

Date: 17 January 2024

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote on **Thursday, 25 January 2024** at **18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Labour Group**

Councillor S Taylor (Chair), Councillor K Storey (Vice-Chair) and
Councillors A Archer, I Hudson, J Jackson, V Redfern, B Stuart and A Tilley.

Conservative Group

Councillors K Haines, J Lowe and P Watson.

Liberal Democrats

Councillor G Andrew.

Non-Grouped

Councillor A Wheelton.

AGENDA

Open to Public and Press

- 1** Apologies and to note any substitutes appointed for the Meeting.
- 2** To receive the Open Minutes of the Meetings held on:
 - 06 January 2020 **4 - 6**
 - 23 January 2020 **7 - 11**
 - 21 September 2023 **12 - 18**
 - 09 November 2023 **19 - 23**
 - 04 January 2024 **24 - 26**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** WASTE COLLECTION ROUTE OPTIMISATION **27 - 31**
- 7** FLEET MANAGEMENT REPLACEMENT STRATEGY **32 - 42**
- 8** LOCAL PLAN ISSUES AND OPTIONS (REGULATIONS 18) CONSULTATIONS **43 - 146**
- 9** GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (2023) **147 - 293**

10	AUTHORITY MONITORING REPORT	294 - 347
11	LOCAL PLAN BUDGET	348 - 350
12	APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2022- 23	351 - 376
13	COMMITTEE WORK PROGRAMME	377 - 381

Exclusion of the Public and Press:

- 14** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 15** To receive the Exempt Minutes of the following Meetings:
21 September 2023
09 November 2023
- 16** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 17** TOWN CENTRE MASTERPLAN
- 18** OPERATIONAL SERVICES MANAGEMENT SYSTEM SOFTWARE
- 19** WASTE COLLECTION AND PARK ATTENDANT STAFFING

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE (SPECIAL BUDGET)

6th January 2020

OPEN

PRESENT:

Conservative Group

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

Labour Group

Councillors: Dunn; Mrs. Heath; Dr Pearson (substituting for Councillor Singh); Taylor and Tilley.

EDS/64 APOLOGIES

Apologies for absence were received from Councillors: Billings; Mrs Brown and Whittenham (Conservative Group) and Councillor Singh (Labour Group)

EDS/65 DECLARATIONS OF INTEREST

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

EDS/66 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/67 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/68 REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEEEDS/69 **SERVICE BASE BUDGETS 2020/21**

The Head of Finance presented the report to the Committee highlighting a summary of the budget for Committees service areas and noted the ear marked reserves allocated to the Committee.

The Committee considered the report and supported the officer's recommendations.

RESOLVED:

- 1.1 That the Committee considered and recommended the proposed income and expenditure revenue budget for this Committee's services for 2020/21 as detailed in Appendix 1 of the report, go to the Finance and Management Committee for approval.***
- 1.2 That the Committee considered and approved the fees and charges for 2020/21 as detailed in Appendix 2 of the report.***

EDS/70 **REPTON NEIGHBOURHOOD DEVELOPMENT PLAN**

The Strategic Director (Service Delivery) presented the report to the Committee and sought approval of the recommendations that would enable the creation of the Repton Neighbourhood Plan following a referendum held on 14 November 2019.

The Committee considered the report and supported the officer's recommendations.

RESOLVED:

- 1.1 That the Committee approved that the Repton Neighbourhood Development Plan (NDP) be 'made' under section 38A(4) of the Planning and Compulsory Purchase Act 2004 in compliance with the Neighbourhood Planning (General) Regulations 2012 (as amended).***

EDS/71 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) advised Members work is ongoing with further details to be included at the next Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

RESOLVED:-

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

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

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

The meeting terminated at 6.20 pm.

COUNCILLOR MACPHERSON

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

23rd January 2020

OPEN

PRESENT:-

Conservative Group

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

Labour Group

Councillors Mrs. Heath, Shepherd (substituting for Councillor Dunn), Singh, Taylor and Tilley.

EDS/73 APOLOGIES

Apologies for absence were received from Councillor MacPherson (Conservative Group) and Councillor Dunn (Labour Group)

EDS/74 DECLARATIONS OF INTEREST

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

EDS/75 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/76 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/77 REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE**EDS/78 FLEET MANAGEMENT STRATEGY**

The Head of Operational Services presented the report to the Committee and summarised the key areas within the report. The was informed that the revised Fleet Management Plan and associated vehicle replacement plan would form a framework of developing policies, plans and procedures for the management and use of vehicles, plant and associated equipment.

The Committee considered the report and supported the officer's recommendations.

RESOLVED:

That the Committee approved the Fleet Management Strategy and associated vehicle replacement plan

EDS/79 AUTHORITY MONITORING REPORT

The Strategic Director (Service Delivery) addressed the Committee and sought approval of the recommendations within the report. The Committee was informed how the Authority Monitoring Report provided information on the performance of policies in the adopted Local Plan Part 1 and Part 2 for the monitoring period from 1st April 2018 to March 31st 2019.

RESOLVED:

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

EDS/80 SOUTH DERBYSHIRE INFRASTRUCTURE DELIVERY PLAN

The Strategic Director (Service Delivery) presented the report to the Committee and outlined the content of the South Derbyshire Infrastructure Delivery Plan 2020 and the expected changes in reporting on infrastructure in the coming year.

RESOLVED:

1.1 That the Committee noted the content of the South Derbyshire Infrastructure Delivery Plan as per Appendix A of the report.

1.2 That the Committee noted the changes outlined in this report arising from new legislation.

EDS/81 **LOCAL GREEN SPACES – PROPOSED MODIFICATIONS**

The Head of Community and Cultural Services addressed the Committee and presented the report. The Committee was informed how the report outlined the proposed changes to the Local Green Spaces Plan following the Examination in Public on 12 September 2019. The Head of Community and Cultural Services sought approval of the recommendations within the report.

RESOLVED:

- 1.1 That the Committee approved the proposed modifications to the Local Green Spaces Plan and authorised consultation on the proposed modifications.***

EDS/82 **CHANGING THE FREQUENCY OF THE COUNCIL'S PLANNING COMMITTEE**

The Head of Planning and Strategic Housing presented the report to the Committee. The Head of Planning and Strategic Housing outlined the request to change the frequency of Planning Committee meetings to a 4 weekly cycle following recommendations from the Council's review of the Planning Service Area.

RESOLVED:

- 1.1 That the Committee endorsed the proposed change to the frequency of Planning Committees to every four weeks and the necessary change to the Council's Constitution for a trial period of 12 months to enable the effect of the change on service delivery to be monitored, in particular the impact on customer service.***

EDS/83 **NATIONAL FOREST GREENPRINT: A 25 YEAR VISION FOR THE NATIONAL FOREST**

The Head of Planning and Strategic Housing presented the report and made the Committee aware of the National Forest Company's Draft Greenprint and the vision and actions included within the document. The Head of Planning and Strategic Housing outlined how they related to the Council's long-term aims to deliver economic regeneration, sustainable communities and environment enhancements within the District.

RESOLVED:

- 1.1 That the Committee endorsed the actions and outcomes outlined in the draft Greenprint and confirmed the Council's ongoing commitment to the creation of the National Forest.***
- 1.2 That the Committee approved the comments contained in this report be provided to the National Forest Company as its initial response to its Vision with a commitment to participate in the future consultation exercises that are planned.***

EDS/84 **GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT METHODOLOGY**

The Head of Planning and Strategic Housing presented the report to the Committee and summarised the methodology for assessing the accommodation needs of Gypsies, travellers, and travelling show people that would be used to produce a new Gypsy and Traveller Accommodation Assessment.

RESOLVED:

- 1.1 That the Committee endorsed the Gypsy and Traveller Accommodation Assessment methodology as per Appendix 1 of the report.***

EDS/85 **WASTE COLLECTION SERVICES REVIEW**

The Head of Environmental Services presented the report to the Committee and outlined the resource required to review all waste collection services. The Head of Environmental Services explained the need to establish terms of reference for a Member workshop to help shape future service standards and delivery models.

RESOLVED:

- 1.1 That the Committee agreed that the Council undertake a full review of Waste Collection Services considering current and potential service delivery standards and service delivery models.***
- 1.2 That the Committee agreed that a member workshop be held to help inform and shape the design of the service and establish a service specification.***
- 1.3 That the Committee agreed that Eunomia be commissioned to assist in the review and deliver the Members workshop.***
- 1.4 That the Committee agreed that the outcome of the Waste Collection Services Review be the subject of a further report to Environment and Development Services Committee.***

EDS/86 **COMMITTEE WORK PROGRAMME**

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

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/87 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:

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

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

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

The meeting terminated at 6.30 pm.

COUNCILLOR MRS HAINES

VICE-CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE

21 September 2023

OPEN

PRESENT:

Labour Group

Councillor S Taylor (Chair) and Councillor K Storey (Vice-Chair) and Councillors A Archer, I Hudson, J Jackson, V Redfern, B Stuart and A Tilley.

Conservative Group

Councillors K Haines, J Lowe and P Watson.

Liberal Democrats

Councillor G Andrew

Non-Grouped

Councillor A Wheelton

EDS/23 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor A Tilley (Labour Group)

EDS/24 **MINUTES**

The Open Minutes of meetings held on 02 March 2023, 20 April 2023, 30 May 2023 and 10 August 2023 were received and signed by the Chair of the Committee.

EDS/25 **DECLARATIONS OF INTEREST**

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

EDS/26 **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/27 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

MATTERS DELEGATED TO COMMITTEE

EDS/28 **BUDGET SETTING APPROACH 2024-25**

The Strategic Director (Corporate Resources) addressed the Committee and summarised the key areas within the report noting the three key principles to setting the budget. It was explained how the budgets would be Service and Member lead and the consultation process outlined.

Members commended the report and sought clarity regarding consideration of the Local Plan.

The Strategic Director (Corporate Resources) clarified that the Budget supported the Local Plan.

RESOLVED:

- 1.1 The Committee noted the budget setting approach within the report and Members provided feedback accordingly to the Strategic Director (Corporate Resources).***

EDS/29 **WOODVILLE LINK ROAD BIODIVERSITY NET GAIN PROJECT – PROGRESS UPDATE**

The Head of Cultural and Community Services presented the report to the Committee and summarised the main areas within the report noting the Biodiversity work that had been undertaken the previous year. The Head of Cultural and Community Services outlined the technical details contained within the appendices to the report.

Members commended the report and sought clarity regarding maintenance costs, the involvement of the Wildlife Trust and the possibility of site visits.

The Head of Cultural and Community Services explained to the Committee that maintenance costs were written into the agreement with Derbyshire County Council which included a contingency fund. The Committee was informed that voluntary groups assisted with the monitoring and maintenance of sites and that the Derbyshire Wildlife Trust had ongoing involvement. It was noted that site visits could be arranged for Members and that information regarding the use of the contingency fund could be shared with the Committee.

RESOLVED:

1.1 The Committee acknowledged the progress of the Woodville Link Road Biodiversity Net Gain project during 2022 and the outstanding works to be completed.

EDS/30 **ANNUAL REVIEW OF THE COUNCIL'S CLIMATE AND ENVIRONMENT ACTION PLAN (2021-30)**

The Head of Environmental Services addressed the Committee and outlined the proposed amendments to the three key reports that covered the Carbon Emissions Progress for 2022/23, the review of the Environment Action Plan proposals and the review of the Environmental Policy.

The Chair thanked all those involved in the work undertaken and commended the report.

Members discussed the merits of the report and suggested items that could be included such as the number of trees removed due to planning, the electrification of fleet vehicles and dates and timescales for proposals.

The Strategic Director (Service Delivery) informed the Committee that Members comments would be taken on board.

RESOLVED:

1.1 The Committee noted the current progress made in reducing carbon emissions as described in the SDDC Annual Carbon Reduction Progress Report 2022/23 attached as Appendix 1 to the report.

1.2 The Committee approved the recommendations set out in the Annual Climate and Environmental Action Plan Review 2023 attached to the report as Appendix 2.

1.3 The Committee approved the proposed amendments to the Climate and Environment Action Plan, attached to the report as Appendix 3.

1.4 The Committee recognised that to achieve the Climate Emergency declaration to “Strive to make South Derbyshire District Council carbon neutral by 2030” that the transformation actions T1 to T6, as per Appendix 3 attached to the report, would need to be included in the future Council Plan.

1.5 The Committee approved that the current South Derbyshire District Council's In-house Carbon Emission Roadmap would need to be revised to reflect the current realities of delivering net zero emissions.

1.6 The Committee approved a revised Environment Policy as attached to the report as Appendix 4.

EDS/31 **ELECTRIC VEHICLE CHARGE POINT INFRASTRUCTURE**

The Head of Environmental Services presented the report to the Committee and outlined the key areas of the report and sought approval of the recommendations.

Members considered the report and sought clarity regarding area choice for electric vehicle charging points and the maintenance and repair of electric vehicle charging points.

The Head of Environmental Services informed the Committee that the most practicable sites had been chosen and that electrical charging points were not owned by South Derbyshire District Council and therefore the private providers were responsible for maintenance and repair.

RESOLVED:

1.1 The Committee approved the updated Electric Vehicle (EV) Charge Point Infrastructure Plan to deliver a phased approach to delivering residential Electric Vehicle charging infrastructure in an equitable way and with due consideration to the geography of South Derbyshire.

1.2 The Committee approved the receipt of funding from D2N2 for the installation of electric charge points at the Boardman Road Depot and approved the acceptance of additional funding for extra charge points if it becomes available.

1.3 The Committee recommended to Finance and Management Committee the approval of the proposed reallocation of £50,000 originally earmarked for the installation of electric charge points at the Boardman Road Depot to fund the installation of electric charge points at an alternative suitable location.

1.4 If successful this Committee approved the receipt of funding from Derbyshire County Council under the Low Emissions Vehicle Infrastructure project for the installation of electric charge points at the relevant South Derbyshire District Council land nominated in the project bid.

1.5 The Committee welcomed that the Electric Vehicle Charge Point Infrastructure Plan exploited the current external funding opportunity from both the UK government and third-party partnership. The Committee noted that in doing so the Plan would represent a further step in bridging the acknowledged gap

between available Council funding and the Council's climate neutral ambitions.

EDS/32 **DESIGNATION OF FINDERN NEIGHBOURHOOD AREA**

The Planning Policy Assistant addressed the Committee and presented the report to the Committee and sought approval of the recommendation.

Members considered the report and supported the first step to enable Findern to become a Neighbourhood Area and develop and Local Neighbourhood Plan.

RESOLVED:

1.1. The Committee formally designated the Findern Neighbourhood Area in accordance with the application from Findern Parish Council, attached to the report as Appendix 2.

EDS/33 **MEMBERSHIP OF THE LOCAL PLAN WORKING GROUP**

The Head of Planning and Strategic Housing addressed the Committee and outlined the history of previous Local Plan Working Groups and the necessity to reform the group in line with Political Proportionality.

RESOLVED:

1.1 The Committee agreed the appointment of five Members from the Committee to the Local Plan Working Group (LPWG).

1.2 The Committee approved that, in line with the Council's political proportionality, to receive three nominations from the Labour Group and two nominations from the Conservative Group, with appointments to be confirmed at the next meeting of Full Council.

EDS/34 **THE DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES CONSULTATION ON IMPLEMENTATION OF PLAN-MAKING REFORMS**

The Planning Policy Team Leader presented the report to the Committee and summarised South Derbyshire District Council's consultation response.

The Committee considered the report and supported the consultation responses.

RESOLVED:

1.1 The Committee approved the submission of the response to the consultation in line with officer recommendations as detailed in Appendix 1 of the report.

EDS/35 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to the Committee and confirmed that dates for future reports were to be reviewed and noted that the Planning Service Review would be reported to the Committee at the next meeting.

RESOLVED:

1.1 The Committee considered and approved the updated work programme, attached as Annexe A to the report.

EDS/36 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:

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

MINUTES

The Exempt Minutes of the Meetings held on 02 March 2023, 20 April 2023 and 30 May 2023 with were received.

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

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

OPERATIONAL SERVICES COMMERCIALISATION PLAN 2023-26

The Committee approved the recommendations within the report.

The meeting terminated at 19:40 hours.

COUNCILLOR S TAYLOR

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE

09 November 2023

OPEN

PRESENT:

Labour Group

Councillor S Taylor (Chair) and Councillor K Storey (Vice-Chair) and Councillors A Archer, I Hudson, J Jackson, V Redfern, B Stuart and A Tilley.

Conservative Group

Councillors K Haines, J Lowe and P Watson.

Liberal Democrats

Councillor G Andrew

Non-Grouped

Councillor A Wheelton

EDS/40 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Hudson (Labour Group).

EDS/41 **DECLARATIONS OF INTEREST**

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

EDS/42 **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/43 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

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

MATTERS DELEGATED TO COMMITTEE

EDS/44 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT 2023-24**
(QUARTER 2 – 1 JULY TO 30 SEPTEMBER)

The Head of Cultural and Community Services presented the report highlighting that the measures for this Committee were on track and there was one update for this Committee's Risk Register.

Members raised concerns on the development of Swadlincote Town Centre, new initiatives for waste and recycling, an indication of when figures would be available for Biodiversity Net Gain and an update on the appointment of the Climate and Environment Officer.

The Head of Cultural and Community Services informed the Committee that developments for Swadlincote included indoor market event space and ongoing development of the Delph. The Head of Operational Services confirmed to the Committee that the dry recycling rate was static and that a joint approach with Derbyshire County Council would be explored which would include the mandate for separate food waste from 2025.

The Head of Cultural and Community Services informed the Committee that the Climate and Environment Officer had been appointed and had joined South Derbyshire District Council.

The Head of Planning and Strategic Housing informed the Committee that it was expected that figures for Biodiversity Net Gain would be available between March and April 2024

RESOLVED:

1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 The Committee reviewed the Risk Register for the Committee's services.

EDS/45 **CCTV IN PRIVATE HIRE VEHICLES POLICY**

The Senior Licensing Officer presented the report confirming that the consultation had been completed and that there was not enough evidence to make CCTV in private hire vehicles a mandatory requirement.

Members raised queries about the number of responses that had been received from the public and noted it was a disappointing result.

The Senior Licensing Officer confirmed to the Committee that the next consultation would be extended to a wider audience.

RESOLVED:

1.1 The Committee noted the report.

- 1.2 The Committee approved the active monitoring of complaints and investigations by Licensing Officers with a view to assessing the need for mandatory CCTV in licensed vehicles on an ongoing basis.**

EDS/46 **FIXED PENALTY NOTICES FOR ENVIRONMENTAL OFFENCES**

The Head of Environmental Services presented the report to the Committee highlighting the proposed changes to fixed penalty notices and South Derbyshire District Council's performance in comparison to national statistics.

Members requested a further report in November 2024 to review the levels of offences and fines. Members wished to express thanks and support to Dennis Bateman of the Environmental Services team for his contributions over several years of service with South Derbyshire District Council.

RESOLVED:

- 1.1. The Committee approved the proposed changes as per the report, to the local use of prescribed types of Fixed Penalty Notices and where appropriate, to take enforcement action in relation to environmental offences.**
- 1.2. The Committee authorised delegated authority to Environmental Officers to issue fixed penalty notices in accordance with the approved variable scale within the report.**

EDS/47 **APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2022-23**

The Head of Planning and Strategic Housing presented the report with an overview of the Section 106 Agreement obligations, contributions not yet allocated and the projects that had been delivered.

Members noted an excellent report and thanked all concerned for the good work at Badger Hollow and improvements to play equipment.

RESOLVED:

- 1.1 The Committee approved the publication of the Infrastructure Funding Statement (IFS) for the 2022-23 financial year, attached to the report as Appendix A.**

EDS/48 **PREPARING FOR THE BIODIVERSITY DUTY**

The Head of Cultural and Community Services presented the report highlighting the need for the document to be published by 01 January 2024.

Members discussed various points in the report including the potential impact to staff, the fees associated with Pre-Application Planning, raising the BNG rate from 10% to 20%, charges to developers, network mapping, wildlife sites of less than 20 acres, visibility of the final report and a requirement for training for Members.

The Head of Planning and Strategic Housing confirmed to the Committee that a report would be provided in early 2024 in conjunction with the Local Plan Working Group and that although Pre-Application charging had not been introduced it would be considered in the future due to the financial impact of resourcing. The Head of Planning and Strategic Housing confirmed that local wildlife and sites of scientific interest had been mapped and that the Council's Ecologist would be assessing the BNG metrics, understanding sites adjacent to wildlife corridors, renewable energy survey and the mapping application in conjunction with Derbyshire Wildlife Trust.

The Chair confirmed that although legislation requires a minimum 10% BNG, it may be possible to increase this to 20% via the Local Plan. The Chair confirmed that the final report would be reviewed with the Local Plan Working Group prior to publication in January 2024.

RESOLVED:

1.1 The Committee noted the contents of the report and approved that the information contained within the report and Appendix 1 to the report be compiled into a Biodiversity Duty document for publication by 01 January 2024.

1.2 The Committee delegated authority to the Strategic Director (Service Delivery) in consultation with the Chair of the Environmental and Development Services Committee and the Local Plan Working Group to approve the Biodiversity Duty statement before its publication.

EDS/49 **COMMITTEE WORK PROGRAMME**

The Head of Cultural and Community Services presented the report to the Committee.

RESOLVED:

1.1 The Committee considered and approved the updated work programme, attached as Annexe A to the report.

EDS/50 **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 BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

PLANNING SERVICES REVIEW

The Committee approved the recommendations within the report.

The meeting terminated at 19:25 hours.

COUNCILLOR S TAYLOR

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE

04 January 2024

OPEN

PRESENT:

Labour Group

Councillor S Taylor (Chair) and
Councillors A Archer, S Harrison (substituting for Councillor J Jackson), R
Pearson (substituting for Councillor K Storey), V Redfern, B Stuart, A
Tilley and N Tilley (substituting for Councillor I Hudson).

Conservative Group

Councillors D Corbin (substituting for Councillor K Haines), J Lowe and P
Watson.

Liberal Democrats

Councillor G Andrew

Non-Grouped

Councillor A Wheelton

In Attendance

Councillor M Gee

EDS/53 **APOLOGIES**

The Committee was informed that apologies had been received from
Councillors I Hudson, J Jackson, K Storey (Labour Group) and Councillor
K Haines (Conservative Group).

EDS/54 **DECLARATIONS OF INTEREST**

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

EDS/55 **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/56 QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

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

MATTERS DELEGATED TO COMMITTEE**EDS/57 SERVICE BASED BUDGETS 2024-25**

The Head of Finance presented the report highlighting the details for this Committee and that there had been no changes from the Draft Budget.

Members sought clarity on several items from the report including the loss of income from food safety certificates and Private Hire Licences, funding arrangements for kennelling, Swadlincote Events costs, property services and the one-off proposals for the Committee.

The Head of Finance confirmed that loss of income was due to changes in exports and Brexit and Private Hire Driver's licences that had been issued under other Local Authorities. The Strategic Director (Corporate Resources) confirmed that the welfare of dogs was supported through the General Reserve which covered service pressures and that this would be reviewed. The Strategic Director (Corporate Resources) informed Members that Swadlincote Events costs were estimated as part of a larger Levelling Up fund. The Head of Finance provided details of property services costs which included off street parking, toilets and lighting, and that an accumulated one-off cost of £74,219 included insurance policies, bank charges, training and maintenance fees.

Councillor Wheelton asked if there was a budget for anti-social behaviour monitoring for the Drakelow area. The Strategic Director (Service Delivery) informed the Committee that statistics provided by the Constabulary would be used to place existing resources in the appropriate areas.

RESOLVED:

- 1.1 *The Committee considered the proposed revenue budget for the Committee's services, for 2024/25 as detailed in Appendix 1 of the report and recommended to the Finance and Management Committee for recommendation to Council for approval.***
- 1.2 *The Committee considered the proposed fees and charges for 2024/25 as detailed in Appendix 2 of the report and recommended to the Finance and Management Committee for recommendation to Council for approval.***

1.3 The Committee considered the proposed Capital budget for the Committee's services, for 2024/25 as detailed in Appendix 3 of the report and recommended to the Finance and Management Committee for recommendation to Council for approval.

EDS/58 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to the Committee and noted an update to the Town Centre report which was to be included at the next Committee meeting.

RESOLVED:

1.1 The Committee considered and approved the updated work programme, attached as Annexe A to the report.

EDS/59 **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 BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

EDS/60 The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 18:25 hours.

COUNCILLOR S TAYLOR

CHAIR

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	25 JANUARY 2024	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	GARY CHARLTON – HEAD OF OPERATIONAL SERVICES gary.charlton@southderbyshire.gov.uk	DOC:
SUBJECT:	WASTE COLLECTION ROUTE OPTIMISATION	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That the Committee approves the changes to the collection days in the areas set out in the report.

2.0 Purpose of the Report

- 2.1 To update the committee on route optimisation and seek approval to commence business transformation to optimise waste collection routes. This change requires day changes to circa 811 residential properties across the District.

3.0 Detail

- 3.1 Operational Services currently provides household waste collection services to over 51,300 residential properties spanning 2500 streets across the District. The waste collection routes currently in operation were derived from analysis work carried out over ten years ago, although there have been modest updates in recent years. Since 2019 the District has grown by more than 5000 dwellings, with the current rounds being based on streets, not individual properties, which has led to imbalanced rounds.
- 3.2 In 2020 a project to use a route optimisation consultancy (Webaspx) and route optimisation software was approved, however due to the loss of key individuals within the service this work was halted until early 2023. A full review of waste collection services routes has been undertaken and the best deliverable options have been reached.
- 3.3 The reviewed routes have taken into account the varied nature of the rural, semi-rural and urban collection areas. The principle to the proposed changes is to create a rural collection vehicle for each waste stream (refuse, garden & recycling) this vehicle will be required to travel significant miles but have far fewer collections, this will allow for the remaining rounds to be within high density urban and some semi-rural areas. The

hours worked for each team will also be levelled out by taking this approach as each round will be tasked with similar levels of collections.

- 3.4 The revised rounds require five refuse freighters to complete standard waste (black bin) collections, five refuse freighters to complete garden waste (brown bin) collections and six refuse freighters to complete the mixed domestic recycling collections. In addition, route optimisation reviewed ancillary activities and the service will have one dedicated trade vehicle and one dedicated HTA (hard to access properties) vehicle.
- 3.5 Currently within the service we have sufficient refuse freighters to deliver the new round. For fleet planning the completion of route optimisation has given clarity to the number of refuse freighters needed to deliver the service over the medium term and will form a key component of the Fleet Replacement Strategy.
- 3.6 The route optimisation review highlighted a total of 811 properties which require a day change to facilitate the best possible outcome for efficiencies. The majority of changes (over 550 properties) will come from the village of Shardlow moving from Tuesday to a Monday collection. Other smaller street areas affected are in Dalby, Osloston, Radbourne, Sutton on the Hill, Thurstaston, Trusley and Etwall with these moving from a Monday to a Tuesday collection. Appendix A provides a full list of the streets affected by area.
- 3.7 Working through the desktop analysis and vehicle testing a sample of rounds, the waste collections team are satisfied that these changes will provide the optimum level of collections for each team, whilst still allowing for some growth to collection areas. It should be noted that due to property growth within the District it is now advisable that route optimisation exercise is carried every two years to ensure a maintained balanced approach to collections.
- 3.8 Subject to approval the proposed changes would come into operation week commencing 26 February 2024. Colleagues in customer services have indicated that this timescale is suitable for any potential spike in customer contact. Communication with affected residents will commence w/c 29 January 2024, with letter drops to each affected property delivered by the Operational Services team. Any resident who's bin was missed by the day change will have a follow up collection on the Saturday of that week.

4.0 Financial Implications

Value for Money

- 4.1 In terms of anticipated revenue budget savings, the revised routes anticipate a reduction in miles travelled and thereby fuel usage. With the inclusion of a dedicated rural round the average expected reduction in mileage is 20 miles per day, over 5000 miles per annum.
- 4.2 The route optimisation review will generate substantial efficiencies for the team collection by creating balanced collection rounds which are more consistent in size, timings and are achievable to be completed with the lowest possible resource use.
- 4.3 The route optimisation review will provide improved planning for customers that require assistance or additional support. The balancing of collection numbers to each round

will give spare tonnage capacity to vehicles and present opportunities for growth to the in-house trade waste collection service.

5.0 Corporate Implications

Employment Implications

5.1 None

Legal Implications

5.2 None

Corporate Plan Implications

5.3 The proposals align with the key Council Plan aim that “Our services have the right resources and are modern, responsive, efficient and effective”.

Risk Impact

5.4 Implementing new collection routes carries a reputational risk. Utilising route optimisation allows for routes to be determined whilst taking into account operational variables, increasing confidence that new routes will work in practice minimising both cost and reputational risk.

6.0 Community Implications

Consultation

6.1 None required.

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 None

Environmental Sustainability

6.4 Less fuel used by reducing vehicle mileage will lead to an emission saving of an estimated 2000kgs in CO, achieved through the redesign of more efficient routes.

6.5 Continually updating optimised routes at the point new properties come on stream will ensure the Council always achieves the lowest mileage, fuel use and CO2 emissions possible given the type of vehicles currently in use.

Appendix A

Collection Day Change = Tuesday WK2 to Monday WK2		
Street Name	Town/Village	Number of properties
Alts Nook Way	Shardlow	18
Ambaston Lane	Shardlow	15
Aston Lane	Shardlow	1
Canal Bank	Shardlow	17
Cavendish Close	Shardlow	21
Cavendish Court	Shardlow	15
Cheal Close	Shardlow	59
Clover Court	Shardlow	20
Cowlshaw Close	Shardlow	13
Derwent Court	Shardlow	4
Glenn Way	Shardlow	52
Great Wilne	Shardlow	13
London Road	Shardlow	87
Long Row	Shardlow	34
Mill Green The Wharf	Shardlow	24
Millfield	Shardlow	14
The Maltings	Shardlow	10
The Wharf	Shardlow	49
Wakelyn Close	Shardlow	11
West End Drive	Shardlow	46
Wilne Lane	Shardlow	29
Collection Day Change = Monday Wk1 to Tuesday Wk1		
Street Name	Town/Village	Number of properties
Radbourne Lane	Dalbury	1
Cropper Lane	Osleston	31
Osleston Lane	Osleston	1
Tithebarn Lane	Osleston	3
Watery Lane	Osleston	3
Church Lane	Radbourne	10
Gardens Cottages Radbourne	Radbourne	2
Radbourne Common	Radbourne	16
Radbourne Lane	Radbourne	7
Radbourne Village	Radbourne	13
Silverhill Farm Court	Radbourne	3
Acre Lane	Sutton on the Hill	2
Ash Lane	Sutton on the Hill	1
Back Lane	Sutton on the Hill	14
Brook Lane	Sutton on the Hill	11
Church Lane	Sutton on the Hill	4
Common Lane	Sutton on the Hill	7
Common Piece Lane	Sutton on the Hill	7
Dish Lane	Sutton on the Hill	14
Field View	Sutton on the Hill	1

James Lane	Sutton on the Hill	1
Keepers Cottage	Sutton on the Hill	1
Marlpit Lane	Sutton on the Hill	13
Rectory Farm	Sutton on the Hill	3
Rectory Farm Cottages	Sutton on the Hill	1
Schoolpiece Lane	Sutton on the Hill	1
Sutton Hall	Sutton on the Hill	1
Bleak End	Thurvaston	1
Brookley Meadows	Thurvaston	1
Burrows Lane	Thurvaston	3
Church Close	Thurvaston	1
Culland Lane	Thurvaston	1
Glebe Close	Thurvaston	1
Long Lane	Thurvaston	21
Radfords Rise	Thurvaston	1
Spring Mount	Thurvaston	1
Sunset Meadows	Thurvaston	1
Thurvaston Lane	Thurvaston	11
Gardeners Cottage	Trusley	1
Hilltop Lane	Trusley	1
Home Farm	Trusley	1
Ivy Close Farm	Trusley	1
Taylors Lane	Trusley	7
The Elms Farm	Trusley	1
Trusley Hall	Trusley	2
Trusley Manor	Trusley	8
Trusley Road	Trusley	3
Heage Lane	Etwall	24

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	25 JANUARY 2024	CATEGORY:
		DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	GARY CHARLTON, HEAD OF OPERATIONAL SERVICES 01283 595764, 07976 081896 Gary.charlton@southderbyshire.gov.uk	DOC:
SUBJECT:	FLEET MANAGEMENT REPLACEMENT STRATEGY	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That Committee approves the principles of the Fleet Management Replacement Strategy which are, vehicle replacement periods, sufficient spare vehicle capacity and a commitment to carbon reduction of the 3.5tonne fleet by 2027.
- 1.2 That the Committee approves the conversion of diesel fuel to Hydrotreated vegetable oil (HVO) to reduce CO2 emissions subject to approval by Finance and Management Committee.
- 1.3 That the Committee approves the financial commitment for 2024/25 and 2025/26 with the remaining years indicative, subject to approval at Finance and Management Committee as part of the final 2024/25 General Fund budget and Capital Programme.

2.0 Purpose of the Report

- 2.1 To determine a revised Fleet Management replacement strategy, which forms a framework for developing policies, plans and procedures for the management and use of vehicles, plant and associated equipment.

3.0 Detail

- 3.1 The purpose of the Strategy is to ensure that service needs have effective vehicle solutions that fully meet regulatory requirements, service and corporate objectives and provide clear decision making for their management and use. It is also important to raise service awareness of vehicles as a corporate asset; they have a capital value, cost money to use and maintain, require statutory safety inspections to comply with various regulations and are required to meet Health and Safety Regulations.

- 3.2 The Head of Operational Services is responsible for the purchase, maintenance, repair and disposal of all vehicles owned by South Derbyshire District Council; these being:
- Large Goods Vehicles
 - Vans and pick-ups
 - Cars and car derived vehicles
 - Heavy plant and lifting equipment
 - Grounds Maintenance equipment
 - Depot plant
 - Trailers.
- 3.3 The Strategy will direct the Council to maintain cost-effective and timely processes for repair and maintenance, commissioning, decommissioning and disposal of the vehicle fleet and ensure statutory requirements are adhered to. The principles for Replacement Strategy are,
- a. Revised replacement periods for each type of vehicle use,
 - b. Sufficient spare vehicles to ensure the delivery of mandatory services,
 - c. A commitment to fleet carbon reduction with the under 3.5tonne fleet fully converted to electric vehicles by 2027,
 - d. Convert HGV fuel from diesel to Hydrotreated vegetable oil (HVO) to reduce CO2 emissions.
- 3.4 The Strategy has revised fleet numbers within operational services to reflect recycling services returning as an in-house service, growth in the district. In addition, the completion of route optimisation has confirmed the optimal number of waste freighters required, the actual number of operational vehicles must be bolstered by sufficient spare vehicles to reduce hiring cover vehicles to a minimum. Known future considerations from the Governments Waste and Resources Strategy have been factored in and this includes the vehicles for the introduction of food waste collections in 2026.
- 3.5 The Council needed to determine the optimal funding option(s) for the replacement programme and engaged Arlingclose an Independent treasury management services to undertake an options appraisal to compare purchasing the assets using borrowing against lease financing. The options appraisal analysis identified borrowing as cheaper than leasing for all the assets. However, there are risks and sensitivities to both options and it looks to be a relatively close decision.
- 3.6 The Council is committed to reducing it's on carbon emissions and will be setting an ambitious target of zero carbon emissions to its fleet by 2030. The Strategy has considered the development and opportunities in alternative vehicle technologies including fuel types and provided estimated costs for inclusion. This will help minimise the Council's impact on the environment and enable it to take a proactive role in assisting the Council to maintain its ISO140001 accreditation.
- 3.7 Over the short-term the council will continue with the use of combustion engines for HGV's and plant whilst keeping alternative and more environmentally friendly technologies under review. For vehicles up to 3.5 tonnes the Strategy has identified that they are good options available in the vehicle market to switch the Councils light vehicle (LGV) Fleet to Electric Vehicles (EV). This change will see over 50% of the fleet, carbon neutral by the end of 2027. There will be a need for significant improvement and investment to the availability and infrastructure of EV charging facilities within the Councils assets.
- 3.8 The HGV low emission market is still very much at the early stages of its transition. The current technology is EV or Hydrogen. EV refuse vehicles are two times the cost

of combustion vehicles and do not have the range capability (60-80 miles) required for semi-urban Local Authorities. Within the existing fleet we are trialling the use of Hydrogen Hybrid technology, this fuel use is currently untested and further data analysis from the trial, which runs until April 2024, will establish if this is a suitable alternative fuel source. It should be noted that Hydrogen Hybrid is a 50/50 mix of diesel and Hydrogen and is designed to reduce diesel consumption, not replace it. The funds for this trial have been supplied by D2N2, this included the hydrogen conversion kit for the refuse freighter, the fuelling station and 5 month's hydrogen fuel costs. Options will continue to be explored in regard to the fuel alternatives, and decisions made on a case-by-case basis.

- 3.9 The Strategy has considered options of fuel use and its carbon emissions. The Council could reduce its vehicle emissions now by switching to Hydrotreated vegetable oil (HVO), which is a paraffinic diesel fuel that can be used as a direct replacement for diesel. Using our existing metrics for emission measurements a comparison of diesel against HVO showed an 87% decrease in carbon emissions when HVO is used instead of diesel. However, HVO fuel presently costs £0.63 more per litre and is subject to market volatility in pricing.
- 3.10 The Head of Operational Services will ensure the maintenance of assets to good standard and where it is operationally effective to do may vary the replacement programme to extend the life of vehicles beyond their specified replacement life expectancy. The risk of retaining vehicles beyond their life expectancy is that of reliability and the cost to maintain the vehicle as road worthy. The impact of vehicle reliability with mandatory waste collections is substantial, not only is there the inconvenience to residents but also the need for additional costs to be expended in overtime. It should be noted that vehicles will be off-road for up to 4 weeks per year to allow for mandatory inspections, MOT's, safety checks and allowance for ad-hoc breakdowns.
- 3.11 Fleet replacement requires disposal of vehicles at the end of their tenure, disposal is presently undertaken through auction houses. It is proposed that if resources are available, then the disposal of vehicles could be undertaken by the fleet services team with the potential of maximising resale values.
- 3.12 The Fleet Replacement Strategy in Appendix A has specified the replacement financial year, this is to allow the Operational Services fleet team to replace vehicles at staggered periods throughout the replacement year identified, this will support ongoing maintenance and MOT scheduling of the fleet.

4.1 The profile of the vehicle replacements over the next 8 years for the General Fund and the Housing Revenue Account (HRA) is below as follows:

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	Total
	£	£	£	£	£	£	£	£	£
General Fund Vehicle Replacements	2,250,000	2,324,000	1,850,000	52,500	0	303,000	590,000	60,000	7,429,500
HRA Vehicle Replacements		0	780,000	0	0	0	0	0	780,000
Total	2,250,000	2,324,000	2,630,000	52,500	0	303,000	590,000	60,000	8,209,500

4.2 In order to assess the most economically advantageous position for the replacement of fleet, a lease or buy review has been undertaken by the council's treasury advisors Arlingclose Ltd.

4.3 The Options Appraisal Report, attached at Appendix B, compares the net present value (NPV) analysis of future cash flows of both leasing and borrowing. It concludes that PWLB borrowing is cheaper than leasing on a net present value basis for the all the vehicle assets over the primary lease periods considered (4, 5 and 7 years, depending on the asset).

4.4 However, there are risks and sensitivities to both options. Essentially, if the Council receives sale proceeds for the vehicles in line with those assumed (the value placed on them by the lessor) then it remains optimal to borrow rather than lease. Alternatively, if residual sale proceeds are lower, then leasing could be the most economically advantageous route.

4.5 In the absence of reliable data, other than that used in the appraisal, on the prospective sale proceeds, it is difficult to confirm with certainty what this value may be and how this may impact the appraisal outcome.

4.6 It is therefore proposed that the decision to replace fleet in the 2024/25 year is undertaken via the borrowing route and residual values achieved on redundant asset sales monitored to inform the lease vs buy decision for 2025/26 and beyond.

Comparatively the revenue costs for leasing versus borrowing is set out below demonstrating that borrowing is the preferred option for financing the fleet replacement programme.

4.5 The Council currently holds earmarked reserves for fleet replacement that can be utilised against the purchase of the fleet, the current level of reserves is:

Reserves	
Vehicle Replacement Fund	-516,200
Recycling Service Provision	-675,000

Growth Provision	-
	1,016,628
HRA Asset Replacement Fund	-199,000

4.6 Utilising the earmarked reserves held will reduce the amount of internal borrowing reducing the impact in revenue for the recharge if MRP. Due to the need for the Section 151 Officer to conclude their review of the earmarked reserves, it is proposed that the current trajectory for funding the fleet replacement is taken forward but that it is acknowledged that this will likely be reviewed and additional reserves reallocated to fleet replacement upon completion of the S151 Officer's review.

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	Total
	£	£	£	£	£	£	£	£	£
General Fund Vehicle Replacements	2,250,000	2,324,000	1,850,000	52,500	0	303,000	590,000	60,000	7,429,500
HRA Vehicle Replacements		0	780,000	0	0	0	0	0	780,000
Total	2,250,000	2,324,000	2,630,000	52,500	0	303,000	590,000	60,000	8,209,500
GF Residual Value	-402,900	355,800	395,600	10,625	0	49,500	115,600	10,800	1,340,825
Funded by EMR GF	1,847,100	360,728	0	0	0	0	0	0	2,207,828
HRA Residual Value			140,400						
Funded by HRA		0	199,000	0	0	0	0	0	-199,000
Borrowing GF	0	1,607,472	1,454,400	41,875	0	253,500	474,400	49,200	3,880,847
Borrowing HRA	0	0	440,600	0	0	0	0	0	440,600

4.7 The MRP calculation based on the borrowing required taking into account the residual value of fleet and the use of earmarked reserves is detailed in the following table:

	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total
MRP General Fund	0	198,000	386,000	410,000	430,000	488,000	571,000	606,000	3,089,000
MRP HRA	0	0	54,000	57,000	60,000	63,000	66,000	69,000	369,000

4.8 Maintenance costs will need to be profiled to match the life expectancy of each vehicle. Appendix B details the maintenance costs for each vehicle, excluding tyre replacement

and accidental damage. An overview of the total spend is included within the table below and highlights the required budget spend over the next 5 years,

	Maintenance/Spares Estimated Budget Requirements					
	2023/24 forecast	24-25	25-26	26-27	27-28	28-29
Forecast	£481,000	£223,150	£261,200	£108,450	£189,100	£294,450
Budget	£133,000	£460,000	£368,000	£294,400	£235,520	£188,416
Budget saving to MTFP	£348,000	-£236,850	-£106,800	-£185,950	-£46,420	£106,034

4.9 If forecast outturn for 2023/24 is £348k over budget due to the expensive repairs on aging vehicles. The budget set for 2024/25 includes an increase of £327k to accommodate repairs to existing fleet.

4.10 The introduction of Electric vehicles to the fleet will require several infrastructure improvements to the Boardman Road depot and other Council owned assets. The cost to improve the Network capacity to facilitate the new electric vehicles is estimated at £250k, this will be subject to a technical survey and options appraisal.

4.11 Due to a percentage of Electric vehicles being attributed to the Housing Maintenance team a recharge for the installation of EV points would be recharged to the Housing Revenue Account. It is predicted to be approximately 50% of the total costs.

4.12 The move to Hydrotreated vegetable oil (HVO) would reduce our emissions by 87% but would an additional budget requirement of circa £230k. The volatility in fuel prices allows for uncertainty to budget requirements the table below gives an example of the litres used per annum measured against the high and low fuel costs during 2023. The anticipated additional costs of HVO have been estimated based on the current fuel price with an additional 10% for fuel volatility.

Fuel usage Jan 2023-Dec 2023									
Department	Litres used	Current cost per ltr	Total cost	Peak cost per ltr	Total Cost	Average cost per ltr	Total cost	Estimated HVO cost per ltr	Estimated cost per annum
Housing	19434	£1.14	£22,155	£1.65	£32,067	£1.40	£27,111	£1.80	£39,879
Property Services	1887	£1.14	£2,151	£1.65	£3,113	£1.40	£2,632	£1.80	£3,871
Leisure	830	£1.14	£946	£1.65	£1,369	£1.40	£1,157	£1.80	£1,702
Environmental Health	1885	£1.14	£2,149	£1.65	£3,111	£1.40	£2,630	£1.80	£3,868
Community Safety Team	928	£1.14	£1,058	£1.65	£1,532	£1.40	£1,295	£1.80	£1,905
Grounds Maintenance	30387	£1.14	£34,641	£1.65	£50,139	£1.40	£42,390	£1.80	£62,354
Street Cleansing	35940	£1.14	£40,972	£1.65	£59,302	£1.40	£50,137	£1.80	£73,750
Transport	176	£1.14	£201	£1.65	£291	£1.40	£246	£1.80	£362
Refuse/Recycling	259213	£1.14	£295,503	£1.65	£427,701	£1.40	£361,602	£1.80	£531,905
Total =	350681		£399,776		£578,624		£489,200		£719,598

4.13 Taking into account the savings from the reduction in spare parts, the inclusion of MRP costs and the intended conversion to HVO the below table illustrates the impact to the MTFP over the next 5 years. This will impact the projected budget gap over the 5-year plan by £1.28m

	Impact to MTFP				
	24-25	25-26	26-27	27-28	28-29
Spare Parts	-£236,850	-£106,800	-£185,950	-£46,420	£106,034

MRP	£0	£0	£198,000	£386,000	£410,000
Fuel Premium (GF)		£190,000	£190,000	£190,000	£190,000
Total Impact to (GF) MTFP	-£236,850	£83,200	£202,050	£529,580	£706,034

- 4.14 The impact to the MTFP does not factor in further funding to be received as part of the Waste Reforms, the funding once the value and timing is confirmed will serve to further reduce the costs.

5.0 Corporate Implications

Employment Implications

- 5.1 None

Legal Implications

- 5.2 Failure to comply with the Operators' License obligations could lead to loss of ability to operate vehicles above 3.5 tonne and have a serious impact on service delivery. The Driver and Vehicle Standards Agency (DVSA) use the Operator Compliance Risk Score (OCRS) system to decide which vehicles should be inspected. OCRS is used to calculate the risk of an operator not following the rules on roadworthiness (the condition of its vehicles) and traffic, e.g. drivers' hours, weighing checks.

Corporate Plan Implications

- 5.3 The Corporate Plan commits the Council to tackle climate change and strive to make South Derbyshire District Council carbon neutral by 2030. The Fleet Management Strategy will help to ensure that the Council has a fit for purpose, safe, reliable and cost-effective vehicle fleet in the right place at the right time and at the right cost to support this corporate objective.

Risk Impact

- 5.4 Loss of vehicles and loss of fuel are both covered in the corporate Risk Register and both have contingency plans within the Corporate Business continuity Plan.
- 5.5 Compliance with this strategy and associated policies and procedures should ensure that the Council maintains a good OCRS rating and therefore manages the risk of losing the Council's operator's license.

