee, Councillor Tilley queried the guidance supplied to those registering to speak at Planning Committee meetings. The Director of Housing and Environmental Services advised that this matter would be referred to the Director of Planning and Community Services.

RESOLVED:

That the Committee considered and approved the updated work programme for 2016/17.

EDS/62 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED:-

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

MINUTES

The Exempt Minutes of the Meeting held on the on 29th September 2016 were received.

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

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

A REVIEW OF THE LAND CHARGES UNIT (Paragraph 1)

Members approved the recommendations contained in the report.

The meeting terminated at 7.20pm.

COUNCILLOR D MULLER

VICE-CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

24th November 2016

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman), Councillor Smith (Vice-Chairman) and Councillors Mrs Coyle, Grant, Mrs Hall (substituting for Councillor Billings), Muller, Murray (substituting for Councillor Coe), Swann and Mrs Wyatt

Labour Group

Councillors Rhind, Southerd (substituting for Councillor Richards), Mrs Stuart and Taylor

HCS/49 **CHARTERED INSTITUTE OF HOUSING QUALITY AWARD**

The Chairman announced the Council's achievement in being awarded a Quality Award for East Midlands Development of the Year from the Chartered Institute of Housing, in relation to developments at Pennine Way, Swadlincote and Lullington Road, Overseal. The Director of Housing and Environmental Services introduced Housing Officers Victoria Robb, Lee Carter and Richard Thornewill to receive the Award. The Chairman led Members in congratulating the Housing team on their achievements.

HCS/50 **APOLOGIES**

Apologies for absence were received from Councillors Billings, Coe (Conservative Group) and Richards (Labour Group).

HCS/51 **MINUTES**

The Open Minutes of the Meeting held on 6th October 2016 were noted and approved as a true record and signed by the Chairman.

HCS/52 **DECLARATIONS OF INTEREST**

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

HCS/53 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

HCS/54 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

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

HCS/55 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

HCS/56 **CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 JULY – 30 SEPTEMBER 2016)**

The Director of Housing and Environmental Services presented the report to Committee.

RESOLVED:

Members noted progress against performance targets.

HCS/57 **DERBYSHIRE HEALTHY WORKPLACES PROGRAMME**

The Health Partnership Manager presented the report to Committee.

Queries raised by Members relating to the sickness absence figures, Body MOT's and County Council funding were responded to by the Director of Community and Planning and the Health Partnership Manager.

RESOLVED:-

Members approved South Derbyshire District Council being signed up to the Derbyshire Healthy Workplaces Programme.

HCS/58 **SOUTH DERBYSHIRE SCHOOL SPORT PARTNERSHIP**

The School Sports Partnership Activator presented the report to Committee.

Members voiced their appreciation for the sports activities and their success in the schools. A query as to how this initiative is inclusive of not only the larger schools but also the smaller schools was responded to by the Director of Community and Planning Services, who also referred to the beneficial outcomes, including increased participation in after-school and school holiday events.

RESOLVED:-

- 1) Members noted the update on the South Derbyshire School Sport Partnership (SSP) area of work.***
- 2) Members approved the continuation of the hosting of the School Sport Partnership and apply for relevant funding when available.***

3) Members approved the South Derbyshire School Sport Partnership to diversify the service offer.

HCS/59 **ROSLISTON FORESTRY CENTRE - UPDATE**

The Director of Community and Planning Services presented the report to Committee, also presenting the new Project Officer, Louise Glover.

Members, in referencing the unique nature of the Centre, noted the need for care in its future development and direction. The Director acknowledged these comments and confirmed that Members would be included throughout the process.

RESOLVED:-

Members approved the process for the future management and development of Rosliston Forestry Centre.

HCS/60 **REVIEW OF IGNITING THE LEGACY PROGRAMME**

The Sport and Health Partnership Manager presented the report to Committee.

Members commented on the support this programme gave to the local economy, the potential for further investment and the effective targeting of groups not currently engaged.

RESOLVED:-

Members noted the update and approved the work taking place under the Igniting the Legacy Programme, along with the intention to seek future funding from Sport England.

HCS/61 **VOLUNTEERING POLICY**

The Safer Communities Manager presented the report to Committee.

Members raised issues relating to the recruitment of volunteers, their training and retention, safeguarding and the relationship between this policy and that of the County Council. The Safer Communities Manager, the Sport and Health Partnership Manager and the Director of Community and Planning Services responded to all queries in turn.

RESOLVED:-

Members approved the Council Volunteer Policy.

HCS/62 **CORPORATE ENFORCEMENT POLICY**

The Environmental Health Manager presented the report to Committee.

Councillor Southerd commended the report as a valuable source of information for all Members.

RESOLVED:-

Members approved the new Corporate Enforcement Policy.

HCS/63 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

Members considered and approved the updated work programme.

HCS/64 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 6th October 2016 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

The Meeting terminated at 7.15pm.

COUNCILLOR J HEWLETT

CHAIRMAN

PLANNING COMMITTEE

29th November 2016

PRESENT:-

Conservative Group

Councillor Mrs Brown (Vice-Chairman) and Councillors Atkin, Coe (substituting for Councillor Roberts), Mrs Coe, Ford, Mrs Hall, Harrison, Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillors MacPherson, Murray (Conservative Group) and Taylor (Labour Group)

PL/115 **APOLOGIES**

Apologies for absence from the Meeting were received on behalf of Councillor Roberts.

PL/116 **DECLARATIONS OF INTEREST**

Councillor Ford declared a personal interest in Item 1.5 by virtue of knowing one of the applicants. Councillor Shepherd declared a prejudicial interest in Item 1.6 on the Agenda by virtue of being the applicant.

PL/117 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

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

MATTERS DELEGATED TO COMMITTEE

PL/118 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/119 **CONTINUED USE OF LAND TO PROVIDE 5 GYPSY PITCHES ON ORIGINAL GROUND LEVELS WITH CREATION OF HARDSTANDING AND ACCESS ROAD AT THOSE LEVELS, ALONG WITH THE ERECTION OF AN AMENITY BLOCK, RETENTION OF BOUNDARY WALLS AND ROAD OVERSEAL SWADLINCOTE**

It was reported that members of the Committee had visited the site earlier in the day. The Planning Services Manager advised the Committee of the recent history of the site and that further to the report; Warwickshire County Council had confirmed the status of the applicant as traveller/gypsy. Amendments to conditions 1, 8, 9 and 10 were also explained in that these pre-conditions could not be enforced as the work had been started. The Planning Services Manager advised the Committee that it had been brought to his attention that the applicant had lodged an appeal against an enforcement notice and the compliance with the 90-day timeframe. As such, this suspended the effect of the enforcement notice and the Stop Notice would prevent further breaches.

Mrs S. Jones (objector) and Mrs Aida McManus (applicant's agent) attended the Meeting and addressed Members on this application

Councillor Mrs Hall addressed the Committee as Ward Member for the Seales, and citing policies H22 and SD1 of Part One of the Local Plan raised concerns regarding highways safety, access to the site, drainage, and the potential adverse impact on the environment and amenity of existing residents. The Councillor noted that South Derbyshire's provision of gypsy sites, particularly in this area, had been more than sufficient.

Councillor Murray, as the other Ward Member, concurred that the previous permission for housing was preferred and also raised concerns about access, noise and the potential difficulty of imposing the amended condition 6 due to the applicant's landscaping business. The application would therefore be contrary to policy H22 of Part One of the Local Plan.

Councillors sought clarification on the pitch occupation. The Planning Services Manager advised that one pitch could include the provision of one static and one touring caravan, the Councillor queried whether the calculation of the five pitches would potentially allow up to ten caravans. The Planning Services Manager confirmed this was correct. Councillors raised the matter of the removal of the hardstanding, and whether the outcome of the appeal needed to be known before a planning decision was made. The Planning Services Manager clarified that the appeal has been lodged to challenge the length of the time period not the removal of the materials. It was asked if the applicant could start work sooner than the appeal decision and Members were advised that so long as the conditions were adhered to, certain works could be started. It was queried whether drainage would be monitored to which the Planning Services Manager responded that the conditions within the report addressed this concern and safeguarded compliance.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds that this development would be harmful to the residential amenity and therefore contrary to policies H22 and SD1 of Part One of the Local Plan.

Abstentions: Councillors Dr Pearson, Shepherd, Southerd and Tilley

Councillor Murray left the Meeting at 7pm

PL/120 **CHANGE OF USE OF VACANT LAND TO AN AREA OF HARD STANDING FOR SKIP STORAGE (USE CLASS B8) ON LAND AT SK2828 2357 THE CASTLE WAY WILLINGTON DERBY**

It was reported that members of the Committee had visited the site earlier in the day. The Planning Services Manager clarified that the site will be used solely for the storage of empty skips and not for the disposal of waste.

Mrs Sue Bussey (objector) and Ms Alexis Tysler (applicant's agent) attended the Meeting and addressed Members on this application.