6.0 Community Impact

Consultation

- 6.1 Not applicable

Equality and Diversity Impact

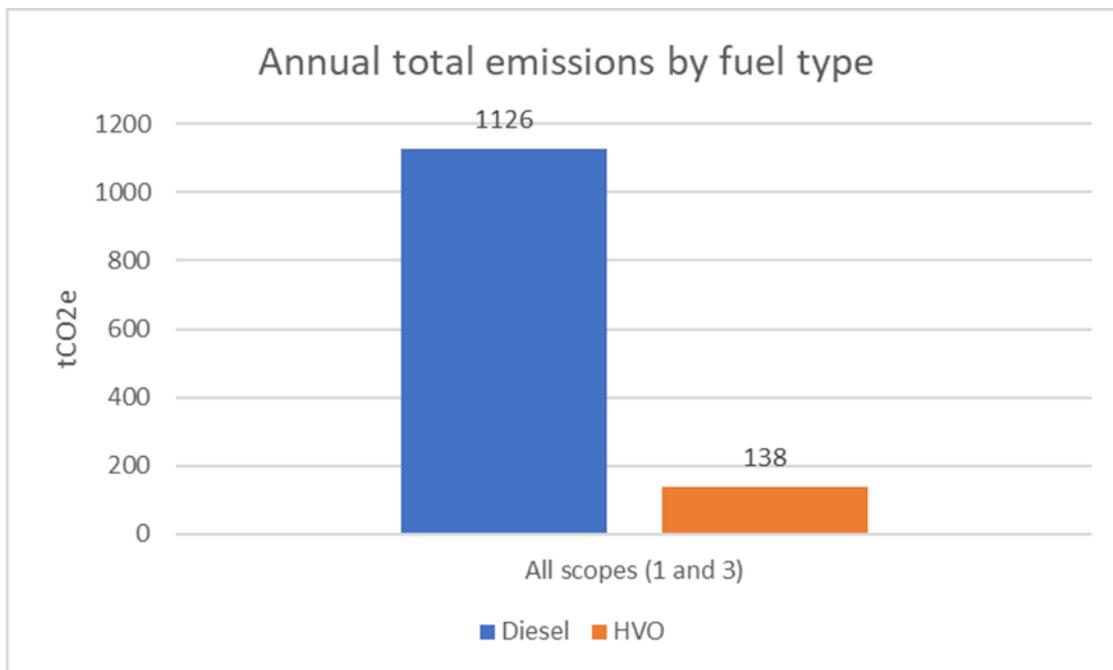
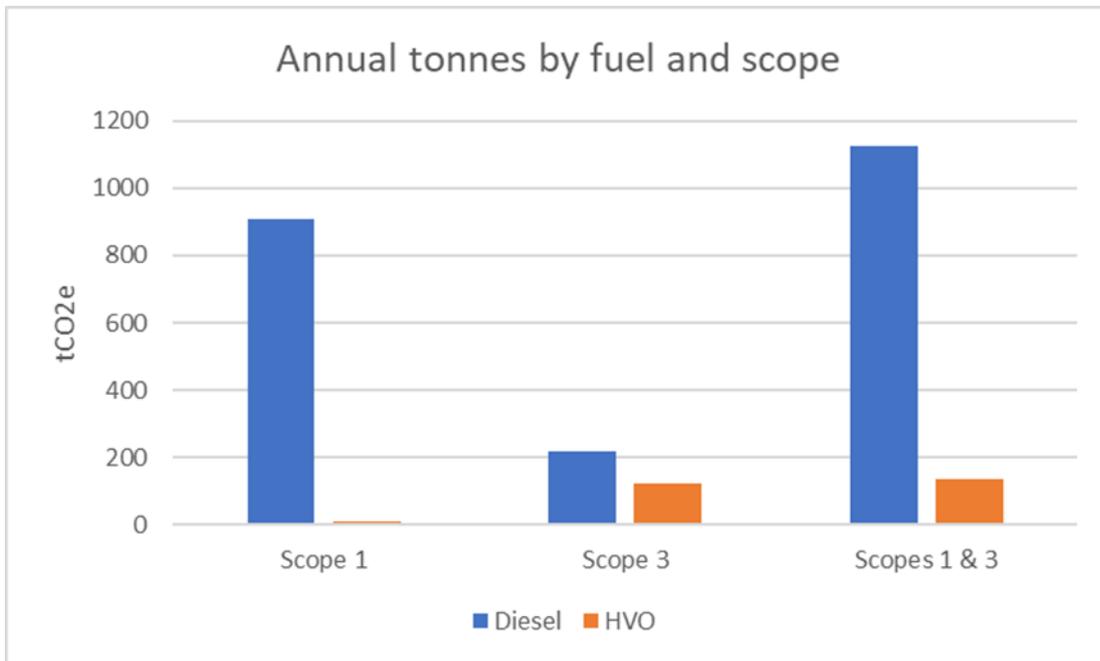
- 6.2 Not applicable

Social Value Impact

- 6.3 Not applicable

Environmental Sustainability

- 6.4 The fleet is currently standardised as far as possible on diesel fuel. Modern diesel-engine vehicles are efficient, generally clean (with lower emissions than petrol engines) and can run on more eco-friendly biofuels. In 2021 the Government's current carbon reduction strategy had identified a ban to the sale of diesel and petrol combustion cars/LGV vehicles. Step 1 would see the phase-out date for the sale of new petrol and diesel cars and vans in 2030. Step 2 would have seen all new cars and vans being fully zero emission at the tailpipe from 2035. A consultation on the phase-out of new diesel heavy goods vehicles (HGVs) was also launched. In September 2023 the Government changed its stance on a fixed date for a ban and have now introduced annual targets for the percentage of new zero emission cars manufacturers will be required to produce each year.
- 6.5 Fleet vehicles are an important part of the Council's operation and a significant cost to purchase, run and maintain. Given the market availability of low carbon vehicles for our use, it will not be practical or cost effective to move the entire fleet immediately to a lower emissions fleet. The Council already ensures that vehicles are serviced regularly and that tyres are inflated to the correct pressures to make the best of fuel consumption. A further option to consider would be the use of Hydrotreated vegetable oil (HVO) which is a paraffinic diesel fuel that can be used as a direct replacement for diesel. It offers superior operational and environmental performance over fossil diesel whilst support existing logistical infrastructure HVO is synthesised from 100% renewable raw materials such as vegetable oils, animal oils and fats, which reduces net CO2 greenhouse gas emissions by as much as 90%..
- 6.6 South Derbyshire District Council tracks its carbon emissions on a monthly and annual basis. To do so, we use the government carbon conversion factors. To compare the potential carbon emission savings between diesel and HVO, the emissions were calculated for the litres of fuel consumed 2022 – 2023. The fuel used in 2022 – 2023 was diesel, for the HVO calculation the same volume of fuel has also be used, but it is likely that if HVO was used there would be benefits of lower fuel consumption. Fuel use carbon emissions are split into scope 1 and scope 3 emissions. Using the government conversion factors it is possible to see the difference in scope 1 and scope 3.
- 6.7 The results in the tables below show an 87% decrease in carbon emission when HVO is used instead of diesel.



7.0 Background Papers

Environmental and Development Services Committee 23 January 2020, agenda item 5.

Appendix A – Fleet Management Replacement & Maintenance Strategy

Fleet Replacement & Maintenance Strategy - 2024											
Number of Vehicles	Current Make	Current Model	Service Use	Service Area	Original Purchase Cost	Estimated Replacment Cost Diesel	Estimated Replacment Cost E/V	Total Estimated Replacment Cost	Current Vehicle Age (Years)	Replacement Depreciation Period (Years)	Revised Financial Year Replacement Date
1	FORD	CONNECT	Supervisor Van	Street Cleaning	n/a	£30,000	£35,000	£35,000	N/A - Hire	7	01/01/2024
2	CITROEN	C3	Pool Car	Operational Services	£9,297	N/A	£30,000	£60,000	10	7	01/04/2024
8	DENNIS EAGLE	ELITE	RECYCLING	Refuse Collection	£33,500.00	£220,000	£420,000	£1,760,000	9	5	01/04/2024
1	FORD	7.5tonne	Bulky's	Refuse Collection	n/a	£65,000	£70,000	£65,000	N/A - Hire	7	01/04/2024
1	FORD	TRANSIT	Bin Delivery	Refuse Collection	n/a	£48,000	£60,000	£60,000	N/A - Hire	7	01/04/2024
1	FORD	TRANSIT	HTA/Rural	Refuse Collection	£27,296	£48,000	£60,000	£60,000	6	5	01/04/2024
4	FORD	CONNECT	Supervisor Van	Refuse Collection	£15,430	£30,000	£35,000	£140,000	10	7	01/04/2024
1	CITROEN	NEMO	Supervisor Van	Grounds Maintenance	£12,277	£30,000	£35,000	£35,000	10	7	01/04/2024
1	CITROEN	NEMO	Cleaning Team	Property Services	£12,277	£30,000	£35,000	£35,000	10	7	01/04/2024
7	DENNIS EAGLE	ELITE	REFUSE	Refuse Collection	£180,183	£200,000	£400,000	£1,400,000	6	7	01/04/2025
4	N/A	7.5tonne	Food Waste	Refuse Collection	n/a	£80,000	£110,000	£320,000	N/A	7	01/04/2025
3	SCHMIDT	SWINGO	SWEEPER	Street Cleaning	£72,317	£90,000	£120,000	£270,000	5	6	01/04/2025
4	FORD	TRANSIT	VAN	Street Cleaning	£27,987	£50,000	£60,000	£240,000	5	7	01/04/2025
7	RANSOME	HR300	MOWER	Grounds Maintenance	£20,041	£22,000	Not Available	£154,000	6	6	01/04/2025
7	DENNIS EAGLE	ELITE	REFUSE	Refuse Collection	£180,183	£200,000	£400,000	£1,400,000	6	7	01/04/2026
1	MAJOR SWIFT		GANG UNIT	Grounds Maintenance	£17,443	£20,000	Not Available	£20,000	11	12	01/04/2026
4	FORD	TRANSIT	Beavertail	Grounds Maintenance	£31,419	£50,000	£60,000	£240,000	5	7	01/04/2026
1	FORD	TRANSIT	Van	Grounds Maintenance	£27,296	£50,000	£60,000	£60,000	5	7	01/04/2026
4	FORD	TRANSIT	Tipper	Grounds Maintenance	£29,517	£50,000	£60,000	£240,000	5	7	01/04/2026
1	FORD	TRANSIT	Tipper & Tailift	Grounds Maintenance	£31,683	£55,000	£65,000	£65,000	5	7	01/04/2026
3	FORD	CONNECT	Enforcement	Environmental	£16,029	£30,000	£35,000	£105,000	5	7	01/04/2026
2	FORD	TRANSIT	Rosliston	Recreation Leisure	£22,937	£48,000	£60,000	£120,000	5	7	01/04/2026
13	FORD	TRANSIT	Repairs Team	Housing	£24,593	£48,000	£60,000	£780,000	5	7	01/04/2026
1	LANDROVER	DEFENDER	CAR	Fleet Team	£22,479	N/A	£40,000	£40,000	16	10	01/04/2027
1	YAHAMA	QUAD	WEED SPRAYER	Grounds Maintenance	£9,850.00	£12,500	£12,500	£12,500	2	5	01/04/2027
1	IVECO	MG150	SWEEPER	Street Cleaning	£110,274	£168,000	£618,000	£168,000	0	5	01/04/2029
3		TRACTOR	TRACTOR	Grounds Maintenance	£34,500.00	£45,000	Not Available	£135,000	3	9	01/04/2029
1	DAF Whale	MVC Tanker	HGV	Street Cleaning	£160,350	£170,000	Not Available	£170,000	1	7	01/04/2030
							Total =	£8,189,500			

Appendix B – Fleet Management – Spare Parts and Maintenance Estimates (Per Vehicle)

Number of Vehicles	Vehicle Type	Estimated Spares & Maintenance Cost Year 1	Estimated Spares & Maintenance Cost Year 2	Estimated Spares & Maintenance Cost Year 3	Estimated Spares & Maintenance Cost Year 4	Estimated Spares & Maintenance Cost Year 5	Estimated Spares & Maintenance Cost Year 6	Estimated Spares & Maintenance Cost Year 7
15	Narrow Body/Open Back Refuse Freighter	£1,750	£2,000	£2,500	£10,000	£15,000	£15,000	£17,500
8	Narrow Body 70/30 split back Refuse Freighter	£1,750	£2,000	£3,500	£12,500	£15,000	n/a	n/a
1	Medium Volume Whale Tanker HGV	£1,750	£2,000	£2,500	£10,000	£15,000	£15,000	£17,500
1	Truck Mounted Sweeper mid/high volume Vehicle	£3,500	£4,500	£5,000	£7,500	£10,000	n/a	n/a
3	Compact Sweeper (4800kgs GW)	£3,000	£3,000	£4,000	£5,000	£5,000	£7,500	n/a
4	7500kgs ECOpac mini	£1,000	£1,100	£1,400	£1,750	£3,500	£4,000	£5,000
1	7500kgs Box - pillar tailift	£1,000	£1,100	£1,400	£1,750	£3,500	£4,000	£5,000
3	Tractor mid range up to 350HP	£500	£550	£800	£1,250	£2,000	£2,250	£2,500
1	Winged Swift Roller Gang Unit (any brand)	£500	£550	£600	£1,000	£1,500	£4,000	n/a
7	Ride on Rotary Mower, lifting cutters, 3000rpm minimum	£500	£550	£600	£1,000	£1,500	£4,000	n/a
10	3500kgs Short Wheel Base (caged tipper) Van	£200	£250	£300	£350	£1,000	£500	£550
5	3500kgs Short Wheel Base (beaver tail) Van	£200	£250	£300	£350	£1,000	£500	£550
4	3500kgs Long Wheel Base	£200	£250	£300	£350	£1,000	£500	£550
15	3500kgs Short Wheel Base Van	£200	£250	£300	£350	£1,000	£500	£550
7	3500kgs Short Wheel Base Small Van	£200	£250	£300	£350	£1,000	£500	£550
1	Quad Bike Large municipal	£150	£150	£150	£150	£150	n/a	n/a
2	Generic Estate Car/Small Van	£200	£250	£300	£350	£800	£500	£550
1	4X4 Generic Pick up/Off road vehicle	£200	£250	£300	£350	£800	£500	£550

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	25 JANUARY 2024	CATEGORY:
		DELEGATED or RECOMMENDED
REPORT FROM:	HEIDI MCDOUGALL (STRATEGIC DIRECTOR)	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS (HEAD OF PLANNING AND STRATEGIC HOUSING), steffan.saunders@southderbyshire.gov.uk	DOC:
SUBJECT:	LOCAL PLAN ISSUES AND OPTIONS (REGULATIONS 18) CONSULTATIONS	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 For Members to note the responses received to the Local Plan Issues and Options (Regulations 18) consultation as summarised in **Appendix 1**. The responses in full are available to view at <http://www.southderbyshire.gov.uk/localplanreview>

2.0 Purpose of the Report

2.1 To present the responses to the Local Plan Issues and Options consultation, for Members to consider the implications for the revised Local Plan and to gain approval for further evidence gathering to inform the next stage of plan preparation.

3.0 Executive Summary

3.1 The Council undertook a public consultation in the autumn of 2022 inviting comments on the scope and content of the revised Local Plan that the Council has commenced production on. A full copy of the responses is available to view on the Council's website (link), a summary of the responses received, and the Council's response is available in Appendix 1.

3.2 The responses received provided feedback on the process that the Council should undertake when producing a local plan, the approach that the Council should adopt when drafting policies and allocations and suggestions as to the evidence needed to support the plan production.

3.3 The Council has considered all the consultation responses in detail and will reflect on these when drafting the Local Plan. This was an early consultation on plan making, and therefore consultees expressed a wide range of diverse views on the future needs

of the District and where development could take place. It is important to note that as the strategy takes shape there will be more focussed consultation on particular issues.

- 3.4 The current local plan is divided into Pt1 (which deals with strategic issues) and Pt2. If the current structure of the plan is replicated in the review, much of the comments made in this consultation will relate to issues dealt with in the Pt2 review, rather the first review which would take place on issues covered in pt1. The next iteration of the Local Plan (the 'draft plan') will be presented to this committee for consideration prior to the next round of public consultation.

4.0 Detail

- 4.1 In accordance with Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012, the Council undertook an eight-week public consultation inviting comments on what the revised Local Plan ought to contain. The consultation consisted of 162 questions (detailed in Appendix 2) covering a large variety of topics, including housing, jobs, infrastructure, health, climate change and the environment. The consultation ran from 10th October 2022 to 5th December 2022.
- 4.2 The consultation was undertaken in line with the Councils Statement of Community Involvement (SCI) which was adopted in September 2018. This included the Council sending letters/emails to 627 contacts on the Councils Local Plan database, holding in-person public consultation events, promoting events on the Councils website and via social media and in local libraries, issuing a press release, advertising in the main Council Offices, and distributing publicity to Parish Councils. 353 responses were received.

Overview of the Local Plan Issues and Options (Regulation 18) Consultation responses

- 4.3 **The Plan production process** - Just over half of respondents believe that the Local Plan period should be extended beyond 2039 with the timescale that the plan covers detailed in the plan and accompanied with a long-term version that stretches beyond the Plan period. Most respondents believe that the Council should prepare a single plan to provide certainty and clarity (both to residents and developers). There was a range of responses as to what the 'strategic' threshold should be for housing allocations with many stating that this depends on the distribution strategy and location of the proposed development. There was recognition that if the Council were to proceed with a two-plan process, then consideration should be given to ensuring sufficient allocations are contained within the first part of the plan (with many suggesting that all allocations should be made in part 1). Following the close of the consultation the government conducted their own consultation on reforms to the Local Plan process (including the move towards a single plan system) with the existing system being replaced at the end of June 2025. The Council will need to carefully consider the scope and feasibility of undertaking a two-part Local Plan (as previously adopted) given the timescales available. Having an up-to-date local plan (adopted within 5 years) would provide security from speculative development but would mean that the Council would need to progress at pace.
- 4.4 It was recognised through the consultation that the Council needs to update the vision and objectives of the plan and the spatial portrait of the district. The vision and objectives should achieve long-term sustainable growth which details the pattern of development and key strategic infrastructure (including highways, rail, green and blue infrastructure, and schools). Energy security, achieving carbon neutrality and future-proofing development from climate change, delivering environmental enhancements,

tourism and delivering the right types of homes and employment through strategic policies and allocations (including safeguarding land) are also key considerations.

- 4.5 **Housing need** - is the principal key issue for the District. 74% of respondents agreed with the Derby Housing Market Area (HMA) Boundary Study's conclusion that the Derby HMA comprises of Derby, South Derbyshire and Amber Valley. It was considered that housing need should be met within the HMA (with the potential exception of Erewash also taking some need). In general terms landowners and developers consider that the Council should allocate at least sufficient land to meet the housing needs of the district with most considering that the Council should also include provision for meeting a proportion of Derby's unmet need. They also agreed that the Council should have a clear strategy for development with a range of sites across the district to ensure that the five-year housing land supply can be maintained. Parish Councils and local residents generally considered that the District should be cautious about accommodating Derby's unmet housing need and new development should be limited.
- 4.6 Many stated that the Standard Methodology for calculating housing need should be the starting point for determining housing need but that this should then be adjusted upwards to take into account the likely unmet need from Derby City although many Parish Councils and local residents thought that Derby City should meet their own need or make every effort to do so before exporting it elsewhere. Employment growth opportunities (such as the Freeport), the need to address potential affordability issues and past trends of delivery were also considered to be key upward influencers on the future housing need for the District.
- 4.7 30 sites were submitted for the Council to consider allocating in the Local Plan during the consultation, An additional 12 sites have also been submitted since the close of the consultation. These sites will be included and assessed in the Strategic Housing and Economic Land Availability Assessment (SHELAA) which will help to inform the site selection process.
- 4.8 Those promoting land for development all considered that their sites should be assessed favourably for development. Other respondents (including Parish Councils and local residents) considered that development that ensured affordability and access to homes for those with local connections in more rural locations should be considered a priority, alongside ensuring sufficient suitable accommodation for an aging population and ensuring that the character and rural feel of the District was not eroded by new development.
- 4.9 **Housing Distribution** – The preferred option for distribution of housing around the district was to focus on locating it in areas where development is already served by appropriate infrastructure. This was followed by development at a scale where new services and infrastructure can be provided (i.e. as a new settlement) or as a blend of different options potentially done proportionately to include development in villages to ensure fairness and to provide the development industry with a choice and range (size) of development sites to ensure delivery. Many thought that where need is being met from Derby it should be met in close proximity to Derby (where the need arises). More than half of respondents (59%) believe that at least 10% of allocations for houses should be on small sites. The key considerations for the Councils approach to housing distribution was considered to be the need to protect good quality agricultural land, access to employment, re-using brownfield land, prevent coalescence of settlements and urban sprawl, limiting impacts on existing settlements, retaining green wedges and the Green Belt, support biodiversity and habitat creation, ensuring flooding and sewerage infrastructure is sufficient for development where need is identified and

protecting the historic and natural environment. Most considered that the quantum of development should dictate the Council's strategy. There was no clear agreement as to what should be deemed 'strategic' development.

- 4.10 **Settlement Hierarchy** – Most respondents considered that a review the settlement hierarchy was likely to be required and that methodology undertaking this should be appraised with consideration of access to services (proximity, quantum and range) and how technology and changing social practices (including online shopping and working from home) mean we access services differently. Generally, some Parish Councils considered that they should be 'downgraded' to take less development in the future either because of the level of development that they had previously accommodated or because services had declined. Some also wanted a review mechanism to capture future changes that would affect the outcome of the hierarchy. Some Parish Councils and developers suggested that consideration should be given to development as a mechanism for delivering infrastructure particularly in more rural areas (i.e. those at the lower end of the settlement hierarchy) that were stuck in a cycle of lack of infrastructure investment because of their respective size. It was also considered that the settlement hierarchy methodology should have regard to settlements within close proximity to each other that share services.
- 4.11 **Employment (quantum & type)** - There is general support for employment, retail and tourism development within the district to support the local economy and ensure that the vibrancy of the Town Centre (Swadlincote). It was considered that employment development should be informed by the emerging Employment Land Study and that the proposed Freeport should be a key consideration. The majority of respondents considered that the employment needs of the district should be met in full within the district. It was considered that poor past delivery and lack of employment land potential in Derby City should influence the quantum and location of future development within the district. It was also considered that the likelihood of global pressures on resources (e.g. food and energy) and the development of new technology is likely to influence the future economy and social practices and therefore flexibility, both in the type and quantum, of employment allocations and policies will be key to ensure a strong and resilient economy. Sports, recreation, tourism and agriculture were also considered to be a catalyst for employment which should be supported in the Local Plan. Employment policy should aim to retain existing employers and support the expansion of existing sites.
- 4.12 **Employment (Location)** – Generally landowners and developers suggested that the Council should build on the strengths of the districts' central geographic location with access to the strategic road network (i.e. the A50 corridor) which is key for determining locations for growth. Proximity to a skilled workforce and coexistence with existing urban areas and allocations (e.g. Infinity Garden Village) were also considered to be key influencers for the location of future growth. Other respondents suggested that the character of the area should influence where employment is located, and that new employment development should deliver a high-quality environment both in terms of biodiversity and amenity for users.
- 4.13 **Infrastructure** - Access to services and facilities, the need to support existing and deliver new infrastructure including: transport infrastructure to reduce congestion; education infrastructure to ensure that schools do are not oversubscribed; and health facilities to ensure that members of the communities have easy access to doctors were all key issue for Parish Councils and local residents. It was also considered that development should be well-designed, and associated infrastructure should be inclusive for all members of the including those with mobility issues (e.g. dropped kerbs, type of surfaces used, [Equipment of 381](#) provided). Access to open space and

opportunities for active travel were considered key for the health and well-being of users.

- 4.14 **The Infinity Garden Village** – Should include appropriate infrastructure including: green and blue infrastructure to deliver biodiversity net gain, employment, housing, a secondary school, and a new link road and junction onto the A50, sufficient flood mitigation measures, sports facilities, healthcare provision (doctors and dentists), public transport provision, active travel routes, open space, a community building, a local centre and sufficient broadband. Most respondents thought that this could be proportionately delivered alongside additional houses and employment development. Some developers/landowners suggested that additional growth along the A50 corridor could also contribute to meeting the infrastructure requirements in the area. 67% of respondents (some of which are promoting alternative sites for development) thought that the development site parameters (as defined in the existing plan) should not be expanded.
- 4.15 **The Freeport** - Should include appropriate infrastructure including: flood risk mitigation and water management opportunities, biodiversity net gain, green and blue infrastructure (including woodland buffers), green energy generation (with the aim to be carbon neutral), transport connections (including public transport), promote active travel, open space, control of traffic flow into surrounding villages, mitigate pollution (light and noise). Some Landowners/developers suggest that there should also be complementary employment development alongside the Freeport and that housing development should be directed towards areas within close proximity to the Freeport to ensure that the workforce is within near to the employment opportunities. It was also considered that the Freeport should focus on high value employment and that passenger rail connections should be improved at the location. Consideration should also be given to mitigating the impact of increased train frequency using level-crossing crossings on the local road network.
- 4.16 **Green Belt** - Just over half (51%) of respondents (mainly members of the public) believe that the Council should undertake a Green Belt review. However, this appears to be on the misunderstanding that a review would lead to a substantial increase in Green Belt within the District. This outcome would be unlikely due to a national policy requirement that new Green Belt should only be established in exceptional circumstances. In most cases, Green Belt boundaries are reviewed to accommodate future development and as identified by the majority of landowners and developers, this should be done once all other development options have been explored and exhausted. Given the amount of non-Green Belt land within the district it is unlikely that the Green Belt boundary would need to be amended to accommodate development. Notwithstanding this, as part of the Councils joint work on strategic issues (such as the Green Belt) with other HMA authorities the Council may partake in a Green Belt review on a HMA wide basis where the other Councils (Amber Valley and Derby City) that are more tightly constrained by the Green Belt.
- 4.17 **Specialist Housing** - Affordable housing and specialist extra care requirements should be informed by a housing needs assessment and considered in the context of a plan wide viability assessment. Targets should be realistic and flexible taking into account past trends and local requirements to ensure delivery. Consideration needs to be given to any exemptions (e.g., where other specialist housing is being provided), on-site and off-site requirements and the mechanisms by which homes are delivered. The Council should also consider proximity to supporting services and infrastructure that is required for certain types of specialist housing (e.g. doctors etc.). Parish Councils and the majority of the members of public generally considered that it was important for affordable housing [Priority 7 of 881](#) given to local families. There is general

support for the delivery of custom & self-build houses, but further consideration should be given to the delivery mechanism. There was limited support from the development industry for them to be provided as part of a larger development due to practical issues (insurance and health and safety concerns) relating to having different builders on site at the same times and gaining the correct planning consent.

- 4.18 **Climate Change** - The Council will need to consider how it intends to tackle climate change for example whether it is going to support the development of renewable energy technologies within the district and if so what type and where. Most considered that the Local Plan should respond to climate change and incorporate resilience in terms flood risk (mitigation and adaptation), recognise the importance of agricultural land for food production and support nature-based solutions to mitigate the effects. The consultation included several questions that pertain to the Council introducing building standards beyond the current Building Regulations to future-proof development and enhance environmental standards, these were not supported by the majority of respondents.
- 4.19 **Biodiversity** – Some respondents (the most overall) suggested that the 10% Biodiversity Net Gain (BNG) threshold introduced through the Environment Act should not be exceeded by local policy. However, this was a point of disagreement between some respondents on behalf of developers who identified viability concerns and some other stakeholders and members of the public who supported a further uplift to boost biodiversity. Many also thought that the Council should consider further how BNG requirements interact with other potential green infrastructure requirements (e.g. allotments, other tree planting requirements, green wedges etc.) to ensure the multi-use benefits are maximised without setting requirements at levels that would make development unviable, prejudices delivery or protection of important habitat.
- 4.20 **Design** – Is key to ensure that development is futureproofed and responds to the characteristics of the existing area. Development should enhance the surroundings for existing residents whilst meeting the needs of future residents. The Council should consider developing a design code for the district which could include considerations such as density, space standards (including amenity space) and road width although all of these should be considered in the context of viability and the existing character of the area. Most people thought that the Council should have an infill policy although some considered that this should support building of new homes in existing built up areas and other including Parish Councils generally believing that this should restrict the building on existing garden land.
- 4.21 **SA Scoping** – A detailed Sustainability Appraisal (SA) along with Habitats Regulations Assessment and Equalities Impact Assessment will need to be undertaken alongside the review of the local plan. This will inform the development of the draft plan and its proposals. This consultation looked at the scoping document which is part of the SA. The SA is an iterative process, so the results of the screening and the feedback received will need to be considered at the next stage also to inform plan making and improve the SA as it develops. Feedback on the SA was largely given by developers and statutory bodies, identifying key issues the SA should cover as it goes forward, and evidence to have regard to. These were noted and will form part of the SA process going forward.

Next steps

- 4.22 The next step is for the Council to prepare a Draft Local Plan, likely covering a review of pt1 of the existing Local Plan. Page 48 of 88 Detail the Councils future development

strategy and include proposed policies and allocations to deliver the strategy. The draft Local Plan will be considered by this committee prior to further public consultation.

4.23 The Council will need to continue to collect evidence and liaise with stakeholders to inform the local Plan production, this is an interactive process and will evolve as the Local Plan develops. An indicative list of evidence that the Council will need to consider is included in below.

- Employment Land Study
- Local Housing Needs Assessment
- Sustainability Appraisal
- Infrastructure Delivery Plan
- Playing Pitch Strategy
- Green Infrastructure Study
- Strategic Flood Risk Assessment
- Habitats Regulation Assessment
- Transport Modelling
- Plan Wide Viability Assessment
- Equalities Impact Assessment

5.0 Financial Implications

5.1 There is a separate item on this agenda seeking approval for sufficient budget to get the Local Plan to its public examination stage. There are no direct financial implications arising from this report on the Issues and Options consultation.

6.0 Corporate Implications

Employment Implications

6.1 None directly relating to this report.

Legal Implications

6.2 None directly relating to this report.

Corporate Plan Implications

6.3 Having an adopted up-to-date Local Plan is a corporate plan priority. Approving the approach to evidence gathering supports the progress on Local Plan production.

Risk Impact

6.4 Not approving the approach to evidence gathering may delay Local Plan production which could mean that the Council is unable to meet the June 2025 deadline for Local Plan production under the existing Local Plan system. Not meeting this deadline is likely to lead to significant delay and financial cost in the production and adoption of a Local Plan.

7.0 Community Impact

Consultation

- 7.1 This report details the outcome of public consultation. The next stage of Local Plan production will also be the subject of public consultation to ensure that stakeholders are able to influence the future development of the district.

Equality and Diversity Impact

- 7.2 None directly relating to this report.

Social Value Impact

- 7.3 None directly relating to this report.

Environmental Sustainability

- 7.4 The Local Plan is likely to include policies to ensure that environmental sustainability is a key consideration for future development within the district. Progression with Local Plan production and evidence gathering will assist in achieving this aim.

8.0 Conclusions

- 8.1 All of the responses submitted to the consultation will be considered by the Council when drafting the Local Plan. All policies and allocations in the emerging Local Plan will need to be based on evidence, the Council will need to consider what the priorities for the plan are and ensure that they are deliverable.

9.0 Background Papers

Summary of Responses received to the consultation available at www.southderbyshire.gov.uk/issuesandoptions

Appendix 1 Issues and Options Consultation Document including questions asked.

South Derbyshire Issues and Options

October 2022

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Introduction

South Derbyshire District Council has begun work on producing a new local plan for the District. Local Plans take time to produce – there are processes that need to be followed, evidence that needs to be collected and differing points of view that need to be reconciled.

Consultation is a key part of the process – it's your opportunity to get involved with your ideas about what the plan could include. This Issues and Options consultation is the first public consultation on what the new local plan should say about how the District should change up to 2039.

This consultation includes many questions, but you don't have to answer them all. Feel free to pick and choose – you can just answer the questions on the subjects that mean the most to you, on the other hand you might want to answer them all. Each chapter has Key Questions but again, you don't have to answer every Key Question. Extra Questions, which go into a little more detail, are included at the end of some chapters. Some additional information on certain topics is included within the appendices.

If you have any questions about this consultation, get in touch with us at local.plan@southderbyshire.gov.uk

Thank you.



Chapter 1 Background

The planning system provides a structure for managing the development and use of land. At a local level this structure is made up of local plans and neighbourhood plans, which both fall under the same formal term 'development plan'.

South Derbyshire's adopted Local Plan is primarily written in two parts and covers the period of 2011 to 2028.

Part 1 was adopted on 13th June 2016 and is the strategic element of the Local Plan. It sets the long-term vision, objectives, and strategy for the spatial development of South Derbyshire and provides a framework for promoting and controlling development. Strategic housing and employment sites are allocated, along with some development management policies to be used in determining planning applications.

The Local Plan Part 2 was adopted on 2nd November 2017. It allocates non-strategic housing allocations and contains detailed development management policies.

Overarching planning policy at the national level is set out in the National Planning Policy Framework (NPPF). This requires that Local Plans should be reviewed every five years to assess whether they need updating. On 12th August 2021 the Environmental and Developmental Services Committee (EDS), endorsed a full review of the Local Plan Part 1. This followed consideration of an assessment of the Part 1 policies, which highlighted a few areas which indicate that a full review of the Plan is necessary¹.

The 2022-2025 Local Development Scheme sets out a timetable for the production of the Local Plan Part 1 Review.

Timetable	
Stage	Date
Commencement of the process	July 2022
Previous Consultations	Call for Sites – commenced September 2019
Options Consultations (Regulation 18)	Issues and Options – summer 2022 Draft Plan – June 2023
Proposed Submission Consultation (Regulation 19)	November 2023
Submission to Secretary of State (Regulation 22)	Early Spring 2024
Commencement of the Hearing Sessions	Late Spring 2024
Adoption by Council	December 2024

This 'Issues and Options' paper is the first formal consultation in the plan making process (Regulation 18, Town and Country Planning Regulations 2012). Its purpose is to ensure that the Local Plan Review (throughout the document called the Emerging Local Plan) covers the right issues and suitable options, and that the approaches the Plan could take are considered.

¹ Public Item Number 8 of the following webpage contains the EDS Committee Report and Appendix regarding the Local Plan Review: [CMIS > Meetings](#)



What does this mean for Neighbourhood Planning?

Neighbourhood planning enables local communities to produce a plan to shape development and growth in their area. A Neighbourhood Plan forms part of the development plan and sits alongside the Local Plan. They must be in general conformity with strategic policies contained within the Local Plan and national planning guidance.

Once the Emerging Local Plan is adopted, it will supersede any parts of made neighbourhood plans which do not comply with the revised Local Plan. It is recommended that any new or developing neighbourhood plan take account of the Emerging Local Plan, as it is being developed.

Government's proposed changes to the Planning System

The Government has published a Levelling Up and Regeneration Bill, which seeks to change the way powers can be devolved to local authorities and will introduce reforms to the planning system. The Council will need to consider the implications of the changes in due course, as legislation and national guidance is updated. This may lead to options/ideas within this document no longer being relevant. However, the Government has made clear that Local Plan preparation should not be stalled as the Bill progresses through parliament and the NPPF is revised. Therefore, the Council intends to continue with the process of reviewing the Local Plan and will make any necessary changes to the Emerging Local Plan once new legislation and national guidance is in place.

Evidence Base

The Emerging Local Plan will need to be informed by evidence. The Council has begun to produce/update various parts of the Local Plan [evidence base](#). The Council will also need to update a number of key studies as part of the review process, including an Employment Land Review, transport studies, Strategic Flood Risk Assessment, and plan wide viability assessment.

Furthermore, the Emerging Local Plan will need to have regard to other strategies and documents produced by the Council and other partners, such as South Derbyshire's Corporate Plan, South Derbyshire's Economic Development Strategy, Derbyshire Economic Strategy Statement and Derbyshire Health and Wellbeing Strategy. An assessment of the evidence required is set out in the Sustainability Appraisal and Strategic Environmental Assessment Draft Scoping Report, which accompanies this consultation.

Have your say

This is your opportunity to feed into the Local Plan review at an early stage and help shape the future Plan. There are Key Questions and Extra Questions throughout the document. Please respond to the consultation using the online portal if at all possible.

The Council will endeavour to make paper copies of this document available to view within the following libraries (subject to libraries reopening/remaining open):

- Swadlincote Library, Civic Way, Swadlincote, Derbyshire DE11 0AD
- Melbourne Library, Assembly Rooms, High St, Melbourne, Derby DE73 8GF
- Etwall Library, Egginton Road, Etwall, DE65 6NB
- Burton Library, Riverside, Burton, DE14 1AH
- Sinfin (Community Managed) Library, Arleston Lane, Sinfin, DE24 3DS

Information regarding Derbyshire library opening times and operating restrictions can be found via the [Derbyshire Libraries webpage](#). For Burton and Sinfin Libraries see [Staffordshire Libraries](#) and [In Derby](#) webpages respectively.



Completed Representation Forms should be sent to:

- Post: Planning Policy, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH
- Email: local.plan@southderbyshire.gov.uk

If you have any questions, please contact the Planning Policy Team at the above email address.

Please submit your comments by 5pm, Monday 5 December 2022.

What happens next?

The Council will review all the comments received and publish a Consultation Statement on the Council's website. The comments, along with technical evidence the Council is collecting, will help to prepare a Draft Local Plan, which will be published for further consultation.



Chapter 2 Scope of the Emerging Local Plan

Vision and Objectives

South Derbyshire is valued by different people for different reasons because there is so much the District has to offer. Many of our communities are based in rural villages, others within the urban areas, others still on the urban-rural fringe. Many communities feel rooted in the countryside and their village's unique architectural and environmental characteristics, whilst others look to urban areas and the services they offer. Communities value when the connections to industrial heritage are preserved and Wildlife Sites are protected. Businesses benefit from the strong transport links through the District and areas regenerated. Tourism can thrive, including that related to the National Forest.

Vision

A local plan has to provide a balancing act – a way to ensure that what is considered demonstrably special within an area is preserved, whilst facilitating necessary growth and development. Requirements for improvement in biodiversity – leaving the natural environment in a better state than when it was found – will need to be met whilst ensuring that job opportunities continue to keep pace with demand and businesses can grow and succeed. Areas and buildings of historic value need to be preserved whilst also being put to good use, and the challenges around climate change and the associated targets need to be met, which may mean supporting creative initiatives in the drive for carbon neutrality.

Objectives

The emerging Local Plan will deliver the mechanisms and policies to ensure that South Derbyshire continues to be an attractive district in which to live, to visit and invest. Positioned to the south of a 'top twenty' city with strong infrastructure links, economic opportunities, heritage and a mix of rural and urban areas, South Derbyshire has both much to offer and much to protect.

Looking ahead to 2039, the emerging Local Plan will establish the most appropriate distribution for sustainable housing and employment growth, responding to the further pressures related to climate change and public health, whilst also providing infrastructure and respecting and enhancing the District's character, landscape, heritage and natural environment.

Key Question 1: Do you have any comments on what should be contained within the Emerging Local Plan's Vision and Objectives?

Portrait of the District

The adopted Local Plan Part 1 includes a 'Portrait of South Derbyshire' which is largely replicated below. The Emerging Local Plan will have this portrait updated by new data and suggestions made through this consultation.

South Derbyshire is a rural district in central England covering an area of over 112 square miles. It adjoins and is heavily influenced by the city of Derby to the north, Burton upon Trent to the west and Ashby-de-la-Zouch to the east. The town of Swadlincote, in the south of the District, is the main urban centre with a population of around 35,000.

For many years the District has been the fastest growing in Derbyshire and is currently one of the fastest growing areas in England. Official forecasts anticipate the population increasing from the



current 109,500² to over 123,000 by 2035. The population is also becoming older and more diverse with implications for the types of housing, facilities and support services that will be needed in the future.

The District benefits from its central location in the UK and relatively good road, rail and air connections, although the south of the District is less well served in this respect. Transport links between the north and south of the District has seen some improvement but remains relatively poor; the Council will continue to take advantage of any opportunities to address this, including through the enhancement of public transport, as they arise.

Housing growth accelerated from around 2015 with a variety of developments across the area for example at Swadlincote, Hilton and on the fringes of Derby. Whilst popular, in some cases they have developed without sufficient day-to-day facilities. Generally, the quality of design reflects the standards of the day when such developments were planned. However, as planned further housing growth takes place there will need to be considerable improvements to make sure that the new places created are of the highest possible quality of design and, where appropriate, innovation, and help to combat climate change through efficient use of energy and water. Equally, easy access to jobs, services and facilities by a choice of means of travel including public transport will be vital, including in the rural areas.

The right amount and types of housing will need to be provided in the future to meet people's needs. House prices remain unaffordable for many in the District and recent house price rises are likely to increase the number of people unable to afford to buy or rent a home in the District.

The District as a whole enjoys relative prosperity, with low levels of unemployment, although a dichotomy of economic problems does exist across the District. However, the situation has generally improved as a result of successful regeneration initiatives. This process will continue through such proposals as the reclamation of poorly restored land in the Woodville area and through the provision of the recently opened Swadlincote - Woodville Regeneration Route providing better access to Swadlincote and traffic relief in Woodville.

The local workforce is largely low-skilled and the proportion with no qualifications is above average. The presence of further education institutions in Derby, Burton upon Trent and, more recently, in Swadlincote may present an opportunity to address this.

A relatively large proportion of the workforce is employed in manufacturing. Major companies that have been attracted to the area include Toyota Motor Manufacturing (UK) Ltd, JCB Power Systems Ltd, Nestle UK Ltd. and Bison Concrete Products Ltd. In recent years, significant inward investment has taken place on business parks at Dove Valley and Hilton in the north of the District and Tetron Point at Swadlincote. Much employment growth over the plan period is expected to take place outside the traditional industrial uses, shifting towards such sectors as health and social care, as well as tourism and leisure. Office based employment is also expanding nationally and the Council is seeking to grow this element of the local economy.

Whilst significant new shopping and leisure development has been attracted to Swadlincote town centre, the High Street is characterised by traditional small shop units which may not be ideally placed to attract conventional new retail occupiers. The need to maintain foot fall and a vibrant town centre is important and the Council will continue to work on major improvements to the public streets and spaces in the town.

The remainder of the District is predominantly rural with many villages of varying sizes. Considerable efforts have been made to conserve their character and some, such as Repton, Ticknall and Melbourne are of particular historic value. The villages and rural areas are attractive

² As estimated for 2020

https://www.nomisweb.co.uk/reports/lmp/la/1946157140/subreports/pop_time_series/report.aspx



places to live and important for tourism, but a key challenge for the Local Plan will be to ensure their sustainability by promoting the right amounts and types of development. Limited access to high-speed broadband is an issue in the north west and most southerly rural parishes of the District although there are plans for limited improvement through the Digital Derbyshire initiative.

Local heritage is an important part of the unique character of the area with 22 Conservation Areas, over 700 listed buildings, 20 Scheduled Ancient Monuments and five historic parks and gardens. These are safeguarded through a combination of careful design and grant schemes. There are threats, however, through new development and, in the case of the Scheduled Swarkestone Causeway, through regular damage from traffic.

Several major watercourses cross the District including the Rivers Trent, Dove, Mease and Derwent and approximately one fifth of the land area is within areas at risk of flooding.

South Derbyshire also contains numerous areas which are important for wildlife including the River Mease – a site of international importance – and a number of nationally recognised Sites of Special Scientific Interest (SSSIs), together with many sites of local value. The southern part of the District lies within The National Forest – one of the country’s most ambitious environmental initiatives. In addition to opportunities for further leisure and recreation, the Forest has potential for the creation of woodland based industries as well as a high quality environment for all types of new development.

Key Question 2: Does the spatial portrait of the District need further updating and if so, how?

Composition of the Emerging Local Plan

The adopted Local Plan is primarily written in two parts. The NPPF and Planning Practice Guidance (PPG) continues to facilitate this approach with the latter stating “Depending on the issues and opportunities that exist locally local planning authorities should, in consultation with their local community, consider the most appropriate way to plan for the needs of their area”³.

South Derbyshire has benefited from the two-part plan approach, not least with regard to maintaining a consistent five-year supply since the adoption of the Local Plan Part 1. It is anticipated that the Emerging Local Plan will continue with a two-part approach. It is anticipated that the Emerging Local Plan Part 1 will set the plan period, set the overall housing strategy for the District, identify how Derby City’s unmet housing need will split across the Derby Housing Market Area, allocate strategic housing sites, and allocate employment sites.

Certain policies within the adopted Local Plan Part 2 cross-refer to the Part 1 and as such, to avoid the risk of creating a ‘policy vacuum’, it is anticipated that most policies within the adopted Local Plan Part 2 will be reviewed alongside the Local Plan Part 1 and subsumed into the Emerging Local Plan Part 1.

It is anticipated that the Local Plan Part 2 review will incorporate non-strategic housing allocations, Policy BNE8 Local Green Space policy and retail policies RTL1 and RTL2. Whilst Policy SDT1 Settlement Boundaries and Development will be included in the Part 1 review due to its reference to Policy H1 Settlement Hierarchy, the settlement boundaries will be appraised through the Part 2 review and the policy maps updated accordingly.

There are issues and ideas within this consultation regarding certain policies that, at this stage, we consider will be dealt with during the Local Plan Part 2 review. Nevertheless, they are included in this document to seek your views should a decision be made in the future to incorporate any of

³ PPG Plan Making, Paragraph: 004 Reference ID: 61-004-20190315



these policies into the Emerging Local Plan Part 1, or to have a single Local Plan, or should a different approach be required due to changes to the statutory process and national policy.

The Council is in the process of preparing an [evidence base](#) to inform the Emerging Local Plan; the Derby HMA Boundary Study, Strategic Housing Market Assessment and Growth Options Study have been completed. Further evidence is underway including Derby City's Capacity Study, a Derbyshire Spatial Energy Study, a Gypsy and Traveller Accommodation Assessment and an Employment Land Study. A new Strategic Flood Risk Assessment will need to be undertaken. Your views are sought as to what further evidence should be commissioned or undertaken to support the Emerging Local Plan.

Sustainability Appraisal and Strategic Environmental Assessment

A significant regulatory requirement in the formation of this work is to subject emerging draft proposals and policies to Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). A SA is a process that is an integral part of developing the Plan, with the aim of promoting sustainable development through the integration of environmental, social and economic considerations. It is an ongoing process of assessment which is linked with plan-making itself and includes the publication of SA reports at key stages in the preparation of the Plan. Coinciding with this Issues and Options consultation, the Council is consulting on a Sustainability Appraisal and Strategic Environmental Assessment Draft Scoping Report.

The Draft Scoping Report sets out for initial consultation, particularly with the statutory environmental bodies and other key stakeholders, the following:

- A summary of the development plan and sustainability appraisal process
- A review of relevant existing plans, policies and programmes relevant to the future planning of the District;
- A summary of the evidence base upon which the Emerging Local Plan will be prepared;
- The issues which the Emerging Local Plan will seek to address
- A set of draft sustainability objectives against which proposals in the Emerging Local Plan can be assessed.

The purpose of the scoping stage is to set out proposals for conducting the SA, so that the SA itself tests the sustainability of the Emerging Local Plan using up to date information. The Scoping Report also establishes a methodology and framework for the assessment of the Emerging Local Plan and its alternatives at subsequent stages of the Plan preparation process. It also identifies the significant impacts that the assessment will need to address.

Your views are sought on the proposed scope of the Emerging Local Plan.

Key Question 3: Should the Emerging Local Plan be split into two parts?

Key Question 4: What should be classed as 'strategic' in terms of housing development within the Emerging Local Plan, for example what size of housing/employment site or impact on infrastructure?

Key Question 5: Have we identified the correct issues and is our methodology for assessing them, correct?

Key Question 6: What additional evidence does the Council need to obtain to inform the Emerging Local Plan?



Chapter 3 Housing Need and Strategy

The NPPF⁴ requires that:

“Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

- a) *housing (including affordable housing), employment, retail, leisure and other commercial development...”*

Therefore, the Emerging Local Plan needs to set out a development strategy that identifies:

- the **amount** of new housing development to be provided for, and
- **where** this development should go.

South Derbyshire’s Housing Requirement

The standard method for identifying the minimum housing need is set out by the Government in National Planning Practice Guidance⁵ and is the first step in deciding how many homes need to be planned for. Whilst use of the standard method is not mandatory, the Government makes clear that other methods may be used only in exceptional circumstances.

The method comprises a formula that calculates average projected growth in the number of households in the district over the next ten years (based on Government figures) and then applies an adjustment factor to take account of housing affordability in the local area (‘median workplace-based affordability ratios’ published by the Office for National Statistics).

For South Derbyshire this currently yields a figure of 536 net additional homes per annum, however, “The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates”⁶.

Furthermore, the Council does not produce a Local Plan in isolation. During the production of the adopted Local Plan, the Localism Act and the NPPF introduced a requirement for local authorities to plan on a larger than local scale, known as a Housing Market Areas (HMA). Councils comprising an identified HMA were to work together to collectively meet the development needs of the HMA, particularly where those needs could not be wholly met within the relevant local authority boundary. Work was undertaken to establish that South Derbyshire, Amber Valley and Derby City formed one HMA, known as the Derby HMA.

During the production of the adopted Local Plan, it was established that Derby City could not accommodate all its housing need within its administrative boundary. Consequently, it was agreed that some of Derby City’s housing need would be met within South Derbyshire and Amber Valley. As a result, a marked step change in housing delivery can be seen since 2016; the number of

⁴ NPPF paragraph 20

⁵ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

⁶ Planning Practice Guidance Paragraph: 010 Reference ID: 2a-010-20201216



completions per year delivered in South Derbyshire has been significantly higher than the need generated by using the standard method alone. Housing completions are set out in the table below:

Table 1: South Derbyshire Housing Completions 2011 - 2021

Year	Affordable Homes Total	Completions Total (Gross)	Affordable Homes – percentage of gross completions	Completions Total (Net)
2011-2012	33	397	8.3%	378
2012-2013	33	281	11.7%	274
2013-2014	23	399	5.8%	385
2014-2015	97	438	22.1%	420
2015-2016	107	584	18.3%	569
2016-2017	185	833	22.2%	820
2017-2018	180	934	19.3%	921
2018-2019	225	1230	18.3%	1218
2019-2020	291	1292	22.5%	1285
2020-2021	165	1035	15.9%	1029
Total	1339	7425	18.0%	7299

In May 2019 the [Derby Housing Market Area Boundary Study](#) was produced, which confirmed that South Derbyshire, Amber Valley and Derby City are still located within the same HMA. The three authorities continue to work closely on plan production under the legal Duty to Cooperate and the authorities signed a Statement of Common Ground to that effect in June 2020.

It is anticipated that a request will be made from Derby City Council, under the Duty to Cooperate, for South Derbyshire and Amber Valley to accommodate some of the City’s housing need for the Emerging Local Plan period. Whilst changes to the planning system are expected following the Levelling Up and Regeneration Bill, with the legal requirement of the Duty to Cooperate possibly replaced by a policy alignment test in a revised NPPF, there is an established history of planning across borders and in order to best meet overarching housing needs, this cooperation will need to continue.

Derby City’s Unmet Housing Need

The standard method for calculating minimum housing need in South Derbyshire, as described above, is applied throughout England but for the twenty largest urban centres in the country, there is a requirement to add a further 35% (uplift) to the local need figure. Included among these urban centres is Derby City, where the current net annual housing need with the 35% uplift applied, has been calculated as 1,255 net additional homes per annum.

As was the case for the adopted Derby City Local Plan, it is unlikely that there will be sufficient opportunities to accommodate the identified scale of housing growth within the City’s administrative boundary over the Emerging Local Plan period to 2039. Derby City’s capacity evidence will provide a starting point for considering how much of the need should be provided within the City and the extent of any surplus that might be accommodated by neighbouring HMA authorities.

Notwithstanding that the outcome of the Capacity Study is pending, together with any updated housing needs assessment for South Derbyshire, the following options for South Derbyshire’s housing requirement have been identified for consultation:



Option 1: Base the housing requirement on meeting the minimum requirement using the standard methodology in national planning guidance (currently 536 net additional homes per annum).

Option 2: Base the housing requirement on ensuring that Derby's unmet need is completely accommodated within the Derby HMA.

Option 3: Base the housing requirement on a wider range of evidence, acknowledging that it may not be appropriate for all of Derby's unmet need to be accommodated within the Derby HMA.

Key Question 7: Which option for establishing South Derbyshire's housing requirement do you support and why?

Key Question 8: Do you have a view on the proportion of Derby City's unmet need that South Derbyshire should take? Please provide comments and justification.

Strategic Cross-Boundary Issues

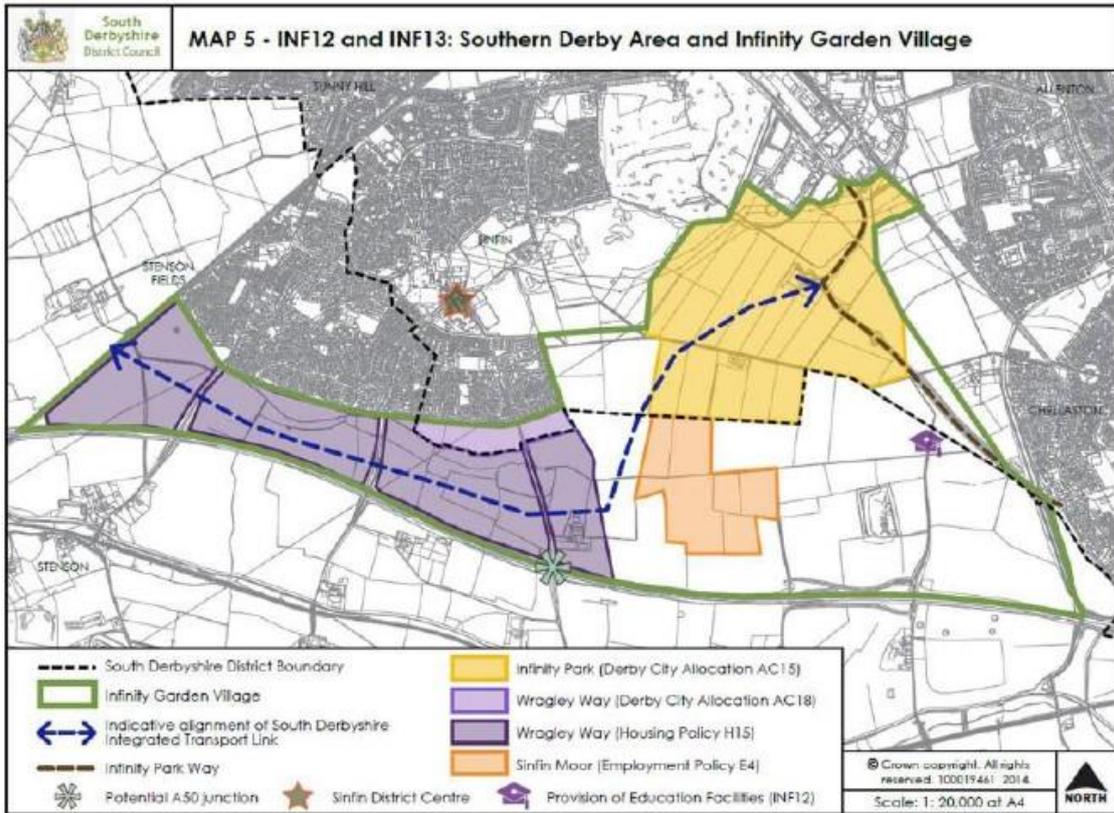
In formally commencing a full review of the Local Plan Part 1 in August 2021, the Council specifically authorised the inclusion of the Infinity Garden Village (IGV) and Freeport sites for detailed policy consideration as part of the review. It was recognised that the Emerging Local Plan would need to make decisions on these strategic planning matters that have implications beyond the District boundary – IGV spanning both South Derbyshire and Derby City and the Freeport South Derbyshire, Rushcliffe and North West Leicestershire.

Whilst the IGV and Freeport do not solely relate to housing, the implications of these schemes will have a bearing on the overall housing strategy and consequently have been included for consideration in this section of the document.

Infinity Garden Village

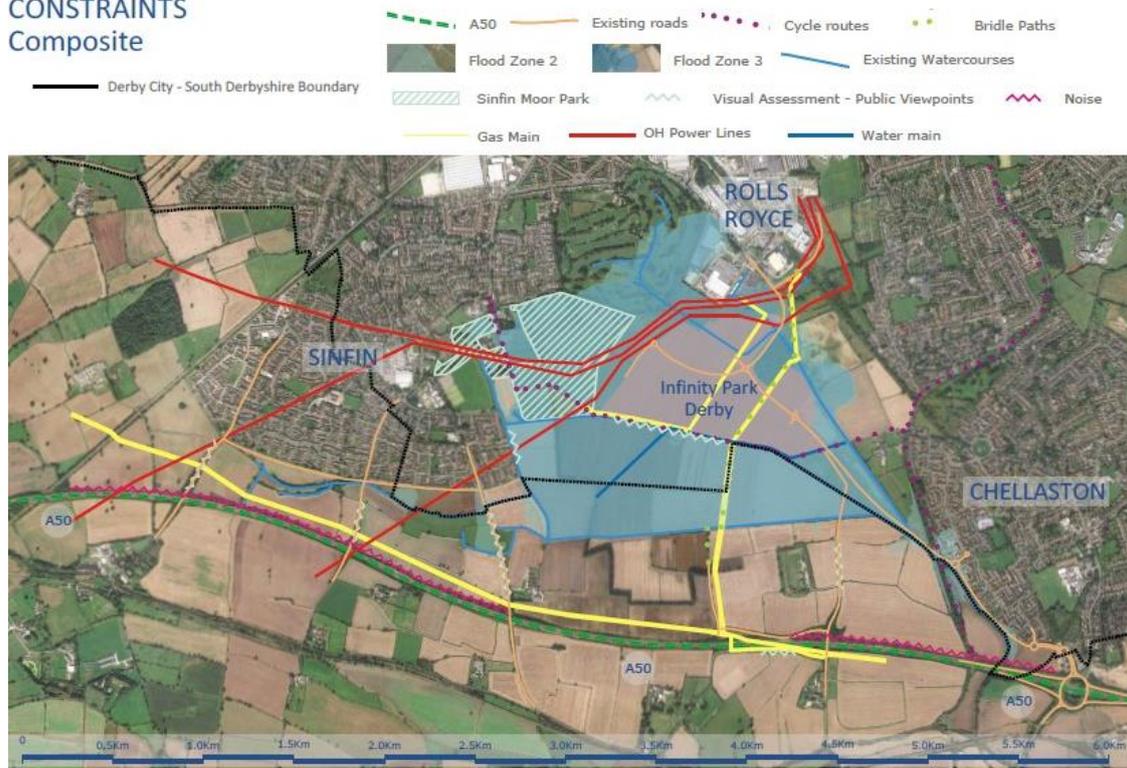
Policy INF13 of the Local Plan Part 2 defines the IGV and contains employment and housing development, a link road and new junction onto the A50, an expectation of a new secondary school site, green and blue infrastructure, and a requirement to undertake a Development Framework Document (DFD) to further clarify future development expectations. The IGV area is defined by the green boundary on the first map below, taken from the adopted Local Plan Part 2.

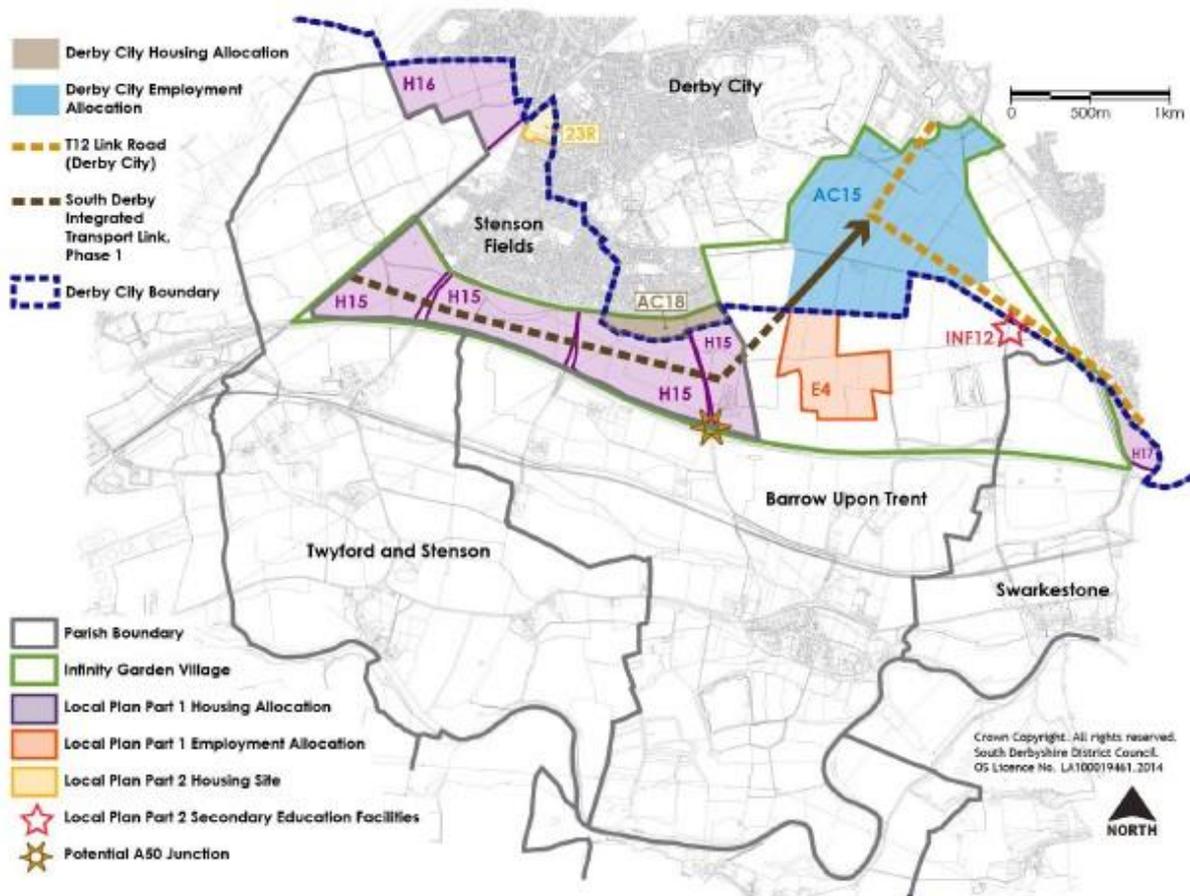




The DFD was published in 2020 and two annotated maps taken from that document are included below, further illustrating the areas of consented and allocated development:

CONSTRAINTS Composite





In 2021, Derby City Council led a successful bid for levelling up funding and work is underway through the Infinity Garden Village Liaison Group and other forums as to how public and private sector partners will work together to deliver this much needed infrastructure and other development within the IGV location. There is a planning application including the Local Plan Part 1 allocation H15 (as illustrated above) for 1,850 new homes which is nearing determination and it is anticipated that this application will be at planning committee during this Issues and Options consultation.

Key Question 9: Do you have any comments on the prioritisation of new infrastructure in this location as set out in the DFD including the new link road, school, health provision, and green and blue infrastructure?

Key Question 10: Do you have any suggestions as to how new employment and/or housing development, above that already allocated in existing Local Plans, can assist in the delivery of this infrastructure?

Key Question 11: Do you have any suggestions as to the quantity and location of new employment and housing land in this location?

Key Question 12: Are there any key locations to provide new, or enhance existing, green and blue infrastructure?

Key Question 13: Should the IGV development parameters be expanded beyond the area defined in Policy INF13 of the adopted Local Plan? If yes, what further development should the Emerging Local Plan include in this expanded location?

East Midlands Freeport

[The East Midlands Freeport](#) (EMF) was announced as a successful Freeport bid by the UK Government in March 2021.

[Freeports](#) are a Government programme that will play an important part in the UK's post Covid-19 recovery and contribute to the Government's levelling up agenda.

A Freeport is designed to attract major domestic and international investment. These "hubs of enterprise will allow places to carry out business inside a country's land border but where different customs rules apply. At a Freeport, imports can enter with simplified customs documentation and without paying tariffs. Businesses operating inside designated areas in and around the port can manufacture goods using the imports and add value before exporting again without ever facing the full tariffs or procedures. If the goods move out of the Freeport into another part of the country, however, they have to go through the full import process, including paying any tariffs."⁷

EMF straddles three East Midlands counties and includes three main sites: East Midlands Airport and Gateway Industrial Cluster in North West Leicestershire; the Ratcliffe on Soar Power Station site in Rushcliffe in Nottinghamshire; and the East Midlands Intermodal Park (EMIP) in South Derbyshire. The sites have strong existing road and rail freight infrastructure, connecting them to other parts of the country.

EMIP is located adjacent to the Toyota manufacturing plant. The intention through the Freeport bid is for the site to become one of the next generation of rail connected business parks. The proposed investment is intended to enable a significant modal shift from road to rail freight, reducing carbon emissions for businesses within the region. EMIP would also:

- Expand the national network of Strategic Rail Freight Interchanges.
- Provide 5.2 million square feet of modern manufacturing and distribution space.
- Provide accommodation for a variety of advanced manufacturers.
- Enable potential for production, storage and use of hydrogen.⁸

At this stage EMF is only provisional, until the outcome of the Freeport Business Case Assessment is released, which is expected in the autumn of 2022.

If the EMF is to be developed, the scheme would be considered to be a Nationally Significant Infrastructure Project (NSIP). Planning permission for NSIPs are not determined by Local Planning Authorities. Instead, the Planning Inspectorate conducts a formal examination of a proposal and makes a recommendation to the Secretary of State (SoS).

Although any application for EMF will not be determined by the Council, the Emerging Local Plan gives an opportunity to include a policy about the EMF. The Policy could set out expectations of what the Authority would expect from the site, such as minimising any adverse visual and noise implications, mitigation of flood risk, impacts on local road network and seeking improvements to walking and cycling links. This policy could then be taken into consideration when the SoS makes their final decision on any application submitted.

⁷ [East Midlands Freeport | UK's only inland Freeport \(emfreeport.com\)](#)

⁸ Summary from <https://www.emfreeport.com/east-midlands-intermodal-park-emip>





Image from: [East Midlands Freeport | UK's only inland Freeport \(emfreeport.com\)](http://emfreeport.com)

Key Question 14: Do you have any suggestions on priorities the Emerging Local Plan should set out to complement the Freeport development? This could include new green and blue infrastructure, energy production, sewerage infrastructure, new cycling and walking routes, new publicly accessible open space, lighting, drainage, flood and/or noise mitigation measures, particularly to the south of the site.

Key Question 15: Do you have any suggestions as to how new employment development at the Freeport site can assist in the delivery of any new infrastructure suggested in the previous question and/or an improvement to the rail infrastructure?

Key Question 16: Should any complementary uses be allocated adjacent to, or in the proximity of, the Freeport and if so, what?

Key Question 17: Should the Emerging Local Plan include a policy setting out expectations of local implications of the Freeport? If so, what should the policy include?



Housing Strategy and Distribution

Settlement Hierarchy

The NPPF places great importance on achieving sustainable development; it states that authorities should avoid isolated development in the countryside and emphasises the importance of minimising the length and number of journeys to work, shopping and leisure activities.

The adopted Local Plan contains Policy H1 'Settlement Hierarchy' which sets out the strategy for distributing growth outside of allocations over the plan period. Policy H1 directs larger developments to those settlements which offer a degree of self-containment in terms of availability of everyday services and facilities. It is anticipated that the principle of a Settlement Hierarchy will be incorporated into the Emerging Local Plan.

The [Methodology](#) for the existing Settlement Hierarchy assessed settlements which had a compact group (adjacent houses or only minor gaps in-between) of 25 or more dwellings and those settlements with 24 dwellings or fewer which contained a church. The methodology looked at the following services and facilities within settlements:

- Convenience shops
- Bus service
- Community Centre/Village Hall
- Primary School
- Doctors
- Dentist
- Train service
- Indoor and outdoor leisure
- Post Office
- Public House
- Library
- Employment

Further detail on the Settlement Hierarchy and this Methodology is set out in Appendix 3.

The long-term effects of the Covid-19 pandemic on travelling both to and for work, together with changes in shopping habits, have yet to be established. Some people are now working from home permanently, others have hybrid working arrangements and some have fully returned to their places of employment. The ability to meet virtually has reduced travelling for work in some instances and has widened employment opportunities for certain sectors; when there is only the need to travel occasionally to one's place of work, it is possible to live much farther away.

South Derbyshire is predominantly rural; the majority of settlements have limited employment opportunities and therefore for those where working from home is not practicable, there is a need to travel to work. Public transport helps provide access to employment opportunities elsewhere.

Following the analysis of the service and facilities within each settlement, five settlement categories were established:

- Urban areas
- Key Service Villages
- Local Service Villages
- Rural Villages



- Rural Areas

The level of services and facilities within individual settlements, and the District as a whole, changes over time. A review of the services within each settlement will need to be undertaken for the Emerging Local Plan. The qualifying criteria to define what is a Key Service Village, Local Service Village and Rural Village may therefore need to be revised based on this review. Nevertheless, your views are sought on the existing Settlement Hierarchy methodology as set out in Appendix 3.

Key Question 18: Do you have any comments on the methodology used to establish the existing Settlement Hierarchy?

South Derbyshire's Housing Strategy

The Council's adopted Local Plan spatial strategy focuses the majority of housing on the edge of Derby City, Swadlincote/Woodville and Burton on Trent (Drakelow), with some development also allocated within Key Service Villages.

The Emerging Local Plan must allocate enough sites to meet South Derbyshire's housing need. Notwithstanding the expected request to meet some of Derby City's housing need, the first step is to consider the reasonable options for distributing South Derbyshire's need within the District.

Fundamental to determining the location of new development is the existing availability and provision of infrastructure. Access to healthcare, schools and transport options remain primary concerns for local communities.

Another 'layer' for developing these options is the Settlement Hierarchy, which is established within Policy H1 of the adopted Local Plan, looking to deliver new development within existing settlements as far as possible. As explained above, the Settlement Hierarchy establishes five settlement categories. The position of a settlement within the hierarchy is based on the availability of services and facilities within each settlement.

Four options for housing distribution to meet South Derbyshire's housing need across the District have been developed.

Option 1: Urban Extensions – focus development adjoining existing urban areas

Option 2: Key Service Villages – focus development on these ten villages

Option 3: Dispersed development – focusing on both Key and Local Service Villages

Option 4: Create a new settlement or significant urban extension

At this stage only broad options for accommodating growth have been identified, not specific locations. It is acknowledged that various sub-options exist. It is possible that the spatial strategy which is promoted as part of the Emerging Local Plan will need to comprise of a combination of the options. Nevertheless, your view is sought on your preferred option for the distribution of South Derbyshire's housing need.

Key Question 19: What is your preferred option for housing distribution to meet South Derbyshire's housing need? Please provide comments and justification.

Key Question 20: Which locations within the District do you consider are best equipped to benefit from infrastructure that is already in place?



Notwithstanding the options for establishing the housing requirement, the issue arises as to how any amount of Derby City's unmet need should be geographically distributed within South Derbyshire. At this stage only broad options have been identified, rather than specific locations, as set out below:

Option 1: Edge of Derby City

Option 2: Edge of Derby and Key Service Villages accessible to Derby City

Option 3: Other – are there any other options for the location of Derby City's unmet need?

Your views are sought on your preferred option for the distribution of Derby City's unmet need.

Key Question 21: What is your preferred option for the distribution of Derby City's unmet need within the District? Please provide comments and justification, especially if you think option 3 is appropriate.

Planning for development beyond the plan period

Large scale housing developments, by definition, provide significant numbers of new dwellings. However, such strategic developments are invariably more complex to bring forward and can take a long time to build out.

The NPPF requires strategic polices to look ahead over a minimum of 15 years from adoption. However, national policy states *“Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery”* (NPPF, paragraph 22).

This approach would give clarity on where large-scale strategic growth is to be accommodated and help plan for the delivery of infrastructure required to support development in that area.

Key Question 22: Do you agree that the appropriate plan period for the Emerging Local Plan is 2022 – 2039?

Key Question 23: Do you think the Emerging Local Plan should set a vision for the District beyond the plan period? If so, what should it include?

Green Belt

The Green Belt is a long established and specific planning tool, which prevents the coalescence of settlements by keeping land permanently open. Two areas of Green Belt partly fall within South Derbyshire, the Nottingham-Derby Green Belt and the Burton-Swadlincote Green Belt.

The southern part of the Nottingham-Derby Green Belt lies within South Derbyshire in the northwest corner of the District, covering the villages of Elvaston, Thulston, Ambaston and to the edge of Shardlow. The Nottingham-Derby Green Belt surrounds the city of Nottingham to prevent it merging with Derby City and similarly prevents surrounding towns and villages from merging with each other.

The Burton-Swadlincote Green Belt covers the area between the two towns and prevents Burton upon Trent from merging with Swadlincote. The area cover predominantly greenfield land with some built up ribbon development at Stanton along the A444 and Bretby along the A511.



In accordance with the NPPF, the Council is committed to protecting Green Belt land unless exceptional circumstances can be fully evidenced and justified through plan preparation.

Key Question 24: Do you think the Council needs to undertake a Green Belt review to accommodate housing need within the District?

Smaller scale housing development

The Council will need to ensure that the Emerging Local Plan's housing strategy is deliverable, that a five-year supply can be maintained throughout the plan period and the Housing Delivery Test be met⁹. To help achieve this it is important to allocate sites in a variety of sizes. Large sites will deliver more homes and create opportunities to provide new infrastructure, however, they can take a long time to develop and over reliance on a small number of large sites could impact the Council's housing land supply if the delivery of one or more sites was delayed. Small scale developments are often constructed quicker and have less impact on local communities; however, they can put pressure on infrastructure and services if no additional facilities are provided.

Under Government policy¹⁰, Local Planning Authorities are expected to accommodate at least 10% of its housing requirement on sites no larger than one hectare, unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved. For example, if the Council is required to deliver 10,000 homes over the Local Plan period, 1,000 of those homes would need to be built on sites no larger than 1 hectare.

Your views are sought on the Council's options regarding small scale housing development.

Option 1: Allocate land for 10% of homes to be built on small sites – this approach is in line with the minimum Government requirement.

Option 2: Allocate land for more than 10% of homes to be built on small sites – this approach is above the minimum Government requirement

Option 3: Allocate land for less than 10% of homes to be built on small sites – this approach is below the minimum Government requirement and would need justifying.

Key Question 25: What is your preferred option regarding the percentage of new homes to be built on small sites? Please provide your reasons and justification.

Extra Questions

EX1: Do you have any evidence to contradict the Derby HMA Boundary Study's conclusion that the Derby HMA comprises Derby, South Derbyshire and Amber Valley?

EX2: What should a 30-year vision for the District include? Please bear in mind your selected options for housing distribution and provide comments and justification.

EX3: What should the Emerging Local Plan include regarding Infinity Garden Village?

EX4: Are there any other housing need/strategy issues and options that should be considered within the Emerging Local Plan?

⁹ Paragraphs 74 and 76 of the NPPF.

¹⁰ Paragraph 69 of the NPPF.



Chapter 4 Providing the right homes for everyone

In order to create and maintain sustainable communities, it is essential that an appropriate range of homes to help meet the identified needs of the District are delivered. The NPPF requires that Local Planning Authorities assess the size, type and tenure of housing need for different groups in the community (for example older people, people with disabilities, gypsy and travellers, people who wish to build their own home, students, families with children and so on) and this should be reflected in planning policies. The Council undertook a [Strategic Housing Market Assessment in 2020](#) to both inform decision making in relation to Policy H20 in the adopted Local Plan and the Emerging Local Plan.

The Council recognises that the affordability of housing is a crucial issue and will continue to enable the provision of affordable housing wherever it is viable.

This chapter will look at what the Emerging Local Plan can do to help provide the right housing and meet the needs of all.

Affordable Housing requirement

Affordable housing is defined as “housing for sale or rent, for those whose needs are not met by the [housing] market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)”¹¹. The NPPF allows the Council to seek affordable housing on developments of 10 or more dwellings, with a lower threshold¹² set for designated rural areas. However, the Council has discretion over the percentage of affordable housing required from housing developments.

The adopted Local Plan (Policy H21: Affordable Housing) seeks to secure up to 30% affordable dwellings on sites of over 15 dwellings. This was endorsed by a viability assessment carried out during the production of the Plan.

The 2020 [Strategic Housing Market Assessment \(SHMA\) Executive Summary](#) suggests “that the Council seeks to continue to request affordable housing contributions of 30% on sites of over 15 dwellings where viability allows. Furthermore, at Local Plan review, the Council should consider assessing (through viability testing) an increase in the level of affordable housing contributions to above 30% and at the same time reduce the threshold above which developments become eligible to contribute to affordable housing to 10 homes or more.” (p13).

Given the evidence in the SHMA, questions around both the threshold and the level of affordable housing to be provided are set out below. Issues around the need for developer profit and site viability are recognised, as too are the Plan’s aims, together with the ability to secure contributions towards other infrastructure requirements. Nevertheless, housing affordability continues to be pervasive issue and one that must be addressed through the Emerging Local Plan. This extends to ‘grown up children’ who wish to keep living in the same area they grew up, often to stay close to family, but who are priced out of living in the area.

¹¹ NPPF Annex 2 – Glossary <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>

¹² ‘Threshold’ refers to the point at which a requirement would apply, so an affordable housing requirement threshold of 10 dwellings means that if 10 or more dwellings are proposed on a site, then a certain amount (whatever percentage is set – currently 30%) of those homes will need to meet the definition of an affordable home.



Your views are sought on your preferred option regarding the affordable housing requirement on sites of 10 homes or more:

Option 1: 30% as this remains a realistic requirement for affordable housing.

Option 2: The affordable housing requirement should be higher than 30%.

Option 3: A policy range, determined by set criteria, with a minimum of 30%.

Option 4: An alternative suggestion – please provide details.

Key Question 26: What is your preferred option regarding the affordable housing requirement on sites of 10 homes or more? Please provide reasons and justifications.

Key Question 27: Is there any reason why the threshold for affordable housing provision should not be lowered to 10 homes or more in the Emerging Local Plan?

Key Question 28: Do you have any evidence of affordable housing need in rural areas and/or a view on whether the threshold for contributions should differ?

Key Question 29: Should the affordable housing tenure breakdown be specified in Emerging Local Plan policy, or should a degree of flexibility be retained?

Key Question 30: Should a local exception policy be introduced to effectively reserve some affordable housing for those with family ties to an area? If so, what restrictions should the policy contain?

First Homes

Since the adoption of the Local Plan, the Government has introduced 'First Homes'. The Emerging Local Plan will need to be updated to reflect this change.

First Homes are a specific type of discounted market sale housing and meet the definition of affordable housing.

The Government has also introduced 'First Home exception sites'. This is a housing development that primarily delivers First Homes, which comes forward on land not located for housing in local or neighbourhood plans. First Homes exception sites cannot come forward, however, in designated rural areas¹³ or in the Green Belt. In designated rural areas, rural exception sites are the sole permissible type of exception site.

Housing to meet specific needs

The Government recognises that the need to provide housing for older people is critical¹⁴. The ageing population is going to be significant for South Derbyshire and consequently there is a need to build more homes that support ageing. Furthermore, it is important to provide homes that enable people of all ages and those with disabilities to live independently and safely.

The Emerging Local Plan will need to consider the need for and delivery of extra-care housing and independent living schemes, together with specialist housing for those of working age currently

¹³ As defined in Annex 2 of the National Planning Policy Framework

¹⁴ <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

living in residential accommodation, for example those with special needs. The Emerging Local Plan should explore whether sites should be specifically allocated for their delivery. There are also various design standards that may be applied to certain schemes, such as HAPPI design principles and dementia design.

Key Question 31: How should extra-care and independent living schemes be provided through the Emerging Local Plan?

Key Question 32: How can the Emerging Local Plan provide for those of working age needing other specialist or supported housing?

Accessible and Adaptable Homes and Wheelchair User Dwellings

National policy allows local plans to use the Government optional technical standards for accessible and adaptable housing and wheelchair user dwellings, where the need for such properties exists. This allows local plans to identify what proportion of new dwellings should comply with these standards.

The Strategic Housing Market Assessment¹⁵ states that evidence justifies the Council seeking to increase the number of accessible and adaptable homes (known as M4(2) dwellings) by as much as viably possible and for 5-10% of new households to be wheelchair user dwellings (known as M4(3) dwellings). This reflects that a large number of existing homes are not suitable for wheelchair users, coupled with emerging need particularly arising from an ageing population.

It is expected that, following Government public consultation, that the standard for M4(2) will in due course form part of Building Regulations.

Key Question 33: Should the Emerging Local Plan ensure that at least a proportion of new homes are accessible and adaptable M4(2) and are wheelchair user dwellings M4(3)?

Key Question 34: Do you feel there is a need for more bungalows or single storey dwellings particularly designed to enable the elderly to live independently at home?

Self-Build and Custom Housebuilding

Legislation requires local authorities to keep and publish a register of individuals and community groups (associations of individuals) locally, who want to acquire land for self-build and custom-built homes. The Council also has a duty to provide plots equivalent to the number of people who have joined the register.

Within the adopted Local Plan, self and custom build housebuilding is incorporated into Policy H20 'Housing Balance'. *"The Council will also promote a mix of housing that is suitable and adaptable for different groups of people such as single occupiers, people with disabilities, people wanting to build their own homes and the ageing population of the District"*.

To date the Council is meeting the demand for plots on the self-build register through windfall developments. However, to help ensure that the Council continues to meet future demand, your views are sought on three options relating to self-build and custom-built homes.

Option 1: Require a proportion of homes on all larger development sites to be self-build and custom housebuilding.

¹⁵ South Derbyshire's 2020 Strategic Housing Market Assessment



Option 2: Allocate sites specifically for self-build and custom housebuilding

Option 3: Continue current policy stance

Key Question 35: What is your preferred option regarding self-build and custom house building and why?

Space Standards

The Government has introduced a '[Nationally Described Space Standard](#)' for new homes, which the Council is able to adopt if the need for an internal space standard can be justified.

Nationally Described Space Standards set out a minimum requirement for internal living space, reflective of the proposed occupancy of a new dwelling. It sets out the requirement for gross internal floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

In line with national guidance, work will need to be undertaken to establish a need for internal space standards, and consideration will need to be had on how imposing such standards will impact on the Plan's viability. At this stage, we are asking your views on whether you support the idea of imposing Nationally Described Space Standards.

Key Question 36: Should the Emerging Local Plan require all new homes to meet Nationally Described Space Standards? If not, why not?

Housing Density

The NPPF requires that planning policies should support development that makes efficient use of land, taking into account the need for different types of housing, local market conditions, viability, infrastructure requirements, local character and the importance of good design.

A shortage of land to meet identified housing needs is not anticipated, nonetheless, the Emerging Local Plan is the policy mechanism for ensuring that land is used efficiently. Furthermore, areas such as Swadlincote and the edge of Burton and Derby that are particularly well served by public transport can have parallels drawn with the NPPF requirement for if there were to be a shortage of land¹⁶.

Balanced against making the most efficient use of land 'at all costs' is ensuring that the character of South Derbyshire's villages is maintained and conserved. Historic villages developed over time often have open spaces within them. Some of these areas have been protected through the adopted Local Green Spaces Plan.

Key Question 37: Should the Emerging Local Plan include a policy on housing density?

Key Question 38: If it is determined that a housing density policy is required, should the Emerging Local Plan set different minimum density standards for urban areas (Swadlincote, edge of Derby and Burton on Trent) and Key Service Villages?

¹⁶ NPPF paragraph 125.



Key Question 39: Should the Emerging Local Plan include a specific infill policy and if so, what should it contain – for example should infill be restricted to meeting proven local need or by dwelling size? Please provide reasons and justifications.

Key Question 40: Should the Emerging Local Plan develop a policy that brings local flexibility to determining road widths on new developments?

Gypsy and Travellers

The adopted Local Plan sets out the requirement for a Gypsy and Traveller Site Allocations Development Plan Document (DPD). This will allocate pitches and plots to meet Gypsy and Traveller and Travelling Show people's need as identified in the most recent Gypsy and Traveller Accommodation Assessment (GTAA).

An updated GTAA has been commissioned and the Council still intends to provide a Gypsy and Traveller Site Allocations DPD, in addition to the Emerging Local Plan. The updated GTAA will also look at the need for moorings arising from boat dwellers.

Extra Questions

EX5: What types of homes do you think South Derbyshire needs?

EX6: How do you feel the housing market is working for you?

EX7: How has working from home changed the requirements in homes?

EX8: Is there a necessity for certain housing types to meet specific needs?

EX9: Should the Emerging Local Plan set a local eligibility criterion for First Homes (applicable for first three months of marketing) in addition to the national criteria? If so, what criteria should be included?

EX10: What approach should the Local Authority take in determining how proportionate a First Homes exception site is to the size of the settlement it is next to, for settlements both with and without a settlement boundary? What evidence should be required?

EX11: Should space standards be set for private outdoor space?

EX12: Are there any other issues or options relating to providing the right homes for everyone that the Council should consider?



Chapter 5 Economy

The District, located within the Midlands, is centrally located and well connected. The crossing of the A38 and A50 in South Derbyshire provides easy access to motorways and the East Midlands Gateway distribution park. East Midlands Airport, the second largest freight handling airport in the UK, is within minutes of a large part of the District.

The main employment centre in South Derbyshire is Swadlincote, with other employment centres being distributed throughout the remainder of the District, among the largest being the Toyota manufacturing plant at Burnaston and Dove Valley Business Park at Foston. In 2013/14 there was a significant new investment in the Nestle manufacturing facility at Hatton. Throughout the District the rural economy is supported by many small-scale enterprises.

Whilst a wide range of economic sectors are represented within South Derbyshire, a notable local feature is the relatively high percentage of people employed in manufacturing, particularly in relation to transport equipment and food and drink.

South Derbyshire is also in the heart of the National Forest. The National Forest provides opportunities for growth and development of small and medium sized business, facilitating farm diversification and new sources of employment in rural areas. Furthermore, the National Forest provides opportunities for the development of the visitor and woodland economies within the District¹⁷.

The Emerging Local Plan is required to “*set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration*” (NPPF paragraph 82). It should also identify the amount and type of employment required over the plan period and allocate sufficient employment sites to meet these needs.

Furthermore, the NPPF requires that planning policies are “*flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live -work accommodation), and to enable a rapid response to changes in economic circumstances*” (NPPF paragraph 82). This is poignant with regards to the uncertainty the impact of Brexit and the Covid 19 pandemic will have on South Derbyshire’s economy. The Emerging Local Plan will need to take account of this uncertainty and be flexible when dealing with arising issues.

An Employment Land Study is to be undertaken to establish both the quantity of employment land and the types of sites needed for the District, however at this stage we would like to hear your thoughts on South Derbyshire’s economy and future strategy.

Key Question 41: What type of employment space should the Emerging Local Plan prioritise?

Key Question 42: How can policies be made flexible enough to accommodate needs not anticipated, particularly as economic implications of the Covid 19 pandemic are still developing?

¹⁷ [South Derbyshire’s Economic Development Strategy 2016- 2020](#)



Employment Strategy

In preparing the adopted Local Plan it was agreed with the other HMA authorities that to achieve a sustainable balance of jobs and housing, the total employment land requirement for the HMA should be distributed between the Derby Urban Area (land within and adjoining Derby City) and the remainder of South Derbyshire and Amber Valley in proportion to the number of homes allocated to each of these areas. This recognised that employment sites within Derby would be highly accessible to South Derbyshire residents occupying homes within residential urban extensions adjoining the city. The resulting distribution of employment land provision is illustrated in the table below.

Table 2: Current Derby HMA Employment Land Distribution

	Dwellings	% of Housing Growth	Employment Land (ha)
Derby Urban Area	19,730	55.8	154.2
Remainder of South Derbyshire	6,754	19.1	52.78
Remainder of Amber Valley	8,870	25.1	69.3

The employment land needs of South Derbyshire have not yet been identified, pending the completion of an Employment Land Study.

In preparing the Emerging Local Plan, consideration will need to be given as to whether the employment land distribution strategy described above should be carried forward or whether an alternative approach should be followed.

The Emerging Local Plan must allocate enough sites to meet South Derbyshire's employment need. An early stage in this process is for the Council to consider the reasonable options for distributing South Derbyshire's employment need within the District. At this stage only broad options for accommodating employment growth have been identified. It is possible that the employment spatial strategy will need to comprise of a combination of these options, and it is acknowledged that various sub-options exist. There is also the Freeport proposal as set out in Chapter 3 above. Nevertheless, your view is sought as to the preferred option for the distribution of South Derbyshire's employment need.

Option 1: Focus on A50 corridor

Option 2: Focus on sites in/or adjoining urban areas

Option 3: Swadlincote focus

Option 4: Drakelow focus

Key Question 43: What is your preferred strategy (Option) for employment distribution and why?

Key Question 44: What, if any, circumstances should lead to South Derbyshire's employment need being met outside of the District?



Rural Businesses

The Government expects Local Plans to support sustainable growth and expansion of business within rural areas. To enable this, the adopted Local Plan Policy E7 supports the reuse, conversion and replacement of existing buildings and the development of new buildings for employment use in Rural Areas.

The Policy supports the diversification and expansion of business, both within and outside of settlement boundaries, provided they support the social and economic needs of the rural communities in the District.

Key Question 45: Is the current approach set out in Policy E7 (Rural Development) of the adopted Local Plan still the correct one?

Key Question 46: What are the barriers to working within rural areas?

Farming and Food Security

The impact of climate change on arable farming in the UK is already being felt. Agricultural land is classified into a range of categories, with areas with particularly 'good' soil classed as 'best and most versatile land'.¹⁸ Government policy sets out that local plans should contribute to and enhance the natural and local environment by "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of... best and most versatile agricultural land..."¹⁹

Key Question 47: Should the Emerging Local Plan include a policy regarding best and most versatile agricultural land and if so, what should it contain?

Tourism

The District has a diverse range of visitor attractions and things to do. The National Forest is a particular focus for tourism development within the District.

The adopted Local Plan supports tourism development; Policy INF10 supports the development of overnight accommodation and visitor attractions within or adjoining the urban area or Key Service Villages, or in other appropriate locations where identified needs are not met by existing facilities. Tourism development can be provided through the conversion or reuse of existing buildings, accommodation of a reversible and temporary nature, or sustainable well-designed new buildings where identified needs are not met by existing facilities.

Key Question 48: Should the Emerging Local Plan be more encouraging of tourism accommodation and tourist attraction development within the District? If so, how?

Protecting employment sites

Since the adoption of the Local Plan, changes have been introduced for how different planning uses are categorised and to the restrictions imposed on changing between different types of development, for example, between offices, retail uses and dwellings.

¹⁸ Best and most versatile agricultural land: Land in grades 1, 2 and 3a of the Agricultural Land Classification.

¹⁹ NPPF Paragraph 174



The NPPF now requires that Local Planning Authorities take a positive approach to applications for alternative use of land which are not allocated in the plan but would help meet an identified need. Furthermore, of relevance both to this issue and to that of retail below, is the NPPF's policy on removing or restricting permitted development rights permitted development rights.

The adopted Local Plan seeks to protect employment sites from loss to non-employment uses. Should the Emerging Local Plan continue to seek to protect existing employment uses? Your views on this matter are sought.

Key Question 49: Should the Emerging Local Plan seek to protect existing employment sites from alternative uses?

Key Question 50: Should the Emerging Local Plan remove the permitted development rights and apply conditions on new employment permissions for both allocated and non-allocated sites to prevent their loss to other uses (i.e. to E(g), B2 or B8)?

Retail and Regeneration

Town and local centres play an important role in meeting retail needs and provide leisure and recreation. However nationally and prior to 2020, retail centres were already facing challenges due to changes in shopping habits, particularly the shift to online shopping. The Covid 19 pandemic has continued "to change consumer behaviour, as well as [change] where people travel to and visit in general, with the rise in online retail continuing to the detriment of physical stores²⁰". Research, however, has shown that within Derbyshire the pandemic has seen demand for independent stores; more localised centres hold up better than big cities and the decline in visits to retail/recreation is less evident in Derbyshire than compared to the UK²¹.

In line with the NPPF, the Emerging Local Plan will need to take a positive approach to town centres and retail centre growth, management, and adaption. Your views are sought on how the Council can achieve this.

The Emerging Local Plan will need to look at what additional retail space will be required to support the growth proposed within it and will also need to provide a flexible framework for town and retail centres to be resilient and adapt to changing requirements.

It is anticipated that the existing Retail Hierarchy will be carried forward into the Emerging Local Plan, with any necessary amendments required, including adding any proposed local centres required to meet need arising from proposed allocations.

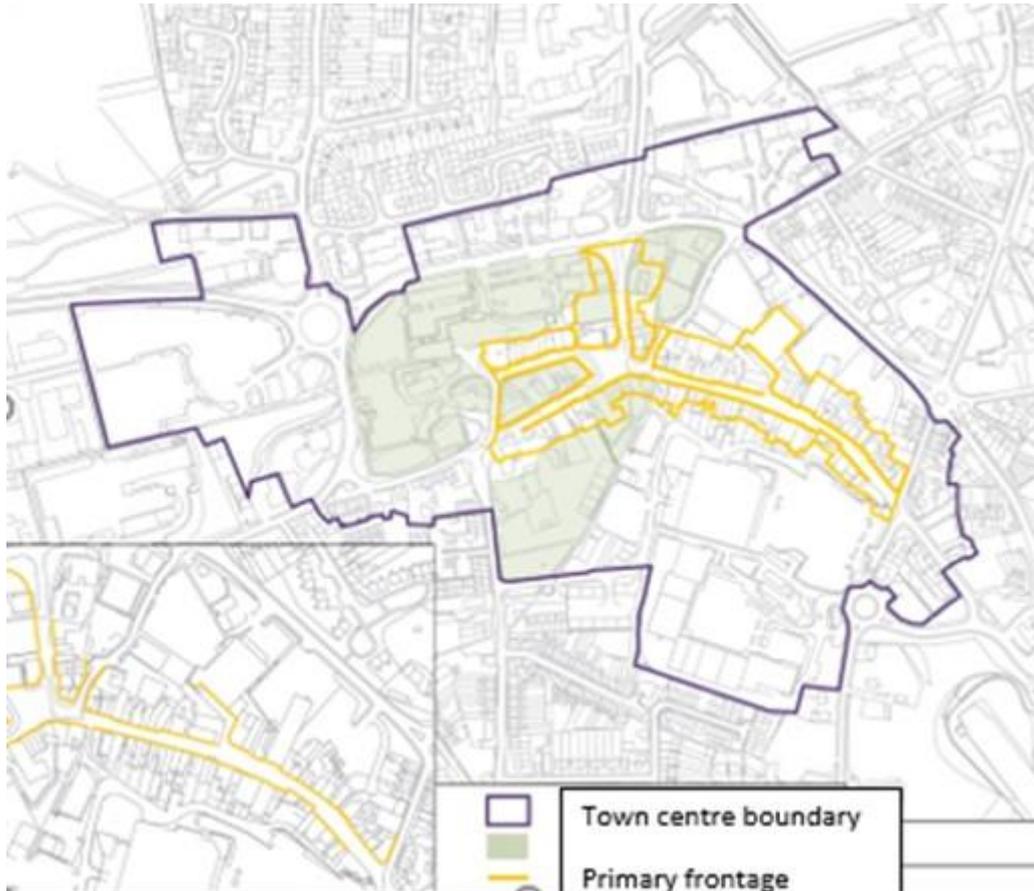
National policy states that Local Plans should support a 'town centre first approach', directing main town centre uses (such as shops and restaurants) to designated centres. This element of the existing Local Plan policy should therefore remain unchanged in the Emerging Local Plan. There is an opportunity through the Emerging Local Plan to identify any areas in particular need of regeneration and put policies in place to improve those areas.