The Vice-Chairman enquired whether additional landscaping could be incorporated to strengthen boundaries and if a height restriction to the stacking of the skips would be imposed in order to prevent a visible intrusion.

Councillor Ford as local Ward Member whilst acknowledging the history of the site and the merits of the application, requested that for the protection of the residents whether a temporary permission for two years could be granted. Councillors sympathised with the issues raised and agreed that temporary permission with additional landscaping would address these concerns.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services, subject to temporary consent for 2 years, amendment to landscaping conditions and maximum storage height.

PL/121 **CONSTRUCTION OF A NEW SURFACED MULTI USE RECREATIONAL FAMILY CYCLE TRAIL COMPRISING A MAIN SECTION CONNECTING THE ENDS OF THE EXISTING TRAMWAY CYCLE ROUTE TO FORM A CIRCULAR TRAIL AND A SHORTCUT SECTION CONNECTING TO A MID-WAY POINT ON THE EXISTING CYCLE ROUTE AT CALKE ABBEY MAIN STREET TICKNALL DERBY**

The Area Planning Officer presented the report highlighting where the route would be and the environmental and agricultural impact.

Parish Councillor Paul Colleyshaw (objector) and Mr Stewart Alcock (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Stanton addressed the Committee as the local Ward Member, highlighting that parking in Ticknall was already an issue due to the usage by visitors to Calke Abbey. Whilst Councillors welcomed the health benefits of cycling and walking to the attraction, concerns were raised that the cycle route would add further strain to parking and requested that the National Trust consider offering free parking at Calke Abbey in order to alleviate this matter. The Committee requested that the National Trust liaise with parish councils of the affected wards to collaborate and seek a collective solution to the issues raised.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services with the Informative to encourage National Trust and Parish Council liaison.

Abstentions: Councillors Dr Pearson, Shepherd, Southerd and Tilley

PL/122 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF UP TO 14 DWELLINGS ON LAND AT SK3220 4756 WOODVILLE ROAD HARTSHORNE SWADLINCOTE**

It was reported that members of the Committee had visited the site earlier in the day. The Area Planning Officer clarified that whilst the site lay on the settlement boundary, it addressed the need for affordable housing.

Mr Andrew Mansfield (objector) and Ms Alexis Tysler (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Mrs Coe, as the local Ward Member for Woodville, expressed that whilst understanding the merits of application including affordable housing, highlighted reservations about the access to the development and noted that concerns about this application had been raised at the parish council and resident's association meetings. Safety concerns regarding traffic in this location were also raised.

Councillor Taylor addressed the Committee as another local Ward Member for Woodville, highlighting that the proposed development did not meet all five criteria in the exceptions policy because the site does not relate well to the settlement, therefore changed the character of the area and impinged on the environment

The Area Planning Officer and the Planning Services Manager explained the history, benefits and impact of the application as detailed in the report and acknowledged that concerns had been raised regarding the landscape setting of the village. However, the social benefits in the housing provision included in the proposed development made it an exception site.

A discussion regarding the concerns and benefits of the application ensued where policy H21 was cited and details of the flood management scheme were requested and addressed by the planning officers.

RESOLVED:-

That planning permission be refused contrary to officer recommendation on the grounds that this application is contrary to policy, and intrusive into the countryside

Abstentions: Councillors Atkin and Southerd

Councillors MacPherson and Taylor left the Meeting at 8.10pm

PL/123 **ERECTION OF 37 CARE APARTMENTS (USE CLASS C2) AND A VILLAGE CLUBHOUSE IN LIEU OF 36 DWELLINGS APPROVED UNDER PLANNING PERMISSION REF: 9/2014/0232 (TO FORM AN EXTENSION TO THE CARE RETIREMENT VILLAGE) TOGETHER WITH RECONFIGURATION OF 38 DWELLINGS (USE CLASS C3) PREVIOUSLY APPROVED UNDER THE SAME PERMISSION ON LAND OFF MAPLE DRIVE ASTON ON TRENT DERBY**

The Planning Services Manager presented the report showing the elevations and maps of the location of the site boundaries highlighting that the proposed clubhouse/development will be in a similar style to the remainder of the village.

Mr Peter Rutter (applicant's agent) attended the Meeting and addressed Members on this application.

Councillor Watson, as Ward Member for Aston-on-Trent, commended the work completed by this developer on the adjoining site and noted that in balance although there would be some loss of housing provision, there's more to gain. Councillor Atkin endorsed this as another Ward Member.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/124 **THE FELLING OF A TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 336 AT 52 CHEAL CLOSE SHARDLOW DERBY**

The Area Planning Officer presented the report highlighting the reason for the Tree Preservation Order.

Mrs Navada Ward (applicant) attended the Meeting and addressed Members on this application.

Councillor Watson addressed the Committee as local Ward Member noting that he had visited the site to view the tree and had researched into this

particular type of tree. The Committee were informed that the Norway Maple in this purple variety would not only be in touching distance of the property when in full growth, but also the intensity of its exceptionally dense leaf growth would also stunt the growth of any plants or grass under its canopy. The Councillor added that this tree is prone to damage, has no/low amenity value because of its shape, and limited the use of the garden.

The Planning Services Manager, suggested replacing the tree with a more appropriate species to be determined in conjunction with the Council's Tree Officer

Councillors expressed concern that this might set a precedent, but the Vice-Chairman and Planning Services Manager underlined that each case is judged on its own merit.

RESOLVED:-

That permission be granted contrary to recommendation in the report of the Director of Community & Planning Services.

PL/125 **SUSPENSION OF STANDING ORDERS**

RESOLVED:-

That Standing Orders be suspended and that the meeting of the Committee continue beyond 8.30pm.

Councillor Shepherd left the Chamber at 8.30pm.

PL/126 **THE FELLING AND PRUNING OF TREES AT 11 HIGH STREET TICKNALL DERBY**

Councillor Watson queried the content of the report.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

Councillor Shepherd returned to the Chamber at 8.35pm.

PL/127 **PROPOSED TREE PRESERVATION ORDER 436: LAND ADJACENT TO 572 BURTON ROAD, MIDWAY, SWADLINCOTE, DE11 0DP**

The Planning Services Manager presented the report highlighting the two trees selected to be protected by the Tree Preservation Order as they contributed to the amenity of the street

RESOLVED:-

Members confirmed this Tree Preservation Order (TPO) without modification.

PL/128 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

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

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 8.40pm.

COUNCILLOR MRS L BROWN

VICE-CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

1st December 2016

PRESENT:-

Conservative Group

Councillor Harrison (Chairman), Councillor Mrs Plenderleith (Vice-Chairman) and Councillors Atkin, Mrs Coe, Mrs Coyle, Hewlett, Watson and Wheeler

Labour Group

Councillors Rhind, Richards, Southerd and Wilkins

FM/88 **APOLOGIES**

Apologies were received from Councillor Smith (Conservative Group).

FM/89 **MINUTES**

The Open Minutes of the Meetings held on 22nd September 2016 and 13th October 2016 were taken as read, approved as a true record and signed by the Chairman.

FM/90 **DECLARATIONS OF INTEREST**

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

FM/91 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/92 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

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

FM/93 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no reports of the Overview & Scrutiny Committee to consider.

FM/94 **COMMUNICATIONS STRATEGY 2016/21 AND INTERNAL COMMUNICATIONS STRATEGY 2016/18**

The Chief Executive presented the report to Committee.

Councillor Atkin commended the report contents, but queried media coverage of South Derbyshire matters. The Communications Manager gave assurances that contact is maintained with all local media.

Councillor Mrs Coyle commented that as Members cannot access certain information via their iPads and that as staff at the depot did not have access to the intranet, other means of communication needed to be maintained or developed.

Councillor Richards also made reference to the wording of consultations, stating that when individuals fail to understand the content they are less likely to respond.

RESOLVED:

Members agreed to adopt the draft Communications Strategy 2016/21 and Internal Communications Strategy 2016/18.

FM/95 **CORPORATE PLAN 2016-21: PERFORMANCE REPORT
(1 JULY–30 SEPTEMBER 2016)**

The Director of Finance and Corporate Services presented the report to the Committee, making particular reference to the benefit processing situation, now back on track, and the sickness figures, recently showing an upward trend due to some long-term absences.

Members raised queries relating to the sickness absences, responded to by the Director, and in relation to figures relating to responses to challenged benefit decisions. The Director undertook to source further information in relation to the latter query.

RESOLVED:

Members noted progress against performance targets.

FM/96 **BUDGET AND FINANCIAL MONITORING 2016/17**

The Director of Finance and Corporate Services delivered the report to the Committee, highlighting issues of note including the downturn in Building Control income, the potential for additional costs from the markets operation, the healthy Collection Fund position and the positive Treasury Management situation.