The NPPF requires that town centres and primary shopping frontages are defined. Policy RTL1 'Retail Hierarchy' sets Swadlincote's town centre boundary and primary frontage. Your views on the adopted boundary and primary frontage are sought.

²⁰ [Understanding the impact – An Analysis of Derbyshire's economy following the coronavirus outbreak](#), Page 30

²¹ [Understanding the impact – An Analysis of Derbyshire's economy following the coronavirus outbreak](#), Page 30





Retail

Key Question 51: What types of uses should be promoted in Swadlincote's town centre?

Key Question 52: If you think Swadlincote town centre boundary should be amended, please explain why and show your proposed changes on a map.

Key Question 53: If you think the primary frontages should be amended, please explain why, and show your proposed changes on a map.

Regeneration

Key Question 54: What do you consider to be the main regeneration challenges facing the District?

Key Question 55: Are regeneration challenges located in a particular area and if so, where?

Key Question 56: Do you have any suggestions as to the policies or allocations that would address these regeneration challenges?

Extra Questions

EX13: Has the Covid 19 pandemic impacted on any changes in employment need?

EX14: Should the Emerging Local Plan repeat the Retail Hierarchy within the adopted Local Plan?

EX15: What type of retail space should the Emerging Local Plan prioritise within new strategic allocations?

EX16: Should the Emerging Local Plan retain the lower threshold for when a Retail Impact Assessment for out of centre retail is required? If not, what should the threshold be?

EX17: How can the Emerging Local Plan provide a positive strategy for retail?

EX18: How can the Emerging Local Plan support the vitality and viability of Swadlincote town centre and other retail centres considering changes to the Use Class Order and Permitted Development?

EX19: Should the Emerging Local Plan seek to protect the loss of retail, despite the changes to the Use Class Order?

EX20: Should similar retail policies to that of Swadlincote's be applied to Key Service Villages?

EX21: Is there sufficient car parking within Swadlincote, key service villages and local centres?

EX22: Are there any other economy issues and options that should be considered within the Emerging Local Plan?



Chapter 6 Tackling the Climate Change Emergency

In July 2022, the temperature in the UK exceeded 40 degrees Celsius for the first time ever recorded. After a summer of heatwaves and drought, the effects of climate change are self-evident, and the Emerging Local Plan must plan its part in securing radical reductions in carbon dioxide emissions and encouraging renewable energy generation.

The Intergovernmental Panel on Climate Change (IPCC) *Special Report on Global Warming of 1.5 °C* highlighted the importance of reaching net zero CO² emissions by 2050 to avoid the worst impacts of climate change. A significant number of governments are now undertaking to reduce greenhouse gas emissions and achieve net zero. As of February 2022, 105 countries and the European Union have pledged to meet a net zero emissions target, with a further 31 under discussion. Including the UK, 17 countries have enshrined a target of carbon neutrality by 2050.

The UK has been a leading country in terms of climate change policy and carbon related reductions. The UK has made considerable progress, reducing emissions by 48% from 1990 levels, including a reduction of 3% between 2018 and 2019. This shift has mainly been achieved through renewable power deployment and a significant reduction in coal use. The UK also has a policy framework for climate commitments in the form of the Climate Change Act (2008).

In 2019, the UK became the first country to declare a Climate Emergency and a legal commitment to net zero greenhouse gas emissions by 2050. The Climate Change Act (as amended in 2019) also legally binds the UK to decrease carbon emissions by 100% by 2050, against the 1990 emissions baseline. In 2021, the UK Government adopted the Sixth Carbon Budget (2033 – 2037) to reduce emissions by 78% by 2035 below the 1990 emissions baseline. Achieving this target will require various actions, including that by the early 2030s, all new cars and vans and all residential boiler replacements and other buildings are low-carbon and largely electric. By 2040, all new trucks will be low-carbon.

Furthermore, UK electricity production is to be carbon neutral by 2035. Offshore wind energy production will be the principal contributor to the UK energy system. By 2050, low-carbon hydrogen energy will be almost as large as electricity production is today. By 2035, 460,000 hectares of new mixed woodland will need to be planted in order to remove CO² and to deliver wider environmental benefits. 260,000 hectares of farmland will need to shift to producing energy crops. Woodland cover is anticipated to increase from 13% to 18% of land area by 2050.

The Government's Net Zero Strategy was published in 2021 and establishes proposals to ensure the UK's homes and businesses are supplied with affordable, clean electricity by 2035. Most notably, the plan sets targets to decarbonise the UK energy system by 2035, as well as enhancing low carbon fuel supply, industrial carbon capture, a plan for decarbonising homes and workplaces, removing road fuel emissions, and investing in afforestation.

As one of the fastest growing districts in the country, South Derbyshire will need to make concerted efforts to reduce its carbon emissions, especially as it intends to reach net zero by 2030, having also declared a Climate Emergency. When responding to the changes to climate already underway, the NPPF refers to climate change adaptation, which are adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities. When attempting to prevent the worsening of climate change in the long-term, the NPPF refers to climate change mitigation as action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions, as considerations to be made in the planning process.



Indeed, climate change, including moving to a low-carbon economy, forms one of the three principle planning system objectives (environmental, social and economic)²². Given the multitude of future risks posed by climate change, including to public health, biodiversity, flooding and infrastructure, a combined adaptive and mitigatory approach must be taken in the planning process.

Additionally, the planning system is to support the transition to a low-carbon future in a changing climate, especially in terms of flood risk. This should be achieved through shaping places to result in radical reductions in greenhouse gas emissions, while encouraging the reuse of existing resources, including the conversion of existing buildings, as well as developing renewable and low carbon energy and related infrastructure²³.

In accordance with the Climate Change Act 2008, plans are also expected to consider long-term concerns relating to water supply, biodiversity, landscapes and overheating-related risks.²⁴ In this regard, new development is to avoid increased vulnerability to risks associated with climate change. When new development is permitted in vulnerable areas, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure and in ways that help to reduce greenhouse gas emissions, including location, orientation and design²⁵.

Renewable Energy

To improve the use and supply of renewable and low-carbon energy, local plans are to consider identifying suitable areas for such sources and supporting infrastructure where it would enhance their production, as well as to identify potential decentralised, renewable or low carbon energy supply systems²⁶. To achieve these objectives, local planning authorities are to consider developments outside areas identified in local plans or other strategic policies, such as community-led initiatives developed through neighbourhood planning²⁷.

When planning applications are submitted for renewable and low-carbon development, local planning authorities are not to require applicants to demonstrate overall need for renewable or low-carbon energy; it is acknowledge that such projects, even those small in scale, contribute towards lowering carbon emissions and that applications are to be approved if impacts are acceptable (with the exception of wind turbines and other wind energy projects which must satisfy specific criteria).²⁸

Nonetheless, once suitable areas have been identified in plans, local planning authorities are to anticipate that subsequent applications for commercial scale projects outside of the areas identified should demonstrate that the proposed location of the application satisfies the criteria used in identifying suitable areas²⁹.

²² NPPF, paragraph 8.

²³ NPPF, paragraph 152

²⁴ NPPF, paragraph 153

²⁵ NPPF, paragraph 154

²⁶ NPPF, paragraph 155

²⁷ NPPF, paragraph 156

²⁸ NPPF, paragraph 158

²⁹ NPPF, paragraph 158



Key Question 57: Do you support the development of the following renewable energy/low-carbon technologies in the District?

- 1. Electricity Generation:**
 - o Wind turbines
 - o Solar photovoltaics (solar panels), including:
 - i. ground-mounted, and
 - ii. roof-mounted installations, for example, on industrial or residential buildings
 - o Hydroelectric power
- 2. Heat Generation:**
 - o Solar Thermal
 - o Heat pumps, including ground, water, and air-source variants
 - o Energy from waste (EfW), including solid waste and biogas
 - o Bioenergy, including biomass and anaerobic digestion
- 3. Energy storage**
- 4. Energy networks:**
 - o Electricity networks
 - o Heat networks
- 5. Low-Carbon Mobility:**
 - o Electric vehicles
 - o Electric charging network

Please elaborate on any opportunities/constraints you can identify for such projects.

The Council, having declared a Climate Emergency and its intention to reach Net Zero by 2030, will be considering how to implement the recommendations of The Derbyshire Spatial Energy Study. The Study provides a spatial assessment of energy opportunities to support emerging local development planning and planning guidance across Derbyshire. It contributes to the 2019 Derbyshire Environment and Climate Change Framework, developed by Derbyshire County Council to initiate a collaborative approach to reducing greenhouse gas emissions and achieving net zero by 2050.

The Study provides an evidence base which will ensure better integration of energy system planning with the growing need to address and mitigate climate change at local and regional levels in Derbyshire.

The Emerging Local Plan should be looking to identify suitable areas for development of low carbon and renewable energy infrastructure, such as solar panels/farms or wind turbines, taking into account technology requirements, impacts on the local environment and the needs of local communities. As the technology around solar panels advances, there are increased opportunities for utilising the roof spaces of buildings, particularly large warehouses, to supplement solar energy generated through solar farms.

The Emerging Local Plan can also strongly encourage the use of on-site renewable energy for new developments, thereby reducing reliance on the national grid. Similarly, the installation of domestic renewables could be encouraged for existing developments.

Community Energy projects are a way for communities to reduce, purchase, manage and generate energy, using local knowledge of the opportunities and constraints to find energy solutions that both reduce carbon and benefit the local community. Further details are set out in Appendix 3.



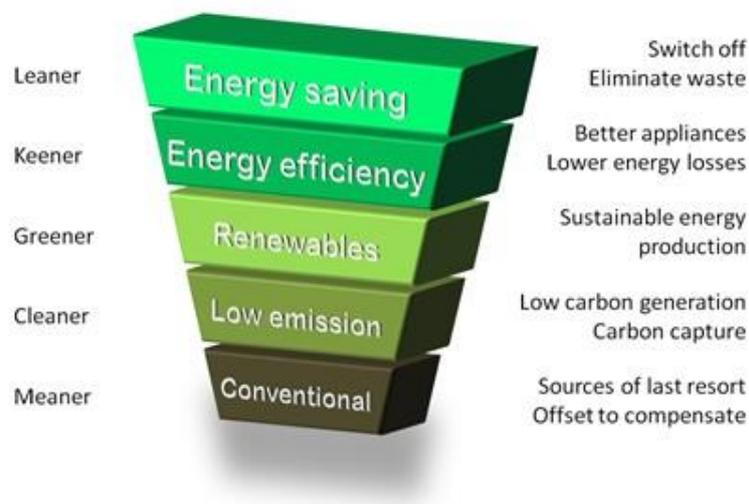
Key Question 58: Should the Emerging Local Plan allocate sites for renewable energy production, for example solar or wind energy, and if so, what types of locations would be appropriate?

Key Question 59: Should the Emerging Local Plan require all new development to include small-scale renewable energy generation on site?

Building Design and Construction

The Council has already developed several policies related to lowering carbon including policies S1 Sustainable Growth Strategy, SD3 Sustainable Water Supply, Drainage and Sewerage Infrastructure, SD6 Sustainable Energy and Power Generation and INF2 Sustainable Transport. However, it is acknowledged that following the declaration of a Climate Emergency and Net Zero objectives, together with the evidence in the Derbyshire Spatial Energy Study, that these policies will require revision and/or additional policies to be adopted. Furthermore, the adopted Local Plan does not include a policy specifically related to energy efficiency. The Emerging Local Plan can address this, potentially through a policy that reflects the Energy Hierarchy, which would seek to ensure that new development takes a holistic approach to reducing greenhouse gas emissions; a policy would embed the principles of the energy hierarchy into the approach of designing new buildings such as looking at fabric first, then reducing energy use before mitigating any remaining emissions. The sequential order of preference would be:

1. Minimising energy demand
2. Maximising energy efficiency
3. Utilising renewable energy
4. Utilising low carbon energy
5. Utilising other energy sources



Source: By Philip R Wolfe - Own work, CC BY-SA 3.0, <https://commons.wikimedia.org/w/index.php?curid=24801433>

Key Question 60: Should the Emerging Local Plan introduce a policy based on the Energy Hierarchy?

See Appendix 3 for further background information.



Building Specifications

High levels of housing growth, coupled with the rural nature of the District and the relative inefficiency of existing building stock, will require the Council to be ambitious in the Emerging Local Plan in order to make a meaningful contribution towards meeting legally binding targets.

Local planning authorities can set requirements regarding sustainable building standards for homes and non-domestic buildings, whilst endeavouring to ensure that standards required by Building Regulations are not duplicated. The Emerging Local Plan could include a policy which expects new developments to incorporate passive design measures that reduce the need for artificial lighting, heating, cooling and ventilation systems, through siting, design, materials, layout and building orientation.

Key Question 61: How can the Emerging Local Plan best facilitate energy saving homes by including passive design measures?

Water Consumption

Current Building Regulations require that water consumption in new homes does not exceed 125 litres per person per day. The Council's current planning policy requires a figure of 110 litres per person per day. It is anticipated that this policy will continue into the Emerging Local Plan.

Trees

"Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change".³⁰ Trees absorb carbon dioxide and in addition help reduce the effects of a changing climate by improving air quality, enhancing biodiversity and natural flood management and can provide shade and contribute to urban cooling and micro-climatic effects, that can reduce energy demands in buildings.

The Committee on Climate Change recommended that overall woodland coverage in the UK should be raised from 13% to 19%³¹.

The Council's current planning policy seeks to ensure that trees, woodland, and hedgerows continue to provide a valuable contribution to the environmental quality of an area and that development proposals minimise the loss of trees, woodland, and hedgerows. In addition, development within the National Forest over a particular threshold is expected to incorporate tree planting and landscaping in accordance with National Forest Planting Guidelines. Given the importance of trees in controlling climate change, the Emerging Local Plan could mandate that sites outside of the National Forest include 10% tree planting, to be delivered on or off-site, depending on what would be appropriate to the local landscape character.

Where appropriate, planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible³². In delivering streets that are tree-lined, there are implications for highways design but specialist work has been

³⁰ NPPF paragraph 131

³¹ [Climate Change Committee, Land use: Reducing emissions and preparing for climate change \(November 2018\)](#)

³² NPPF, paragraph 131



undertaken to determine which species of trees suit highways, for example, their roots go down, rather than spread out.

Key Question 62: Do you agree that the Emerging Local Plan set out specific requirements for tree planting in new developments outside of the National Forest? If so, is 10% sufficient and should there be a minimum site size threshold to which the policy applies?

Biodiversity Net Gain

Biodiversity net gain (BNG) is an approach to development which means that habitats for wildlife must be left in a measurably better state than they were in before the development. Achieving BNG means that natural habitats will be extended or improved as part of a development or project. Development will be designed in a way that provides benefits to people and nature and reduces its impacts on the wider environment.

The [NPPF](#) states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures³³

Plans should... promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity and development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.³⁴”

The Environment Act sets out the following key components of mandatory biodiversity gain:

- Amends the Town & Country Planning Act
- Minimum 10% gain required calculated using the Biodiversity Metric & approval of a biodiversity gain plan;
- Habitat secured for at least 30 years via planning obligations or conservation covenants;
- Delivered on-site, off-site or via a new statutory biodiversity credits scheme; and
- National register for net gain delivery sites.³⁵

The provisions for BNG in the Environment Act (2021) are expected to be mandated in winter 2023. BNG is also required for Nationally Strategic Infrastructure Projects however this will not be introduced until after the Government has published a BNG statement(s) setting out the objective and how the requirement is to be met, including transitional arrangements.

Discussions with local wildlife organisations can help to identify appropriate solutions. Planning authorities need to make sure that any evidence and rationale supplied by applicants are supported by the appropriate scientific expertise and local wildlife knowledge.

When assessing opportunities and proposals to secure BNG, the local planning authority will need to have regard to all relevant policies, especially those on open space, health, green infrastructure,

³³ NPPF paragraph 174

³⁴ NPPF paragraph 179

³⁵ <https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain-local-authorities/biodiversity-net-gain-faqs>



Green Belt and landscape. It will also be important to consider whether provisions for BNG will be resilient to future pressures from further development or climate change, and supported by appropriate maintenance arrangements.³⁶

To further increase the benefits of BNG, it can be delivered in such a way, where appropriate, to contribute towards urban shading and cooling and provide natural carbon storage together with local access to nature.

Key Question 63: Should the Emerging Local Plan require a greater target than the statutory 10% Biodiversity Net Gain? If yes, what percentage and why?

Key Question 64: Are you aware of any sites or land within South Derbyshire that may be available for habitat creation/enhancement to support Biodiversity Net Gain off-site provision?

Key Question 65: Should a policy be included in the Emerging Local Plan to ensure that Biodiversity Net Gain is delivered on sites within the District?

Sustainable Modes of Transport

The NPPF considers sustainable modes of transport as any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra-low and zero emission vehicles, car sharing and public transport.

The NPPF states that the planning system should actively manage patterns of growth. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.³⁷

Within this context, applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and to facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. Among other considerations, applications should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.³⁸

The Emerging Local Plan will support infrastructure planning which prioritises low carbon travel options such as:

- Local planning and transport planning which encourages zero carbon transport such as walking, cycling, as well as low carbon alternatives, such as public transport and Ultra Low Emission Vehicles.
- Low carbon access, including provision of walking infrastructure, cycle paths and lanes, public transport and charging infrastructure.
- Planning policies which limit car use (e.g. car parking limitation or car-free developments) or limit specific high emissions vehicles from certain areas.

³⁶ Planning Policy Guidance, Paragraph 023

³⁷ NPPF, paragraph 105

³⁸ NPPF, paragraph 112



- Future local planning and infrastructure which supports the provision of Ultra Low Emission Vehicles and reduces reliance on private vehicles where possible.
- Inclusion of policy positions that require major new developments and regeneration areas to consider Electric Vehicles in structure appraisals as a part of the planning process, including charge numbers, types, costs, and network impacts.
- Supporting the integration of electric car charging in new developments and existing towns and villages.

Active Travel

There are several policies within the adopted Local Plan that aim to reduce transport related emissions by seeking to locate development in locations that would reduce the need to travel and enable travel by sustainable modes. It is anticipated that such policies will be continue into the Emerging Local Plan. The Emerging Local Plan should support enhancements to active travel routes;³⁹ active travel refers to modes of travel that involve a level of activity, for example walking and cycling, and have wide-ranging benefits from reducing carbon emissions, pollution and noise to improving physical and mental health.

Active travel⁴⁰ is currently included in part j Healthy Lifestyles of BNE1 Design Excellence however there is the opportunity for the Emerging Local Plan to go further to mandate the incorporation of active travel measures into the designs of schemes, including new and existing infrastructure.

Key Question 66: Do you support the inclusion of an active travel policy and what should the policy ensure as a minimum?

Key Question 67: Should planning applications for new buildings require access to low-carbon transport (i.e. the provision of walking infrastructure, cycle paths and lanes, public transport and charging infrastructure, etc). If so, what should the threshold be for such a requirement?

Electric Vehicle Charging Points

In March 2022 the Government released '[Taking charge: The electric vehicle infrastructure strategy](#)'. The strategy sets out the Government's vision and action plan for electric vehicle charging infrastructure within the UK. By 2030 the Government expects there to be around 300,000 public charge points as a minimum within the UK. The strategy states that sufficient charge points must be provided ahead of demand.

It is therefore expected that the use of electric vehicles will continue to increase within the future and consequently the provision of necessary infrastructure to accommodate such vehicles within the District is essential and necessary to help stimulate this change. The existing Local Plan does not contain any requirements regarding Electric Vehicle Charging Points. It is therefore anticipated that the Emerging Local Plan will include such a requirement from development (residential, commercial and retail and industrial).

Although the adopted Local Plan does not include a policy on Electric Vehicle Charging Points, the District Council is now conditioning the requirement of Electric Vehicle Charging Points on the

³⁹ [Active travel: local authority toolkit - GOV.UK \(www.gov.uk\)](#)

⁴⁰ [Active Travel Online Portal | Active Travel Information](#)



following developments. Your views on incorporating these requirements in the Emerging Local Plan are sought.

Residential	Commercial/Retail	Industrial
1 charging point shall be provided per unit (house with dedicated parking)	1 charging point for every 10 parking spaces (this may be phased with 5% provision initially and a further 5% trigger)	1 charging point for every 10 parking spaces (this may be phased with 5% provision initially and a further 5% trigger)
1 charging point per 10 spaces where the individual units have no allocated parking		
To prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the local authority.		

Key Question 68: Should the Emerging Local Plan include an Electric Vehicle Charging Point Policy?

Key Question 69: Do you support the existing requirements for providing Electric Vehicle Charging Points used by the Council? If not, what requirements do you suggest and why?

Key Question 70: Should the provision of charging devices and spaces for ultra-low emission vehicles be required for new developments of a certain size? If so, what should this threshold be?

Key Question 71: Should the provision of charging devices and spaces for ultra-low emission vehicles be considered at the following locations throughout the District? If not, please elaborate.

- Major travel corridors, including A roads, motorways, and routes into Derbyshire from neighbouring population centres
- Existing transport infrastructure, such as petrol stations.
- High population density areas where electric vehicle uptake and charging demand are expected to be consistently high.
- Tourist locations and travel corridors.
- Locations with high or long-term parking requirements, such as airports, retail, and business parks.

Flooding

“Climate adaptation requires the radical re-making of places to respond to the complex and dynamic impacts of climate change... Because of its visible impact, flood risk is often the top priority of any adaptation strategy; but planning for flood risk is not always carried out with sufficient grasp of the long-term risks, nor of the opportunities to design resilient places. However, successful adaptation policy involves much more than simply addressing flood risk and has to take account of a range of severe and complex climate impacts.

Dealing with this reality requires holistic planning over the long term based on an understanding of how such changes will interact and affect people’s health and wellbeing. Building climate resilience requires an inter-organisational, inter-departmental local response in which the local development plan can be an integrating aspect. Above all, climate adaptation must be understood as the main



priority for long-term planning to secure climate resilience, and must be seen as being as important as meeting housing need⁴¹.

Key Question 72: How can the Emerging Local Plan go further to minimise losses through flooding?

Extra Questions

EX23: Are there other mechanisms to increase tree planting both inside and outside of the National Forest?

EX24: Should the Emerging Local Plan include a policy to encourage the installation of solar panels on existing buildings?

EX25: Should solar power infrastructure (either ground-mount or rooftop) be mandated for new developments (where deemed appropriate)? If so, for what size of development?

EX26: How can community scale renewable energy generation be facilitated through the Emerging Local Plan?

EX27: Should the District adopt energy efficiency standards over and above Building Regulations?

EX28: Should larger developments be required to meet energy consumption and emission targets? If so, what should the thresholds be for such a requirement?

EX29: Should the Emerging Local Plan set lower carbon emissions targets for new homes than set out by Building Regulations? If so, what target do you propose and why?

EX30: Should the Emerging Local Plan include local energy standards for non-residential buildings and/or introduce a BREEAM assessment?

EX31: In response to the Environment Act 2021, what low carbon heating requirements should be included in the Emerging Local Plan?

EX32: Do you support the continuation of the water consumption requirement (110 litres per person per day) within the Emerging Local Plan?

EX33: Do you have any other comments regarding Biodiversity Net Gain and the Emerging Local Plan?

EX34: What else can be done through the Emerging Local Plan to encourage a modal shift towards more sustainable modes of transport?

EX35: Are there any other climate change issues and options that should be considered within the Emerging Local Plan?

⁴¹ The Climate Crisis: A Guide for Local Authorities on Planning for Climate Change – TCPA/RTPI



Chapter 7 Built, Natural and Historic Environment

The District has a range of important natural and heritage assets, from designated wildlife sites and SSSIs to listed buildings and scheduled ancient monuments. The Authority Monitoring Report, which monitors the adopted Local Plan's policies, shows that the existing policies are generally working well in protecting the natural and historic environment. However, since the adoption of the Local Plan, the Environment Act has been introduced. The Emerging Local Plan gives opportunity to update the Plan to reflect any national policy changes (including new design requirements) along with the Environment Act.

Green Infrastructure

The NPPF considers Green Infrastructure as a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

Green Infrastructure can embrace a range of spaces and assets that provide environmental and wider benefits. It can, for example, include parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and 'blue infrastructure' such as streams, ponds, canals and other water bodies. References to green infrastructure in this guidance also apply to different types of blue infrastructure where appropriate⁴².

The Local Plan is one tool through which the planning system can identify and protect natural capital assets that provide multiple benefits, at a range of scales. For communities, these benefits can include enhanced wellbeing, outdoor recreation and access, enhanced biodiversity and landscapes, food and energy production, urban cooling, and the management of flood risk. These benefits are also known as ecosystem services.⁴³

Strategic policies can identify the location of existing and proposed green infrastructure networks and set out appropriate policies for their protection and enhancement. To inform these, and support their implementation, green infrastructure frameworks or strategies prepared at a district-wide scale (or wider) can be a useful tool. These need to be evidence based and include assessments of the quality of current green infrastructure and any gaps in provision.

The green infrastructure strategy can inform other plan policies, infrastructure delivery requirements and Community Infrastructure Levy schedules. In view of their potential scope and use, authorities need to collaborate with neighbouring authorities and stakeholders such as Local Nature Partnerships, Health and Wellbeing Boards and Local Enterprise Partnerships when developing green infrastructure strategies.⁴⁴

Key Question 73: Should the provision of allotments be required for larger developments (or payments in lieu where appropriate)? If so, what should the threshold be for such a requirement?

⁴² Planning Policy Guidance, paragraph 004

⁴³ Planning Policy Guidance, paragraph 005

⁴⁴ Planning Policy Guidance, paragraph 007



Key Question 74: Should green roofs and/or walls be required where appropriate? If so, what size of development should require such landscaping?

Key Question 75: Where appropriate, should development be required to consider urban cooling techniques/design? If so, what should the threshold be for such a requirement? Should this be considered primarily in Swadlincote or in other population centres?

Key Question 76: Should the Council adopt a policy relating to Blue Infrastructure? If so, please list the various features (excluding the River Mease) that may benefit from such a policy.

Key Question 77: Should the Council use developer contributions for Green Infrastructure? If so, do you have any specific suggestions as to what Green Infrastructure projects the Council should pursue?

Biodiversity Net Gain

When scrutinising biodiversity gain plans (on-site and/or off-site), the Council will expect submitted soft landscaping proposals and designs to reasonably offer a mosaic of habitat types appropriate to the location and prevailing landscape types, to suitably enhance biodiversity and wherever possible maximise the potential for offering 'nature-based solutions' such as carbon and air pollution sequestration, urban shading/cooling, flood alleviation and green space recreation.

Key Question 78: How should off-site biodiversity gain compensation measures be coordinated, located and inspected?

Key Question 79: Do you have any other comments regarding Biodiversity Net Gain and the Emerging Local Plan?

Local Nature Recovery Strategy

Local Nature Recovery Strategies (LNRS) are a new system of spatial strategies for nature, which will cover the whole of England. They are established by the Environment Act⁴⁵ and are designed as tools to drive more coordinated, practical and focussed action to help nature.

LNRS will support local action by consistently mapping important existing habitats and identifying opportunities to create or restore habitat. Developed through a collaborative approach, LNRS will also support the delivery of a Nature Recovery Network by acting as a key tool to help local partners better direct investment and action that improves, creates and conserves wildlife-rich habitat.

Each Strategy will, for the area that it covers: agree priorities for nature's recovery, map the most valuable existing areas for nature and map specific proposals for creating or improving habitat for nature and wider environmental goals.

The production of each LNRS will be evidence based, locally led and collaborative, to create a network of shared plans that public, private and voluntary sectors can all help to deliver. This will provide a locally owned foundation to developing and underpinning the [Nature Recovery Network](#); identifying the places which, once action has been taken on the ground, will enable the Network to grow over time. This will help achieve wider environmental objectives (like carbon sequestration to mitigate climate change or managing flood risk) and contribute to green economic recovery objectives.

⁴⁵ <https://www.legislation.gov.uk/ukpga/2021/30/section/104/enacted>



The Government anticipates that there will be roughly 50 LNRSs which together will cover the whole of England with no gaps and no overlaps. Precise boundaries will be established by Defra so that each and every LNRS covers an area that is both large enough to plan for nature recovery across landscapes and meaningful to local people. It is anticipated that in many cases there will be one LNRS per county (or equivalent) but individual geographies will be set according to an assessment of local circumstances.

A LNRS is being developed locally, with Derbyshire County Council leading on its implementation.

Key Question 80: Are there any sites or areas of land within South Derbyshire which you are aware of that would be important for inclusion within the Local Nature Recovery Strategy for Derbyshire? If yes, please list and provide reasoning where relevant.

Key Question 81: Are there any private or voluntary organisations who you believe would be important as collaborators within the Local Nature Recovery Strategy for Derbyshire? If yes, please list and provide reasoning where relevant.

River Mease

The River Mease is an important lowland clay river flowing through Leicestershire, Derbyshire and Staffordshire before it reaches the Trent between Lichfield and Burton upon Trent. It is designated as a Special Area of Conservation (SAC).

Despite its special status as a designated river for nature conservation, the condition of the habitats along its length has suffered over recent years; the species and habitats are under threat from pollution and poor water quality mainly due to high phosphorus levels and drainage works.⁴⁶

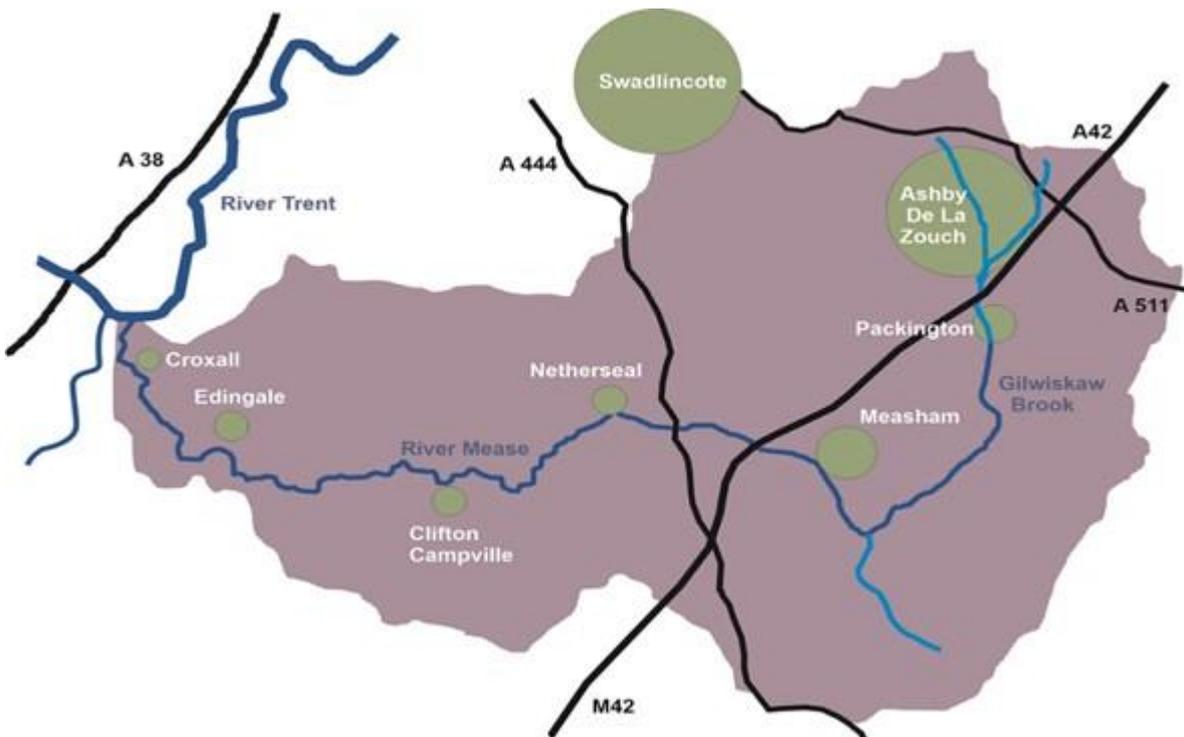
The importance of managing the amount of phosphorus within the River Mease SAC has directly affected the amount of development that can be permitted within the area. For South Derbyshire, Overseal, Netherseal, Lullington, Smisby and a small area in Boundary are affected. The Council is working with other partners on the River Mease Programme Board⁴⁷ to identify a number of bespoke projects to remove phosphate from the River Mease SAC and its tributaries.

Once identified, these projects will need to be funded by developers, as was the case with previous developer contribution schemes. In contributing to these works, developers will be able to ensure that the effects of their development on the SAC are fully mitigated by removing an amount of phosphate from the river equivalent to that which will be generated by their development, which in turn allows for continued growth.

⁴⁶ <https://www.rivermease.co.uk/>

⁴⁷ The River Mease Programme Board comprises of: The Environment Agency, Natural England, Severn Trent Water, North West Leicestershire District Council, South Derbyshire District Council and Lichfield District Council.





Source: [River Mease Catchment Project - Trent Rivers Trust](#)

Flood Risk

The NPPF requires that strategic policies should be informed by a Strategic Flood Risk Assessment (SFRA), and all plans should apply a sequential risk approach to the location of development.⁴⁸ The Council will be commissioning a new SFRA to inform the Emerging Local Plan. A SFRA is a robust evidence base for considering flooding, including any future increase as a result of climate change.

The risk of flooding informed the spatial strategy for the District within the adopted Local Plan, including the allocation of sites through a sequential approach. Development was predominantly located in areas within a low risk of flooding and further greenfield development within the functional floodplain was avoided along with other areas at flood risk.

The existing Local Plan also requires that any new development that could lead to changes in surface water flows or increase flood risk should be managed through the incorporation of Sustainable Drainage Schemes (SUDS)⁴⁹.

It is anticipated that the existing policy approach will remain largely unchanged subject to recommendations in the SFRA.

Key Question 82: Do you have any comments on the Local Authority's approach to Flood Risk as set out in the adopted Local Plan Policy SD2?

⁴⁸ NPPF Paragraphs 160 & 161

⁴⁹ "Sustainable drainage systems are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. They provide opportunities to: reduce the causes and impacts of flooding; remove pollutants from urban run-off at source; combine water management with green space with benefits for amenity, recreation and wildlife." (PPG Flood Risk and Coastal Change: Paragraph: 050 Reference ID: 7-050-20140306)

Key Question 83: What approach should be taken to development proposed within Flood Zone 3?

National Forest

The National Forest is a national designation which covers an area of 200 square miles and extends from Charnwood Forest in Leicestershire to Needwood Forest near Yoxall.

Development and planning continue to have a key role in the National Forest's creation. As of March 2017 "Since 1995, around 1,600 hectares of new green infrastructure have been secured through the planning system by way of on site tree planting, mineral and waste disposal site restoration and derelict land reclamation schemes or through financial contributions. This represents around 22% of the 7,270 hectares so far planted in the Forest"⁵⁰.

The NPPF states "*The National Forest and Community Forests offer valuable opportunities for improving the environment around towns and cities, by upgrading the landscape and providing for recreation and wildlife...*"⁵¹

The adopted Local Plan contains a policy on the National Forest (INF8). The Policy expects all residential schemes over 0.5ha and industrial, commercial and leisure developments over 1ha within the National Forest, to incorporate tree planting and landscaping and only in exceptional circumstances will a commuted sum be agreed instead. The Policy also states that the Council will work with the National Forest Company and others to:

- "A ...
- ii) provide opportunities for diversification of the economy, especially in relation to the woodland economy and tourism, including overnight accommodation;
 - iii) create an attractive, sustainable environment;
 - iv) provide a range of leisure opportunities for local communities and visitors; and
 - v) achieve 33% woodland cover in the National Forest."

It is likely that the existing policy approach will remain largely unchanged, subject to any update on the planting requirements made by the National Forest.

Key Question 84: Do you have any comments on the current approach to the National Forest?

Key Question 85: Could the National Forest policy be strengthened in any way?

Green Wedges

"Green wedges comprise the open areas around and between parts of settlements, which maintain the distinction between the countryside and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities"⁵²

South Derbyshire's villages have their own architectural and characteristic identities, as well as their own individual communities. There are no green wedges in the adopted Local Plan. The Emerging Local Plan provides an opportunity to consider whether Green Wedges should be introduced within the District in order to protect villages where this sense of community may be threatened by

⁵⁰ [National Forest Guide for Developers & Planners: Summary](#)

⁵¹ NPPF paragraphs 160 & 161

⁵² [Planning Portal Glossary](#).



coalescence. Evidence would need to be collected to establish the need and locations of any Green Wedges.

Key Question 86: Do you consider that Green Wedges should be introduced in South Derbyshire?

Key Question 87: If so, where do you suggest Green Wedges should be located?

Key Question 88: Does the existing Local Plan Policy BNE5 (Development in Rural Areas) do enough to protect the countryside for its own sake?

Heritage

The NPPF states that Heritage assets “are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”⁵³. The NPPF goes on to state that plans “should set a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats...”

The historic environment is central to the identity of South Derbyshire. There are:

- 22 Conservation Areas
- 22 Schedules Monuments
- 5 registered historic parks and gardens comprising Calke Abbey (Grade II*), Elvaston Castle (Grade II*), Melbourne Hall (Grade I), Swarkestone Hall (Grade II*) and Bretby Hall (Grade II)
- 714 listed buildings of which 48 are grade I and 48 are grade II*
- 16 entries on the Heritage at Risk Register in the District and 47 building and structures on the local at-risk register.

The adopted Local Plan contains two policies regarding the protection of heritage assets. BNE2 Heritage Assets sets out the Council’s overarching policy approach to conservation of heritage assets. This is supported by policy BNE10 Heritage, which details how applications affecting heritage assets will be considered. Policy BNE2 and BNE10 can be found in Appendix 2.

Key Question 89: Do you have any comments on the approach to Heritage assets in the adopted Local Plan?

Design

Since the adoption of the Local Plan, design quality is more strongly emphasised in national policy and new design requirements have been introduced. The Emerging Local Plan will need to reflect this.

National Policy now requires all Local Planning Authorities to prepare Design Guides or Codes consistent with the principles set out in the [National Design Guide](#) and [National Model Design Code](#). The Design Guide and Codes can be prepared at an area wide, neighbourhood or site-specific scale and should be prepared as part of a Local Plan or Supplementary Planning Document.⁵⁴

⁵³ NPPF paragraph 189

⁵⁴ NPPF paragraph 128, 129

Furthermore, Local Planning Authorities are now expected to develop design policies with local communities “so they reflect local aspirations and are grounded in an understanding and evaluation of each areas defining characteristics”.⁵⁵

Key Question 90: Should a Design Guide and/or Codes be prepared at an area wide, neighbourhood wide or site-specific scale?

Key Question 91: Should the Emerging Local Plan stipulate a minimum size for residential outdoor amenity space and if so, what should that be?

The NPPF states that “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:… e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”⁵⁶

Key Question 92: What measures should be used to determine whether the design of the isolated dwelling is of exceptional quality?

Extra Questions

EX36: Should the Emerging Local Plan or a subsequent SPD require developers to install the following ‘habitat bricks’ in all new housing developments:

- a. Small cavity nesting birds? (i.e. swift, house martins and sparrows). If yes, what ratio or percentage per total housing units and why?
- b. Bats? If yes, what ratio or percentage per total housing units and why?
- c. Invertebrates? If yes, what ratio or percentage per total housing units and why?

EX37: Should there be a minimum housing unit number per development for when the installation of ‘habitat bricks’ would be required? If yes, what should that minimum number be and why?

EX38: Should ‘habitat bricks’ be required as standard in any other development types? Please list and provide reasoning where appropriate.

EX39: Should the Emerging Local Plan or a subsequent SPD require developers to install ‘hedgehog highways’ in all new housing developments?

EX40: Should there be a minimum housing unit number per development for when the installation of ‘hedgehog highways’ would be required? If yes, what should that minimum number be and why?

EX41: Should ‘hedgehog highways’ be required as standard in any other development types? Please list and provide reasoning where appropriate.

⁵⁵ NPPF paragraph 127

⁵⁶ NPPF paragraph 80

Extra Questions

EX42: Are you aware of any sites or land that may be available for habitat creation/restoration to support any biodiversity net gain off site provision?

EX43: Do you consider Policies BNE2 and BNE10 provide a positive strategy for the conservation and enjoyment of heritage assets as required by the NPPF?

EX44: Could Policies BNE2 or BNE10 be strengthened in any way?

EX45: How can the Council effectively engage with your community regarding design for your area? Please state where you are from.

EX46: Are there any other Built, Natural and Historic Environment issues and options that should be considered within the Emerging Local Plan?



Chapter 8 Infrastructure

The Council understands how important the delivery of infrastructure alongside housing and economic growth is to create sustainable communities. Infrastructure includes transport, flood risk measures, education, health, leisure (open space, play areas, leisure centres, green infrastructure), other community needs (e.g., local centres, libraries), as well as the delivery of utilities (e.g., power, water supply, sewerage treatment works, communications technology).

The extent to which an area is served by existing infrastructure, and could be served by future development, is an important consideration in determining the location, quantity, and type of development.

New development should deliver the necessary infrastructure to support growth and should be delivered in a timely manner to ensure that existing services and transport infrastructure do not become overwhelmed.

The Council will work closely with statutory bodies (such as National Highways, County Highways Authority, Local Education Authority, NHS Derby and Derbyshire Integrated Care Board, NHS England, utility providers) and other public and private bodies, to ensure that the Emerging Local Plan is supported by infrastructure. This will require examining where gaps in existing infrastructure provision exist, the capacity of existing infrastructure to accommodate growth and identifying where new facilities will be needed, who will provide them and when. Cumulative as well as site specific impacts will be considered and addressed.

The Infrastructure Delivery Plan (IDP) will set out the critical new or improved infrastructure that is necessary to support the growth in the Emerging Local Plan. The IDP will identify the costs, funding sources, timescales, and delivery partners for the infrastructure.

Funding for infrastructure can come from a variety of sources including developer contributions (Section 106 Agreements and, if introduced by the Council, Community Infrastructure Levy⁵⁷), government grants/loans and organisations that have statutory powers and who charge customers e.g. utilities companies.

To date South Derbyshire does not have an adopted Community Infrastructure Levy, instead using Section 106 agreements. Section 106 agreements help secure the delivery of infrastructure and affordable housing that is required to mitigate the impacts arising from a development proposal. Developer contributions can only be sought where they meet the following tests:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development⁵⁸

Within the Planning for Future White Paper, the Government proposed changes to how Local Planning Authorities secure developer contributions. The Community Infrastructure Levy and Section 106 Agreements were proposed for removal and the introduction of a nationally set flat rate charge in the form of an Infrastructure Levy was proposed. Until any legislative change comes into force, the Council will continue to use S106 Agreements. However, it should be noted that the

⁵⁷ The Community Infrastructure Levy is a fixed charge which can be levied by local authorities on new development in their area

⁵⁸ [Regulation 122 of the Community Infrastructure Regulations 2010 \(as amended\)](#)



Emerging Local Plan will need to comply with any change in national policy, should this arise during its production.

The NPPF requires that local plans set out the contributions (on site or financial) expected from development. It is important however to have realistic expectations of what infrastructure can be provided through the Emerging Local Plan. The amount of on-site infrastructure and contributions that the Council can require from new development is affected by the financial viability of a scheme (what can be afforded given all the other costs associated with the development). The financial viability and the amount of infrastructure that can be afforded are affected by various issues, including: the cost of construction, the value of land being developed, the sale prices of completed development and the type and number of specific on-site requirements. The Government has set an acceptable level of developer profit at 15-20%⁵⁹.

The Council will be commissioning a viability assessment to ensure that the policy requirements of the Emerging Local Plan are at a level viable for development to be completed.

Key Question 93: Are there specific infrastructure issues, including in your local area, which we should be aware of, for example regarding health services, schools or road capacity?
Please state which settlement your comments refer to.

Existing Community Facilities and Open Space Sport and Recreation

The adopted Local Plan (Policy INF6) seeks to protect existing community facilities unless it is evident that there is no longer a need to retain the facility, or where a suitable alternative is made. Furthermore, Policy INF9 seeks to protect the loss of open space, sport and recreation facilities, stating that loss “will only be permitted in exceptional circumstances where an assessment shows that existing open space and facilities exceed the required level of provision, the loss would be compensated for through equivalent or better provision, or the development would involve the provision of alternative sport or recreation facilities for which there is a greater need”.

It is considered that this policy approach will likely continue through to the Emerging Local Plan.

Key Question 94: Do you agree with the current policy approach regarding the protection of existing community facilities and open space, sport and recreation?

Open Space and Leisure Provision

“Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change.”⁶⁰

As part of the Emerging Local Plan, evidence will need to be collected on the need for open space, sport and recreation facilities and opportunities for new provision. The Emerging Local Plan will seek to address any identified shortfalls in open space and built leisure provision by securing new facilities within future developments and/or by securing funding for the delivery of new, or improvements to existing, open spaces.

Key Question 95: How has the pandemic altered your use of local open spaces?

Key Question 96: What type of outdoor open space and recreation facilities do you consider are most needed in the District?

⁵⁹ PPG Viability Paragraph: 018 Reference ID: 10-018-20190509

⁶⁰ NPPF, paragraph 98

Local Centres

New strategic residential development is commonly accompanied by local centres, aimed at meeting the day-to-day needs of the community. There can be a difference in both scope and feel between a local centre that has grown organically with a settlement over many years, and a new planned local centre with a set number of hectares reserved for shops and services to 'come on stream'. Furthermore, should a newer development grow further, the local centre can quickly become too small to fully meet the needs of the community it serves.

As already mentioned, changes in legislation have increased the flexibility to change between various uses without the need for express planning permission. Notwithstanding this flexibility, or indeed because of it, the issue is raised over how new communities can be best provided with local centres that stand the test of time.

Key Question 97: How can local centres be provided within strategic development in a way that also accommodates future change and population growth?

Extra Questions

EX47: Are the current protections for community facilities strong enough? Could the Emerging Local Plan go further and if so, how?

EX48: Are there any other infrastructure issues and options that should be considered within the Emerging Local Plan?