Councillors Wheeler and Rhind queried the retention rates relating to housing receipts, to which the Director gave an explanation of the sliding retention rates now applicable under the new rules.

Councillor Southerd, noting the competitive market in which Building Control operates, queried whether they could vary the services offered / charges made. The Director confirmed that their charges may be varied and the Chief Executive stated that the Council is currently considering other options in this area. Councillor Southerd also voiced his concerns relating to the potential for enhanced private sector involvement in planning matters.

RESOLVED:

Members approved the latest budget and financial position for 2016/17.

FM/97 **COMPLAINTS, COMPLIMENTS & FREEDOM OF INFORMATION REQUESTS 1 APRIL TO 30 SEPTEMBER 2016**

RESOLVED:-

Members noted the complaints and FOI requests as detailed in the report.

FM/98 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

Members considered and approved the updated work programme.

FM/99 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 13th October 2016 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

A REVIEW OF THE LAND CHARGES UNIT (Paragraph 2)

Members approved the recommendations in the report.

THE TRANSFER OF CORPORATE SERVICE AND STRUCTURE PROPOSALS (Paragraphs 2 and 3)

Members approved the recommendations in the report.

PREMISES AT SWADLINCOTE (Paragraph 3)

Members approved the recommendations in the report.

The meeting terminated at 7.35pm.

COUNCILLOR J HARRISON

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

6th December 2016 at 2.00pm

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillor Mrs Coyle (Chairman), Councillor Atkin (Conservative Group) and Councillor Rhind (Labour Group)

District Council Representatives

A Kaur (Legal and Democratic Services Manager), M Lomas (Licensing Officer), R Pabla (Democratic Services Officer) and F Tucker (Trainee Licensing Officer)

LAS/28 **APPOINTMENT OF CHAIRMAN**

Councillor Mrs Coyle was appointed Chairman of the Sub-Committee.

LAS/29 **APOLOGIES**

The Sub-Committee was informed that no apologies had been received.

LAS/30 **DECLARATION OF INTEREST**

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

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/31 **DETERMINATION OF AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE – CENTRAL ENGLAND CO-OPERATIVE LTD RYKNELD ROAD LITTLEOVER DERBYSHIRE DE23 4AJ**

The Sub-Committee considered an application for a Premises Licence for Central England Co-operative Ltd, Rykneld Road, Littleover, Derbyshire DE23 4AJ.

RESOLVED:-

That the application for a Premises Licence be granted, subject to the conditions agreed by the applicant and Derbyshire County Council Trading Standards as detailed in the Decision Notice, a copy of which is incorporated in the signed minute book at “SMB1”.

LAS/32 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

The Meeting terminated at 2.05pm.

COUNCILLOR MRS H COYLE

CHAIRMAN

OVERVIEW AND SCRUTINY COMMITTEE

7th December 2016

PRESENT:-

Conservative Group

Councillor Swann (Vice-Chairman) and Councillors Billings and Mrs Coe

OS/33 **APOLOGIES**

Apologies were received from Councillors Mrs Farrington, Mrs Patten (Conservative Group), Bambrick and Dunn (Labour Group)

OS/34 **MINUTES**

The Open Minutes of the Meeting held on 19th October 2016 were taken as read, approved as a true record and signed by the Chairman.

OS/35 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee were informed that no declarations of interest from Members of the Council had been received.

OS/36 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee were informed that no questions from members of the Public had been received.

OS/37 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

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

OS/38 **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – QUARTERLY REPORT ON USAGE**

RESOLVED:-

Members noted the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.

OS/39 **RECYCLING**

The Director of Housing and Environmental Services delivered a verbal presentation to the Committee regarding the streetscene, recycling and bulky waste collection services.

Members queried the frequency of grass cutting, parish council and developer responsibilities, resource deployment and roundabout maintenance. The Director stated that the warmer climate was resulting in a longer cutting season and that a more joined up approach was being implemented to make best use of the resources available. The Director confirmed that he and the relevant managers were assessing the options and costings, including the work they currently undertake on behalf of parish councils and the County Council, given the growth in developments across the District.

Councillor Billings also queried where queries relating to road issues should be directed. The Director stated that queries should initially be directed to towards the Direct Services Manager, who would confirm the correct responsible body if not the District Council.

OS/40 **TELECARE PROVISION**

The Housing Operations Manager gave a verbal presentation to Committee, outlining the current and proposed telecare provision within the District.

The Vice-Chairman noted the vital nature of this service and its importance in helping reduce hospital admissions. Future funding and home alterations were also discussed, aiming at helping individuals return home, releasing hospital beds. The level of presence in the community and the differing needs of individuals of differing age were also raised. The Housing Operations Manager confirmed that whilst staff operate the call centre 24 hours a day from Oaklands, often providing that re-assuring voice at the end of the line, other staff do make regular visits, helping address social isolation issues. He added that all policies in this area are currently being reviewed, including housing allocation.

OS/41 **COMMITTEE WORK PROGRAMME 2016-17**

The Committee considered and approved the updated work programme.

With regard to the proposed health panel public meeting in January, it was proposed that this be deferred to allow for the return of the Chairman and for the details to be further discussed and agreed.

RESOLVED:-

Members considered and agreed the proposed Committee Work Programme for 2016/17.

OS/42 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

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

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

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

The Meeting terminated at 6.55pm.

COUNCILLOR SWANN

VICE-CHAIRMAN

PLANNING COMMITTEE

20th December 2016

PRESENT:-

Conservative Group

Councillor Roberts (Chairman) and Councillors Atkin, Mrs Coe, Coe (substituting for Councillor Mrs Brown), Mrs Hall, Harrison, Hewlett (substituting for Councillor Ford), Stanton and Watson

Labour Group

Councillors Dr Pearson, Shepherd, Southerd and Tilley

In Attendance

Councillor Billings (Conservative Group)

PL/129 **APOLOGIES**

Apologies were received from Councillors Mrs Brown and Ford (Conservative Group).

PL/130 **DECLARATIONS OF INTEREST**

Councillor Hewlett declared a personal interest in Item 1.1 by virtue of being an acquaintance of the applicant.

Councillor Southerd declared a personal interest in Item 1.4 by virtue of his being a former Member of the Fire Authority.

PL/131 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

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

MATTERS DELEGATED TO COMMITTEE

PL/132 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

- PL/133 **THE VARIATION OF CONDITION 2 AND REMOVAL OF CONDITION 17 OF PLANNING PERMISSION 9/2014/0725 RELATING TO THE ERECTION OF A DWELLING AND A FORESTRY BUILDING WITH SOLAR PV ALONG WITH INSTALLATION OF ACCESS TRACK, HARDSTANDINGS, DRAINAGE POND AND CREATION OF GARDEN SPACE ON LAND AT BROADSTONE HOLT, BOG LANE, MELBOURNE, DERBY**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

- PL/134 **CHANGE OF USE OF PART OF AGRICULTURAL BUILDING FOR USE AS DOG BREEDING KENNELS AND INDOOR EXERCISE AREA AT POPLARS FARM 11 DERBY ROAD FOSTON DERBY**

It was proposed that this matter be deferred for a site visit.

The registered speaker elected to return and speak when the application had been re-scheduled.

RESOLVED:-

That the application be deferred to allow for a site visit to be conducted.

Councillor Billings left the meeting at 6.15pm.

- PL/135 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE DEVELOPMENT OF UP TO 72 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, OPEN SPACE, LANDSCAPING, INFRASTRUCTURE AND FACILITATING WORKS INCLUDING DEMOLITION ON LAND AT SK3119 0360, SK3019 9268 AND 61 COURT STREET WOODVILLE SWADLINCOTE**

The Principal Area Planning Officer informed the Committee of further representations received since the last Meeting and of responses made by Highways.

Mrs Fiona Gardner (objector) attended the Meeting and addressed Members on this application.

Queries and comments raised by Members relating to traffic congestion, other developments in the area, the proposed relief road, revisions to the Clock Island roundabout, the retention of green space, funding, demand for affordable housing, school capacity, site access, the likely outcome of any appeal if not approved and the current housing supply position were responded to by the Principal Area Planning Officer.

RESOLVED:-

A. That authority be delegated to the Planning Services Manager to secure the appropriate financial contributions.

B. That, subject to A above, planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/136 **DEMOLITION OF EXISTING FIRE STATION AND CONSTRUCTION OF NEW COMMUNITY FIRE STATION, DEMOLITION OF EXISTING TRAINING TOWER AND ERECTION OF SMOKE HOUSE, ALONG WITH ALTERATIONS TO EXISTING ACCESS, BOUNDARY TREATMENTS AND RECONFIGURATION OF SERVICE YARD AT SWADLINCOTE FIRE STATION CIVIC WAY SWADLINCOTE**

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/137 **CHANGE OF USE WITH ALTERATIONS AND EXTENSIONS TO AGRICULTURAL BARN TO FORM A DWELLINGHOUSE ALONG WITH CHANGE OF USE OF LAND TO CREATE GARDEN AT 88 MAIN STREET ROSLISTON SWADLINCOTE**

Mrs Melanie Bridgen (applicant) attended the Meeting and addressed Members on this application.

Members raised queries relating to future permitted development, how long the barn had existed, the Highways report and access, all responded to by the Planning Services Manager.

RESOLVED:-

That planning permission be granted as recommended in the report of the Director of Community & Planning Services.

PL/138 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decision in relation to the following application:

9/2014/1141 Jawbone Lane, Melbourne, Derbyshire, DE73 8BW

Councillor Dr Pearson queried whether this decision could be used as a precedent. The Planning Services Manager stated that whilst it could, differing methodologies had been used to arrive at a determination of the five year supply status and that a judgement would be required on whether this was sound.

PL/139 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:-

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

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 7.00pm.

COUNCILLOR A ROBERTS

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE:
SPECIAL - BUDGET

5th January 2017

PRESENT:-

Conservative Group

Councillor Watson (Chairman), Councillor Muller (Vice-Chairman) and Councillors Atkin (substituting for Councillor Mrs Patten), Mrs Brown, Ford, Hall, Roberts and Stanton.

Labour Group

Councillors Chahal, Shepherd, Taylor and Tilley

EDS/66 **APOLOGIES**

Apologies for absence from the meeting were received from Councillors Coe and Mrs Patten (Conservative Group).

EDS/67 **DECLARATIONS OF INTEREST**

Councillor Atkin declared a pecuniary interest when the Infinity Garden Village was raised in relation to Item 7 Local Plan Part 2 Submission, by virtue of his family owning farm land in the area, leaving the Chamber whilst the item was debated.

EDS/68 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

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

EDS/69 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

EDS/70 **26th JANUARY 2017 COMMITTEE MEETING**

The Chairman announced that due to there being no reports to present, the next Meeting of the Committee had been cancelled.

MATTERS DELEGATED TO COMMITTEE

EDS/71 **SERVICE BASE BUDGETS 2017 / 2018**

The Director of Finance and Corporate Services presented the report to Committee, drawing attention to elements from the report, including the reduction in income from Building Control fees, the increase in recycling costs, the increase in the car parks maintenance budget to address essential works and the proposed reduction in the fuel budget. The Director also highlighted risk areas, as in income via Planning and Licensing, as well as consequences of the growth in development, as in increased refuse collection costs. Within the fees and charges, it was proposed that the charges made for land and property searches and for food export certificates be increased.

Members raised queries relating to the Licensing deficit, to differences in certain charges, to the recharge for vehicles and to the capacity for the growing number of searches, all addressed by the Director.

RESOLVED:

1.1 That the proposed revenue income and expenditure for 2017/18 for the Committee's Services, as detailed in Appendix 1 to the Report, were considered and referred to the Finance and Management Committee for approval.

1.2 That the proposed fees and charges for 2017/18, as detailed in Appendix 3 to the Report, were considered and approved.

EDS/72 **LOCAL PLAN - LOCAL DEVELOPMENT SCHEME**

The Planning Policy Manager presented the report to Committee.

Councillor Taylor raised his concerns relating to the production of the Affordable Housing supplementary planning document due to need for Strategic Housing input. The Councillor asked how this would be addressed given the recent staff departures in that area and the impact this may have on the document's progress. The Chairman expressed his view that this was a matter for the Housing and Community Services Committee. The Director of Community and Planning Services recognised this loss of input to the process, but referred to the pending Housing restructure. The Chairman noted the comments made, that officers were aware and that the matter was to be addressed in due course.

Councillor Mrs Brown referred to the nature of, and issues identified by, responses made to the Local Green Spaces through the Local Plan consultation. The Planning Policy Manager outlined the methodology that will be applied to producing the Local Green Spaces supplementary planning document.

Councillor Atkin, in noting the Neighbourhood Plans agreed by Melbourne and Repton, queried the level of interest amongst other parishes. The Director of Community and Planning Services confirmed that assistance was available to parish councils expressing an interest and that a briefing

was due to held in the Spring to again brief Members and parish council's on the process and the assistance available.

RESOLVED:

Members endorsed the Local Development Scheme for publication.

EDS/73 **LOCAL PLAN PART 2 SUBMISSION**

The Planning Policy Manager presented the report to Committee.

Councillor Shepherd, as local Ward Member for Stenson, referred to the recent announcement regarding the Infinity Garden Village funding award.

Councillor Atkin made his declaration and left the Chamber at 6.40pm.

Councillor Shepherd raised his concerns on behalf of himself and fellow Ward Member Councillor Chahal, expressing disappointment at the lack of notice given to the local Members and the omission of any discussion with Members in general. The Chairman made reference to the unfortunate timing of the national announcement, made on the Bank Holiday Monday and the Planning Policy Manager confirmed that despite its new title of Infinity Garden Village the area covered consisted of existing housing and employment allocations within the District and City plus an area for potential growth at Lowes Farm that currently has no planning status.

The Director of Community and Planning commented that whilst there is usually a news embargo period to allow for information to be relayed, it had not happened in this case, as Officers had not been informed prior to the press release. The Planning Policy Manager commented that following the information being released, the Homes and Communities Agency had apologised to not being able to give advance warning.

Councillor Mrs Brown commended the bid and its successful outcome.

Councillor Taylor expressed his sympathy for the local Ward Members, gave his views on how the matter had been dealt with nationally, as well as locally, and his assessment of the impact on the democratic process on this occasion.

RESOLVED:

1.1 Members noted the content of the report regarding the Regulation 19 consultation.

1.2 Members endorsed the continuation of the Local Plan Part 2 to progress towards submission of the Plan to the Secretary of State. This decision would also involve approval by Full Council in due course.

Abstentions: Councillors Chahal, Shepherd, Taylor and Tilley.

Councillor Atkin returned to the Chamber at 6.50pm.

EDS/74 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

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

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

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

The meeting terminated at 6.55pm.

COUNCILLOR P WATSON

CHAIRMAN

SOUTH DERBYSHIRE AREA FORUM

SWADLINCOTE

Monday, October 3, 2016 at Sharpe's Pottery, Swadlincote

PRESENT:-

District Council Representatives

Councillor Gordon Rhind (Chair), Councillor Mrs Kim Coe, Councillor Robert Coe, Councillor Kevin Richards, Councillor Trevor Southerd, Councillor Steve Taylor, Councillor Neil Tilley.

Stuart Batchelor – Director of Community and Planning Services.
Tom Sloan – Clerk.

Derbyshire County Council Representatives

Councillor Mrs Linda Chilton, Councillor Paul Dunn, Councillor Trevor Southerd.

Paul Jameson (Area Forum Liaison Officer).

Parish Council / Meeting Representatives

Alan Jones (Hartshorne Parish Council), Don Redfern (Woodville Parish Council).

Members of the Public

Alan Clarke, Carli Colley, Colin Dobson, Alan Jones, Mick Lunn, M Shepherd, R Thomas, Jon Whiten, Michelle Skinner (CVS).

SA/10 **APOLOGIES**

Councillor Mrs Gill Farrington, Chris Horridge, Shirley Horridge, Ron Lane, Councillor Stuart Swann, Councillor Mrs Sandra Wyatt.

SA/11 **DECLARATIONS OF INTEREST**

None.

SA/12 **CHAIRMAN'S ANNOUNCEMENTS**

Councillor Gordon Rhind had no announcements to make.

SA/13 **THE MINUTES OF THE MEETING HELD ON JULY 7, 2016**

The minutes were agreed as a true and correct record of the previous meeting.

SA/14 **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

Derbyshire County Council issues:

High Street, Swadlincote: Contravention of ‘no entry’ signs

Paul Jameson confirmed it was a moving traffic offence which only the police could tackle.

Resurfacing of Moira Road, Woodville

Mr Jameson reported ongoing issues regarding access to Tunnel Close. Councillor Steve Taylor said he had pointed out previously to the planning team that the area in question was in the red line of the development of Tunnel Close. The developer had chosen not to do the footpath. Councillor Taylor's view was that it should have been done as part of the development. There needed to be liaison at Derbyshire County Council in terms of enforcement from them and the issue justified further investigation. A resident confirmed it needed work doing on it.

Overgrown vegetation in Sir Herbert Wragg, Swadlincote

Stuart Batchelor confirmed that there had been grass cutting conducted recently in the area. A resident replied that there had not been enough trimming of vegetation. Another member of the public asked if the tree opposite the petrol station could be pruned as branches were hanging over a street light.

Adoption of Castleton Park

Mr Jameson confirmed that Brunel Way, the main spine road, had been adopted. He understood that Edinburgh Road was soon to be surfaced before adoption. Councillor Paul Dunn added that he had a map showing which roads had been adopted and which were in abeyance. Councillor Trevor Southerd said the adoption was a burning issue for the estate.