Chapter 9 Health and Wellbeing

There is a close relationship between planning and health. National policy requires that the local plan supports the creation of healthy and safe communities. Public Health England set out the wider determinants of health – a diverse range of social, economic and environmental factors which influence people’s mental and physical health⁶¹. These wider determinants are:

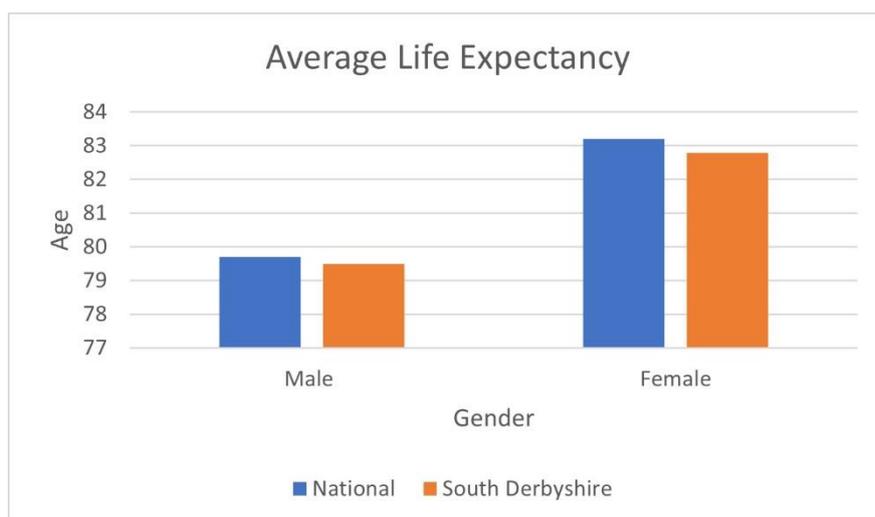
- The built and natural environment
- Education
- Income
- Work and the labour market
- Crime
- Social capital (community, social connections, isolation risk and a sense of belonging)

The adopted Local Plan helps contribute to healthy communities in several ways, including the provision and access to green spaces and community facilities; seeking to provide good quality housing; developing safe and accessible environments; and locating development in locations which reduce the need to travel and provides travel by sustainable modes. This chapter seeks to consider ways the Emerging Local Plan can further contribute towards healthy places and support and enable healthy lifestyles.

The Planning system does have a role to play in the provision of health infrastructure, for example GP surgeries, however, strategic infrastructure will be addressed by the Infrastructure Delivery Plan (IDP) and not considered in this chapter. The IDP will detail strategic infrastructure required to deliver growth planned within the Emerging Local Plan.

Some key health statistics for South Derbyshire are as follows:

- The life expectancy of males and females is slightly below the English average (Male – 79.5 years, national average 79.7 years; Females 82.8 years, national average 83.2 years).⁶²

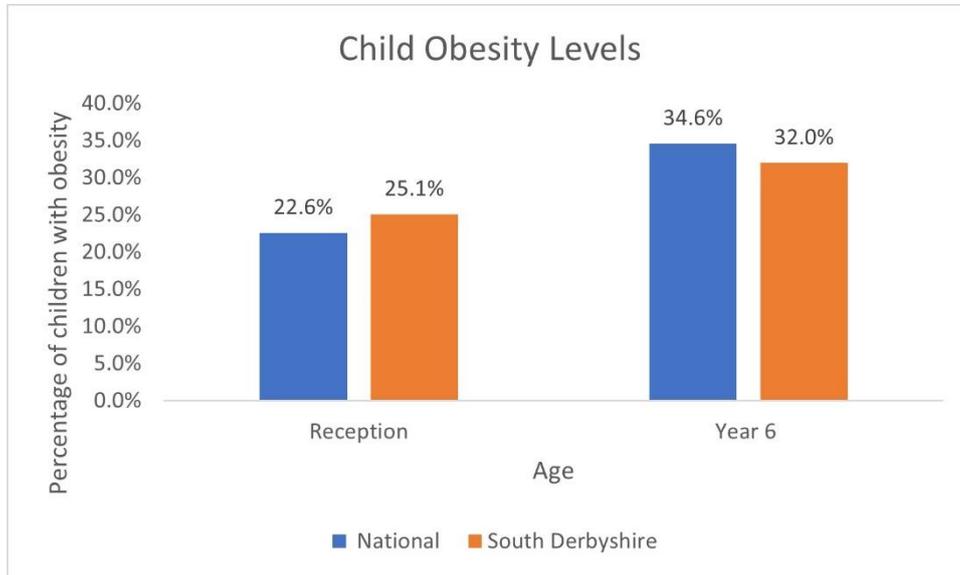


⁶¹ <https://www.gov.uk/government/publications/health-profile-for-england-2018/chapter-6-wider-determinants-of-health>

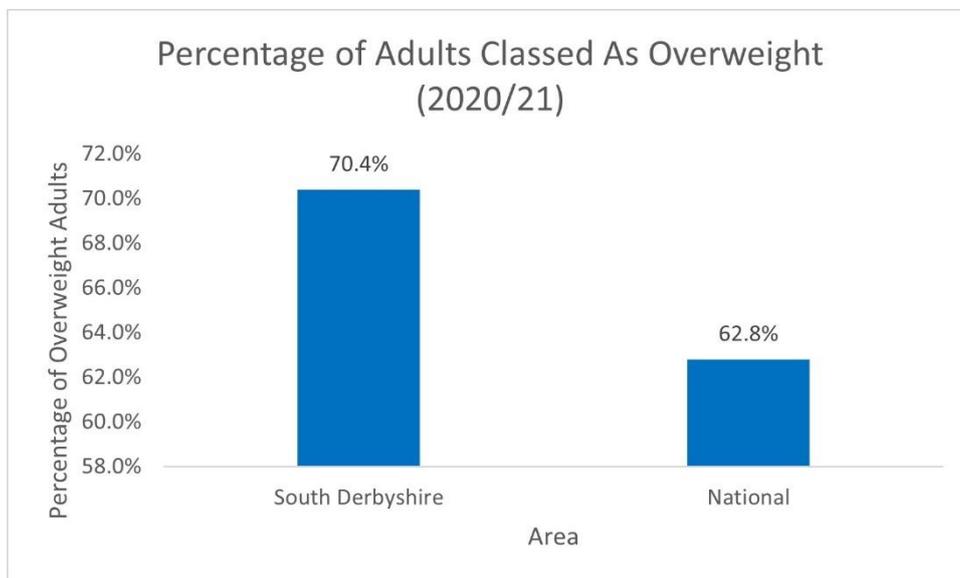
⁶² [Local Health - Data - OHID \(phe.org.uk\)](http://Local Health - Data - OHID (phe.org.uk))



- Child obesity rates (25.1%) are initially above the national average (22.6%), but child obesity rates decrease between reception and Year 6. By school Year 6 (final year of primary education), 32% of children are overweight or obese compared to the national average of 34.6%.⁶³



- The percentage of adults classified as overweight or obese is higher than the English average (70.4% compared to the national average of 62.8% (2020/21)).⁶⁴

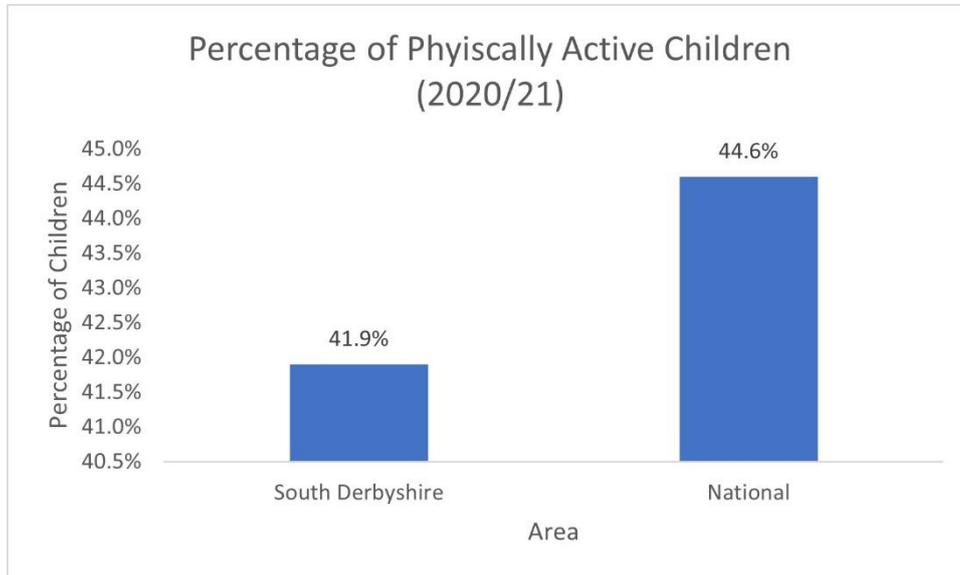


⁶³ [Local Health - Data - OHID \(phe.org.uk\)](https://phe.org.uk)

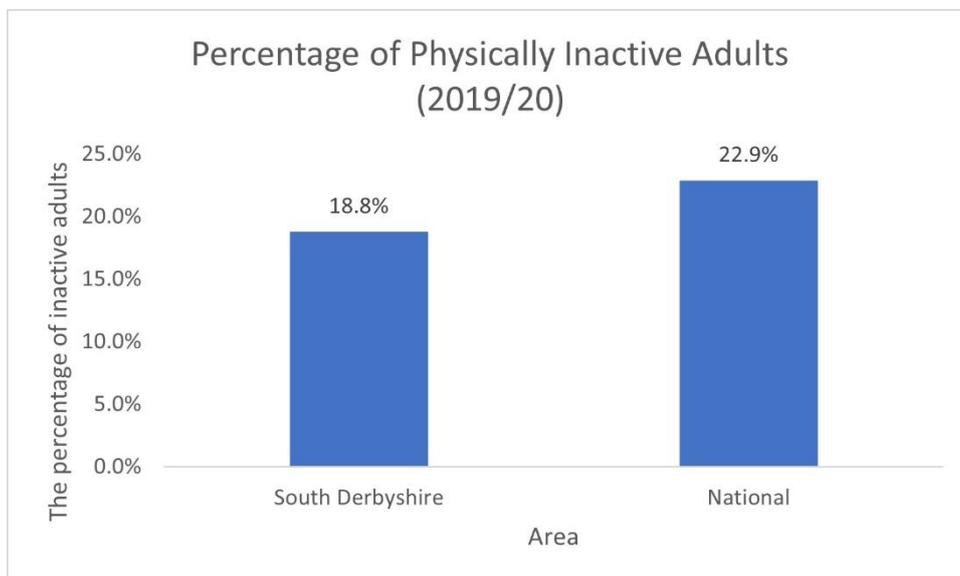
⁶⁴ [Public Health Outcomes Framework - Data - OHID \(phe.org.uk\)](https://phe.org.uk)



- The percentage of physically active children and young people is lower than the English average (41.9% compared to 44.6% nationally (2020/21)).⁶⁵



- The percentage of physically inactive adults is below the English average (18.8% compared to 22.9% nationally (2019/20)).⁶⁶

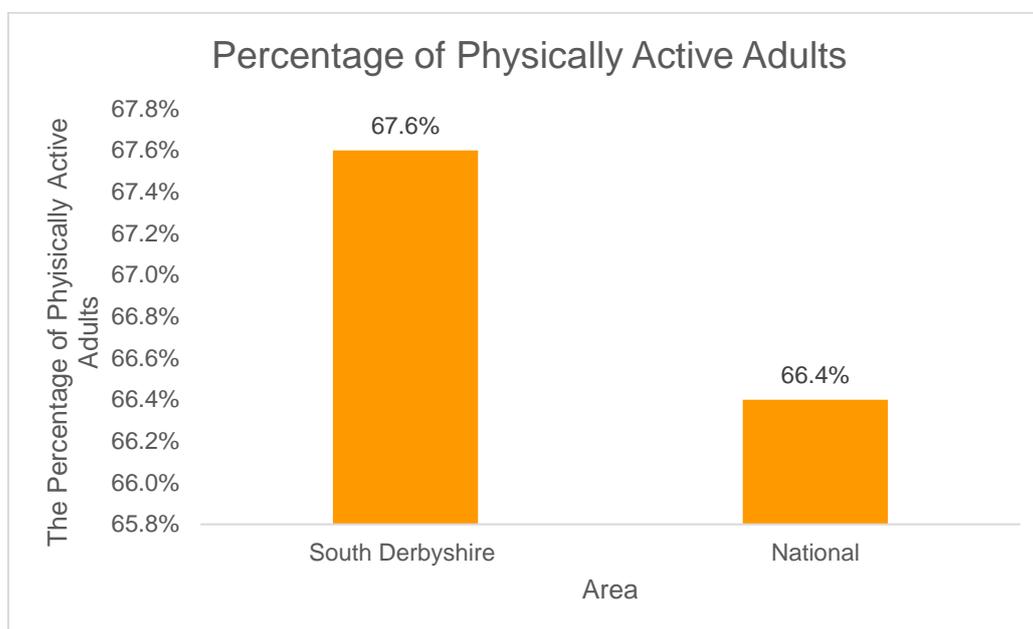


⁶⁵ [Physical Activity - Data - OHID \(phe.org.uk\)](https://phe.org.uk/data/physical-activity)

⁶⁶ [Physical Activity - Data - OHID \(phe.org.uk\)](https://phe.org.uk/data/physical-activity)



- The percentage of physically active adults is above the English average (67.6% compared to 66.4% nationally).⁶⁷



- The population of older people living in the District is set to increase between 2019 and 2028 by 28%.⁶⁸

Key Question 98: What do you feel your local community needs?

Key Question 99: What do you consider is required to make healthy places and enable healthy lifestyles?

Key Question 100: How can the Emerging Local Plan influence the wider determinants of health to improve health and reduce health inequalities?

Health and Wellbeing Policy

The adopted Local Plan contains a number of policies which impact upon health and wellbeing. The Plan also contains one paragraph within the design policy which directly relates to health:

BNE1 Design Excellence part J Healthy Lifestyle: “New development should address social sustainability issues, by supporting healthy lifestyles, including through the promotion of active travel, the provision of public open space, sports and other leisure facilities.”

The Emerging Local Plan gives an opportunity to include a strategic health and wellbeing policy. This policy would directly address health and wellbeing and seek to ensure that related issues are considered as part of a planning process.

⁶⁷ [Public Health Outcomes Framework - Data - OHID \(phe.org.uk\)](https://www.phe.org.uk/public-health-outcomes-framework-data)

⁶⁸ [South Derbyshire Strategic Housing Market Assessment, 2020](#), p86



Key Question 101: Should the Emerging Local Plan include a specific Health and Wellbeing Policy? Please provide reasoning.

Key Question 102: What do you think a Health and Wellbeing policy should include?

Health Impact Assessments

The Council could further bring health and wellbeing to the forefront of design by requiring a [Health Impact Assessment \(HIA\)](#) to be submitted alongside planning proposals above a certain size. A HIA is a process which ensures that the effect of development on health and health inequalities are considered and responded to during the planning process.

Key Question 103: Should the Emerging Local Plan require Health Impact Assessment for larger development proposals?

Key Question 104: What should the trigger for the requirement of Health Impact Assessment be?

Grow Your Own

Statistics show that obesity in adults and reception children within the District is higher than the national average. The NPPF states that planning policies should “*enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through ...access to healthier food, allotments...*”⁶⁹

The PPG adds: “*Planning can influence the built environment to improve health and reduce obesity and excess weight in local communities. Local planning authorities can have a role by supporting opportunities for communities to access a wide range of healthier food production and consumption choices*”⁷⁰

One way in which the Emerging Local Plan could help influence healthier food production within the District is by introducing a policy which would support people's ability to grow their own food, such as allotments.

Key Question 105: Should the Emerging Local Plan introduce a policy supporting ‘grow your own’ either on allotments or by another means? Please specify.

Key Question 106: Should the Emerging Local Plan require all major housing developments to provide allotments/food growing space?

Controlling takeaway uses

The PPG ‘Healthy Safe Communities’ states that planning policies can seek to limit the proliferation of particular uses where this is justified.

To help support opportunities for communities to access healthy consumption choices, the Emerging Local Plan could include a policy seeking to limit new hot food takeaways (where

⁶⁹ NPPF paragraph 92

⁷⁰ PPG, Healthy Safe Communities, Paragraph 004 ID:53-004-20190722



planning permission is required) where these would be in close proximity to locations children and young adults congregate, such as schools, play areas and open space.

The evidence of obesity in adults and young children is established, however, in order to introduce a policy that restricts the number and/or location of takeaways, evidence would be required as to the expected benefit of the policy.

Key Question 107: Would you support a policy which restricts takeaway uses within a particular distance of schools? Please provide comments and justification.

Key Question 108: If so, what distance do you suggest for restricting takeaways?

Key Question 109: What evidence do you think should be provided to support a controlling takeaway policy?

Active Design

Sport England have acknowledged that there is a close relationship between the design and layout of where we live and people’s health. Sport England’s report [Active Design: Planning for health and wellbeing through sport and physical activity](#), sets out 10 design principles for optimising opportunities for active and healthy lifestyles. The report acknowledges that “not all the Active Design Principles will be relevant or appropriate to all scenarios and settings, achieving as many of the Active Design Principles as possible will assist in optimising opportunities for active and healthy lifestyles” (page iv).

The Emerging Local Plan could look at incorporating the Active Design Principles into policy.

The 10 principles can be seen in the Diagram below.



Image from: *Active Design: Planning for health and wellbeing through sport and physical activity*, page iv



Key Question 110: Do you think the Emerging Local Plan should incorporate Active Design Principles?

Key Question 111: If so, is there a development size trigger in which the Active Design principles should be implemented?

Extra Questions

EX49: Are there any health and wellbeing issues for the District which you consider this document has not identified?

EX50: Are there any other Health and Wellbeing issues and options that should be considered within the Emerging Local Plan?

Finally...

Key Question 112: Are there any planning issues and options that you think we have missed in this consultation or are there any further comments you would like to make?



Appendix 1 - Summary of Questions

Key Question 1: Do you have any comments on what should be contained within the Emerging Local Plan's Vision and Objectives?

Key Question 2: Does the spatial portrait of the District need further updating and if so, how?

Key Question 3: Should the Emerging Local Plan be split into two parts?

Key Question 4: What should be classed as 'strategic' in terms of housing development within the Emerging Local Plan, for example what size of housing/employment site or impact on infrastructure?

Key Question 5: Have we identified the correct issues and is our methodology for assessing them, correct?

Key Question 6: What additional evidence does the Council need to obtain to inform the Emerging Local Plan?

Key Question 7: Which option for establishing South Derbyshire's housing requirement do you support and why?

Key Question 8: Do you have a view on the proportion of Derby City's unmet need that South Derbyshire should take? Please provide comments and justification.

Key Question 9: Do you have any comments on the prioritisation of new infrastructure in this location as set out in the DFD including the new link road, school, health provision, and green and blue infrastructure?

Key Question 10: Do you have any suggestions as to how new employment and/or housing development, above that already allocated in existing Local Plans, can assist in the delivery of this infrastructure?

Key Question 11: Do you have any suggestions as to the quantity and location of new employment and housing land in this location?

Key Question 12: Are there any key locations to provide new, or enhance existing, green and blue infrastructure?

Key Question 13: Should the IGV development parameters be expanded beyond the area defined in Policy INF13 of the adopted Local Plan? If yes, what further development should the Emerging Local Plan include in this expanded location?

Key Question 14: Do you have any suggestions on priorities the Emerging Local Plan should set out to complement the Freeport development? This could include new green and blue infrastructure, energy production, sewerage infrastructure, new cycling and walking routes, new publicly accessible open space, lighting, drainage, flood and/or noise mitigation measures, particularly to the south of the site.

Key Question 15: Do you have any suggestions as to how new employment development at the Freeport site can assist in the delivery of any new infrastructure suggested in the previous question and/or an improvement to the rail infrastructure?

Key Question 16: Should any complementary uses be allocated adjacent to, or in the proximity of, the Freeport and if so, what?



Key Question 17: Should the Emerging Local Plan include a policy setting out expectations of local implications of the Freeport? If so, what should the policy include?

Key Question 18: Do you have any comments on the methodology used to establish the existing Settlement Hierarchy?

Key Question 19: What is your preferred option for housing distribution to meet South Derbyshire's housing need? Please provide comments and justification.

Key Question 20: Which locations within the District do you consider are best equipped to benefit from infrastructure that is already in place?

Key Question 21: What is your preferred option for the distribution of Derby City's unmet need within the District? Please provide comments and justification, especially if you think option 3 is appropriate.

Key Question 22: Do you agree that the appropriate plan period for the Emerging Local Plan is 2022 – 2039?

Key Question 23: Do you think the Emerging Local Plan should set a vision for the District beyond the plan period? If so, what should it include?

Key Question 24: Do you think the Council needs to undertake a Green Belt review to accommodate housing need within the District?

Key Question 25: What is your preferred option regarding the percentage of new homes to be built on small sites? Please provide your reasons and justification.

Key Question 26: What is your preferred option regarding the affordable housing requirement on sites of 10 homes or more? Please provide reasons and justifications.

Key Question 27: Is there any reason why the threshold for affordable housing provision should not be lowered to 10 homes or more in the Emerging Local Plan?

Key Question 28: Do you have any evidence of affordable housing need in rural areas and/or a view on whether the threshold for contributions should differ?

Key Question 29: Should the affordable housing tenure breakdown be specified in Emerging Local Plan policy, or should a degree of flexibility be retained?

Key Question 30: Should a local exception policy be introduced to effectively reserve some affordable housing for those with family ties to an area? If so, what restrictions should the policy contain?

Key Question 31: How should extra-care and independent living schemes be provided through the Emerging Local Plan?

Key Question 32: How can the Emerging Local Plan provide for those of working age needing other specialist or supported housing?

Key Question 33: Should the Emerging Local Plan ensure that at least a proportion of new homes are accessible and adaptable M4(2) and are wheelchair user dwellings M4(3)?

Key Question 34: Do you feel there is a need for more bungalows or single storey dwellings particularly designed to enable the elderly to live independently at home?

Key Question 35: What is your preferred option regarding self-build and custom house building and why?



Key Question 36: Should the Emerging Local Plan require all new homes to meet Nationally Described Space Standards? If not, why not?

Key Question 37: Should the Emerging Local Plan include a policy on housing density?

Key Question 38: If it is determined that a housing density policy is required, should the Emerging Local Plan set different minimum density standards for urban areas (Swadlincote, edge of Derby and Burton on Trent) and Key Service Villages?

Key Question 39: Should the Emerging Local Plan include a specific infill policy and if so, what should it contain – for example should infill be restricted to meeting proven local need or by dwelling size?

Key Question 40: Should the Emerging Local Plan develop a policy that brings local flexibility to determining road widths on new developments?

Key Question 41: What type of employment space should the Emerging Local Plan prioritise?

Key Question 42: How can policies be made flexible enough to accommodate needs not anticipated, particularly as economic implications of the Covid 19 pandemic are still developing?

Key Question 43: What is your preferred strategy (Option) for employment distribution and why?

Key Question 44: What, if any, circumstances should lead to South Derbyshire's employment need being met outside of the District?

Key Question 45: Is the current approach set out in Policy E7 (Rural Development) of the adopted Local Plan still the correct one?

Key Question 46: What are the barriers to working within rural areas?

Key Question 47: Should the Emerging Local Plan include a policy regarding best and most versatile agricultural land and if so, what should it contain?

Key Question 48: Should the Emerging Local Plan be more encouraging of tourism accommodation and tourist attraction development within the District? If so, how?

Key Question 49: Should the Emerging Local Plan seek to protect existing employment sites from alternative uses?

Key Question 50: Should the Emerging Local Plan remove the permitted development rights and apply conditions on new employment permissions for both allocated and non-allocated sites to prevent their loss to other uses (i.e. to E(g), B2 or B8)?

Key Question 51: What types of uses should be promoted in Swadlincote's town centre?

Key Question 52: If you think Swadlincote town centre boundary should be amended, please explain why and show your proposed changes on a map.

Key Question 53: If you think the primary frontages should be amended, please explain why, and show your proposed changes on a map.

Key Question 54: What do you consider to be the main regeneration challenges facing the District?

Key Question 55: Are regeneration challenges located in a particular area and if so, where?

Key Question 56: Do you have any suggestions as to the policies or allocations that would address these regeneration challenges?



Key Question 57: Do you support the development of the following renewable energy/low-carbon technologies in the District?

6. Electricity Generation:
 - o Wind turbines
 - o Solar photovoltaics (solar panels), including:
 - i. ground-mounted, and
 - ii. roof-mounted installations, for example, on industrial or residential buildings
 - o Hydroelectric power
7. Heat Generation:
 - o Solar Thermal
 - o Heat pumps, including ground, water, and air-source variants
 - o Energy from waste (EfW), including solid waste and biogas
 - o Bioenergy, including biomass and anaerobic digestion
8. Energy storage
9. Energy networks:
 - o Electricity networks
 - o Heat networks
10. Low-Carbon Mobility:
 - o Electric vehicles
 - o Electric charging network

Please elaborate on any opportunities/constraints you can identify for such projects.

Key Question 58: Should the Emerging Local Plan allocate sites for renewable energy production, for example solar or wind energy, and if so, what types of locations would be appropriate?

Key Question 59: Should the Emerging Local Plan require all new development to include small-scale renewable energy generation on site?

Key Question 60: Should the Emerging Local Plan introduce a policy based on the Energy Hierarchy?

Key Question 61: How can the Emerging Local Plan best facilitate energy saving homes by including passive design measures?

Key Question 62: Do you agree that the Emerging Local Plan set out specific requirements for tree planting in new developments outside of the National Forest? If so, is 10% sufficient and should there be a minimum site size threshold to which the policy applies?

Key Question 63: Should the Emerging Local Plan require a greater target than the statutory 10% Biodiversity Net Gain? If yes, what percentage and why?

Key Question 64: Are you aware of any sites or land within South Derbyshire that may be available for habitat creation/enhancement to support Biodiversity Net Gain off-site provision?

Key Question 65: Should a policy be included in the Emerging Local Plan to ensure that Biodiversity Net Gain is delivered on sites within the District?

Key Question 66: Do you support the inclusion of an active travel policy and what should the policy ensure as a minimum?

Key Question 67: Should planning applications for new buildings require access to low-carbon transport (i.e. the provision of walking infrastructure, cycle paths and lanes, public transport and charging infrastructure, etc). If so, what should the threshold be for such a requirement?



Key Question 68: Should the Emerging Local Plan include an Electric Vehicle Charging Point Policy?

Key Question 69: Do you support the existing requirements for providing Electric Vehicle Charging Points used by the Council? If not, what requirements do you suggest and why?

Key Question 70: Should the provision of charging devices and spaces for ultra-low emission vehicles be required for new developments of a certain size? If so, what should this threshold be?

Key Question 71: Should the provision of charging devices and spaces for ultra-low emission vehicles be considered at the following locations throughout the District? If not, please elaborate.

- Major travel corridors, including A roads, motorways, and routes into Derbyshire from neighbouring population centres
- Existing transport infrastructure, such as petrol stations.
- High population density areas where electric vehicle uptake and charging demand are expected to be consistently high.
- Tourist locations and travel corridors.
- Locations with high or long-term parking requirements, such as airports, retail, and business parks.

Key Question 72: How can the Emerging Local Plan go further to minimise losses through flooding?

Key Question 73: Should the provision of allotments be required for larger developments (or payments in lieu where appropriate)? If so, what should the threshold be for such a requirement?

Key Question 74: Should green roofs and/or walls be required where appropriate? If so, what size of development should require such landscaping?

Key Question 75: Where appropriate, should development be required to consider urban cooling techniques/design? If so, what should the threshold be for such a requirement? Should this be considered primarily in Swadlincote or in other population centres?

Key Question 76: Should the Council adopt a policy relating to Blue Infrastructure? If so, please list the various features (excluding the River Mease) that may benefit from such a policy.

Key Question 77: Should the Council use developer contributions for Green Infrastructure? If so, do you have any specific suggestions as to what Green Infrastructure projects the Council should pursue?

Key Question 78: How should off-site biodiversity gain compensation measures be coordinated, located and inspected?

Key Question 79: Do you have any other comments regarding Biodiversity Net Gain and the Emerging Local Plan?

Key Question 80: Are there any sites or areas of land within South Derbyshire which you are aware of that would be important for inclusion within the Local Nature Recovery Strategy for Derbyshire? If yes, please list and provide reasoning where relevant.

Key Question 81: Are there any private or voluntary organisations who you believe would be important as collaborators within the Local Nature Recovery Strategy for Derbyshire? If yes, please list and provide reasoning where relevant.

Key Question 82: Do you have any comments on the Local Authority's approach to Flood Risk as set out in the adopted Local Plan Policy SD2?



Key Question 83: What approach should be taken to development proposed within Flood Zone 3?

Key Question 84: Do you have any comments on the current approach to the National Forest?

Key Question 85: Could the National Forest policy be strengthened in any way?

Key Question 86: Do you consider that Green Wedges should be introduced in South Derbyshire?

Key Question 87: If so, where do you suggest Green Wedges should be located?

Key Question 88: Does the existing Local Plan Policy BNE5 (Development in Rural Areas) do enough to protect the countryside for its own sake?

Key Question 89: Do you have any comments on the approach to Heritage assets in the adopted Local Plan?

Key Question 90: Should a Design Guide and/or Codes be prepared at an area wide, neighbourhood wide or site-specific scale?

Key Question 91: Should the Emerging Local Plan stipulate a minimum size for residential outdoor amenity space and if so, what should that be?

Key Question 92: What measures should be used to determine whether the design of the isolated dwelling is of exceptional quality?

Key Question 93: Are there specific infrastructure issues, including in your local area, which we should be aware of, for example regarding health services, schools or road capacity? Please state which settlement your comments refer to.

Key Question 94: Do you agree with the current policy approach regarding the protection of existing community facilities and open space, sport and recreation?

Key Question 95: How has the pandemic altered your use of local open spaces?

Key Question 96: What type of outdoor open space and recreation facilities do you consider are most needed in the District?

Key Question 97: How can local centres be provided within strategic development in a way that also accommodates future change and population growth?

Key Question 98: What do you feel your local community needs?

Key Question 99: What do you consider is required to make healthy places and enable healthy lifestyles?

Key Question 100: How can the Emerging Local Plan influence the wider determinants of health to improve health and reduce health inequalities?

Key Question 101: Should the Emerging Local Plan include a specific Health and Wellbeing Policy? Please provide reasoning.

Key Question 102: What do you think a Health and Wellbeing policy should include?

Key Question 103: Should the Emerging Local Plan require Health Impact Assessment for larger development proposals?

Key Question 104: What should the trigger for the requirement of Health Impact Assessment be?

Key Question 105: Should the Emerging Local Plan introduce a policy supporting 'grow your own' either on allotments or by another means? Please specify.

Key Question 106: Should the Emerging Local Plan require all major housing developments to provide allotments/food growing space?

Key Question 107: Would you support a policy which restricts takeaway uses within a particular distance of schools? Please provide comments and justification.

Key Question 108: If so, what distance do you suggest for restricting takeaways?

Key Question 109: What evidence do you think should be provided to support a controlling takeaway policy?

Key Question 110: Do you think the Emerging Local Plan should incorporate Active Design Principles?

Key Question 111: If so, is there a development size trigger in which the Active Design principles should be implemented?

Key Question 112: Are there any planning issues and options that you think we have missed in this consultation or are there any further comments you would like to make?

EX1: Do you have any evidence to contradict the Derby HMA Boundary Study's conclusion that the Derby HMA comprises Derby, South Derbyshire and Amber Valley?

EX2: What should a 30-year vision for the District include? Please bear in mind your selected options for housing distribution and provide comments and justification.

EX3: What should the Emerging Local Plan include regarding Infinity Garden Village?

EX4: Are there any other housing need/strategy issues and options that should be considered within the Emerging Local Plan?

EX5: What types of homes do you think South Derbyshire needs?

EX6: How do you feel the housing market is working for you?

EX7: How has working from home changed the requirements in homes?

EX8: Is there a necessity for certain housing types to meet specific needs?

EX9: Should the Emerging Local Plan set a local eligibility criterion for First Homes (applicable for first three months of marketing) in addition to the national criteria? If so, what criteria should be included?

EX10: What approach should the Local Authority take in determining how proportionate a First Homes exception site is to the size of the settlement it is next to, for settlements both with and without a settlement boundary? What evidence should be required?

EX11: Should space standards be set for private outdoor space?



EX12: Are there any other issues or options relating to providing the right homes for everyone that the Council should consider?

EX13: Has the Covid 19 pandemic impacted on any changes in employment need?

EX14: Should the Emerging Local Plan repeat the Retail Hierarchy within the adopted Local Plan?

EX15: What type of retail space should the Emerging Local Plan prioritise within new strategic allocations?

EX16: Should the Emerging Local Plan retain the lower threshold for when a Retail Impact Assessment for out of centre retail is required? If not, what should the threshold be?

EX17: How can the Emerging Local Plan provide a positive strategy for retail?

EX18: How can the Emerging Local Plan support the vitality and viability of Swadlincote town centre and other retail centres considering changes to the Use Class Order and Permitted Development?

EX19: Should the Emerging Local Plan seek to protect the loss of retail, despite the changes to the Use Class Order?

EX20: Should similar retail policies to that of Swadlincote's be applied to Key Service Villages?

EX21: Is there sufficient car parking within Swadlincote, key service villages and local centres?

EX22: Are there any other economy issues and options that should be considered within the Emerging Local Plan?

EX23: Are there other mechanisms to increase tree planting both inside and outside of the National Forest?

EX24: Should the Emerging Local Plan include a policy to encourage the installation of solar panels on existing buildings?

EX25: Should solar power infrastructure (either ground-mount or rooftop) be mandated for new developments (where deemed appropriate)? If so, for what size of development?

EX26: How can community scale renewable energy generation be facilitated through the Emerging Local Plan?

EX27: Should the District adopt energy efficiency standards over and above Building Regulations?

EX28: Should larger developments be required to meet energy consumption and emission targets? If so, what should the thresholds be for such a requirement?

EX29: Should the Emerging Local Plan set lower carbon emissions targets for new homes than set out by Building Regulations? If so, what target do you propose and why?

EX30: Should the Emerging Local Plan include local energy standards for non-residential buildings and/or introduce a BREEAM assessment?

EX31: In response to the Environment Act 2021, what low carbon heating requirements should be included in the Emerging Local Plan?

EX32: Do you support the continuation of the water consumption requirement (110 litres per person per day) within the Emerging Local Plan?

EX33: Do you have any other comments regarding Biodiversity Net Gain and the Emerging Local Plan?

EX34: Question: What else can be done through the Emerging Local Plan to encourage a modal shift towards more sustainable modes of transport?

EX35: Are there any other climate change issues and options that should be considered within the Emerging Local Plan?

EX36: Should the Emerging Local Plan or a subsequent SPD require developers to install the following 'habitat bricks' in all new housing developments:

- a. Small cavity nesting birds? (i.e. swift, house martins and sparrows). If yes, what ratio or percentage per total housing units and why?
- b. Bats? If yes, what ratio or percentage per total housing units and why?
- c. Invertebrates? If yes, what ratio or percentage per total housing units and why?

EX37: Should there be a minimum housing unit number per development for when the installation of 'habitat bricks' would be required? If yes, what should that minimum number be and why?

EX38: Should 'habitat bricks' be required as standard in any other development types? Please list and provide reasoning where appropriate.

EX39: Should the Emerging Local Plan or a subsequent SPD require developers to install 'hedgehog highways' in all new housing developments?

EX40: Should there be a minimum housing unit number per development for when the installation of 'hedgehog highways' would be required? If yes, what should that minimum number be and why?

EX41: Should 'hedgehog highways' be required as standard in any other development types? Please list and provide reasoning where appropriate.

EX42: Are you aware of any sites or land that may be available for habitat creation/restoration to support any biodiversity net gain off site provision?

EX43: Do you consider Policies BNE2 and BNE10 provide a positive strategy for the conservation and enjoyment of heritage assets as required by the NPPF?

EX44: Could Policies BNE2 or BNE10 be strengthened in any way?

EX45: How can the Council effectively engage with your community regarding design for your area? Please state where you are from.

EX46: Are there any other Built, Natural and Historic Environment issues and options that should be considered within the Emerging Local Plan?

EX47: Are the current protections for community facilities strong enough? Could the Emerging Local Plan go further and if so, how?

EX48: Are there any other infrastructure issues and options that should be considered within the Emerging Local Plan?

EX49: Are there any health and wellbeing issues for the District which you consider this document has not identified?

EX50: Are there any other Health and Wellbeing issues and options that should be considered within the Emerging Local Plan?



Appendix 2 – Adopted Local Plan Policies

The wording of Adopted Local Plan Policies can be found below.

Policy INF13 Southern Derby Area and Infinity Garden Village

Development proposals and cross boundary collaboration will be supported in the Southern Derby Area as shown on Map 5 for a mix of uses as part of the Infinity Garden Village development.

In order to implement this development comprehensively and support the required infrastructure delivery, a joint framework document will be prepared to guide the development and cross boundary collaboration between the Council, Derby City Council, Derbyshire County Council and developers.

The development framework document once approved will guide the delivery of the following development in support of the Infinity Garden Village proposal:

- 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 H15 xi) across the Southern Derby Area with consideration to Derby City's Green Wedge policy
- New secondary school (LP2 Policy INF12), the location of which is to be defined by the development framework document
- An A50 junction at Deepdale Lane to serve the Southern Derby Area proposals (LP1 Policy H15 iii)

Until the development framework document is approved, any necessary infrastructure required to deliver the comprehensive approach will be supported.

Policy E7 Rural Development

Development proposals which diversify and expand the range of sustainable employment activities on land outside of settlement boundaries will be supported by the Council provided they support the social and economic needs of the rural communities in the District.

The Council will support proposals for the re-use, conversion and replacement of existing buildings and development of new buildings where:

- i) It is supported by a sound business case;
- ii) The local highway network is capable of accommodating the traffic generated;
- iii) Development will not give rise to any undue impacts on neighbouring land;
- iv) It is well designed and of a scale commensurate with the proposed use
- v) Visual intrusion and the impact on the character of the locality is minimised.

Policy SD2 Flood Risk

- A. When considering development proposals in South Derbyshire, the Council will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. The development of sites with a higher risk of flooding will only be considered where essential for regeneration or where development provides wider sustainability benefits to the community that outweigh flood risk.
- B. Development in areas that are identified as being at risk of flooding will be expected to:



- i) Be resilient to flooding through design and layout;
 - ii) Incorporate appropriate mitigation measures, such as on-site flood defence works and/or a contribution towards or a commitment to undertake and/or maintain off-site measures;
 - iii) Not increase flood risk to other properties or surrounding areas; and
 - iv) Not affect the integrity or continuity of existing flood defences
- C. Suitable measures to deal with surface water will be required on all sites in order to minimise the likelihood of new development increasing flood risk locally. Any developments that could lead to changes in surface water flows or increase flood risk should be managed through the incorporation of Sustainable Drainage Systems (SUDS), which mimic natural drainage patterns, unless this is not technically feasible, or where it can be demonstrated that ground conditions are unsuitable for such measures.
- D. The Council may require developers to restore culverted watercourses within regeneration or development sites to a natural state (i.e. break the channel out of culvert, remove redundant structures, replace/ improve existing structures to a restored watercourse profile) in order to reduce flood risk and provide local amenity and/or ecological benefits.
- E. To contribute to the enhancement of watercourses in accordance with the objectives of the Water Framework Directive, developers will be expected to work with the regulating authorities to develop watercourse restoration schemes.
- F. Proposals for flood management or other infrastructure offering improvements that lower the risk of flooding will be supported, subject to the proposal having no other adverse effects on local amenity and/or flood risk elsewhere. Where new flood related infrastructure is proposed opportunities for delivering environmental improvements including biodiversity gain and green infrastructure delivery should be fully considered by those delivering the project.

Policy BNE2 Heritage Assets

- A Development that affects South Derbyshire's heritage assets will be expected to protect, conserve and enhance the assets and their settings in accordance with national guidance and supplementary planning documents which the authority may produce from time to time.

These assets include:

- i) Conservation Areas
- ii) Scheduled Monuments
- iii) Listed buildings
- iv) Registered historic parks and gardens
- v) Undesignated heritage assets on the local list

- B Particular attention will be paid to:

- i) the heritage of the Trent Valley, including its prehistoric remains, ancient crossing points and the transport heritage of the Trent Navigation, Trent and Mersey Canal, and the railways;
- ii) the complementary relationship that exists in many cases between estate parklands and villages. Often they are integral parts of a conservation area, or form part of a conservation area setting. The management and care of these landscaped grounds is material to the character of the adjacent villages.
- iii) the industrial heritage of Melbourne, Shardlow, Swadlincote and Ticknall. Most of this historic industry has now gone, but the surviving structures and landscape evidence continue to exert a huge influence on the character of these places.



- C The Council will promote the respect for, and protection and care of, the historic environment by:
- i) developing a local list of undesignated heritage assets, covering the same categories as the designated assets in the national list, in accordance with the best practice guidance issued by English Heritage.
 - ii) considering the further use of Article 4 directions, reinforced through grant schemes where possible and enforcement action where necessary.
 - iii) periodic production and updating of conservation area appraisals and management plans.
 - iv) measures to tackle heritage “at risk”, including service of urgent works and repairs notices where necessary.
- D The District Council will work with private owners and developers to bring forward opportunities to secure the long-term future, sensitive use or re-use of under-utilised buildings, and the development of gap sites in conservation areas where development is beneficial to the character and appearance of the area. The District Council will also seek opportunities to improve public access to existing heritage features associated with new development schemes.

Policy BNE10 Heritage

Heritage Applications for development that affects heritage assets, as defined in Policy BNE2, will be determined in accordance with national policy for conserving and enhancing the historic environment. In particular the following will apply:

- all applications should be accompanied by a heritage assessment, prepared with the appropriate expertise, to a level of detail proportionate to the asset’s significance. The assessment should describe the asset’s significance, identify the impact of the proposed development and provide 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
- developments affecting a heritage asset or its setting, including alterations and extensions to existing buildings, will be required to demonstrate how the proposal has taken account of design, form, scale, mass, siting and setting of the heritage asset, in order to ensure that the proposed design is sympathetic and minimises harm to the asset
- the loss of buildings and features which make a positive contribution to the character or heritage of an area should be avoided through preservation or appropriate reuse, including enabling development
- any proposed development which impacts on archaeological remains will be required to be accompanied by an archaeological evaluation of the site and a statement demonstrating how it is intended to overcome the archaeological constraints of the site. Development will be resisted which would result in the loss of or substantial harm to Scheduled Ancient Monuments or other archaeological sites of equivalent significance. Development affecting non-designated archaeological sites will be assessed having regard to the scale of any harm and the significance of the site. In all cases measures will be undertaken to minimise impact and, where



possible, to preserve the site in situ. The District Council will require public display and interpretation where appropriate

- development that will lead to substantial harm to or loss of significance of any other designated heritage asset will be refused, unless it can be demonstrated that the development is necessary to achieve substantial public benefits that outweigh that harm or loss. Where less than substantial harm would result this will be considered against the public benefits of the proposal
- effects of the development on the significance of other non-designated heritage assets on the local list will be assessed having regard to the scale of any harm and the significance of the asset.

Policy SD2 Flood Risk

A When considering development proposals in South Derbyshire, the Council will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. The development of sites with a higher risk of flooding will only be considered where essential for regeneration or where development provides wider sustainability benefits to the community that outweigh flood risk.

B Development in areas that are identified as being at risk of flooding will be expected to:

- i) Be resilient to flooding through design and layout;
- ii) Incorporate appropriate mitigation measures, such as on-site flood defence works and/or a contribution towards or a commitment to undertake and/or maintain off-site measures;
- iii) Not increase flood risk to other properties or surrounding areas; and
- iv) Not affect the integrity or continuity of existing flood defences

C Suitable measures to deal with surface water will be required on all sites in order to minimise the likelihood of new development increasing flood risk locally. Any developments that could lead to changes in surface water flows or increase flood risk should be managed through the incorporation of Sustainable Drainage Systems (SUDS), which mimic natural drainage patterns, unless this is not technically feasible, or where it can be demonstrated that ground conditions are unsuitable for such measures.

D The Council may require developers to restore culverted watercourses within regeneration or development sites to a natural state (i.e. break the channel out of culvert, remove redundant structures, replace/improve existing structures to a restored watercourse profile) in order to reduce flood risk and provide local amenity and/or ecological benefits.

E To contribute to the enhancement of watercourses in accordance with the objectives of the Water Framework Directive, developers will be expected to work with the regulating authorities to develop watercourse restoration schemes.

F Proposals for flood management or other infrastructure offering improvements that lower the risk of flooding will be supported, subject to the proposal having no other adverse effects on local amenity and/or flood risk elsewhere. Where new flood related infrastructure is proposed opportunities for delivering environmental improvements including biodiversity gain and green infrastructure delivery should be fully considered by those delivering the project.



Appendix 3 – Additional Information

Housing Need and Strategy

Settlement Hierarchy

The [Methodology](#) for the existing Settlement Hierarchy assessed settlements which had a compact group (adjacent houses or only minor gaps in-between) of 25 or more dwellings and those settlements with 24 dwellings or fewer which contained a church. The methodology looked at the following services and facilities within settlements:

Criteria	Description
Convenience Shop (capable of fulfilling day to day requirements)	Important in determining the sustainability of a settlement and for day-to-day needs, particularly for those without access to private transport
Bus Service	Provides residents with opportunity to travel to alternative locations by public transport. This is particularly important for those without access to private transport. For settlements to be considered to have a bus service within the Settlement Hierarchy, the service must be hourly or better for the majority of the day in the working week.
Community Centre/Village Hall	Provides a location for community activities and events and a base for local organisations.
Primary School	Play an important role in most settlements. They reduce the need for children to travel long distances to school and, where possible, are within walking distances for children. Only publicly funded schools are considered in this study as they are available to all.
Doctors	Access to doctors is important for health needs. Easy access is important for those without private transport or who struggle to use public transport
Dentist	Access to dentists is important for health needs. Easy access is important for those without private transport or who find using public transport difficult.
Railway Service	Provides residents with opportunity to travel to alternative locations by public transport.
Indoor and Outdoor leisure	Provides recreational facilities and community infrastructure. Indoor leisure includes: Leisure centres, swimming pools and indoor bowls. Outdoor leisure includes: Recreational grounds, football, tennis and cricket pitches, and skate parks (For indoor and outdoor facilities, those that are adjacent to the settlement have been included.)
Post Office	Have traditionally provided a valuable service to rural communities. They provide a range of financial and communication services.
Public House	Provide residents with a place to socialise. Pubs can often act as a focal point of a community.
Library (including mobile)	Provides an affordable access to literature and other media services and supports education. Derbyshire County Council run one mobile library that visits villages without a permanent library.



Employment	<p>Local employment opportunities may reduce people's need to travel by motor vehicle.</p> <p>Due to the rural nature of the District, the majority of settlements outside Swadlincote will not have a large amount of employment provision other than small scale employment such as staff within local shops, schools etc. Therefore, to assess settlements' access to employment, employment provision of over 1000sqm within 2km of a settlement was assessed.</p> <p><i>(Guidelines for Providing Journeys on Foot (2000) indicate that the maximum commuting distance for journeys on foot is 2 km.)</i></p>
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Whilst the services against which the settlements were measured were not weighted as such, greater precedence was given to two services: the convenience store and a bus service. These services are considered to be an essential start for a sustainable community. A convenience store ensures that day-to-day needs are met, and a good bus service ensures that more residents have access to a wide range of services and facilities outside their settlement and also reduces the need to travel by car.

Following the analysis of the service and facilities within each settlement, five settlement categories were established. The settlement categories and qualifying criteria can be seen in table below.

Settlement Category	Description	Qualifying Criteria
Urban Areas	These locations are either adjacent to Swadlincote or to two large scale urban areas within neighbouring authorities. They provide a range of higher order facilities and services and will be widely accessible by public transport. A large proportion of the District's growth will be located within this category. To qualify as an urban area, settlements must have a wide range of higher order facilities and services and a large population.	Wide range of higher order facilities and services
Key Service Villages	These are usually large and contain a wide range of services and facilities. They are considered to be the most sustainable locations for development outside of the urban areas.	Bus service and convenience store plus at least 7 other services
Local Service Villages	Usually, mid-size villages with some services and facilities, but fewer than the Key Service Villages. They could benefit from development of a local scale, but not the level of growth envisaged for Key Service Villages.	Bus service or convenience store and at least 5 other services*
Rural Villages	Typically have a small population and limited services and facilities. They cannot be classified as sustainable settlements and are therefore unsuitable for development of any significant	Limited services and Facilities



	scale.	
Rural Areas	Settlements with a very small population and limited or no services and facilities. They can include areas of ribbon development. Rural areas have not been assessed within the settlement hierarchy due to their population size (number of dwellings within the settlement) and do not contain enough services and facilities to be considered sustainable.	Limited or no services and Facilities
*If a settlement has a bus service and a convenience store, for Local Service Villages, one of these services can count towards one of the five other services required to qualify as a Local Service Village.		

Derby City’s Unmet Housing Need

The NPPF has been updated since the adopted Local Plan, nevertheless, it continues to advocate joint working between strategic policy-making authorities and states joint working should help determine whether development needs that cannot be met wholly within a particular plan area could be met elsewhere. Consequently, this needs to be taken into consideration during the production of the Emerging Local Plan.

“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere” (NPPF paragraph 26).

“..strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas...”⁷¹

Providing the right homes for everyone

First Homes are;

- Discounted by a minimum of 30% (can be 40% or 50%) against the market value;
- Sold to a person or persons meeting the First Homes eligibility criteria;
- On their first sale, have a restriction registered on the property title to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
- after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

The Government expects that at least 25% of all affordable dwellings delivered by developer contributions shall be First Homes. The Emerging Local Plan will need to meet this requirement.

To buy a First Home, purchasers need to meet the following national eligibility criteria:

- Be a first-time buyer;

⁷¹ NPPF paragraph 11b



- Individuals, couple, or group purchasers, should not have a combined annual household income exceeding £80,000 (£90,000 in Greater London) in the tax year immediately preceding the year of purchase;
- A purchaser should have a mortgage or home purchase plan (if required to comply with Islamic Law) to fund a minimum of 50% of the discounted purchase price⁷².

National guidance gives Local Authorities opportunity to set their own eligibility criteria in additional to national criteria. *“This may involve lower income caps (if this can be justified with reference to local average first-time buyer incomes), a local connection test, or criteria based on employment status... Authorities can therefore prioritise key workers for First Homes, and are encouraged to do so, especially if they have an identified local need for certain professions...”*⁷³ Your views are sought on this in Question EX9.

First Homes exception sites must be proportionate to the size of the settlement next to which they are proposed. The Government encourages local planning authorities to set out policies which specify their approach to determine the proportionality of First Home exception sites and the evidence required to assess this.

Economy

Some key employment statistics for the District are as follows:

Business demography

- In 2021 South Derbyshire had 3,800 enterprises (an enterprise can be thought of as the overall business, made up of all the individual sites or workplaces)⁷⁴. Since 2013 there has been a 9.8% increase in enterprises in the District.
- In 2020 9.4% of new business (as a percentage of active enterprises) were created, this is slightly lower than Derbyshire’s (9.7%) and also lower than England’s (12.1%) average⁷⁵.
- Most of the enterprises within the District employ 0-9 people (90.9%).⁷⁶
- Businesses operating in the Professional, Scientific and Technical sector are the most common in South Derbyshire, followed by construction⁷⁷.

⁷² Planning Practice Guidance First Homes, Paragraph: 007 Reference ID: 70-007-20210524

⁷³ Planning Practice Guidance First Homes, Paragraph: 008 Reference ID: 70-008-20210524).

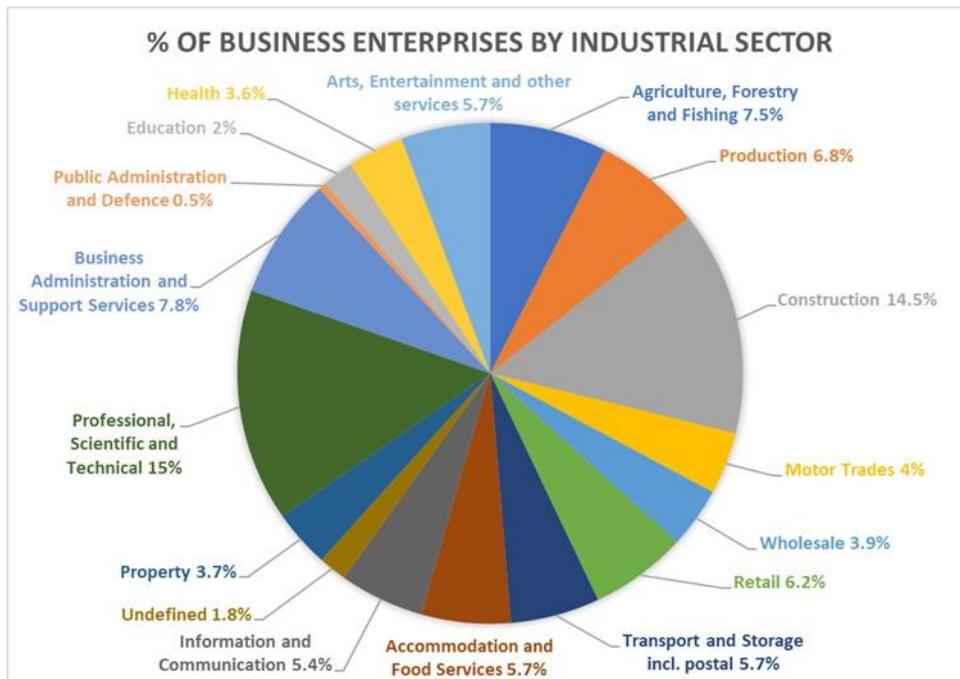
⁷⁴ [UK Business Counts, 2021, ONS \(NOMIS\) via Derbyshire Observatory](#)

⁷⁵ [Business Demography 2020, ONS, via Derbyshire Observatory](#)

⁷⁶ [UK Business: Activity, Size and Location 2021, ONS \(Via Derbyshire Observatory\)](#)

⁷⁷ [UK Business, Activity, Size and Location \(2021\) ONS \(NOMIS\), via Derbyshire Observatory](#)





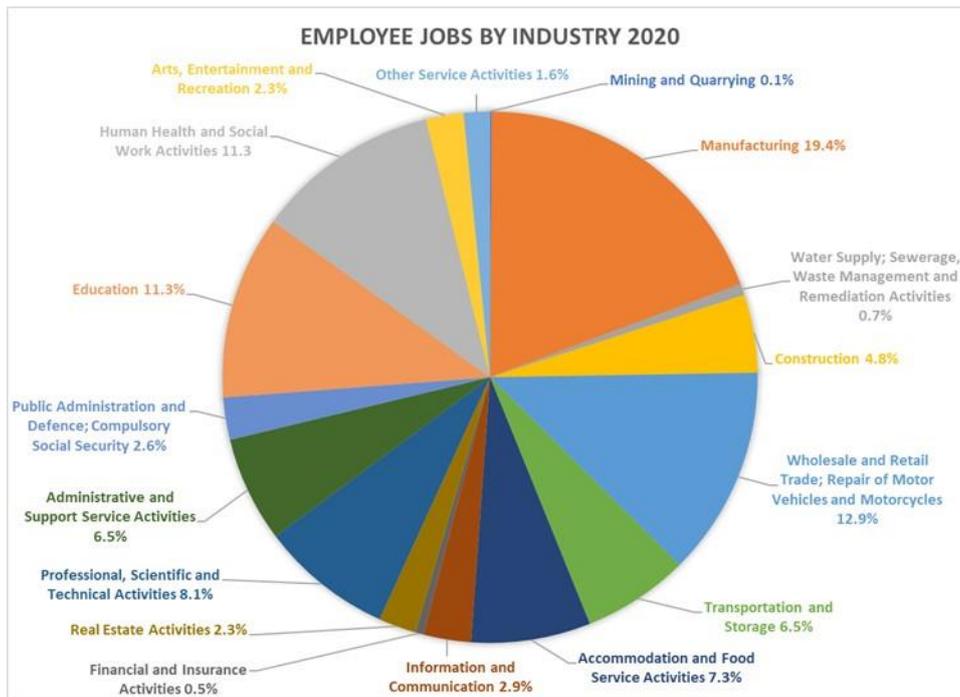
Jobs and Employment

- The percentage of economically active residents employed within the District is higher than the British average (80.4% compared to 74.8 % nationally (January 2021- December 2021))⁷⁸
- 67.7% of the 31,000 people employed in South Derbyshire are full time and 32.3% are part time.⁷⁹
- Data from the 2011 census shows that 28,253 residents commute out of South Derbyshire to work, with the majority going to Derby, followed by East Staffordshire and 14,322 people travel into the District mainly from East Staffordshire followed by Derby.
- In terms of employee jobs by industry, manufacturing has the highest number of employees within the District (19.4%). This percentage is higher than the East Midlands and British averages (12.4 % and 7.9% respectively) (2020).⁸⁰

⁷⁸ [Source: ONS annual population survey via Nomis](#)

⁷⁹ [Source: ONS Business Register and employment survey via Nomis](#)

⁸⁰ [ONS Business Register and Employment Survey via Nomis](#)



Earnings

- The median male full time workers gross weekly pay for employees living within the District is higher than the East Midlands and nationally (£676.30 South Derbyshire, £613.40 East Midlands, £655.50 Great Britain (2021)).⁸¹
- The median female full time workers gross weekly pay for employees living in the District is higher than the East Midlands but lower than nationally (£548.10 South Derbyshire, £508 East Midlands, £558.10 Great Britain (2021)).⁸²

Jobs and skills profile

- 33% of South Derbyshire residents (aged 16-64) are qualified to NVQ Level 4 and above compared to 35.6% in the East Midlands and 43.5% nationally.⁸³
- 50.2% of residents of South Derbyshire are employed in higher level occupations (managers, directors, senior officials, and professional and technical roles) compared to 43.6% in the East Midlands and 49.7% nationally. However, there are fewer residents (12.1%) employed in administrative and secretarial and skills trade occupations (major groups 4-5) compared to 20.2% in the East Midlands and 19.0% in Great Britain, and more residents (19.7%) employed as process plant machine operatives and elementary operatives (major groups 8-9) compared to the East Midlands (18.8%) and Great Britain (15.1%).⁸⁴

⁸¹ [ONS annual survey of hours and earnings via Nomis](#)

⁸² [ONS annual survey of hours and earnings via Nomis](#)

⁸³ [ONS Annual Population Survey via Nomis](#)

⁸⁴ [ONS annual population survey 2021 via Nomis](#)

Protecting Employment Sites

Since the adoption of the Local Plan the Government has changed the way land is categorised within the Use Class Order. Since September 2020, B1 Business and its three sub use classes B1(a), B1(b) and B1(c), are now included within a new single use Class E 'Commercial, business and services', along with other uses. Changes between any use within Class E can take place without requiring planning permission. Consequently, previous B1 uses can now be turned into the following uses without permission: shops, financial and professional services, cafes/restaurants, indoor sports/fitness, medical health facilities and crèche/nurseries. In addition, Class E uses can be turned into a dwellinghouse (Class C3), subject to certain conditions and limitations, including prior approval.

The adopted Local Plan contains Policy E3 Existing Employment Areas, which seeks to protect existing employment uses (including previous use class B1(b) and B1(c)) from redevelopment, unless certain criteria can be met, including demonstrating that there is no demand of the site or premises for B1, B2 and B8 use. The NPPF now requires that Local Planning Authorities take a positive approach to applications for alternative use of land, which are not allocated in the plan, but would help meet an identified need.

Furthermore, of relevance both to this issue and to that of retail below, is the NPPF's policy on removing or restricting permitted development rights permitted development rights; paragraphs 53-54 state:

"The use of Article 4 directions to remove national permitted development rights should:

- where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre)
- in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)
- in all cases, be based on robust evidence, and apply to the smallest geographical area possible.

Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so."



Retail

Policy RTL1 'Retail Hierarchy' of the adopted Local Plan sets out the Retail Hierarchy of the District.

RTL1 Retail Hierarchy

1. Town Centre – Swadlincote

2. Local Centres

Existing

- Castleton Park
- Church Gresley
- Newhall
- High Street, Woodville

Proposed

- Boulton Moor
- Chellaston Fields
- Drakelow
- West of Mickleover
- Wragley Way
- Highfields Farm

3. Other Centres in Key and Local Service Villages

- Aston on Trent
- Etwall
- Hatton
- Hilton
- Melbourne
- Overseal
- Repton
- Shardlow
- Willington
- Linton
- Coton in the Elms
- Findern
- Hartshorne
- Mount Pleasant
- Netherseal
- Newton Solney
- Rosliston
- Ticknall
- Weston on Trent

It is anticipated that the existing Retail Hierarchy will be carried forward into the Emerging Local Plan, with any necessary amendments required, including adding any proposed local centres required to meet need arising from proposed allocations.

National policy states that Local Plans should support a 'town centre first approach', directing main town centre uses (such as shops and restaurants) to designated centres. This element of the existing Local Plan policy should therefore remain unchanged in the Emerging Local Plan.



National Policy requires that Local Planning Authorities apply a sequential test to main town centre uses. Main town centre uses should be located in town centres where possible, then in edge of centre locations if suitable sites are not available. This approach taken in the adopted Local Plan should therefore remain unchanged within the Emerging Local Plan.

Out-of-centre retail development may still be allowed where it is supported by a Retail Impact Assessment. This is a way of assessing whether new development would harm the vitality and viability of existing centres. The nationally set threshold for requiring an Impact Assessment is 2,500sqm. The current Local Plan reduced the applicable threshold to 1,000sqm. Your views on continuing this approach into the Emerging Local Plan are sought.

The change in the Use Class Order in September 2020 incorporated A1, A2, A3 and A4 uses into a new Class E. This will inevitably result in the loss of town centre retail floor space to other uses within Class E and could also lead to the rise of residential uses within retail centres, as Class E uses can now be converted into a dwelling subject to conditions and limitations, with prior approval.

Adopted Policy RTL1 seeks to resist the loss of retail units subject to a list of criteria. However, due to changes to the use Class Order, this policy will no longer be able prevent various changes and retail units can be lost without the requirement for planning permission. This could make it difficult to manage the retail centres within the District; conversely it may be argued that the new Use Class Order provides swifter flexibility for town and retail centres to respond to changing circumstances.

Tackling the Climate Change Emergency

All developments are required to reduce carbon dioxide emissions through the following sequence of priorities, as set out in the energy hierarchy:

[New-Homes-Policy-Playbook-January-2021.pdf \(ukgbc.org\)](#)

Local Planning Authorities are however constrained by national legislation in respect of implementing policies which improve the energy efficiency of the fabric of a building. The Planning and Energy Act 2008 allows Local Planning Authorities to set energy performance standards above Building Regulations for non-housing development. However, for new housing or the adaption of buildings to provide dwellings, Local Planning Authorities can set a higher requirement by Building Regulations, up to the requirement of Level 4 of the Code for Sustainable Homes (approximately 20% above current Building Regulations).

In the 2019 Spring Statement, the Government committed that that by 2025, it would introduce a Future Homes Standard (FHS,) which would require new build homes to be future proofed with low carbon heating and world leading levels of energy efficiency. The Government consulted on two options, which would commence from 2020:

Option 1: 20% reduction in carbon emissions compared to the current standard for an average home built to Building Regulations 2013 Part L requirements. The Government anticipates that this could be delivered by very high fabric standards (typically with triple glazing and minimal heat loss from walls, ceilings and roofs).

Option 2: 31% reduction in carbon emissions compared to the current standard for an average home built to Building Regulations 2013 Part L requirement. The Government anticipates this could be delivered based on the installation of carbon-saving technology such as photovoltaic (solar) panels and better fabric standards, though not as high as in option 1 (typically double not triple glazing).



In January 2021 the Government published its response to the FHS consultation and reconfirmed the FHS and stated that it would not be implemented until 2025.

In addition, in January 2021 the Government published the Future Building Standards (FBS) consultation, this built on the FHS and presented the Government's ideas on energy and ventilation standards for non-domestic buildings. Among other things two options regarding non-domestic buildings were provided:

Option 1 - intended to deliver an average 22% improvement in CO2 emissions per building, compared to the current Part L standard, across the build-mix of non-domestic buildings. The Government expect this would typically be delivered by an increase in the efficiency of building services, and through on-site low carbon technology such as heat pumps or photovoltaic panels.

Option 2 - intended to deliver an average 27% improvement in CO2 emissions per building, compared to the current Part L standard, across the build-mix of non-domestic buildings. This is the Government's preferred option, and it is expected that this would typically be delivered by very high fabric standards, resulting in lower levels of heat loss from windows, walls, floors and roofs, improved services such as lighting, and low carbon technologies such as heat pumps or photovoltaic panels

In December 2021 the Government published its response to the FBS consultation and stated that it would not be implemented until 2025. Uplift to current Buildings would however come into effect in June 2022, where CO2 emissions for new homes shall be around 30% less than current standards and emissions from other new buildings, including offices and shops, must be reduced by 27%.

In the immediate term the Government has stated that they will not amend the Planning and Energy Act 2008, which means that local planning authorities will retain powers to set local energy efficiency standards. The Government however has stated that as uplifts to Building Regulations are made, and Future Homes Standard implemented "it is less likely that local authorities will need to set local energy efficiency standards in order to achieve our shared net zero goal"⁸⁵.

Community energy

Community energy covers aspects of collective action to reduce, purchase, manage and generate energy. Community energy projects have an emphasis on local engagement, local leadership and control and the local community benefiting collectively from the outcomes.

Community-led action can often tackle challenging issues around energy, with community groups well placed to understand their local areas and to bring people together with common purpose.

There are many examples of community energy projects across the UK, with at least 5000 community groups undertaking energy initiatives in the last five years. Examples of community energy projects include:

- Community-owned renewable electricity installations such as solar photovoltaic (PV) panels, wind turbines or hydroelectric generation.
- Members of the community jointly switching to a renewable heat source such as a heat pump or biomass boiler.
- A community group supporting energy saving measures such as the installation of cavity wall or solid wall insulation, which can be funded wholly or partly by the Green Deal.

⁸⁵ The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings Summary of responses received and Government response, p21



- Working in partnership with the local Distribution Network Operator (DNO) to pilot smart technologies.
- Collective purchasing of heating oil for off gas-grid communities
- Collective switching of electricity or gas suppliers.⁸⁶

Biodiversity Net Gain

The 25 Year Environment Plan published in 2018, set out how the UK Government intends to leave the environment in a better state than when it was inherited. In 2018, the Government consulted on making biodiversity net gain mandatory for new development through the planning system. These provisions will help to make biodiversity a prominent consideration in development. The Environment Act 2021 sets out the framework for biodiversity net gain requirements whilst leaving some detail to be provided through secondary legislation, policy, and guidance.

The Government will work with planning authorities throughout the transition period to assess how biodiversity net gain BNG is working in practice and what early refinements can be made to the approach introduced by the Environment Act.

Mandating BNG through the Environment Act 2021 and the secondary legislation that follows will establish a consistent set of requirements and necessary exemptions which give developers clarity as to how they can meet their net gain obligations.

The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures.

Planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity. An applicant may also propose measures to achieve biodiversity net gain through a unilateral undertaking. The work involved may, for example, involve creating new habitats, enhancing existing habitats, providing green roofs, green walls, street trees or sustainable drainage systems. Relatively small features can often achieve important benefits for wildlife, such as incorporating 'swift bricks' and bat boxes in developments and providing safe routes for hedgehogs between different areas of habitat.

Benefits could be achieved entirely on-site or by using off-site gains where necessary. Off-site measures can sometimes be secured from 'habitat banks', which comprise areas of enhanced or created habitats which generate biodiversity unit 'credits'.

The biodiversity gains and losses of a development will be measured in 'biodiversity units', using a metric which uses habitats as a proxy for biodiversity and calculates units by taking account of the type, extent and condition of habitats. Natural England has recently published biodiversity metric 3^[1] which, subject to further consultation and any further updates, is expected to be the metric specified for mandatory BNG.⁸⁷

New or improved habitat needs to be located where it can best contribute to local, national and international biodiversity restoration, including the Nature Recovery Network proposed in the 25

⁸⁶ <https://www.gov.uk/guidance/community-energy>

⁸⁷ Natural England (July 2021) Biodiversity Metric 3.0 <https://www.gov.uk/guidance/biodiversity-metric1|calculate-the-biodiversity-net-gain-of-a-project-or-development>



Year Environment Plan, locally identified ecological or green infrastructure networks and biodiversity opportunity areas. Providing BNG close to where people live can improve access to nature and bring health and wellbeing benefits⁸⁸.

Sustainable Modes of Transport

Planning policies should, among other considerations: support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for major activities; be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned; identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; and provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking.⁸⁹

Transport was the largest emitting sector in the UK in 2020 and road vehicles make up around 90% of transport emissions each year⁹⁰. On 18th November 2020 the Government announced the end of the sale of new petrol and diesel cars in the UK by 2030 and from 2035 all new cars and vans will be fully zero emission at the tailpipe⁹¹.

A typical battery electric car is estimated to save 65% of the greenhouse gas emissions of an equivalent petrol car⁹².

⁸⁸ Planning Policy Guidance, Paragraph 027

⁸⁹ NPPF, Paragraph 106

⁹⁰ Department for Business Energy and Industrial Strategy, 2020 UK Greenhouse Gas Emissions [2020 UK final greenhouse gas emissions statistics: one page summary \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90422/2020-uk-final-greenhouse-gas-emissions-statistics-one-page-summary.pdf)

⁹¹ <https://www.gov.uk/government/news/government-takes-historic-step-towards-net-zero-with-end-of-sale-of-new-petrol-and-diesel-cars-by-2030>

⁹² [Ricardo-AEA for DfT \(2021\). Lifecycle Analysis of UK Road Vehicles.](#)



Appendix 4 – Useful Links

Amber Valley Borough Council Emerging Local Plan [Local Plan 2021 - 2038](#)
ambervalley.gov.uk

Derby City Council Emerging Local Plan [Emerging local plan - Derby City Council](#)

Planning Policy for Traveller Sites [Planning policy for traveller sites - GOV.UK \(www.gov.uk\)](#)

Planning Practice Guidance [Planning practice guidance - GOV.UK \(www.gov.uk\)](#)

The National Planning Policy Framework [National Planning Policy Framework - GOV.UK](#)
www.gov.uk

The River Mease Partnership [Home - River Mease Partnership](#)

South Derbyshire Adopted Local Plan (2011-2028) [Adopted Local Plan | South Derbyshire District Council](#)

South Derbyshire Local Plan Review Evidence Base [Local Plan Review Evidence Base | South Derbyshire District Council](#)



Appendix 5 – Glossary

Active Enterprise: Is defined as a business that either has turnover or employment at any time during a particular period of time⁹³.

Affordable Housing: Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/ or is for essential local workers); and which complies with one or more of the definitions set out in the NPPF regarding:

- a) Affordable housing for rent
- b) Starter homes
- c) Discounted market sales housing
- d) Other affordable routes to home ownership: including shared ownership; relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent).

Authority Monitoring Report: The monitors the performance of South Derbyshire's planning policies and the extent to which we are meeting the targets within the Local Development Scheme

Biodiversity: The word 'biodiversity' comes from the term 'biological diversity'. It encompasses the whole natural world and living things, including plants, animals, microorganisms, bacteria from all ecosystems. This includes diversity within species, between species and of ecosystems.

Biodiversity Net Gain: Biodiversity net gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.

Blue Infrastructure: Encompasses rivers, canals, wetlands and ponds, together with open areas of sustainable drainage systems, comprising of watercourses, swales and attenuation basins.

Community Infrastructure Levy: Is a levy that local authorities in England and Wales can choose to charge on new developments in their area. In areas where a Community Infrastructure Levy is in force, landowners and developers must pay the levy to the local council. The charges, set by the local council and independently examined, are based on the size and type of the new development. The money raised from CIL is used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.

Community Facilities: Facilities used by local communities for leisure and social purposes where the primary purpose of the facility is for the public benefit. Examples of community facilities would include, but not exclusively, village halls, community centres and meeting places, places of worship, cultural buildings, non-profit sporting facilities and play areas.

Conservation Areas: A conservation area is an area of special architectural or historic importance, the character of which it is desirable to preserve or enhance.

Consultation Statement: A document setting out who and how consultees have been consulted during the local plan preparation, a summary of the main issues raised by representatives and how responses have been taken into consideration during the plan preparation.

⁹³ [Business Demography 2020 ONS](#)



Design code: “A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area”⁹⁴.

Design Guide: A document providing guidance on how development can be carried out in accordance with good design practice.

Development Plan Document’s: Are planning policy documents which make up the Local Plan.

Enterprise: An enterprise is the overall business, made up of all the individual sites or workplaces.⁹⁵

Evidence Base: The information and data gathered by local authorities to justify the soundness of the policy approach within the Local Plan and supporting documents.

Green Belt: A statutory designation of land, which fundamental aim is to prevent urban sprawl by keeping land permanently open. The five purposes of Green Belt as set out in the National Planning Policy Framework are:

- To check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special characteristics of historic towns and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Green Infrastructure: The physical environment within and between cities, towns and villages. It is a network of multi-functional green spaces, including formal parks, open spaces, gardens, woodland green corridors and open countryside.

Green Wedges: “Green wedges comprise the open areas around and between parts of settlements, which maintain the distinction between the countryside and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities”⁹⁶.

Gross Value Added (GVA): Total economic output measures the GVA of the economy due to the production of goods and services⁹⁷.

Gypsy and Traveller: “Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such”⁹⁸.”

⁹⁴ [NPPF Glossary](#)

⁹⁵ [UK Business Counts, 2021, ONS \(NOMIS\) via Derbyshire Observatory](#)

⁹⁶ [Planning Portal Glossary](#)

⁹⁷ [Derbyshire Observatory – Productivity](#)

⁹⁸ [Planning Policy for Traveller Sites, 2015, DCLG](#)

Gypsy Traveller Accommodation Assessment (GTAA): The appraisal of accommodation needs for Gypsy and Travellers and Travelling Showpeople.

Health Impact Assessment: Is a tool to identify and optimise the health and wellbeing impacts of planning.

Heritage Asset: A building or other structure of historic importance.

First Homes: Are a specific kind of discounted market sale housing and meet the definition of affordable housing.

First Home Exception Sites: This is a housing development that primarily delivers First Homes, which comes forward on land not located for housing in local or neighbourhood plans. First Homes exception sites cannot come forward however in rural areas or in the Green Belt.

Freeports: Are special areas within the UK's borders where different economic regulations apply.

Infrastructure: The network of communications and utility services such as drains, water, gas, electricity, roads and telecommunications required to enable the development of land. The term is also used to describe social and community services such as schools, public transport, shops and libraries.

Infrastructure Delivery Plan: Details the strategic infrastructure required in order to deliver the growth planned for within the Local Plan.

Listed Building: A building of special architectural or historic interest, considered to be of national importance.

Local Centre: A group of shops and services which generally serve the immediate local area.

Local Plan: A Development Plan Document, which plans for the future development within an administrative area, drawn up by local planning authorities in consultation with communities and other stakeholders.

M4(2) Accessible and Adaptable Homes: Is an optional technical standard which Local Authorities can require within policy, to help meet a identified need. M42 dwellings makes reasonable provision for most people to access the dwelling and incorporate features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users⁹⁹.

M4(3) Wheelchair user dwellings: Is an optional technical standard which Local Authorities can require within policy, to help meet an identified need. M4(3) dwellings makes reasonable provision for a wheelchair user to live in the dwelling and use and associated private outdoor space, parking and communal facilities that may be provided for the use of the occupants¹⁰⁰.

Main Town Centre Uses: “Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness

⁹⁹ [The Building Regulations 2010: Access to and use of Buildings M](#)

¹⁰⁰ [The Building Regulations 2010: Access to and use of Buildings M](#)

centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)”¹⁰¹.

National Design Model Code: “provides detailed guidance on the production of design codes, guides and policies to promote successful design.”¹⁰²

National Design Guide: The guide “illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice”.¹⁰³

Nationally Described Space Standards: Set out a minimum requirement for internal living space, reflective of the proposed occupancy of a new dwelling. It sets out the requirement for gross internal floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

National Forest: A national project for woodland creation, economic revival and tourism.

National Planning Policy Framework (NPPF): Document containing national policy on planning.

Nationally Significant Infrastructure Projects (NSIP’s): Are large scale developments (relating to energy, transport, water or waste). They require a Development Consent Order. This is how ‘planning permission’ is granted for such projects. The Secretary of State makes the final decision on NSIP’s.

Neighbourhood Planning: The Localism Act 2011 gave communities the power to established general planning policies for the development and use of land in a neighbourhood such as where new homes and offices should be built and what they should look like (within Neighbourhood Development Plan).

Open Space: All open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.

Permitted Development Rights: “Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application.”¹⁰⁴

Pitch (Gypsy and Traveller Site): A designated place for a family of Gypsies or Travellers to live.

Planning Practice Guidance: Provides guidance to supplement the content of the National Planning Policy Framework and is prepared and published by Central Government.

Plot: A designated space for the caravan(s) for a family of Travelling Showpeople.

Primary Frontage: Defined area where retail development is concentrated.

Rail Freight: The use of rail to transport goods.

¹⁰¹ [NPPF Glossary](#)

¹⁰² [National Design Model Code](#)

¹⁰³ [National Design Guide](#)

¹⁰⁴ [Government Guidance: When is permission required? paragraph: 016 Reference ID: 13-016-20140306](#)

Registered Historic Parks and Gardens: Are parks and gardens of historic interest in England. The register is managed by Historic England.

Renewable Energy: Energy produced by a sustainable source that avoids the depletion of earth's finite resources. Renewable energy sources include the sun, wind, ocean energy and biomass.

Retail Impact Assessment: Is required as part of an application for retail development outside of retail centres. It assesses whether new development would harm the vitality and viability of existing centres.

Rural Exception Sites: A site which would not normally secure planning permission for housing due to being outside of a settlement boundary but is allowed for development solely for affordable housing.

Scheduled Monument: Is a site that is legally protected because of its historical importance.

Secretary of State (SOS): Is the most senior Government Minister responsible for the work in his/her department. Department for Communities and Local Government are the department responsible for planning.

Section 106 Agreements: Is a legal agreement which Councils can be entered into with a developer where it is necessary to provide contributions to offset negative impacts caused by construction and development. Examples include the provision of affordable housing, new open space, and funding for school places.

Self-Build and Custom housebuilding: Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual.

Sequential approach (sequential test): is a decision-making tool designed to steer new development to areas with the lowest risk of flooding, in preference to those areas at high risk of flooding.

Standard Method: This is a way of calculating the minimum number of homes expected to be planned for in an area that addresses household growth and historic under-supply.

Strategic Flood Risk Assessment (SFRA): Is a strategic assessment of flood risk which identifies flooding from all sources across the District.

Strategic Housing Market Assessment (SHMA): Analysis of the housing market advising on the types of housing need in different areas and the need for affordable housing.

Supplementary Planning Documents (SPD): Documents which add further details to policies in the Development Plan.

Sustainability Appraisal (SA): A systematic review of the District's Local Plan policies in order to evaluate their impacts on achieving sustainable development. The SA assesses the environmental, economic and social impacts of the Plan.

Sustainable Drainage Systems (SUDS): Are a sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse.



Sustainable Travel/ Sustainable Transport: Usually means walking, cycling and public transport, which is generally less damaging to the environment than use of the private car.

Travelling Showpeople: “Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily¹⁰⁵.”

Use Class Order: Puts land and buildings into various categories known as 'Use Classes'.

Viability Assessment: A tool used to ensure that planning policies and their cumulative costs do not undermine the deliverability of the plan.

¹⁰⁵ [Planning Policy for Traveller Sites, 2015, DCLG](#)



REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	25 JANUARY 2024	CATEGORY:
		DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS 07971 604326 Steffan.saunders@southderbyshire.gov.uk	DOC:
SUBJECT:	GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (2023)	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Committee notes the content of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment Report (GTAA) (April 2023) shown in Appendix 1
- 1.2 Authorise the publication of the GTAA on the Councils website once the GTAA has been approved by all councils involved in commissioning it.

2.0 Purpose of the Report

- 2.1 To allow the Committee to note the content of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire GTAA Report (April 2023) shown in Appendix 1 and to seek authorisation to publish this on the Councils website. This will then be used as evidence to inform Local Plan production.

3.0 Executive Summary

- 3.1 The National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS) require local planning authorities to make their own assessment of need for Gypsy and Travellers to inform the preparation of local plans and to make planning decisions.
- 3.2 RRR Consultancy Ltd were commissioned to produce a GTAA for Derby, Derbyshire (includes South Derbyshire), Peak District National Park Authority and East Staffordshire in November 2019, a final draft of this report was received in July 2023.

The GTAA has assessed the needs for Gypsy and Travellers, Travelling Showpeople, boat dwellers (i.e. residential moorings) and residential caravans (not for gypsies and travellers) within the District between 2020-2024.

- 3.3 The GTAA has identified the following need (pitch) requirement in South Derbyshire for both the Ethnic and the PPTS definition of Gypsy and Travellers, the exact number will be determined by the definition that the Council chooses to apply.

Period	Need (number of pitches) using the Ethnic definition	Need (number of pitches) using the PPTS definition
2020-25	20	14
2025-30	12	11
2030-35	13	12
2035-40	14	13
2020-40	59	50

- 3.4 The assessment concludes that there is no need for Travelling Showpeople plots within the District.
- 3.5 The assessment determines that South Derbyshire has sufficient potential residential moorings for residential boat dwellers within the District.
- 3.6 The assessment identifies the need for 14 residential caravan pitches within South Derbyshire.

Period	Pitches
2020-25	5
2025-30	3
2030-35	3
2035-40	3
2020-40	14

- 3.7 The GTAA report will be used as evidence to inform the revised Local Plan, which will be subject to further committee approval. At the current time the approach to addressing the needs identified have not been developed and therefore Members are not being asked to consider this aspect further. It is likely that detailed allocations for gypsy and traveller sites would need to be considered within the updating of part 2 of the Local Plan and there will be options to allocate sites for gypsy and traveller accommodation as part of larger sites for bricks and mortar housing.

4.0 Detail

Gypsy and Travellers

- 4.1 The NPPF and PPTS requires local planning authorities to make their own assessment of need for Gypsy and Travellers to inform the preparation of local plans and to make planning decisions.
- 4.2 RRR Consultancy Ltd were commissioned to produce a GTAA for Derby, Derbyshire (includes South Derbyshire), Peak District National Park Authority and East Staffordshire in November 2019. The consultants undertook the following in order to calculate the pitch requirement:
- 1) Review of secondary information and analysis of secondary data (including the Councils record of authorised and unauthorised sites).

- 2) Face to face and telephone surveys with the Gypsy and Traveller community undertaken in January 2022, covering a range of issues related to accommodation and service needs
- 3) An online survey and interviews with key stakeholders providing qualitative data regarding accommodation needs of Gypsy and Travellers.

4.3 The production of the GTAA has taken a considerable length of time. Following its commission, the Covid 19 Pandemic commenced which led to delays in consulting with Gypsy and Traveller households. Further delays have occurred due to the number of commissioning authorities involved who have each had to collect and collate their respective data and review and suggest revisions to the draft reports.

4.4 All consultations with Gypsy and Traveller households during the pandemic were made in a Covid safe manner via telephone, email and face-to-face surveys. It should be noted that the response rate to the Gypsy and Travellers survey within the district is 95%, compared to the other commissioning authorities who achieved a 100% response rate. The consultants do not however, consider that this would affect the outcome or credibility of the assessment as it is still a representative sample.

4.5 The number of unauthorised Gypsy and Traveller sites, feeds into the Gypsy and Traveller need calculation. At the time of producing the GTAA there were no unauthorised pitches within the District.

4.6 The Assessment provides two needs calculations based on two different definitions of 'gypsy and traveller', these are 'ethnic need' and the 'PPTS need'. The Ethnic definition includes the need to calculate a requirement for people who identify as a gypsy or travellers but have ceased to travel and now reside in bricks and mortar. In 2015 the PPTS amended its definition of Gypsy and Travellers to; *"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."* Therefore the PPTS definition excludes those who have ceased to travel permanently from the Gypsy and Traveller needs requirement.

4.7 It will be up to the Council when drafting the Local Plan to determine which definition is the most appropriate to apply. The GTAA recommends that the ethnic definition is adopted as this would ensure that the requirement for gypsy and traveller pitches is met and that the authority is able to demonstrate an understanding of the overall accommodation needs of all households who ethnically identify as a Gypsy or Traveller. There is also recent caselaw that supports provision for this wider definition. The report does, however, also say that the Council could choose to adopt the PPTS 2015 definition, and that the further requirement (to meet the ethnic definition) could be met via windfall planning applications which they recommend could be assessed against a Local Plan criteria-based policy.

4.8 The Assessment has identified the following pitch requirements for gypsy and travellers based on both the Ethnic and PPTS definition.

Period	Need (number of pitches) using the Ethnic definition	Need (number of pitches) using the PPTS definition
2020-25	20	14
2025-30	12 Page 149 of 381	11

2030-35	13	12
2035-40	14	13
2020-40	59	50

The need figure in the initial period (2020 – 2025) is based new family formations expected to arise from within existing family units on existing occupied permanent authorised pitches within the District, family units currently overcrowded (or hidden family members) on pitches seeking residential pitches in the area includes provision for gypsy and travellers that have been identified as living in overcrowded accommodation (hence it's slightly higher than in subsequent years). The assumption is that from 2025 onwards the needs figure is based upon new family formations expected to arise from within existing family units on existing occupied permanent authorised pitches within the District plus a natural population growth rate.

- 4.9 The Ethnic definition also includes an allowance for gypsy and travellers' family units who currently reside in bricks and mortar housing but with a psychological aversion to housed accommodation.
- 4.10 The relatively high requirement for the District (particularly in relation to the other commissioning authorities) is as a result of the Districts historic success in discharging its duty towards the gypsy and travelling community in providing suitable Gypsy and Travellers pitches. The high number of existing authorised pitches (based on the methodology for calculating need above) means that the future requirement in the District will also be high due to the population growth arising from these sites. The District is also considered an attractive place for Gypsy and Travellers to reside, due to its central geographic location providing access to a good road network.
- 4.11 The report recommends that local planning authorities incorporate a criteria-based policy in their local plan. A criteria based policy (such as Policy H22 in the Adopted Part 1 Local Plan) will continue to be included within the emerging Local Plan Part 1 and will be used in the determination of gypsy and traveller planning applications. Allocations of gypsy sites could be considered in the process of a review of part 2 of the plan.
- 4.12 The GTAA, in relation to transit pitches, recommends that local authorities adopt a negotiated stopping policy and suggest that it could be implemented on an individual local authority, across the study area or countywide basis. A negotiated stopping place policy involves Gypsy and Traveller caravans being authorised to stay on either an unauthorised site or moved to suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. It is worth noting in relation to this recommendation that the Council is one on only three of the commissioning authorities who already provide transit pitches within their area.

Travelling Showpeople

In terms of Travelling Showpeople, the assessment concludes that there is no need for Travelling Showpeople plots within the District.

Residential Boat Dwellers

- 4.13 The assessment identified the need for residential moorings (for residential boat dwellers) within the Study Area, however concluded that South Derbyshire has sufficient potential residential moorings.

Residential Caravan Dwellers

4.14 Residential caravan dwellers are residents who reside in caravans permanently, usually in Caravan Parks and are separate to Gypsy and Travellers. The term pitch is also used in the context of residential caravan dwellers (and means an area on a site development for a family unit to live).

4.15 The methodology for calculating the need for residential caravan dwellers set out within the assessment was based on the following:

- Number of mobile park homes/sites in the local authority area
- Total number of mobile homes/park homes units in the local authority area
- Number of current and potential vacant pitches
- Level of demand

4.16 It should be noted that the calculation does not include residential caravan pitches that are occupied as second or holiday homes.

4.17 The report states that there are 6 residential caravan sites within the District providing 176 pitches. This led to the assessment identifying the following need for residential caravan dweller pitches within South Derbyshire:

Period	Pitches
2020-25	5
2025-30	3
2030-35	3
2035-40	3
2020-40	14

5.0 Financial Implications

5.1 The study has been carried out within the existing Local Plan budget.

6.0 Corporate Implications

Employment Implications

6.1 There are no employment implications arising directly from this report.

Legal Implications

6.2 The study has been carried out so the Council is compliant with the requirement to plan for the needs of Gypsy and Travellers as set out within the NPPF and PPTS.

Corporate Plan Implications

6.3 The GTAA identifies the future needs of Gypsy and Travellers, Travelling Showpeople, and residential boat and caravan dwellers within the District up to 2040. This is in line with Our People section of the Corporate Plan which states “Working with communities and meeting the future needs of the District”.

Risk Impact

6.4 None identified at this time.

7.0 Community Impact

Consultation

7.1 Preparation of the assessment involved consultations with Gypsy and Travellers, Local Authorities, and other Key Stakeholders.

Equality and Diversity Impact

7.2 Gypsy and Travellers are protected from discrimination by the Equality Act 2010. The GTAA establishes need for Gypsy and Traveller pitches within the District up to 2040. The evidence base document will feed into the emerging Local Plan, which will establish how to meet this need.

Social Value Impact

7.3 The document establishes need for Gypsy and Traveller pitches, Traveling Showpeople and residential boat and caravan dwellers within the District up to 2040. The evidence base document will feed into the emerging Local Plan, which will establish how to meet this need.

Environmental Sustainability

7.4 None.

8.0 Conclusions

8.1 The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment should be published on the Councils website following Committee approval to be used as future evidence for Local Plan production.

9.0 Background Papers

- Appendix 1: Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment, April 2023.

Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment

Report July 2023

RRR Consultancy Ltd

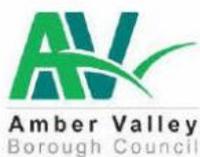


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Introduction

- S1. This report details the findings from the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA). The report was commissioned by Derbyshire County Council, together with its partner authorities of Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, Derby City Council, Derbyshire Dales District Council, High Peak Borough Council, North East Derbyshire District Council, the Peak District National Park Authority, and South Derbyshire District Council, as well as neighbouring East Staffordshire Borough Council.
- S2. The requirement to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople is established through national guidance contained in Planning Policy for Travellers (DCLG, 2015). Throughout the report this policy will be referred to as PPTS 2015 or simply PPTS.
- S3. To achieve the study aims, the research drew on a number of data sources including:
- Review of secondary information: a review of national and local planning policies and recently undertaken GTAAs, and analysis of secondary data. This included analysis of the most recently published (July 2022) Department for Levelling Up, Housing and Communities (DLUHC) Traveller Caravan Count to determine trends in the population of Gypsies and Travellers¹.
 - An online survey, and telephone interviews with key stakeholders providing qualitative data regarding the accommodation needs of Gypsies, Travellers, Travelling Showpeople and boat dwellers.
 - Extensive face-to-face and telephone surveys of Gypsies, Travellers and Travelling Showpeople, in January 2022, covering a range of issues related to accommodation and service needs.
- S4. The consultation was undertaken in a Covid-19 safe manner i.e. it followed government guidance and restrictions. However, this meant that consultation with households was delayed and some consultation was undertaken using remote methods e.g. over the telephone.
- S5. The above provided an extensive range of quantitative and qualitative data enabling a robust and reliable assessment of accommodation needs.

¹ Please note that due to Covid-19 restrictions the Traveller Caravan Count did not take place in July 2020 or January 2021.

Policy context

- S6. In August 2015, the Government published its amended planning policy for traveller sites, which replaced the previous guidance and circulars relating to Gypsies and Travellers and Travelling Showpeople. The guidance emphasised the need for local authorities to use evidence to plan positively and manage development. Whilst it is clear that the 2015 PPTS excludes those who have ceased to travel permanently as being Gypsies and Travellers (for planning purposes), it does not explicitly state how the new definition should be interpreted in relation to other factors such as whether families travel for economic or work purposes.
- S7. Given differences in defining Gypsies and Travellers this GTAA provides two need figures: first, one based on the ethnic identity definition; and second, based on the needs of families who have *not* permanently ceased to travel (i.e. based on the PPTS 2015 definition).
- S8. The local authorities' planning policies within the study area set criteria for meeting the accommodation needs of Gypsies, Travellers, Travelling Showpeople, and boat dwellers. The updated evidence provided by the 2022 GTAA will help determine whether the local authorities' planning policies will need to be revised.

Population Trends

- S9. [REDACTED]
- S10. [REDACTED]. It should be borne in mind that the amount of land needed for a Travelling Showpeople plot is greater than that for Gypsy and Traveller pitches because of the mixed use of the plots. For clarity, we refer to Travelling Showpeople 'plots' rather than 'pitches', and 'yards' rather than 'sites' to recognise the differences in design.

S11. [REDACTED]

S12. [REDACTED]

[REDACTED] The DLUHC July 2022 Count shows that there is some variation in the number of caravans in each local authority [REDACTED] and 138 in South Derbyshire. [REDACTED]

S14. When the population is taken into account the density of caravans varies. [REDACTED] Local planning authorities with densities above the study area average include [REDACTED] South Derbyshire (129), [REDACTED]

S15. In relation to unauthorised encampments, the study area local authorities do not keep consistent records e.g. the number of vehicles involved or length of stay. However, it can be determined that between January-March 2016 and April-June 2020 [REDACTED] unauthorised encampments took place in the study area. [REDACTED] unauthorised encampments [REDACTED] in South Derbyshire (14%). [REDACTED]

Stakeholder Consultation

- S16. Consultation with stakeholders (service providers) was conducted to provide in-depth qualitative information about the accommodation needs of Gypsies, Travellers and Travelling Showpeople. The aim of this section of the assessment was to consider the views of service providers regarding accommodation needs within the study area. Due to Covid-19 restrictions the consultation took the form of an online survey and telephone consultation.
- S17. It was generally acknowledged that there is a lack of accommodation provision throughout the study area. Also, it was noted that whilst provision throughout the study area is uneven there was unmet demand even in those areas where provision was relatively high. It was felt that a lack of transit provision can lead to unauthorised encampments. Some stakeholders suggested that local authorities have a duty of care to support families residing on unauthorised encampments.
- S18. Although the preferred accommodation type for many Gypsy, Traveller and Travelling Showpeople families may be small sites located on land owned by themselves, the consultation acknowledged difficulties in Gypsy, Traveller and Travelling Showpeople either buying or developing land for new accommodation. This is acknowledged throughout this report.
- S19. It was noted that there can be cultural differences between Gypsies and Travellers living in bricks and mortar accommodation and members of the settled community. Local authorities should include Gypsy and Traveller categories on ethnic monitoring forms to improve data on population numbers, particularly in housing. Also, there needs to be better sharing of information between agencies which deal with the Gypsy and Traveller community.