Adoption of Excelsior Drive, Victory Close and Reliant Close

Mr Jameson confirmed the specified streets had been adopted.

South Derbyshire District Council issues:

Poor surface of the Delph

Mr Batchelor confirmed the Delph was still being monitored on a regular basis. There were some cracks in the surface but if it could be repaired it would be.

Overgrown vegetation in Chapel Street, Woodville

Mr Batchelor said the area in question had been cut on a regular basis since the previous meeting. However, SDDC would welcome any reports from residents on damage to the surface. A resident said he couldn't understand why the area in Chapel Street had been reported. He thought the member of public meant an area of vegetation between Chapel Street and Excelsior Drive which was overgrown. He wasn't sure whose responsibility the area was. Councillor Taylor replied that he thought it was SDDC's land.

SA/15 **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

Councillor Southerd reported that Rink Way Road was in a shocking state and as it was the responsibility of SDDC, something needed to be done about it. New speed bumps had been put in and they were effective but the road surface itself was deplorable. As the only road in the district SDDC was responsible for, it did not look good on the authority to be in the state it was.

ACTION: Stuart Batchelor to ask for a report back on Rink Way Road

Councillor Taylor reported a fence which had recently been constructed by First Fence in Woodhouse Street, Woodville. It was causing difficulties for pedestrians crossing the road in the direction of Swadlincote as they couldn't see traffic coming from Woodville.

ACTION: Stuart Batchelor to report issue to planning enforcement team

A resident asked what the situation was regarding the site of the former Snooty Fox pub in Hartshorne. Since its demolition, the site had been protected by a bund. The resident asked how long it was acceptable to have a mound of rubble and not a proper fence to protect the site. There had also been an advertising board on the site. Councillor Mrs Kim Coe confirmed that the rubble had in the past been used for anti-social behaviour.

ACTION: Stuart Batchelor to report issue to planning enforcement team

A member of the public asked whether a speed bump could be put on the roundabout in Sir Herbert Wragg Way to combat the speed of vehicles entering Coppice Side. Mr Jameson replied that it was not appropriate to locate speed bumps on roundabouts and, furthermore, should be introduced as part of a system of bumps and not in isolation. Any speeding problems in the area were a police issue.

A resident stated that the Tollgate Island at Woodville was becoming an eyesore, with flower beds next to the old police station overgrown and full of rubbish. He asked who was responsible for maintaining these beds. There was also Japanese Knotweed growing around the Donald Ward site and it needed sorting. Councillor Taylor agreed regarding the state of the Tollgate Island and said SDDC needed to identify if it was responsible for the flower beds – or if it was DCC.

ACTION: Tom Sloan to ascertain if flower beds were SDDC's responsibility

A member of the public asked what was happening with works on the chimney at the Hepworth Retail Park. Councillor Rhind replied that a lid was being put on to stop water coming in. Mr Batchelor added that it was Morrisons' responsibility.

A resident asked if there was any chance of traffic lights or a yellow box at the Tollgate Island. Mr Jameson replied that studies had shown it wasn't feasible. There wasn't the space and a yellow box wasn't considered suitable.

SA/16 **COUNTY COUNCIL ISSUES**

Councillor Paul Dunn said a meeting had been set up by SDDC to discuss the Woodville Regeneration Route, specifically the western end near to the Ski Centre. Opinions would be sought from members before it went out to public exhibition.

SA/17 **DISTRICT COUNCIL ISSUES**

Mr Batchelor reported that the Local Plan Part II consultation responses could now be viewed. The document would go out for further consultation in the next two months. The target for its submission was January, ahead of a planned adoption in the summer.

Regarding Council Tax, Mr Batchelor said a law where parishes – or town councils – setting a rise of more than 2% on a £5 million budget would need to hold a referendum was unlikely to affect South Derbyshire at present.

The district had just adopted a new strategy with a focus of business skills and infrastructure. It was available to view at the Civic Offices or online.

An international food and drink festival was being held in Swadlincote on October 14 and 15. It had proven popular in previous years.

SA/18 **DATE OF NEXT MEETING**

The date of the next meeting was to be announced.

**Councillor Gordon Rhind
Chair**

The meeting terminated at 8.30pm.

SOUTH DERBYSHIRE AREA FORUM

REPTON

October 4, 2016 at Ticknall Village Hall

PRESENT:-

District Council representatives

Councillor Peter Smith (Chair), Councillor David Shepherd.

Kevin Stackhouse (Director of Finance and Corporate Services), Tom Sloan (Clerk).

Derbyshire County Council representatives

Councillor Mrs Linda Chilton, Councillor Rob Davison.

Paul Jameson (Area Forum Liaison Officer).

Parish Council / Meeting representatives

Charles Fellows (Stenson Fields Parish Council), Fred Hill (Newton Solney Parish Council), Richard Lisewski (Stenson Fields Parish Council), Peter Rainey (Repton Parish Council), Steve Toone (Bretby Parish Council).

Members of the public

Anne Evans (Findern Footpaths Group), Heather Hall (Findern Footpaths Group), John Orme, Sam Waters.

RA/10 **Apologies for absence**

Councillor Manjit Chahal, Councillor Martyn Ford, Brian Goodall, Councillor Andrew MacPherson, Councillor Michael Stanton.

RA/11 **Declarations of interest**

None.

RA/12 **Chairman's announcements**

Councillor Peter Smith had no announcements to make.

RA/13 **The minutes of the meeting held on July 5, 2016**

The minutes were agreed as a true and correct record of the meeting.

RA/14 **Report back on issues raised at the last meeting**

Derbyshire County Council issues:

Askew Grove, Repton – carriageway condition

Paul Jameson reported that there is currently no funding available to carry out carriageway patching works to improve the condition of Askew Grove in this financial year. The condition of the carriageway will continue to be monitored and any actionable defects will be made safe.

Overgrown hedgerows / verges

Councillor Rob Davison said there didn't seem to be a system to get hedges cut back and he had personally been forced to report locations each year. He felt that DCC needed to show more resolve when dealing with landowners. He had suggested sending a text to every landowner telling them to cut vegetation back before the nesting season started. If DCC couldn't keep a footpath at the side of the road clear, then the electorate extrapolated that DCC couldn't run other services well. Another problem was vegetation growing over signs.

A resident reported that grass was growing across the pathway along the road between Repton and Willington.

Councillor Mrs Linda Chilton reported some bracken growing by the parapets on the south side of Swarkestone Causeway. There was also some debris from what little kerb stones there were littering the causeway.

Trent Barton 'V3 Villager' service

Mr Jameson stated that if a resident wanted to see a change in a bus service, they were better off going straight to the operator rather than to the local authorities.

Stenson Road, Stenson Fields – request for 30mph limit

Councillor David Shepherd reiterated that he would keep pushing for the speed limit to be reduced from 40mph despite the road not meeting criteria for the lower limit.

National Speed Limit – Stenson Fields, Stenson

A resident had asked why a section of carriageway in Stenson, between a 30mph and a 40mph zone, had remained under the National Speed Limit. They cited the example of the B587 between Stanton-by-Bridge and Ticknall. Mr Jameson said the change in speed limit on the B587 dated back to 2007 and was part of a more wide-ranging scheme to reduce speed limits around Melbourne. Department for Transport criteria were met and supported by DCC's cabinet member. The road cited in Stenson had no surrounding properties and no injury collisions had been reported. The National Speed Limit was considered appropriate. Councillor Mrs Chilton asked what the rationale was behind a reduction in the speed limit at Barrow Lane, Swarkestone. Mr Jameson replied that he wasn't sure.

Bretby Lane, Bretby – drainage issues (from October 2015 meeting)

A resident asked for an update on the issues experienced in Bretby Lane, where DCC and Severn Trent had been negotiating to get drains upgraded. Mr Jameson had heard nothing from Severn Trent regarding the location. Councillor Davison said it was a subject likely to come up at a scrutiny meeting at DCC. Councillor Smith asked for Mr Jameson to once again chase the matter up and provide a report back.

ACTION: Paul Jameson to seek an update to the flooding issues on Bretby Lane

South Derbyshire District Council issues:

Flood Liaison minutes

A resident reported that the Flood Liaison minutes had not been published on SDDC's website. He asked if they could be issued as a draft. Councillor Smith replied that minutes would be published on the council's website and that there was another meeting being held in November.

Electrical substation in Stenson Fields

Councillor Shepherd said residents weren't convinced that nothing could be done to prevent ball games around the electrical substation, but the reasons had been well set out by Zoe Sewter in her report back.

RA/15 Public questions on issues raised by residents

A resident again raised the issue of the V3 Villager bus service, stating that it had been founded in 1923 as a service for a rural area. Mr Jameson replied that the feedback provided had come from DCC's public transport unit and they had recommended the public approach the operator directly. Residents who wanted a change to the route would have more weight in numbers by contacting Trent Barton directly. Councillor Davison said any request to

change a bus service would have more weight with a survey behind it. The resident asked if DCC and SDDC had a forum in which they spoke with transport operators. Mr Jameson replied that he didn't know.