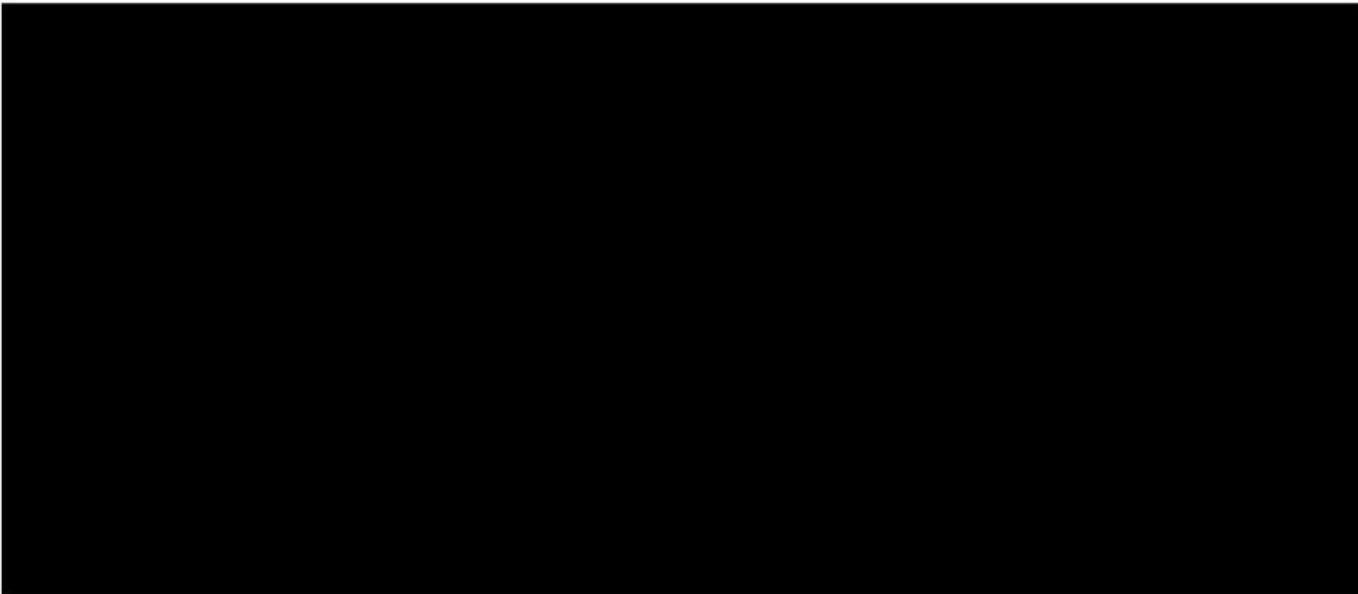
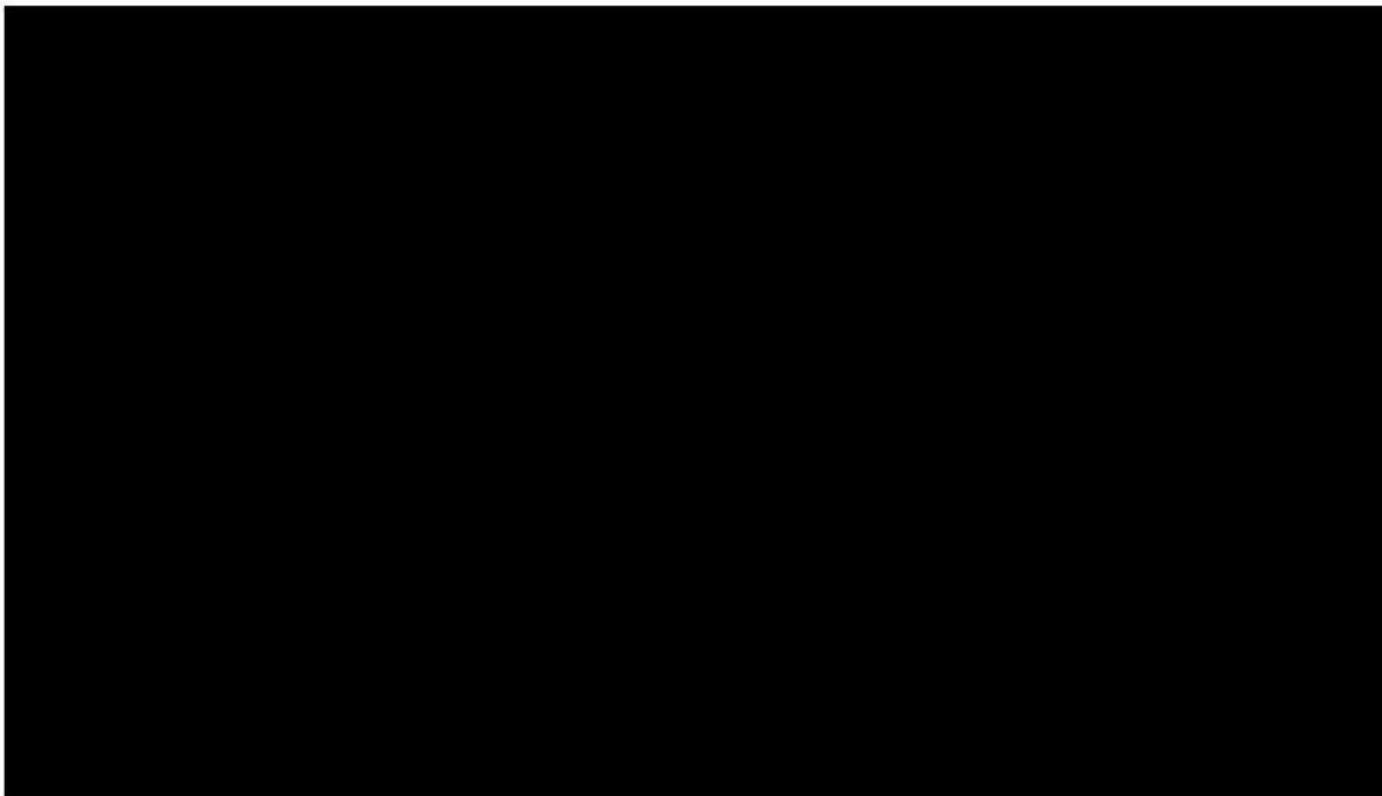
Consultation with households

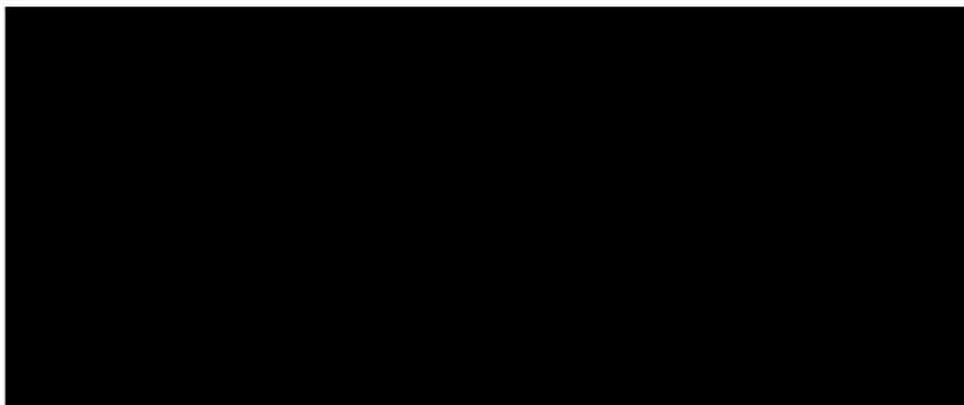
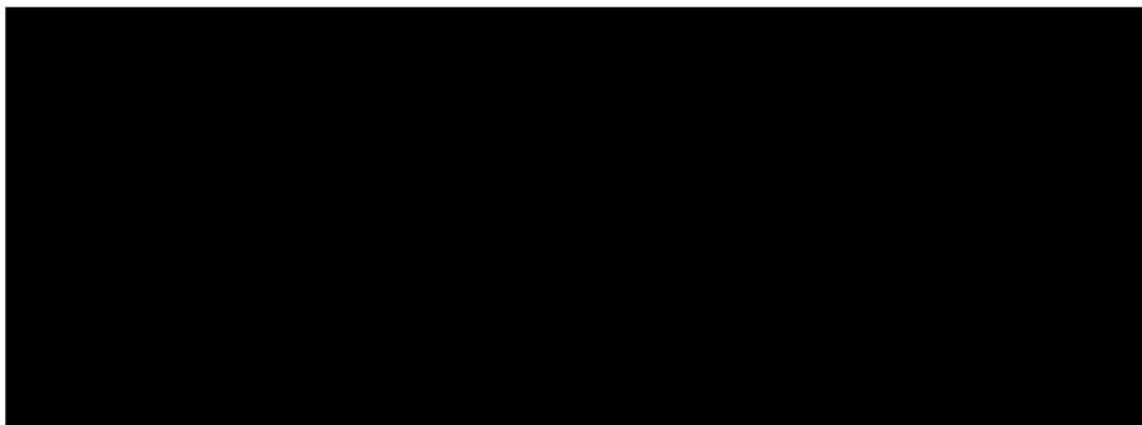
- S20. *RRR Consultancy* undertook consultation with the Gypsy, Traveller, and Showpeople families as well as site and yard managers and owners. The combination of local authority data, site / yard visits and consultation with households (and key stakeholders) helped to clarify the status of pitches and plots i.e. which provisions are occupied, vacant, overcrowded, and occupied by household members with accommodation needs. The consultation was undertaken in a Covid-19 safe manner i.e. it followed government guidance and restrictions. However, this meant that consultation with households was delayed, and some consultation was undertaken using remote methods e.g. over the telephone.

Accommodation needs

- S21. Accommodation needs in the study area were assessed using analysis of primary and secondary data. The accommodation needs calculation steps were based on a model in accordance with both previous (2007) and current Practice Guidance (2015) issued by the

Department for Communities and Local Government (DCLG). Although the 2007 guidance was withdrawn in 2016, it remains useful as a model to determine accommodation needs. It contains seven basic components; five assessing needs and two assessing supply, which are applied to each sub-group, based on primary data.





Transit provision

S24. In relation to transit provision, whilst recognising there are ■ transit pitches within the study area, the GTAA recommends the adoption of a negotiated stopping policy which involves caravans being sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. It is recommended that local authorities, on an individual or collective basis, consider the development of transit sites, but with negotiated stopping place policy as the main means of addressing transit need.

Conclusions

S25. It is recommended that each study area local planning authority determines for itself which of the accommodation needs figures in relation to Gypsies and Travellers it chooses to prioritise in its Local Plan. This GTAA recommends adopting the 'ethnic' definition accommodation needs figures i.e. meeting the accommodation needs of all households who ethnically identify as Gypsies and Travellers. This will not only demonstrate knowledge of the overall accommodation need of all Gypsies and Travellers, but also how the accommodation needs in relation to households not meeting the PPTS definition are being addressed.

S26. Alternatively, the local authorities may adopt the 'PPTS 2015' definition accommodation needs figures with the difference between the PPTS 2015 figures and Ethnic' definition

being an additional need that the council(s) may choose to meet. This means that the local authorities would firstly meet the need of [REDACTED] the obligation but accept the need of a further [REDACTED] as potential needs in the area if further applications are brought forward through windfalls. It is important to note that this only refers to Gypsies and Travellers and not Travelling Showpeople.

- S27. It is also recommended that the local planning authorities incorporate into their local plans a criteria-based policy which takes into consideration any planning applications that might materialise over the plan period from households not considered by this assessment. This could include households residing on unauthorised developments, unauthorised encampments, due to in-migration, and those residing in bricks and mortar accommodation. This accommodation needs should be considered separate to the need identified below and could be met through windfall applications.
- S28. As well as quantifying accommodation needs, the study also makes recommendations on other key issues including:

Accommodation needs:

- In relation to Gypsies and Travellers and Travelling Showpeople it is recommended that the local authorities work closely with the families to determine how their accommodation needs can best be met.
- Also, for the local authorities to provide pre-planning application advice to households who have identified land to help determine if it is suitable to address accommodation needs.
- In order to meet the accommodation needs of Showpeople it is also recommended that the local authorities work closely with yard owners to determine how the proposed land that they have already identified, and other potential land could meet their current and future accommodation needs.
- Dependent upon meeting planning requirements (etc), it is recommended that the local authorities review the sites and yards with temporary permission and consider making them permanent, and to review the unauthorised sites and yards and consider them gaining permanent status.

Planning policy:

- Implement corporate policy to provide negotiated stopping arrangements to address unauthorised encampments for set periods of time at agreed locations.
- To liaise with owners of the sites and yards to determine how they could expand the number of pitches to meet the family's accommodation needs.
- To consider how the accommodation needs can be met by expanding existing provision and/or providing new sites and yards.
- To consider alternative options for developing new sites and yards such as sites developed on a cooperative basis, shared ownership, or small sites owned by a local authority, but rented to families for their own use.

- To consider alternative site funding mechanisms such as: site acquisition funds; loans for private site provision through Community Development Financial Institutions; and joint ventures with members of the Gypsy and Traveller, Showpeople and boat dweller communities.
- Prior to action being taken against a site which is being used without planning permission, the local authority, in partnership with the landowner, occupants and relevant agencies (e.g. Showmen's Guild and National Federation of Gypsy Liaison Groups), to review its current, historic, and potential planning status.
- To consider safeguarding Gypsy, Traveller and Travelling sites and Showpeople yards with permanent planning permission for their current use unless it can be demonstrated that they are no longer required to meet accommodation needs.
- The population size and demographics of the Gypsy, Traveller, Travelling Showpeople and boat dweller communities can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.

Management:

- Housing organisations need to consider the type of housing allocated to Gypsies and Travellers residing in bricks and mortar in order to minimise the psychological aversion and feelings of isolation.
- Develop a holistic vision for their work on Gypsies and Travellers and embed it in Community and Homelessness Strategies, Local Plans and planning and reporting obligations under the Equality Act 2010.
- Provide training and workshop sessions with local authority and service provider employees (and elected members) to help them to further understand issues relating to the Gypsy, Traveller, and Showpeople communities.
- In liaison with relevant enforcement agencies such as the police to develop a common approach to dealing with unauthorised encampments.
- Encourage local housing authorities to include Gypsy and Traveller categories on ethnic monitoring forms to improve data on population numbers, particularly in housing.
- Better sharing of information between agencies in relation to Gypsy and Traveller, Travelling Showpeople and boat dweller communities.
- During the ongoing Covid-19 related restrictions placed on the communities, determine help and support the local authorities and other services could provide to the households

1. Introduction

Study context

- 1.1 This report details the findings from the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA). The report was commissioned by Derbyshire County Council, together with its partner authorities of Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, Derby City Council, Derbyshire Dales District Council, High Peak Borough Council, North East Derbyshire District Council, the Peak District National Park Authority, and South Derbyshire District Council², as well as neighbouring East Staffordshire Borough Council.
- 1.2 The requirement to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople is established through national guidance contained in Planning Policy for Traveller Sites (DCLG, 2015).

Methodological context

- 1.3 To achieve the study aims, the research drew on a number of data sources including:
- Review of secondary information: a review of national and local planning policies and recently undertaken GTAAs, and analysis of secondary data. This included analysis of the most recently published (July 2022) Department for Levelling Up, Housing and Communities (DLUHC) Traveller Caravan Count to determine trends in the population of Gypsies and Travellers.
 - An online survey, and interviews with key stakeholders providing qualitative data regarding the accommodation needs of Gypsies, Travellers, Travelling Showpeople,
 - Extensive telephone, email and face-to-face surveys of Gypsies, Travellers, and Travelling Showpeople, covering a range of issues related to accommodation and service needs. This key element of the methodology provided an extensive range of data enabling future accommodation needs to be assessed.
- 1.4 The above provided an extensive range of quantitative and qualitative data enabling a robust and reliable assessment of accommodation needs. The consultation was undertaken in a Covid-19 safe manner i.e. it followed government guidance and restrictions. However, this meant that consultation with households was delayed, and some consultation was

² Please note that the accommodation needs of Gypsies and Travellers residing in Erewash Borough are being assessed as part of a separate GTAA being undertaken on behalf of Nottinghamshire local authorities.

undertaken using remote methods e.g. over the telephone. The 2022 GTAA incorporates any accommodation needs identified by previous GTAAs but not fulfilled by January 2022.

Geographical context of Derbyshire

- 1.5 The County of Derbyshire (including Derby City) has an estimated population of 1,056,880 (2021) covering an area of 262,832 hectares. Derbyshire is largely rural with a relatively low average population density. There is one city and 28 towns which play a significant role in the local economy as employment hubs and providers of services. The County includes the boroughs of Amber Valley, Chesterfield, High Peak, and Erewash and the districts of Bolsover, Derbyshire Dales, North East Derbyshire and South Derbyshire and encircles the unitary authority of Derby City. Derby City makes a significant contribution to the Derbyshire economy.
- 1.6 Derbyshire is relatively well served by nationally important roads including the M1 motorway and the A628, A52, A50, A516 and A38 trunk roads as well as regional and other locally important routes. Most of Derbyshire has good rail links to major cities including Derby, Nottingham, Leicester, London, Birmingham, Sheffield, Manchester and Leeds. The County Council area is a net exporter of commuters; Derby, Sheffield and Nottingham are the most important cities to the county in terms of the supply of labour and of jobs.
- 1.7 Derbyshire has high quality landscapes, including the majority of the Peak District National Park and part of the National Forest, and a rich and diverse cultural heritage, including the Derwent Valley Mills World Heritage Site and Creswell Crags. These are important assets to the county's economy but there is a need to ensure development contributes to the protection and enhancement of these assets. The abundance of fast flowing rivers, the main ones being the Trent, Derwent and Dove, provided the basis for water-powered industries leaving a legacy of mills and mill sites. The rivers also present a significant challenge in terms of climate change, and there are a number of existing flood risk management schemes in Derbyshire. The county's historic transport infrastructure has also contributed to the development of the area and some of these assets remain, including Swarkestone Bridge and old trade routes such as salt routes.
- 1.8 The County has experienced major change over recent years with significant job losses within the manufacturing, metals, heavy engineering, textiles and coal mining industries. However, manufacturing still makes up around a sixth of the total industry in Derbyshire, with a long history of aerospace manufacture (Rolls Royce, employing 12,000 people) and railway engineering (Bombardier, employing 3,000 people) in Derby itself. More recently, there has been significant investment in new industrial sites, such as at Markham Vale, as well as major inward investment including the Toyota plant at Burnaston. In the north west of the County, traditional quarrying and agriculture, tourism, and leisure activities all contribute to a diversifying local economy, although there is also strength in manufacturing.

- 1.9 In March 2021 the County (including Derby City) had 650,972 employees (80.6% of the population aged 16-64 years)³. The unemployment rate in December 2021 was 3.0% (including Derby City) but rates vary across the county: the lowest was in Derbyshire Dales (1.9%), the highest was in Derby City (5.5%). Youth unemployment (under 25-year-olds) in October 2021 was 5.3% compared to 4.7% in the East Midlands and 5.5% in England. It is important to consider that the lockdown and social distancing measures introduced by the UK government in response to the Covid-19 pandemic in mid-March 2020 have impacted on the county's economy and are likely to do so for the foreseeable future.
- 1.10 Around a sixth (16.8%) of employees in the County work in manufacturing including 5.4% employed in high technology manufacturing (2019) and 3.1% employed in medium-high technology manufacturing (2019). The county (including Derby City) is home to 150 large companies (employing 250 people or more) representing around a fifth of all large companies in the East Midlands.
- 1.11 Average earnings in Derbyshire are £29,596 per annum compared with £29,102 per annum in the East Midlands. However, earnings vary throughout the county with the lowest at £26,008 per annum in Derbyshire Dales, and the highest at £40,772 per annum in Derby City.

Geographical context of East Staffordshire

- 1.12 According to the draft East Staffordshire Local Plan 2012-2031 (October 2015) the Borough occupies a strategic position on the edge of the West Midlands boundary, adjacent to the East Midlands and has significant social and economic links with both. Its growth and character have been influenced by its rural location, the accessibility of the region and the existence of raw materials which have provided the basis for employment-led growth. The Borough is characterised by a mix of urban and rural areas and the principal town of Burton upon Trent dominates the housing and employment provision, supported by the smaller market town of Uttoxeter.
- 1.13 The Borough is an important crossroads for a number of strategic transport routes; Burton upon Trent is situated on the intersection of two major strategic roads, the A38 which links the town to Birmingham and M6 Toll Road (and the Greater Birmingham & Solihull Local Enterprise Partnership area) and Derby with the A50 which is an important west-east route linking the M6 and M1. Uttoxeter is also located on the A50 which provides the town with links to Stoke on Trent and Burton upon Trent. The A5121, A515, A444 and A511 local routes also serve Burton⁴.

³ Derbyshire Observatory May 2020 located at: <https://observatory.derbyshire.gov.uk/economy/>

⁴ East Staffordshire Local Plan 2012-2031 (October 2015) p.26

- 1.14 The latest population estimate (2021) of the borough is 120,977⁵ (an increase of 6.5% since 2011). In economic terms, there is a strong brewing and manufacturing legacy in the Borough which contains a number of large companies including JCB, Argos, Pirelli, Molson Coors and Fox's Biscuits, Unilever, Boots and SuperGroup⁶. The borough has a varied economic base with 4,760 VAT registered businesses.
- 1.15 Total employment in the borough is around 65,000 (2019) people⁷. Economic restructuring in recent years has seen a rapid growth of service sector industries. In particular there has been significant growth in the distribution, warehousing, hotels and restaurants sector in Burton due mainly to the town's excellent location and the availability of land.

Map of the study area

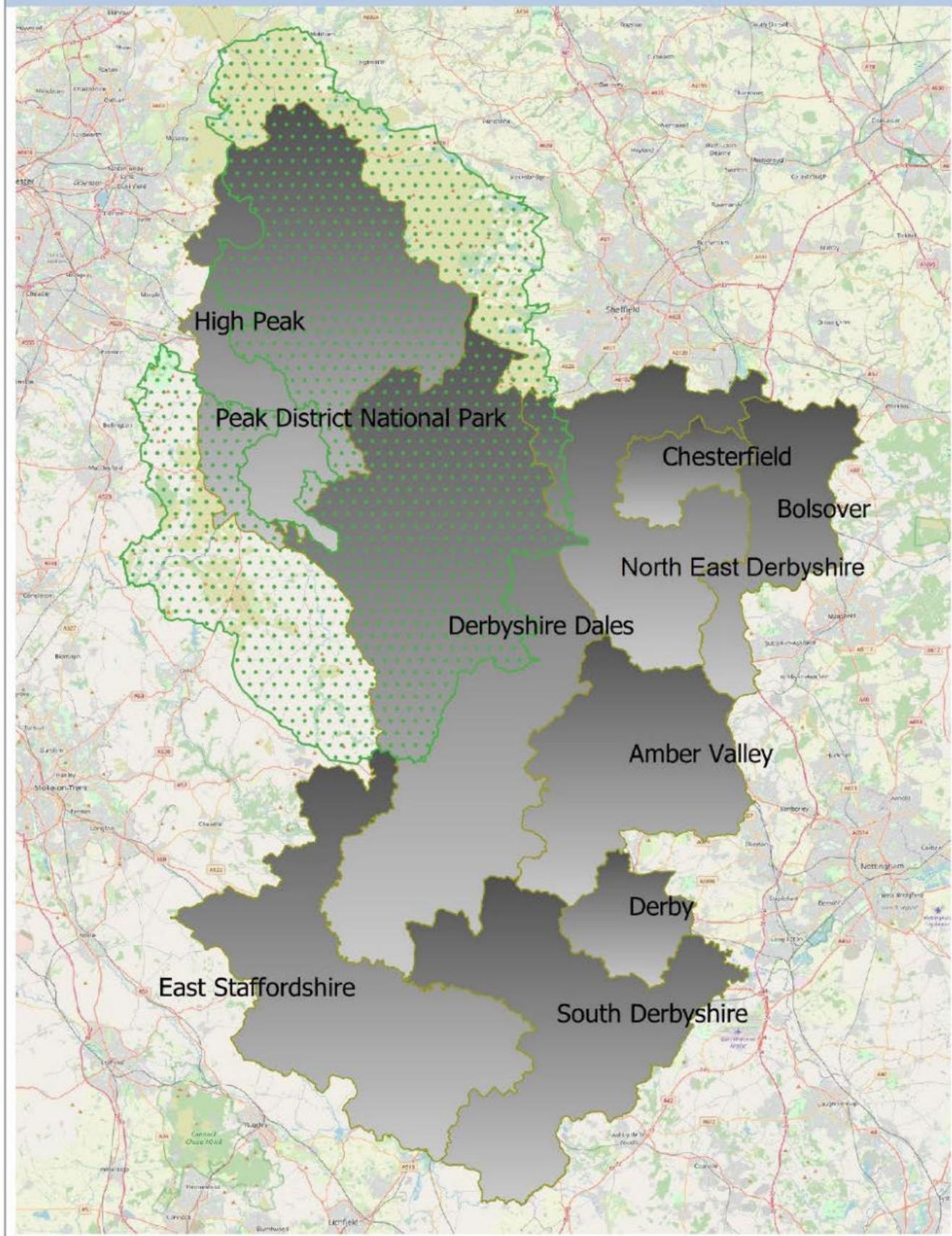
- 1.16 A map of the study area is shown below. Please note that the local authority areas are shaded in grey (with yellow boundaries), whilst the local authority areas covered by the Peak District National Park are shaded in green (with a green boundary).

⁵ Estimated 2020 population based on 2018 ONS subnational projections

⁶ East Staffordshire Local Plan 2012-2031 (October 2015) p.26

⁷ NOMIS Local authority profile June 2021.

Figure 1.1 GTAA Study Area



Source: ONS boundary data 2022

Summary

- 1.17 Planning Policy for Traveller Sites (PPTS) (August 2015) reiterates the need for local authorities to evidence the accommodation needs of Gypsies and Travellers and to determine the number, type and location of new provision.
- 1.18 PPTS (2015) amended the definition of Gypsies and Travellers for planning purposes⁸ and requires local planning authorities to set pitch targets for Gypsies and Travellers, and plot targets for Travelling Showpeople as defined in Annex 1, to address the likely permanent and transit site accommodation needs in local areas. The needs of remaining Travellers will be informed by local housing needs assessments.
- 1.19 The purpose of this assessment is to quantify the accommodation needs of Gypsies, Travellers, Travelling Showpeople, and boat dwellers in the study area between 2020 and 2040. This is in terms of permanent pitches/plots, sites/yards, and transit sites and/or negotiated stopping arrangements for Gypsies and Travellers and Travelling Showpeople, and permanent and transit moorings for boat dwellers. The results will be used as an evidence base for policy development in housing and planning.
- 1.20 To achieve the study aims, the research drew on several data sources including: a review of secondary information; consultation with organisations involved with Gypsy and Traveller, Travelling Showpeople, and boat dwellers, and extensive surveys of the traveller groups. These provided an extensive range of quantitative and qualitative data enabling a robust and reliable assessment of accommodation needs.

⁸ Please see paragraph 2.4

2. Policy context

Introduction

- 2.1 To assess the current policy context, existing national and local planning policy and guidance documents discussed below have been examined to determine what reference is made to Gypsy and Traveller, and Travelling Showpeople issues.
- 2.2 The intention is to summarise key national and local policies and examine the findings of GTAAAs recently undertaken by neighbouring authorities. Furthermore, understanding the current position will be important in the development of future strategies intended to meet accommodation needs and housing related support need among Gypsies and Travellers, and Travelling Showpeople.

National Policies

National Planning Policy Framework

- 2.3 The National Planning Policy Framework (July 2021) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. The Framework should be read in conjunction with the Government's planning policy for traveller sites. It states that a five-year supply of deliverable sites for Travellers – as defined in Annex 1 to Planning Policy for Traveller Sites (August 2015) – should be assessed in line with the policy in that document.

DCLG Planning Policy for Traveller Sites (PPTS) (August 2015)

- 2.4 In August 2015 the Government published its amended planning policy for traveller sites, which replaced the previous guidance and circulars relating to Gypsies and Travellers and Travelling Showpeople. The guidance emphasised the need for local authorities to use evidence to plan positively and manage development. The PPTS requires local authorities to work with neighbouring local authorities to determine transit and permanent pitch and plot targets. It states that in assembling the evidence base necessary to support their planning approach, local authorities should:
- effectively engage with traveller communities
 - co-operate with traveller groups to prepare and maintain an up-to-date understanding of the likely permanent and transit/emergency accommodation needs of their areas
 - and use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions

- 2.5 There are some key differences between the March 2012 and August 2015 versions of the PPTS. One important amendment relates to the change in the definitions of Gypsies, Travellers, and Travelling Showpeople. The August 2015 PPTS changed the definition to exclude households who have permanently ceased to travel – in effect, for planning purposes, PPTS 2015 regards such households as members of the settled community.

Definition Context

- 2.6 In August 2015, the DCLG amended its definition of Gypsies and Travellers⁹, as set out below:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

In determining whether persons are "gypsies and travellers" for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of residing a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

- 2.7 Unlike Gypsies and Travellers, Travelling Showpeople are not considered to be an ethnic minority. Although some Gypsies and Travellers may earn a living as 'travelling showpeople', Travelling Showpeople as a group do not consider themselves to belong to an ethnic minority¹⁰.
- 2.8 According to DCLG (August 2015) guidance on planning policy for traveller sites, the definition of Travelling Showpeople is:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.¹¹

⁹ DCLG, Planning Policy for Traveller Sites, August 2015.

¹⁰ DCLG, Consultation on revised planning guidance in relation to Travelling Showpeople, January 2007, p. 8

¹¹ DCLG, Planning Policy for Traveller Sites, August 2015.

- 2.9 Also, for the purposes of Gypsy and Traveller Accommodation Assessments (GTAA's), Travelling Showpeople are included under the definition of 'Gypsies and Travellers' in accordance with The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006, and the draft guidance to local housing authorities on the periodical review of housing needs (March 2016). It recommends that Travelling Showpeople's own accommodation needs and requirements should be separately identified in the GTAA¹². To ensure it is following DCLG guidance, this GTAA adheres to the definition of Gypsies, Travellers and Travelling Showpeople as defined by the DCLG 'Planning Policy for Traveller Sites' (August 2015) (see above).
- 2.10 It is important to note that Gypsies and Travellers and Travelling Showpeople have separate accommodation needs requirements. Different terminology is used to distinguish between Gypsy and Traveller accommodation and Travelling Showpeople. Gypsies and Travellers occupy pitches on sites, while Travelling Showpeople occupy plots on yards. As well as space for residing quarters, Travelling Showpeople also require additional space in order to store and maintain large equipment.
- 2.11 Whilst it is clear that the 2015 PPTS excludes those who have ceased to travel permanently as being Gypsies and Travellers (for planning purposes), it does not explicitly state how the new definition should be interpreted in relation to other factors such as whether families travel for economic or work purposes.
- 2.12 One interpretation is that 'a nomadic habit of life' means travelling for an economic purpose. Previous case law e.g. *R v Shropshire CC ex p Bungay* (1990) and *Hearne v National Assembly for Wales* (1999) has been used to support this point. There is nothing within PPTS 2015 which indicates that Gypsy or Traveller status (for planning purposes) is solely derived from whether there is any employment-related travelling. Also, such case law precedes the August 2015 definition change and it is believed that there has not yet been any case law in relation to the updated definition. However, a report published by the Equalities and Human Rights Commission (EHRC) (September 2019) has critiqued reliance on the 'work interpretation' method¹³.
- 2.13 Importantly, on 31 October 2022, the Court of Appeal determined that PPTS 2015 was discriminatory in relation excluding households who had permanently ceased to travel from being recognised (for planning purposes) as Gypsies and Travellers. The case relates to Lisa Smith who resides on a site occupied by Ms Smith, her husband, their children and grandchildren. The judgment determined that PPTS 2015 characterises nomadic Gypsies and Travellers as different from Gypsies and Travellers who, as a result of age or disability,

¹² DCLG, *Planning Policy for Traveller Sites*, August 2015 and DCLG, *Draft Guidance to local housing authorities on the periodical review of housing needs (Caravans and Houseboats)* March 2016.

¹³ See: <https://www.equalityhumanrights.com/en/publication-download/gypsy-and-traveller-sites-revised-planning-definition%E2%80%99s-impact-assessing>

are no longer able to travel. This creates sub-classes of an ethnicity which ‘seems to sit uneasily with the stated aim of PPTS 2015 to facilitate the “traditional” way of life” of Gypsies and Travellers, and not simply the “nomadic” way of life’. The judgement concluded that the objective of PPTS 2015 in excluding households from being defined as Gypsies and Travellers was not ‘fairness’.

- 2.14 Given the above, our approach is to use a methodology which provides first, an accommodation need figure based on ethnic identity and second, a figure based on the PPTS (August 2015). Different GTAA's reach differing conclusions on which approach / definition to adopt and it is for local authorities to decide individually which approach to take for planning purposes. It is recommended that this is kept under review in the light of evolving appeal decisions and case law. This GTAA recommends adopting the ‘ethnic’ definition accommodation needs figures i.e. meeting the accommodation needs of all households who ethnically identify as Gypsies and Travellers. This will not only demonstrate knowledge of the overall accommodation need of all Gypsies and Travellers, but also how the accommodation needs in relation to households not meeting the PPTS definition are being addressed. An alternative is the adoption of the PPTS figure and for the difference between the PPTS and ethnic based need to be covered by a criteria-based policy.

*DCLG Review of housing needs for caravans and houseboats: draft guidance (March 2016)*¹⁴

- 2.15 In March 2016 DCLG published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances, for example:

- Caravan and houseboat dwelling households:
 - who have no authorised site anywhere on which to reside
 - whose existing site accommodation is overcrowded or unsuitable, but who are unable to obtain larger or more suitable accommodation
 - who contain suppressed households who are unable to set up separate family units and
 - who are unable to access a place on an authorised site, or obtain or afford land to develop their own site.

- Bricks and mortar dwelling households:

¹⁴ See <https://www.gov.uk/government/publications/review-of-housing-needs-for-caravans-and-houseboats-draft-guidance>. Although it remains in draft form, correspondence to *RRR Consultancy* from the MHCLG dated 17 May 2021 confirms that the government remains committed to finalising the guidance.

- Whose existing accommodation is overcrowded or unsuitable ('unsuitable' in this context can include unsuitability by virtue of a person's cultural preference not to live in bricks-and-mortar accommodation).
- 2.16 Importantly, in respect of this report, the draft guidance states that assessments should include, but are not limited to, Romany Gypsies, Irish and Scottish Travellers, New Travellers, and Travelling Showpeople.
- 2.17 The DCLG draft guidance (2016) recognises that the needs of those residing in caravans and houseboats may differ from the rest of the population because of:
- their nomadic or semi-nomadic pattern of life
 - their preference for caravan and houseboat-dwelling
 - movement between bricks-and-mortar housing and caravans or houseboats
 - their presence on unauthorised encampments or developments.
- 2.18 Also, it suggests that as mobility between areas may have implications for carrying out an assessment local authorities will need to consider:
- co-operating across boundaries both in carrying out assessments and delivering solutions
 - the timing of the accommodation needs assessment
 - different data sources
- 2.19 Finally, the DCLG draft guidance (2016) states that in relation to Travelling Showpeople account should be taken of the need for storage and maintenance of equipment as well as accommodation, and that the transient nature of many Travelling Showpeople should be considered.

Housing and Planning Act 2016

- 2.20 The Housing and Planning Act, which gained Royal Assent on 12 May 2016, omits sections 225 and 226 of the Housing Act 2004, which previously identified 'gypsies and travellers' as requiring specific assessment for their accommodation needs when carrying out reviews of housing needs. Instead, the Act amends section 8 of the Housing Act 1985 governing the assessment of accommodation needs to include all people residing in or resorting to the study area in caravans or houseboats. However, for planning purposes, as noted above, the DCLG Planning Policy for Traveller Sites (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople who accord with the definition in Annex 1 of the PPTS.

Police, Crime, Sentencing and Courts Bill 2022

2.21 On 28 April 2022 the 'Police, Crime, Sentencing and Courts Bill' received Royal Assent and became an Act. The Act introduces a criminal offence where:

- A person aged 18 or over resides or intends to reside on land without consent of the occupier of the land;
- They have, or intend to have, at least one vehicle with them on the land;
- They have caused or are likely to cause significant damage, disruption or distress;
- They, without reasonable excuse:
 - fail to leave the land and remove their property following a request to do so by an occupier of the land, their representative or a constable; or
 - enter or, having left, re-enter the land with an intention of residing there without the consent of the occupier of the land, and with an intention to have at least one vehicle with them, within 12 months of a request to leave and remove their property from an occupier of the land, their representative or a constable.
- Reasonable suspicion that a person has committed this offence confers power on a constable to seize their vehicle/other property for up to three months from the date of seizure or, if criminal proceedings are commenced, until the conclusion of those proceedings.

2.22 The Act also:

- amends section 61(1)(a) of the Criminal Justice and Public Order Act 1994 (CJPOA) to broaden the types of harm that can be caught by the power to direct trespassers under that provision, to include damage, disruption and distress;
- amends sections 61(4)(b), 62B(2) and 62(C) to increase the period in which trespassers directed away from the land under sections 61 and 62A must not return from 3 months to 12 months;
- amends section 61(9)(b) to enable police to direct trespassers with a common purpose of residing on land to leave land that forms part of a highway.

Local Planning Policies

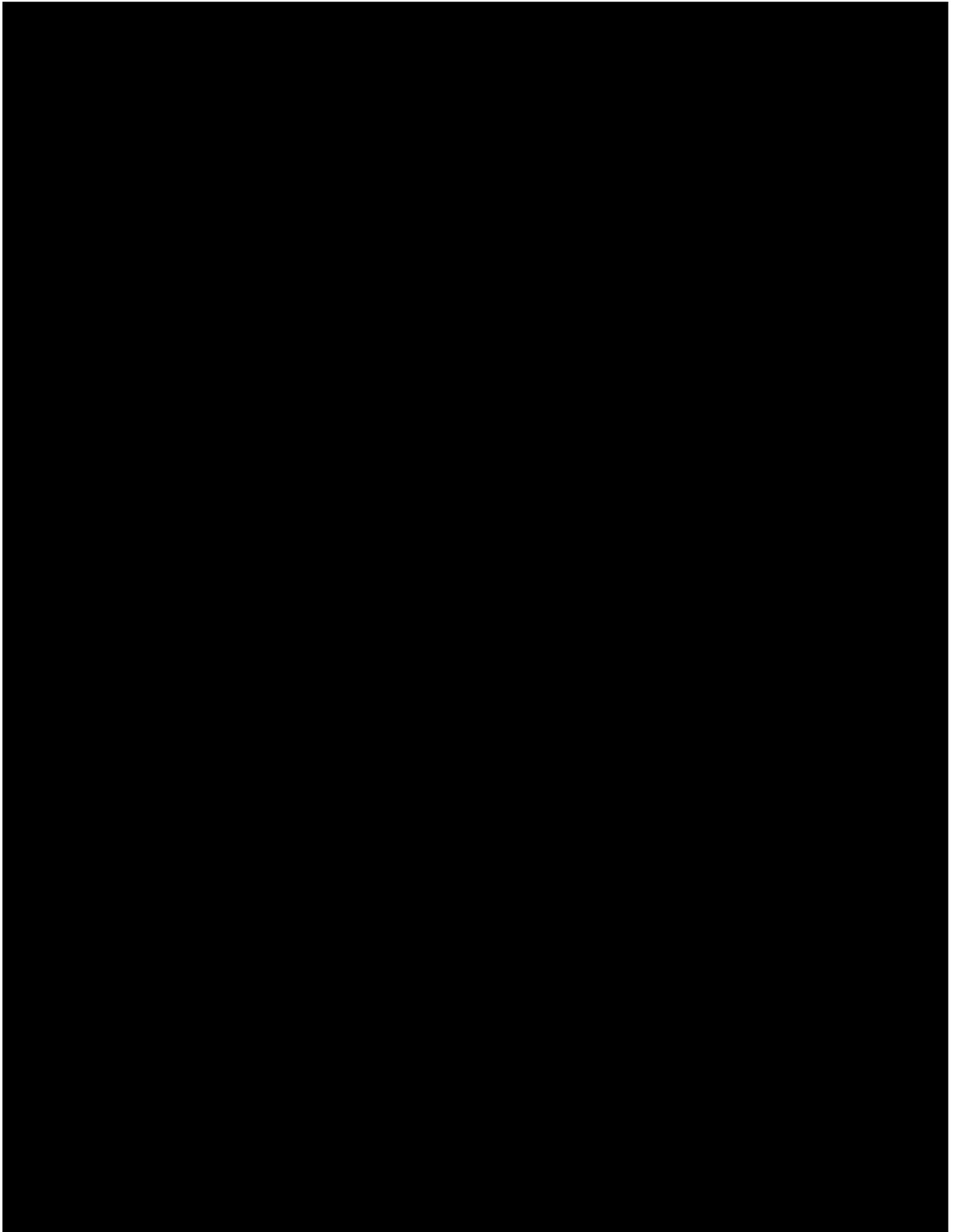
2.23 The following section summarises the planning policies of the GTAA constituent local authorities in relation to Gypsies, Travellers, Travelling Showpeople and boat dwellers.