ACTION: Councillor Peter Smith to ask Councillor Martyn Ford to speak to the resident

A member of the public reported that two serious collisions had occurred at Knights Lane, Bretby, with an air ambulance required on both occasions. They asked if road markings could be improved and verges trimmed to avoid another such incidence. They felt the road was narrow and with no speed restrictions or road markings. Mr Jameson replied that Bretby Parish Council had written to DCC's traffic team over the issue. It was now with a senior technician who dealt with the area. Mr Jameson believed that SLOW carriageway markings were in place on the approach to the Mount Road junction.

ACTION: Paul Jameson to get a copy of DCC's responses for the forum

Councillor Shepherd asked how Grampian Way, Stenson Fields, could be added the list for a Vehicle Activated Sign. Mr Jameson replied that collision data was taken from the police. The problem was the difficulty with gathering data for damage only collisions where there wasn't an injury. DCC couldn't justify spending public money on an area where there weren't any injury collisions. Councillor Mrs Chilton added that Shardlow had been given help by DCC to get such a sign. Mr Jameson said that the village either met the criteria or got one before the new criteria were adopted in 2012. Councillor Davison said he would meet the cost out of his Community Leadership Scheme. Mr Jameson replied that there would still be issues regarding the location not meeting the conditions of DCC's current policy.

A resident reported that cats eyes had still not been put back into Stenson Road after surface dressing between Wragley Way and Grampian Way.

ACTION: Paul Jameson to provide a report back regarding the cats eyes

Councillor Smith reported that HGVs were using nearby narrow lanes to get around the weight restriction on Swarkestone Causeway. Was there anything which could be done to extend the limit into Ingleby Lane and Milton Lane? Councillor Mrs Chilton added that the area was rural and it was a very, very difficult situation. Often, foreign truckers would realise their error and turn in the road, causing chaos. Mr Jameson replied that DCC was aware of the problem.

Councillor Smith asked why 30mph signs had not been moved in Milton Road, Repton following a housing development. Mr Jameson replied that the

work had been issued to DCC contractors, who would have three months to complete it.

RA/16 **County Council issues**

Councillor Davison said a safe route across the road was needed for the 500 homes being built in Stenson Road. He had conducted an informal survey and the area was a long way off the criteria for getting a crossing installed and he felt it would be some time before the threshold was reached.

Councillor Mrs Chilton reported that lighting at Bladon House School would come up again as another petition was being compiled.

RA/17 **District Council issues**

Kevin Stackhouse updated the meeting on changes to legislation which brought parish councils in line with district and county authorities when it came to capping rises in Council Tax. Should a parish with an annual precept of £500,000 and a Band D Council Tax of £75 set a rise of more than 2% then it would automatically trigger a local referendum. The new rule was unlikely to affect South Derbyshire parishes in the short-term but may be a matter which could need further consideration in some parishes in future years.

A resident said he had noticed that SDDC had turned down a request for a parish council to be formed at Newhall and Stanton. Why was it fair that some areas of the district were parished and others not, with the parished areas having to pay a precept to their parish council? Councillor Shepherd answered that work was undertaken in parished areas that did not take place in the unparished parts of the urban core.

A member of the public asked whose responsibility it was to deal with Japanese Knotweed growing on private land and then impinging on the public highway at Burton Road, Findern. Mr Jameson replied that it was the landowner's issue and if it was growing across the highway, DCC could instruct them to clear it.

RA/18 **Date of next meeting**

To be announced in due course.

Councillor Peter Smith
CHAIR

The meeting terminated at 8.30pm.
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SOUTH DERBYSHIRE AREA FORUM

AREA 3 – MELBOURNE AREA

Tuesday, October 10th, 2016 at Barrow on Trent Village Hall

PRESENT:-

District Council Representatives

Councillor Peter Watson (Chair), Councillor Neil Atkin, Councillor Mrs Hilary Coyle, Councillor Jim Hewlett,.

Stuart Batchelor (Director of Community and Planning Services), Tom Sloan (Clerk).

Derbyshire County Council Representatives

Councillor Mrs Linda Chilton, Councillor Rob Davison.

Paul Jameson (Area Forum Liaison Officer).

Parish Council / Meeting Representatives

Wendy Earp (Melbourne Parish Council), Alison Hicklin (Barrow on Trent Parish Council), Frank Hughes (Melbourne Village Voice), Margaret Sharp (Melbourne Parish Council), David Smith (Melbourne Parish Council).

Members of the public

None.

MA/10 **Apologies for absence**

Councillor John Harrison.

MA/11 **Declarations of interest**

None.

MA/12 **Chairman's announcements**

Chairman Councillor Peter Watson had no announcements to make.

MA/13 **The minutes of the meeting held on July 14th, 2016**

The minutes were proposed by Councillor Rob Davison and seconded by Councillor Mrs Linda Chilton.

MA/14 **Report back on issues raised at the last meeting**

South Derbyshire District Council issues

Grass Cutting by SDDC

Stuart Batchelor gave an explanation of the position SDDC was in regarding verge cutting around the district. Councillor Mrs Hilary Coyle said the general response was that the quality of grass cutting was very poor. Several of the parishes in her ward had asked if they could cut it instead. Mr Batchelor replied that grass cutting used to be an issue 10 years earlier and the problem was the number of cuts, which couldn't be changed. All that could be done was to continue passing information on to the service manager. The issue would happen again in a warm and wet summer.

Councillor Mrs Chilton reported that long sections of tree branches had been left uncut where the A514 met the B587 near Melbourne. Mr Batchelor asked for similar incidents to be reported to SDDC.

A resident reported that Melbourne Parish Council had to cut grass at Cockshut Lane and Kings Newton to maintain visibility splays as cuts from SDDC came too late.

Councillor Watson said there was a massive section of the community who did not want hedges and verges cut because they wanted to see natural lanes. Motorists sat in cars typically had an eye line more than three feet off the ground so sometimes what appeared to be long grass was not actually obscuring visibility and extra cuts would be superfluous.

Councillor Davison added that cutting needed to be done maximally to ensure each cut was as long lasting as possible. He reported the same thing every year. At Stenson Bubble, a 1m wide pavement had been put in and now half of it was unusable, with prams having to go into the road. Councillor Davison also felt that DCC needed to show more backbone in making landowners cut vegetation properly.

Councillor Mrs Coyle felt SDDC needed to be proactive over the winter and look at schedules to see if all cutting could be fitted in. Mr Batchelor replied that the schedules had been put together over 30 years. A Parish and Member Briefing on the issue had been held and it had a very poor turnout from the parishes. Additionally, growing seasons for vegetation were now longer.

A resident reported that the first cut in Melbourne was done on June 14th, which they felt was too late in the year.

MA/15 **Public questions on issues raised by residents**

Councillor Watson reported that a considerable number of HGVs were using the route through Ingleby and Ticknall to avoid Swarkestone Causeway. He said there was a 7.5 tonne weight limit in effect but it was an area-wide weight limit. Two 40ft articulated lorries had recently met in the lane and one ended up having to reverse back to the John Thompson Inn. He asked if signs could be put up stating it was a narrow route unsuitable for HGVs. Mr Jameson said the issue had been discussed at Repton Area Forum. It was enforceable as it was an area-wide restriction encompassing eight villages. There was signage in Ingleby Road, Ticknall and HGVs using the route purely as a short-cut (i.e. not requiring legitimate access within the restricted area) were committing an offence. DCC's Trading Standards was aware of the situation. DCC would have to weigh up whether additional signage would have any effect.

ACTION: Paul Jameson to report back on potential for extra signage in Ingleby Lane

Councillor Watson raised the issue of the junction for Weston on Trent from Swarkestone Road, near to Junction 3 of the A50. Despite the accident record at the location, it had been found to be unsuitable for traffic lights. Removal of a footpath on the western side of the road would allow space for an extra lane for traffic turning right towards Weston. Councillor Davison said the cost of putting lights in was astronomical. Councillor Mrs Coyle asked if traffic could be slowed down. Mr Jameson said DCC wouldn't reduce the speed limit for the one junction. There would need to be more speed-related accidents there for DCC to even consider it. Councillor Neil Atkin said he thought traffic lights would be more effective.

Councillor Davison reported that there was £48,000 waiting to be spent on electronic signs to deter HGVs from using Swarkestone Causeway. Councillor Watson said a scheme to put a camera in should be pursued. Councillor Davison replied that it wasn't a camera-led scheme and was more of a deterrent featuring a flashing sign. Councillor Watson said it was pointless putting such a sign in as an HGV would be unable to turn around once it had left the roundabout at Chellaston. He preferred a system of weight-activated pads setting off an ANPR camera to capture number plates. Councillor Davison replied that to get prosecutions required access to the DVLA database. That needed police input and the police had made clear they didn't have the money for it. He agreed that the situation was exasperating. A resident said that the problem wasn't necessarily HGVs but the amount of traffic using the bridge. Councillor Watson agreed and added that cars had got much wider since the 1960s, worsening the problem.

ACTION: Neil Bennett to be invited to the next Melbourne Area Forum to discuss Swarkestone Causeway

MA/16 County Council issues

Councillor Mrs Chilton asked what had happened to the blocking off of Woodshop Lane. Mr Jameson replied that a DCC cabinet report had been drafted and was with Dean Collins.

A resident asked if bus shelters were the responsibility of bus companies. Mr Jameson replied that normally a parish council was responsible. They were funded jointly by parishes and DCC and then maintenance was passed on to the parish.

MA/17 District Council issues

Mr Batchelor reported that Part II of South Derbyshire's Local Plan was at the resubmission stage and would be submitted in January.

The Government had introduced a referendum if a parish council with a certain level of budget increased its Council Tax precept by more than 2%.

A consultation was taking place with BT over the removal of certain payphones in South Derbyshire. Payphones in Swarkestone, Thulston, Weston, Shardlow, Ambaston Lane and Ticknall were being considered for removal. Any comments could be submitted to BT.

MA/18 Date of next meeting

To be advised in due course.

Councillor Peter Watson
CHAIRMAN

The meeting terminated at 8.30pm.

SOUTH DERBYSHIRE AREA FORUM

AREA 1 – ETWALL

Tuesday, October 11th, 2016 at John Port School, Etwall

PRESENT:-

South Derbyshire District Council representatives

Councillor Mrs Lisa Brown (Chair), Councillor Andy Billings, Councillor Martyn Ford, Councillor David Muller, Councillor Mrs Julie Patten.

Mike Haynes – Director of Housing and Environmental Services.
Tom Sloan – Clerk.

Derbyshire County Council representatives

Councillor Martyn Ford, Councillor Mrs Julie Patten.

Parish Council/Meeting representatives

Geoff Allen (Burnaston Parish Council), Steve Cooper (Hilton Parish Council), Miles Nesbitt (Egginton Parish Council).

Members of the public

Jo Bagley (South Derbyshire CVS), Graham Wale.

EA/10 **Apologies**

Apologies were received from Norman Ireland and Councillor Mrs Amy Plenderleith.

EA/11 **Declarations of interest**

None.

EA/12 **Chair's announcements**

Councillor Mrs Lisa Brown updated the meeting on planning applications including one to modernise the old Cranberry Foods Factory in Scropton Road, Scropton.

An application had also been entered to determine the landscaping of the development at Willington Road, Etwall. That was due to go to committee.

Reserved matters of appearance, landscaping, layout and scale for phase one of the New House Farm development was also going to the planning committee on November 8th.

A six-week consultation on Part Two of the South Derbyshire Local Plan was starting on October 14th. An examination in public was due to take place in the spring. A consultation event was taking place at Frank Wickham Hall, Etwall, on Thursday, November 2nd.

Costs of £99,950 were awarded against South Derbyshire District Council for the New House Farm appeal.

Councillor Mrs Brown reported that quite a lot of meetings had been held regarding the proposed railhead at Etwall / Egginton Common. An application was likely to be made early in 2017. Issues of flooding were being considered and a consultant was preparing statements of common ground. There would only be a short window of opportunity to comment on the application when it was made and it was probably going to be 15,000 pages long. The development was likely to start in 2020.

EA/13 **To note the minutes of the meeting held on June 27th, 2016 (copy attached)**

The minutes were approved as a true and correct record of the previous meeting.

EA/14 **Report back on issues raised at the last meeting**

Two issues were reported back upon. Residents were told that excess garden waste produced in the summer could be recycled at the Derbyshire County Council Household Waste Recycling Centre in Newhall. An electoral issue had been reported to the relevant SDDC department.

EA/15 **Public questions on issues raised by residents**

A resident reported notices issued regarding the closure of Hospital Lane, Mickleover, to create a roundabout on the A516. That would affect the Villager bus service, so they had contacted operator Trent Barton and the company knew nothing about it. DCC had told the resident that the notices had been put up too soon. Councillor David Muller added that Burnaston Parish Council thought the diversion was unacceptable and the developer had been asked for an alternative.

Mr Jameson explained that the closure could not go ahead until the S278 agreement had been approved and signed off (this is a legal agreement which must be completed prior to a developer carrying out works on the highway). The closure should not have been advertised as the process had not been completed. [Page 365 of 378](#) had now returned the S278

agreement to DCC and its Legal Team was going through the details, which includes financial compensation agreements with regard to local bus services. Once the agreement had been approved by the Legal Team, the council should have quickly been able to arrange the closure.

Mr Jameson understood that, as soon as the dates had been confirmed, DCC would work with the developer to ensure large yellow advance notice boards were erected on relevant routes to advertise the forthcoming closure (10 day notice period required). DCC officers had requested the developer make efforts to keep the slip road open if possible, due to the disruption and inconvenience it would cause.

The feedback from the developer was that they had been advised by their consultant engineer that there would be a level difference between the existing carriageway and the construction of the new roundabout. There were also issues with a lack of a visibility splay at the end of the contra-flow system. It would be unsafe to allow vehicles through the works area and therefore there was little option but to close the slip road.

Councillor Muller raised the issue of Church Hill, which had come up at a Neighbourhood Watch meeting. 'No parking' markings and a disabled parking bay outside the Alms Houses were worn away. Could something be done about it? Mr Jameson replied that if the road was adopted it would be DCC's responsibility, but a worn away painted parking bay suggested the person it was installed for was no longer living there. It was further clarified that the bay had not been installed for an individual but for those attending services at the church and was therefore still required.

ACTION: Paul Jameson to arrange renewal of the markings

EA/16 **County council issues**

Nothing to report.

EA/17 **District council issues**

Nothing to report.

EA/18 **Date of next meeting**

The date of the next meeting would be announced in due course.

Councillor Mrs Lisa Brown
Chair

The meeting terminated at 7.50pm.

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SOUTH DERBYSHIRE AREA FORUM

NEWHALL

Wednesday, October 12, 2016 at St John's Church, Newhall

PRESENT:-

South Derbyshire District Council representatives

Councillor Sean Bambrick (Chair), Councillor Paul Dunn, Councillor Kevin Richards, Councillor Mrs Linda Stuart.

Kevin Stackhouse (Director of Finance and Corporate Services), Tom Sloan (Clerk).

Derbyshire County Council representatives

Councillor Sean Bambrick, Councillor Paul Dunn.

Paul Jameson (Area Forum Liaison Officer), Scott Clayton (Policy Unit).

Parish Council / Meeting representatives

None.

Members of the public

J Allsopp, John Appleby, Mick Chilver, Kerrie Fletcher (South Derbyshire CVS), Pamela Foy, Mr Hobson, Mrs Hobson, Richard House, Alan Jenner, Colin Maddock, Beryl Mulgrew, Mick Mulgrew, Councillor Pat Murray, M Richards, R Trim, Rev Kath Wood, Barry Woods.

NA/10 **Apologies for absence**

Alan Argent, Councillor John Wilkins.

NA/11 **Declarations of interest**

None.

NA/12 **Chairman's announcements**

Councillor Sean Bambrick had no announcements to make.

NA/13 **The minutes of the meeting held on June 29, 2016**

The minutes were approved as an accurate record of the meeting.

NA/14 **Report back on issues raised at the last meeting****Rose Tree Lane junction, Bretby Road, Newhall: damaged tactile paving**

Paul Jameson reported that works to replace tactile paving at the location had been issued as a priority in August. He was surprised the work had still not been completed. A resident said he'd seen some council workers at the site looking at the paving the previous week. Councillor Bambrick added that it might be a good idea to install a concrete bollard at the site to stop trucks running over the delicate paving. Mr Jameson said he would ask the question back at DCC.

ACTION: Paul Jameson to report back on paving at Rose Tree Lane

NA/15 **Public questions on issues raised by residents**

A member of the public said the new community centre at Chestnut Avenue, Midway, was a brilliant facility. However, there were problems with the play area and it wasn't near what was promised. The multi-use gaming area (MUGA) discussed 18 months earlier hadn't materialised and as a result teenagers were using a play area meant for younger children. Councillor Bambrick replied that the best thing which could be done was to meet with SDDC Chief Executive Frank McArdle and review the options. Councillor Paul Dunn said he thought a temporary MUGA was going to be placed in the car park of the centre, but he wasn't sure it was the right solution. There were issues which needed resolving, including storage for cleaning equipment and football nets. There had also been talk of a storage container being installed on site but it wouldn't be in keeping with what had been built. A log cabin had been suggested which could work.

ACTION: Kevin Stackhouse to take the issue back to SDDC and see if a solution could be found

A resident of Newhall raised the issue of deprivation in the area. He said that people living in Newhall took exception to the 'deprived' classification. There were good schools, a good surgery, good shops, good community centres, good pubs and an improving park in the area. He felt that being classed as deprived was unfair on people who had their life invested in Newhall. Councillor Dunn replied that the resident was confused – indices of deprivation existed and certain areas met them. He agreed that it wasn't an ideal term to use but it was applied in order to get help for the area. Scott Clayton, who was involved in DCC's Thriving Communities project, said it was about looking at systems and procedures rather than just levels of poverty in the community.

The ethnographic research being undertaken by DCC would allow the authority to better understand people's interaction with the services it provided. There was no link between what was being done and house prices. Money spent in Newhall would be mapped and it would let DCC see if a different and more productive way of working could be identified. Councillor Kevin Richards cited the example of Gresley, which had previously been identified as having the highest mortality rate for young men in Derbyshire. It was not a nice label to have, but as a result of it services were introduced to help solve the problem.

A resident asked if the district councillors in the room felt deprived at the decision not to form a parish council in Newhall and Stanton. Councillor Bambrick replied that he didn't. Councillor Richards said the people had decided they didn't want a parish council in a referendum. Councillor Bambrick added that he and his fellow councillors sat in a meeting and had to vote on behalf of the people of Newhall and Stanton – and the majority of people felt they didn't want one. Councillors had stayed neutral in the process to ensure they could vote the way they wanted to. A resident said he was very confident a parish council would be formed after he helped to gather signatures for the original petition. He was taken aback by a letter sent out by district councillors which he felt was negative about the formation of a parish council. Councillor Bambrick replied that everything in the letter was a fact. Another resident added that the subject could be gone over and over – it was the remain and leave Brexit campaign all over again. Councillor Richards raised a point of order and said the council had voted unanimously against the formation of a parish council and a democratic decision had been made.

NA/16 **County council issues**

Councillor Pat Murray reported that kerb stones outside the Hillcrest Fish Bar in Midway were breaking up. The issue had been reported but they kept breaking and it was a trip hazard.

ACTION: Paul Jameson to report back on the broken kerb stones

NA/17 **District council issues**

No issues.

NA/18 **Date of next meeting**

The next meeting would be held on a date to be announced.

Councillor Sean Bambrick
CHAIRMAN

The meeting terminated at 8.15pm.

SOUTH DERBYSHIRE AREA FORUM

LINTON

Monday, October 31st, 2016 at the Brick Room, Linton

PRESENT:-

District Council Representatives

Councillor Pat Murray (Chair), Councillor John Grant, Councillor Mrs Beth Hall, Councillor Bob Wheeler.

Frank McArdle – Chief Executive.
Tom Sloan – Clerk.

Derbyshire County Council Representatives

Paul Jameson (Area Forum Liaison Officer).

Parish Council/Meeting Representatives

Alan Lees (Coton in the Elms Parish Council), Stephanie Marbrow (Rosliston Parish Council), Janice Pallett (Castle Gresley Parish Council), Oliver Pallett (Castle Gresley Parish Council), John Powell (Linton Parish Council), Tony Stone (Netherseal Parish Council), Kevin Tizzard (Linton Parish Council).

Members of the Public

WP Marbrow, Sarah Glennon, Mr Wilkin, Mrs Wilkin

LA/10 **APOLOGIES**

Claire Bradford, Karen Bradford, Carol Wright.

LA/11 **DECLARATIONS OF INTEREST**

None.

LA/12 **CHAIRMAN'S ANNOUNCEMENTS**

Councillor Pat Murray had no announcements to make.

LA/13 **THE MINUTES OF THE MEETING HELD ON JULY 20, 2016**

The minutes were agreed as a true and correct record.

LA/14 **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

South Derbyshire District Council issues

Empty house in Stanley Close, Netherseal

A resident asked Frank McArdle if there was any further news he could report on the status of the house in Stanley Close. Matt Holford (SDDC Environmental Health Manager) had written a report saying that legal interventions to undertake external cosmetic works to the property were being explored. Mr McArdle added that he hoped progress could be made in the near future.

ACTION: Tom Sloan to take contact details of resident for Matt Holford to update him directly on situation

Derbyshire County Council issues

Footpath along the River Trent from Walton on Trent to Catton

Paul Jameson asked for some clarification on the location of the public footpath as no designated rights of way at the route specified at the meeting. Councillor Murray said it related to a path running from the edge of the village. Part of the path had been cleared of overgrown vegetation but then the work suddenly stopped. It needed further cutting to maintain it as a right of way, he said.

ACTION: Paul Jameson to report overgrown vegetation to relevant department

LA/15 **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

Councillor Bob Wheeler stated that from four years ago, every time there was heavy rain for several days, Oak Close in Castle Gresley was getting flooded. Water flowed off the neighbouring land and the situation wasn't helped by drains which were not as clear as they should be. There was also a balancing pond on site and it wasn't clear whose responsibility it was to maintain it. Councillor Wheeler hoped that the issue could be given some attention before the winter set in.

ACTION: Paul Jameson to report the issue to Derbyshire County Council's flooding team

A resident complained about a length of the pavement on Hillside Road, Linton, between its junction with Main Street and Cotton Park. The pathway was only on

one side of the road and in places was down to 18in wide, making it impassable to anyone pushing a double-width pushchair. They had been told that the overgrown bank belonged to the manor house, whose owner had built houses on the land nearby. Councillor Mrs Kath Lauro said the owner had been written to in an attempt to get the pavement cleared. She asked Mr Jameson to follow it up at County Hall. Mr Jameson said DCC's maintenance team was aware but legally had to give the owner chance to cut vegetation back. If no action was taken, work could then be carried out and a bill sent to the landowner. A resident pointed out that it wasn't only parents who were in trouble – a wheelchair user would also struggle to get past.

A member of the public pointed out that a 7.5 tonne weight limit sign had been knocked out of the ground at Coton Park.

ACTION: Paul Jameson to report the matter to the highways team

Councillor John Grant reported an issue in Blacksmiths Close, off Dog Lane, Netherseal, similar to the overgrown pavement in Linton. He said that the developer had failed to hand the road over to Derbyshire County Council and there was now a section which was overgrown to a point where the signage at the entrance to the close was covered. It also covered the path and was encroaching onto the highway. Councillor Grant had spoken to Walton Homes, the original developer, and had been told it wasn't one of their priorities. Walton Homes definitely owned the land and were not doing anything about it, he said.

A resident asked if he could cut back overgrown vegetation. Mr Jameson replied that he could not give a definitive answer if the land did not belong to the individual.

A member of the public reported problems with dog dirt being left all over parks in Linton and Coton Park. When challenged, the dog owners responsible became aggressive. He felt the situation needed the Neighbourhood Wardens to pay a visit. The Clean Team had been forced to visit – at a cost – to get the parks safe for children and football teams.

LA/16 **COUNTY COUNCIL ISSUES**

A resident reported a sunken manhole at the junction of Cadley Hill Road and Appleby Glade. Mr Jameson said he would report the issue to the highways team.

ACTION: Paul Jameson to report sunken manhole

LA/17 **DISTRICT COUNCIL ISSUES**

Mr McArdle reported that all the practical issues had been sorted at Drakelow regarding the third river crossing of the Trent, other than the finance. A meeting was set for mid-November to discuss it.

A Community Governance Review had been undertaken in Newhall and Stanton and, after a consultation, SDDC resolved not create a parish council for the area. Another Community Governance Review was under way in Barrow upon Trent, Stenson Fields and the unparished areas of Twyford and Stenson. It was important to know that the governance of parishes within South Derbyshire could change after due consideration.

An international food fair had been held in Swadlincote town centre. Despite the weather, there had been a fantastic turnout of people and it had been an excellent three days of trading for the town. Mr McArdle's next such project would be to look at Christmas fairs to see how successful they were in places like Birmingham with a view to potentially launching one in Swadlincote. A member of the public asked if it would be this year. Mr McArdle replied that it would be from 2017 at the earliest.

The Christmas lights switch-on was planned for late November. It had proved a successful venture and had taken place for more than 20 years.

Midway Community Centre had opened on District Council land in Chestnut Avenue. It had been built by the developer as part of a housing scheme. Every house had been sold and SDDC had taken a profit share on each house built on the land. As a result, there was an excellent community centre, superb football pitches and car parking.

Swimmer Lewis White had won a bronze medal at the Rio Paralympics. He was due to visit SDDC later in the week to be officially thanked on behalf of the Council.

Mr McArdle reassured those present regarding press reports that the Festival of Transport would be lost because the safety of those present could not be guaranteed. He confirmed that he was confident there would be a Festival of Transport in May, 2017.

LA/18 **DATE OF NEXT MEETING**

The date of the next meeting would be advised in due course.

Councillor Pat Murray
Chair

The meeting terminated at [Page 373 of 373](#)