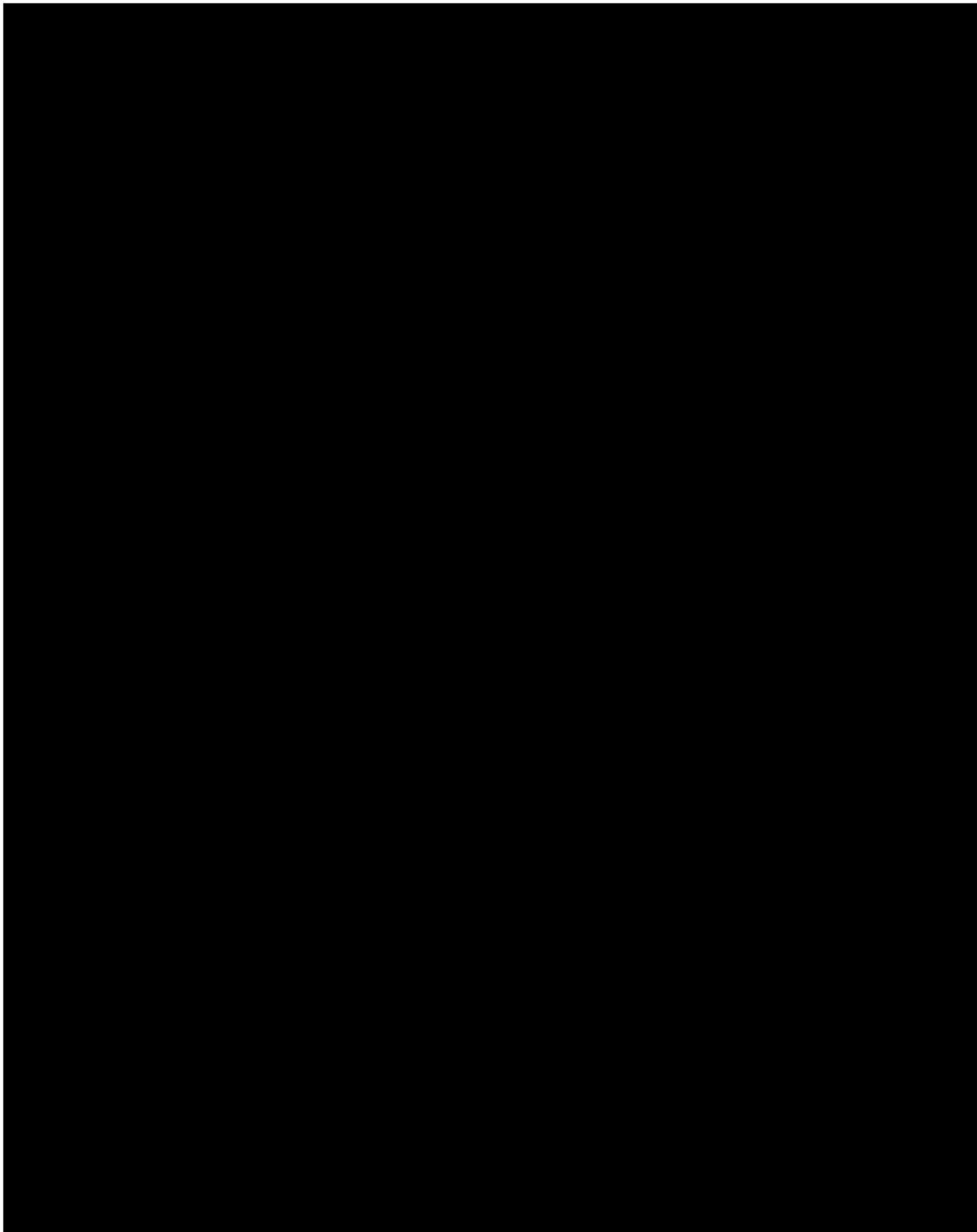
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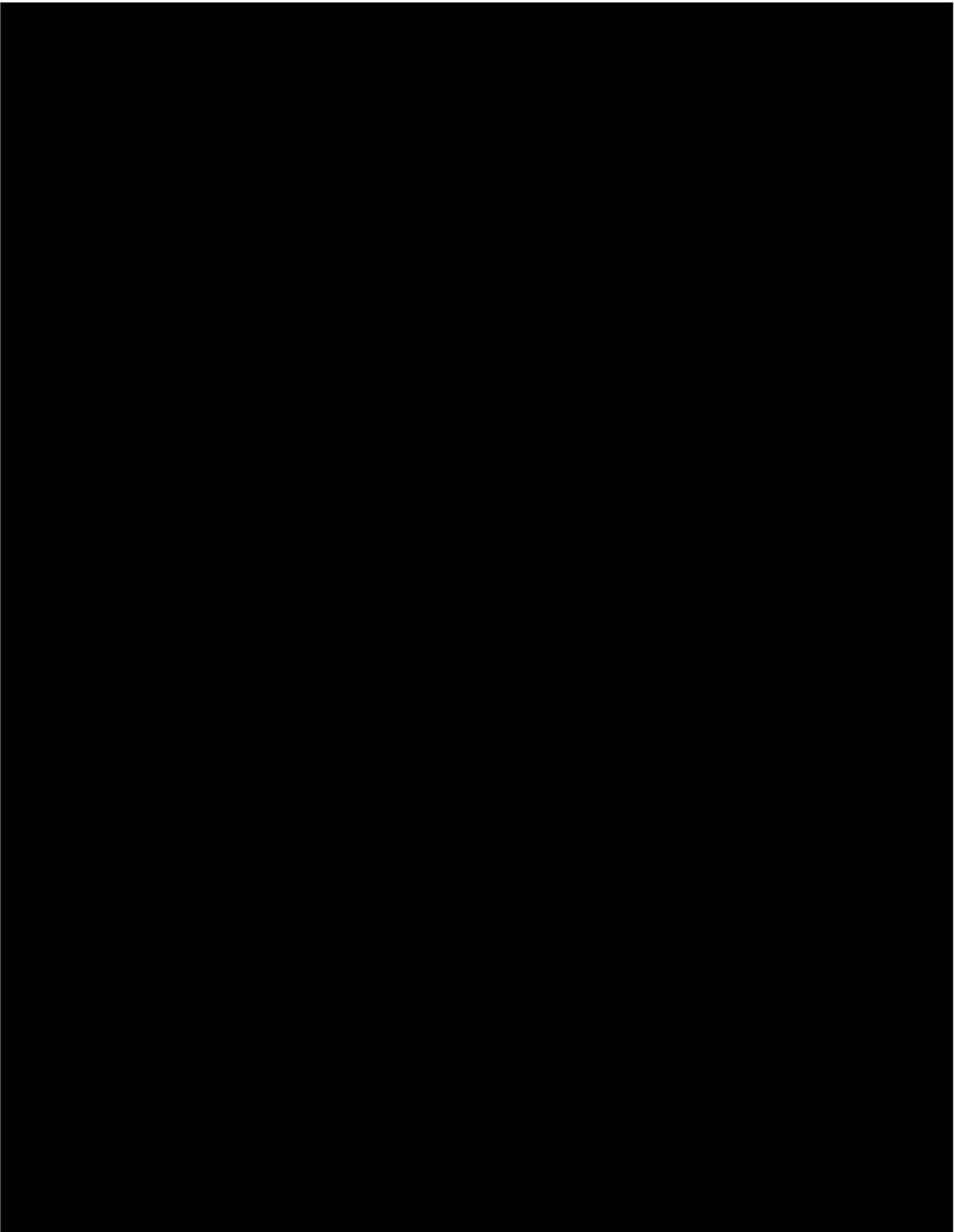
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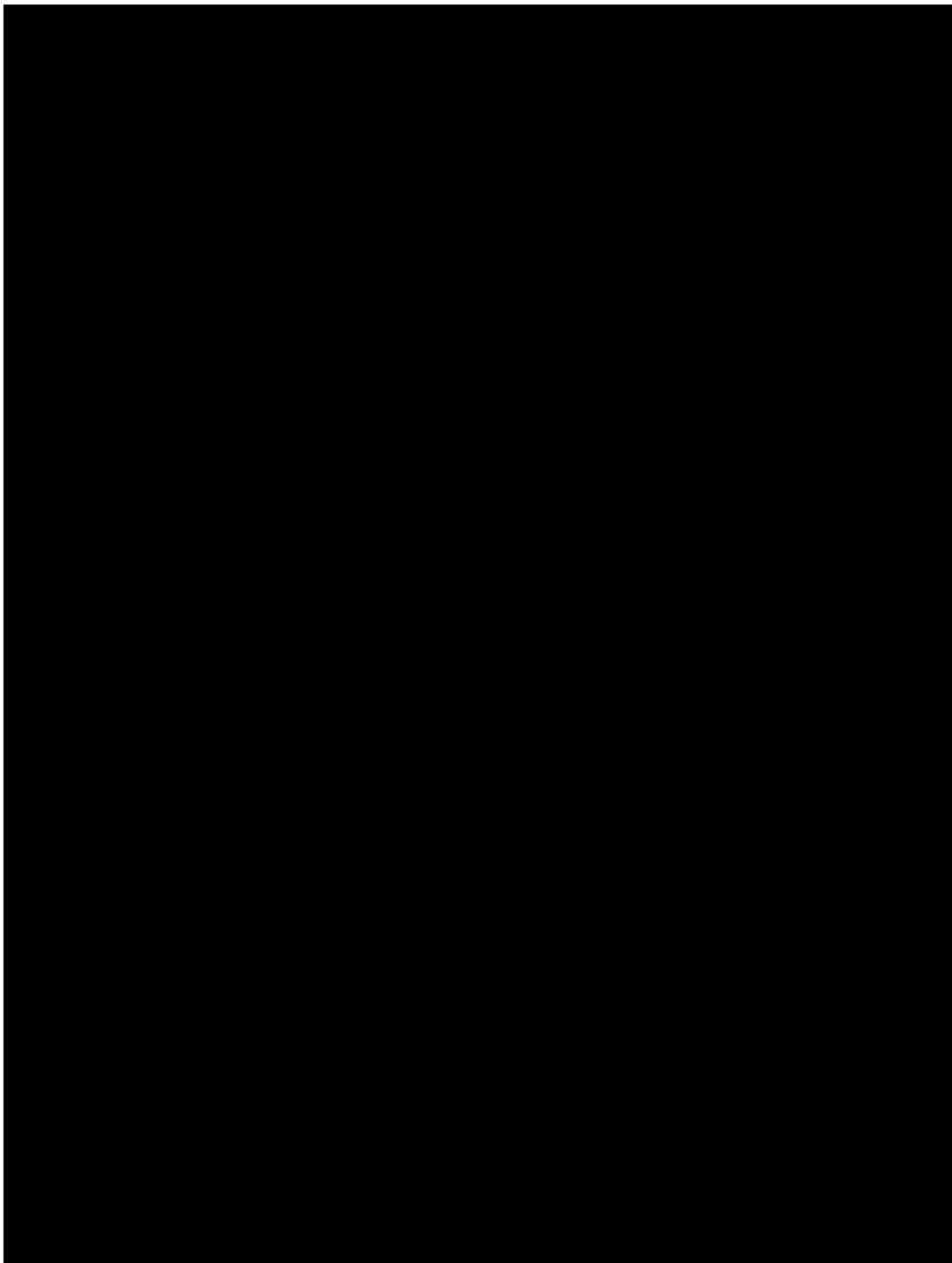
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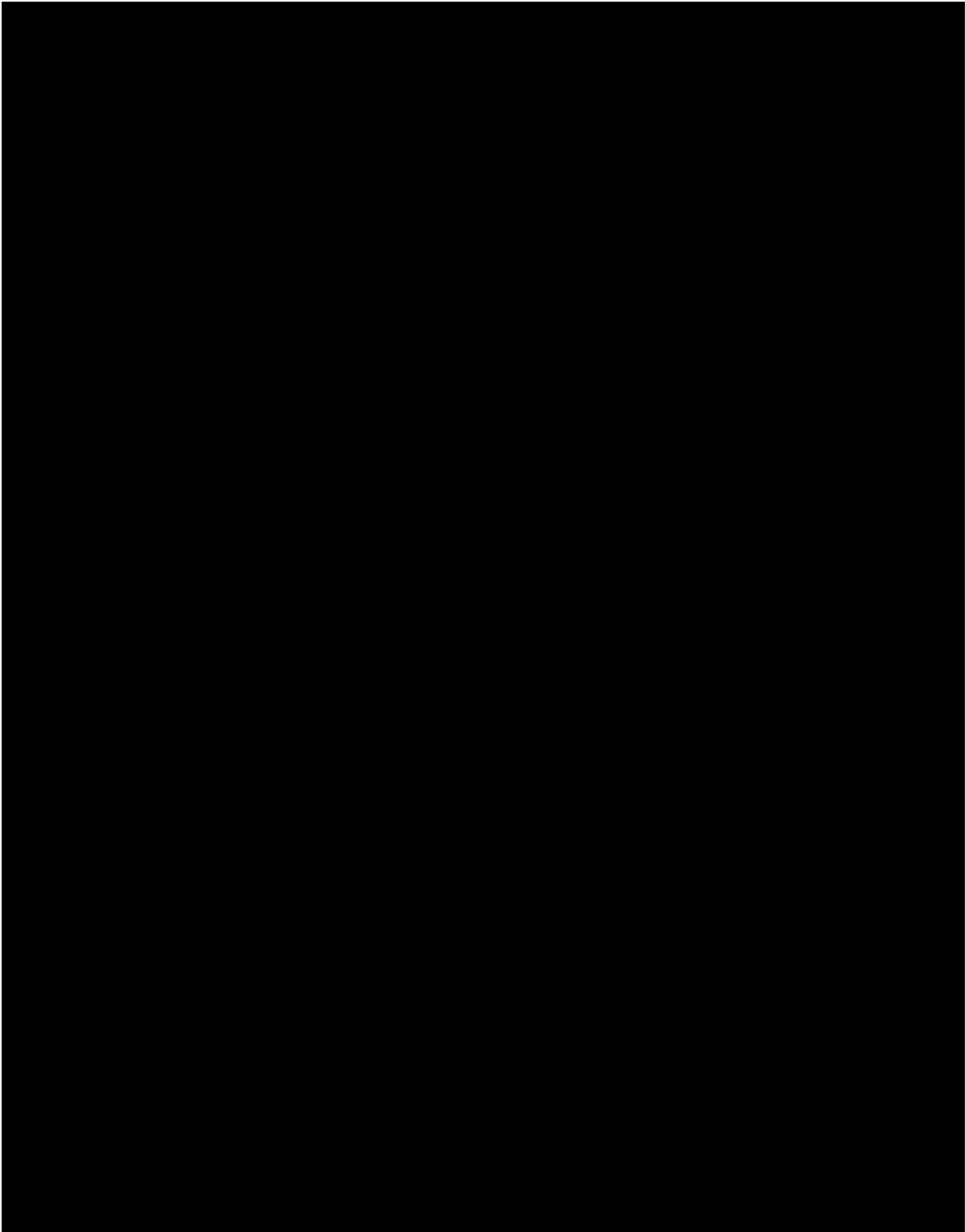
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Duty to cooperate and cross-border issues

- 2.42 The duty to cooperate was created in the Localism Act 2011. It places a legal duty on local planning authorities, county councils in England, and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.
- 2.43 Local authorities are required to work together to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs for their areas. They should also consider the production of joint development plans to provide more flexibility in identifying sites, particularly if a local planning authority has specific development constraints across its area.
- 2.44 As part of this assessment consultation in relation to Gypsies, Travellers and Travelling Showpeople was undertaken with adjoining planning and housing authorities. The findings from the consultation are discussed in detail in Chapter 4.
- 2.45 Given the transient nature of Gypsies and Travellers it is important for the GTAA to consider Gypsy and Traveller accommodation needs in neighbouring authorities. The following section discusses the results of GTAAs recently undertaken by neighbouring and nearby local authorities specifically in relation to accommodation needs and travelling patterns.

Bassetlaw GTAA 2022

- 2.46 The GTAA report, undertaken by *RRR Consultancy Ltd*, sets out Gypsy, Traveller and Travelling Showpeople accommodation needs for Bassetlaw District Council for the period 2019 to 2037. It found that there is a need for a further 40 pitches (based on PPTS 2015) over the period 2019-2037 in Bassetlaw, or 52 Gypsy and Traveller pitches (based on the ethnic identify definition). The main drivers of accommodation needs are from family units on unauthorised developments requiring residential pitches in the area, new family formations, and family units in housing but with a psychological aversion to housed accommodation. However, the accommodation needs figures are contingent on land which previously operated as an authorised private site being brought back into use.

Cheshire East, Cheshire West and Chester, Halton and Warrington GTAA August 2018

- 2.47 For the period 2017-2032 the GTAA identifies a need of 74 additional pitches for households who meet the 2015 PPTS definition, up to 96 pitches for households whose status is unknown, and 74 pitches for households who do not meet the planning definition. In relation to Travelling Showpeople, the GTAA identifies a need of 21 additional plots for households who meet the 2015 PPTS definition, up to 4 plots for households whose status is unknown, and 1 plot for households who do not meet the planning definition. The GTAA

also recommends that a new transit site of between 5-10 pitches (10-20 caravan spaces) needs to be developed in Cheshire West and Chester and Warrington.

Derby, Derbyshire, Peak District National Park Authority and East Staffordshire GTAA 2015

- 2.48 The GTAA was undertaken by *RRR Consultancy Ltd* on behalf of twelve partners and covered a wide geographical study area. The GTAA concluded that there is a need for 134 new permanent pitches and 13 plots in the study area over the 20-year period 2014-34. In relation to transit provision the GTAA recommended 4 transit sites or emergency stopping places close to the main arterial routes, including the M1 and A52. However, the geographic extent in which such facilities should be provided covered a much wider area extending into Derbyshire. (This GTAA will replace the 2015 GTAA).

Greater Manchester GTAA Update July 2018

- 2.49 The 2018 GTAA updated the 2014 GTAA. The 2018 GTAA identified a net need of 103 additional pitches under the cultural definition for the period 2017/18 to 2035/36. Although the 2014 GTAA predated the 2015 PPTS definition, it found that 42% of households would have met the definition in 2018 equating to a net need of 44 pitches over the Local Plan period. The GTAA also found a need for 204 additional Travelling Showpeople plots over the period 2017/18 to 2035/36. The GTAA recommended that the Greater Manchester Combined Authority (GMCA) considers the development of 59 transit pitches to address the short-term accommodation needs of households travelling through the Greater Manchester area.

Greater Nottingham and Ashfield GTAA 2021

- 2.50 The GTAA (undertaken by *RRR Consultancy*) assessed the accommodation needs of Gypsy and Traveller households for the period 2020-2038. It determined a need for a further 48 Gypsy and Traveller pitches (based on the ethnic identity definition), 33 pitches (based on PPTS 2015), or 20 Pitches ('work' definition) over the period 2020-2038. The GTAA also showed a need for 44 additional Travelling Showpeople plots and 50 additional boat dweller moorings over the same period. In relation to transit provision the GTAA recommended the adoption of a negotiated stopping policy which involves caravans being sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets.

Leicester City and Leicestershire GTAA 2017

- 2.51 For the period 2016-2023 the GTAA identifies a need of 21 additional pitches for households who meet the 2015 PPTS definition, 52 pitches for households whose status is unknown, and 60 pitches for households who do not meet the planning definition. In relation to Travelling Showpeople, the GTAA identifies a need of 59 additional plots for households who meet the 2015 PPTS definition, 14 plots for households whose status is unknown, and 8 plots for households who do not meet the planning definition. The GTAA also recommends transit provision of a minimum of 12 caravan spaces (or managed equivalent)

in Leicester City, and a minimum of 36 caravan spaces (or managed equivalent) spread over 2-3 sites elsewhere in Leicestershire.

Lichfield, North Warwickshire and Tamworth GTAA 2019

- 2.52 The GTAA assessed accommodation needs for the period 2019-2033/34/40 dependent on the Local Plan period of participating local authorities. At the time of the report (November 2019), the accommodation needs of North Warwickshire District Council were subject to approval and not included in the report. In Lichfield the GTAA found a need of 7 pitches for households that met the planning definition including a need for 4 pitches to accommodate teenage children in need of a pitch of their own in the next 5 years, and 3 from new household formation derived from the site demographics. The GTAA found no current or future need for pitches in Tamworth over the GTAA period to 2040. There were no Travelling Showpeople identified in Lichfield, North Warwickshire or Tamworth so there is no current or future need for any plots for the GTAA period 2019-33/34/40. The GTAA recommends that the Councils could consider the use of management-based arrangements for dealing with unauthorised encampments and could also consider the use of Negotiated Stopping Agreements, as opposed to taking forward an infrastructure-based approach.

Mansfield GTAA 2017

- 2.53 The 2017 GTAA (undertaken by *RRR Consultancy*) quantified the accommodation and housing related support needs of Gypsies, Travellers, and Travelling Showpeople in terms of residential and transit sites, and bricks and mortar accommodation for the period 2017-2033. It found that a further 3 Gypsy and Traveller pitches, 0 Travelling Showpeople plots, and 1 transit/emergency stopping place is needed over the period 2017-2033 throughout the district. It estimated that any future accommodation needs for the period 2017-2033 will consist of a new small family site or extensions to the sites required during the first 5-year period 2017-2022. This GTAA has recently undergone EiP inspection and was accepted as robust and reliable.

Sheffield GTAA 2015/16 – 2020/21

- 2.54 The GTAA was undertaken internally by the Housing Strategy and Policy section of Sheffield City Council. The GTAA found a need for 57 pitches (54 for Gypsies and Travellers and 3 for Travelling Showpeople) for the period 2015/16 – 2020/21. It also found a cumulative need for up to 60 pitches for the period 2021/22 – 2026/27, and up to 62 pitches for the period 2027/28 – 2032/33. In relation to transit provision, the GTAA identifies a need for some form of transit provision or temporary stopping places in the city. It suggests that the provision should be available near to main roads or the M1 motorway to accommodate households who are travelling through the city or visiting for an occasion.

South Yorkshire GTAA 2012-2017

- 2.55 The 2012 South Yorkshire GTAA was led by the Doncaster Strategic Housing Team, working together with the planning department and housing practitioners from Barnsley, Rotherham and Sheffield local authorities. Over 100 surveys were completed in the South

Yorkshire area. Consultation was also carried out with Travelling Showpeople. The main findings from the survey were: most households do not envisage moving in the next 12 months; affordability is a key factor in the development of new private sites; many households prefer local authority owned sites as they are well managed; households expressed a desire for more sites so that the community could stay together. The GTAA found an overall need in South Yorkshire for 134 pitches and 130 Showpeople plots.

*Newcastle-under-Lyme, Stoke-on-Trent, Staffordshire Moorlands and Stafford
GTAA 2015*

- 2.56 The GTAA found a total need of 97 additional pitches for the period 2014/15 to 2029/34. For the first 5-year period the GTAA found that Stoke on Trent had the largest requirement with a need for 22 permanent pitches for Gypsies and Travellers followed by Stafford (19), Staffordshire Moorlands (6), and Newcastle-under-Lyme (1). According to the GTAA no interviews were possible on the Travelling Showpeople yard located in Newcastle-under-Lyme and so no analysis of needs was possible. In relation to transit provision the GTAA recommended that provision for a minimum of 10 transit pitches be made across the study area as a whole with each pitch being able to contain a caravan and towing vehicle.

Summary

- 2.57 DCLG Planning Policy for Traveller Sites (August 2015) emphasises the need for local authorities to use evidence to plan positively and manage development. The Housing and Planning Act 2016 amends section 8 of the Housing Act 1985 governing the assessment of accommodation needs to include all people residing in the study area in caravans or houseboats. However, for planning purposes, as noted above, the DCLG Planning Policy for Traveller Sites (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers, and Travelling Showpeople who accord with the definition in Annex 1 of the PPTS. In accordance with the 2016 Housing and Planning Act, it also assesses the accommodation needs of boat dwellers/travellers.
- 2.58 The local authorities' planning policies within the study area set criteria for meeting the accommodation needs of Gypsies, Travellers, and Travelling Showpeople. The updated evidence provided by the 2022 GTAA will help determine whether the local planning policies will need to be revised.
- 2.59 Given the cross-boundary characteristic of accommodation issues, it is important to consider the findings of GTAAs produced by neighbouring local authorities. GTAAs recently undertaken by neighbouring local authorities indicate that there remains some Gypsy, Traveller, and Travelling Showpeople accommodation needs throughout the region.

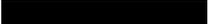
3. Trends in the population levels

Introduction

- 3.1 This section examines population levels in the GTAA study area and population trends. The primary source of information for Gypsies and Travellers (including Travelling Showpeople) in England is the Department for Levelling Up, Housing and Communities (DLUHC) Traveller Caravan Count. This was introduced in 1979 and places a duty on local authorities in England to undertake a twice-yearly count for the DLUHC on the number of Gypsy and Traveller caravans in their area. The count was intended to estimate the size of the Gypsy and Traveller population for whom provision was to be made and to monitor progress in meeting accommodation needs.
- 3.2 Although the duty to provide sites was removed in 1994, the need for local authorities to conduct the count has remained. There are, however, several weaknesses with the reliability of the data. For example, across the country counting practices vary between local authorities, and the practice of carrying out the count on a single day ignores the fluctuating number and distribution of unauthorised encampments. Also, some authorities include Travelling Showpeople in the same figures as Gypsies and Travellers, whilst others distinguish between the different groups and do not include Travelling Showpeople.
- 3.3 Significantly, the count is only of tourer and static caravans, so Gypsies and Travellers residing in bricks and mortar accommodation are excluded. It should also be noted that pitches / households often contain more than one caravan, typically two or three.
- 3.4 Despite concerns about accuracy, the count is a useful indicator because it provides the only national source of information about numbers and distribution of Gypsy and Traveller caravans. As such, it is useful for identifying trends in the Gypsy and Traveller population, if not determining absolute numbers.
- 3.5 The DLUHC Count includes data concerning both Gypsy and Traveller sites¹⁵. It distinguishes between caravans on socially rented authorised, private authorised, and unauthorised pitches. Unauthorised sites and pitches are broken down as to whether they are tolerated or not tolerated. The analysis in this chapter includes data from January 2016 to July 2022¹⁶.

¹⁵. Data regarding Travelling Showpeople are published separately by the DLUHC as 'experimental statistics'.

Population

- 3.6 The total Gypsy and Traveller population residing in the UK is unknown although the government estimate there to be between 100,000 and 300,000 Gypsy and Traveller people¹⁷¹⁸. There are uncertainties partly because of the number of different definitions that exist, but mainly because of an almost total lack of information about the numbers of Gypsies and Travellers now residing in bricks and mortar accommodation. Estimates produced for the DLUHC suggest that at least 50% of the overall Gypsy and Traveller population are now residing in permanent housing.
- 3.7 Local authorities in England provide a count of Gypsy and Traveller caravans in January and July each year for the MHCLG. Due to Covid-19 restrictions the Count did not take place in July 2020 or January 2021. The July 2022 Count (the most recent figures available) indicate a total of 25,653 caravans. Applying an assumed three person per caravan¹⁹ multiplier would give a population of 76,959 persons.
- 3.8 Again, applying an assumed multiplier of three persons per caravan and doubling this to allow for the numbers of Gypsies and Travellers in housing²⁰, gives a total population of 153,918 persons for England. However, given the limitations of the data this figure can only be very approximate, and may be a significant underestimate.
- 3.9 The 2021 national census included the category of 'Gypsy or Irish Traveller' in the question regarding ethnic identity. Table 3.1 below shows total population and Gypsy and Traveller population per local planning authority as derived from the 2021 Census. 
- 

¹⁷ House of Commons 'Tackling inequalities faced by Gypsy, Roma and Traveller communities' April 2019 located at: www.parliament.uk

¹⁸ The House of Lords 'Inequalities Faced by Gypsy, Roma and Traveller Communities' (25 February 2020) provides useful links regarding inequalities faced by the GRT community.

¹⁹Niner, Pat (2003), Local Authority Gypsy/Traveller Sites in England, ODPM.

²⁰ Ibid.

²¹ See ONS 2011 Census Table KS201EW Ethnic Group located at: <http://www.ons.gov.uk/>

Table 3.1 Gypsy and Traveller Population			
	Population (no.)	G&T Pop (no.)	G&T Pop (%)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
South Derbyshire	107,206	72	0.07%
Total	[REDACTED]	[REDACTED]	[REDACTED]

Source: 2021 Census in NOMIS 2022

3.10 Figure 3.1 below shows the study area Councils' July 2022 Caravan Count. There is some variation in the number of caravans in each local authority with [REDACTED]

[REDACTED] in South Derbyshire. [REDACTED]

3.11 Figure 3.2 shows that when the population is taken into account the density of caravans varies. [REDACTED]

[REDACTED]
[REDACTED] Local planning authorities

with densities above the study area average [REDACTED]

[REDACTED] South Derbyshire (129), [REDACTED]

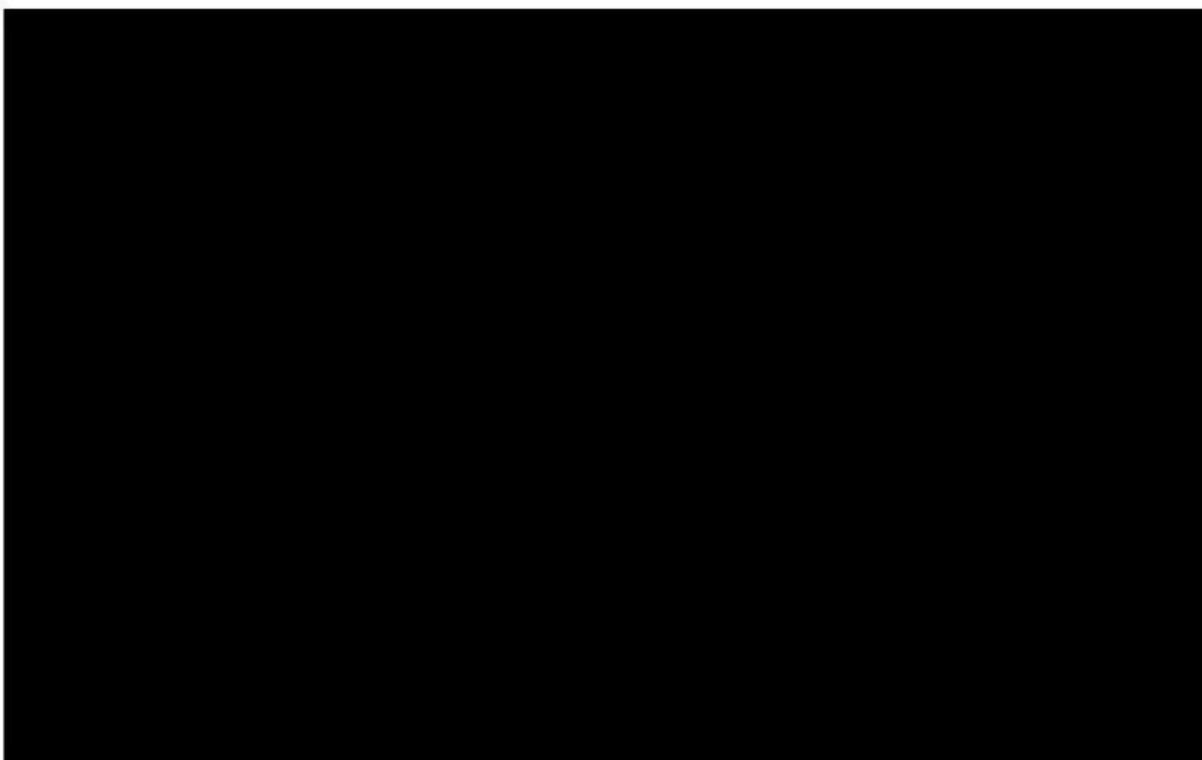
[REDACTED]

3.12 Figure 3.3 shows that the total number of caravans in the study area located on authorised pitches recorded by the DLUHC Traveller Count over the period January 2016 to July 2022. The DLUHC recorded a total of [REDACTED] caravans located on authorised pitches in January 2016 compared to [REDACTED] caravans in July 2022. [REDACTED]

[REDACTED]

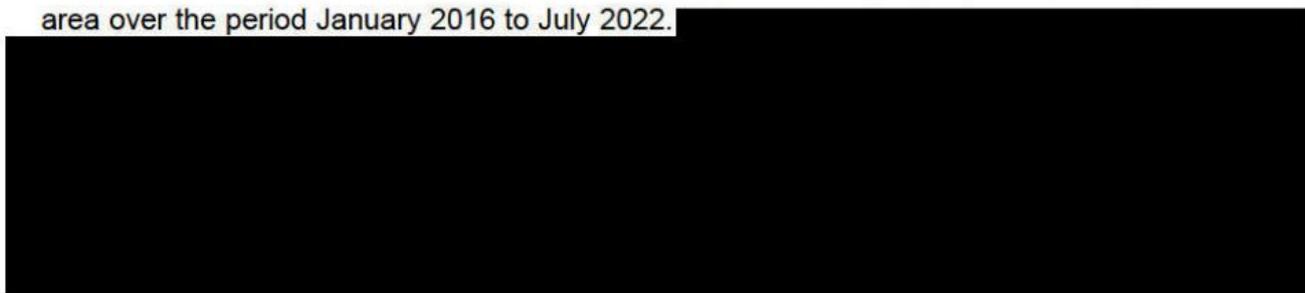
3.13 On average, just over half of all authorised caravans recorded by the DLUHC count in the study area are located in South Derbyshire (51%), [REDACTED]

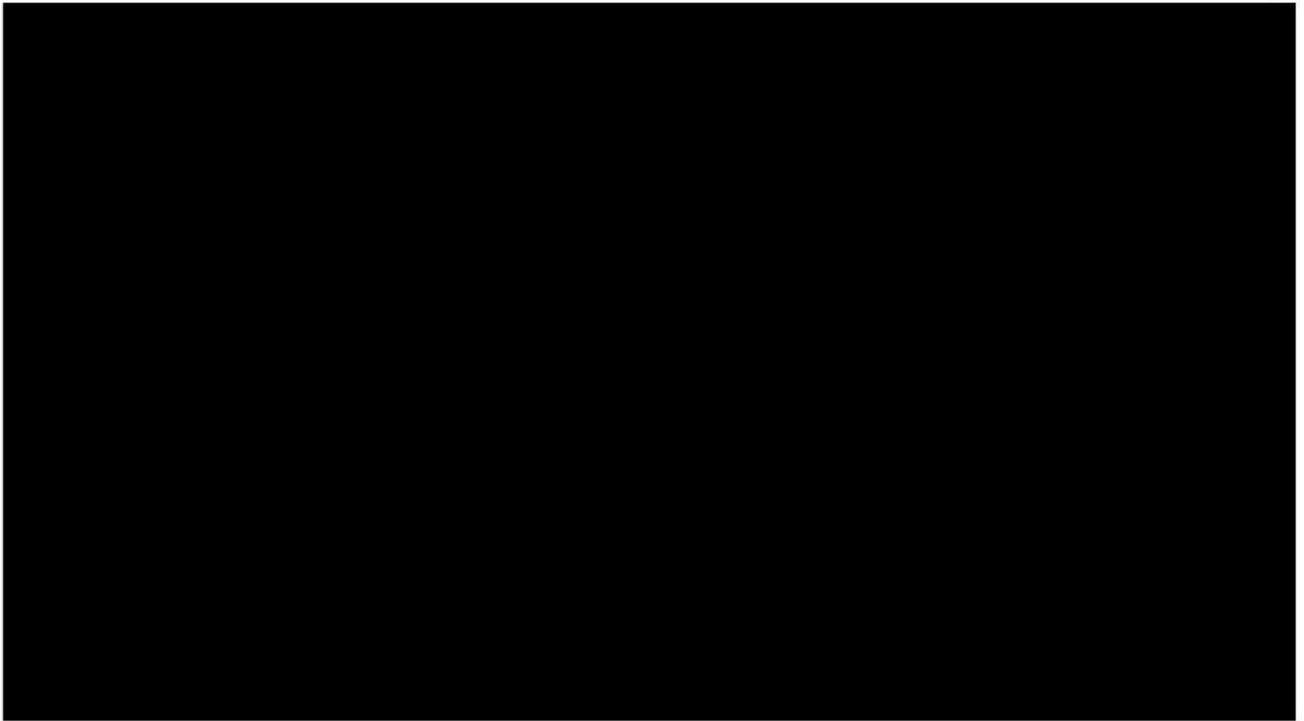
[REDACTED]



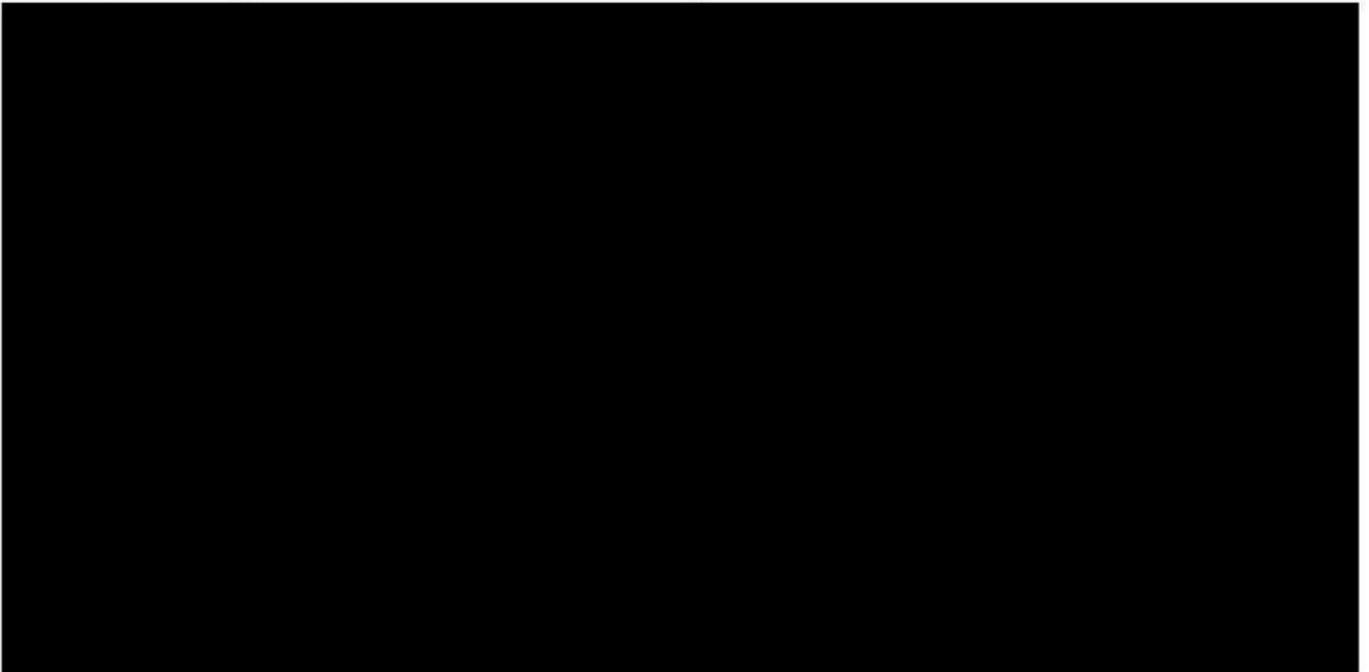
Data on unauthorised encampments

3.14 DLUHC data on unauthorised encampments (i.e. caravans residing temporarily on 'pitches' without planning permission) is of limited accuracy, although it may indicate general trends. Figure 3.4 shows the number of caravans recorded on unauthorised pitches in the study area over the period January 2016 to July 2022.





Local authority data on unauthorised encampments



3.17

recorded unauthorised encampments
in South Derbyshire (14%)

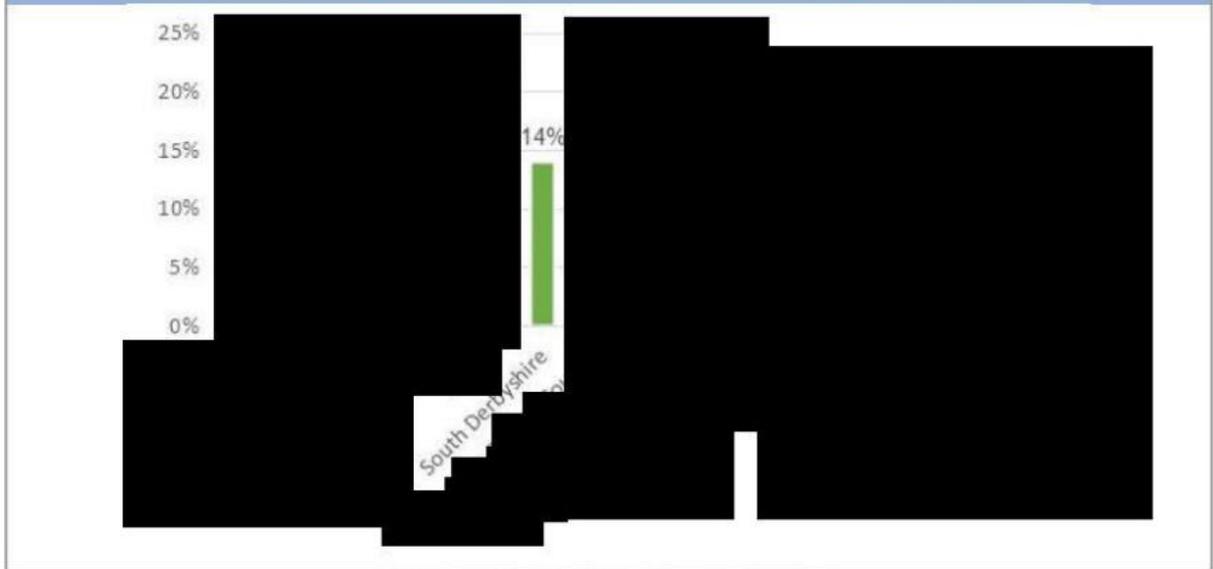
²² House of Commons Hansard, 10 September 2018, Volume 646 columns 565-580.



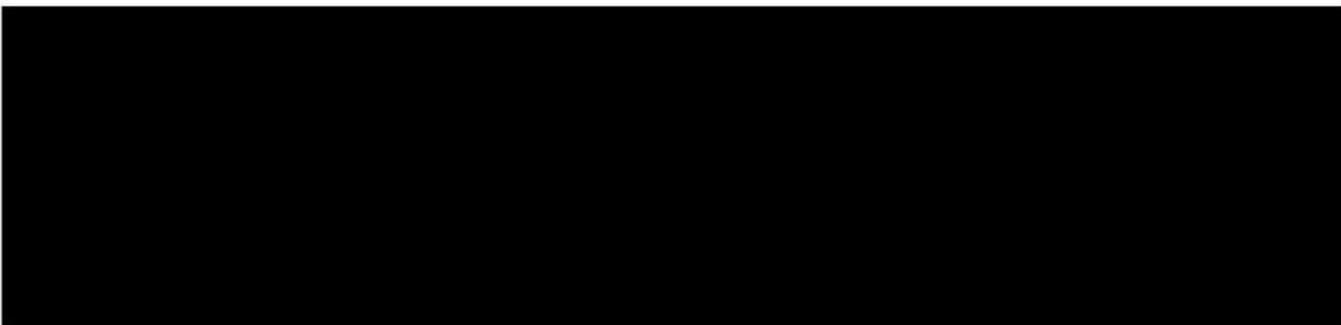
Table 3.2 Unauthorised encampments

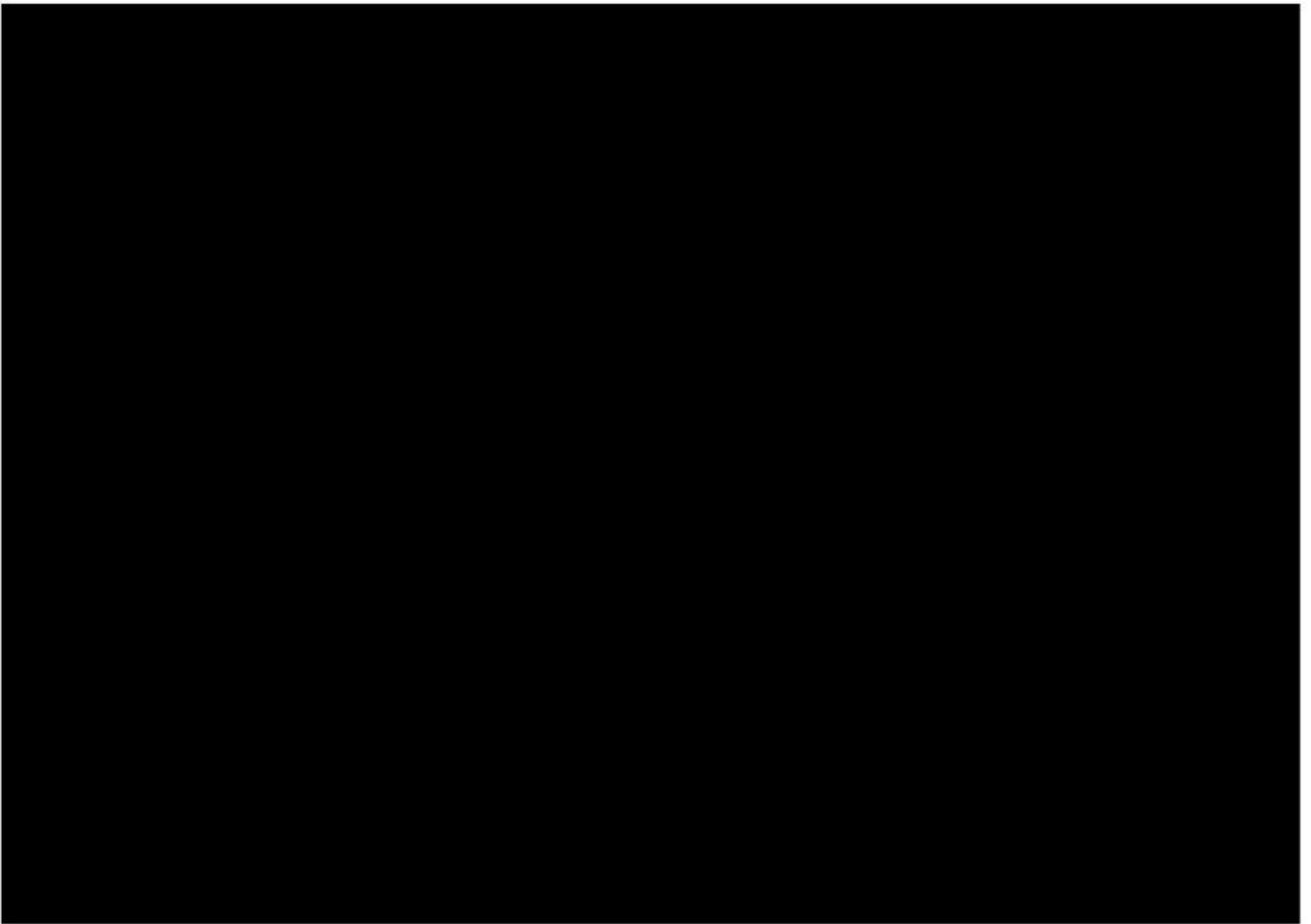
	From	To	No.
South Derbyshire	January-March 2016	July-September 2019	39

Figure 3.5 Unauthorised encampments by local planning authority (2016-2019)



Source: GTAA study area local authorities

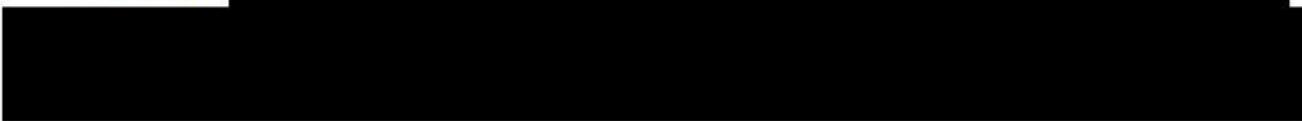


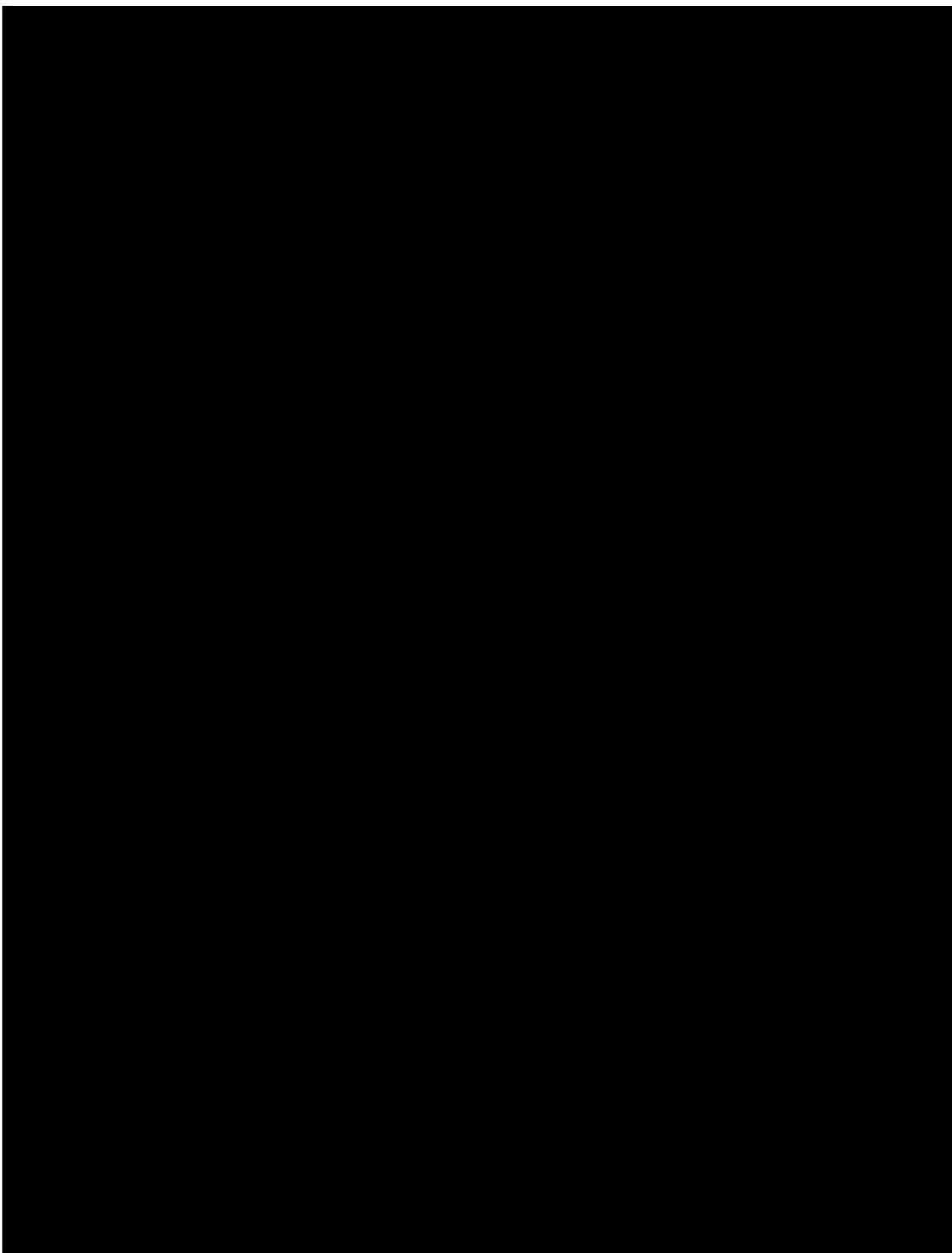


Permanent Gypsy and Traveller residential pitches within the study area



Half (50%) of pitches are located within South Derbyshire

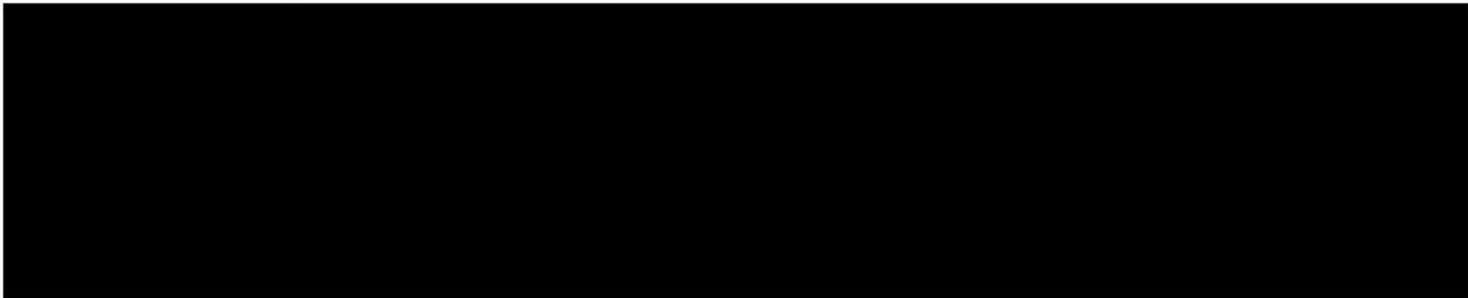




Transit provision

3.20 There are [redacted] transit pitches in the study area including [redacted]
[redacted] 6 pitches on 2 leaseholder sites in South Derbyshire, [redacted]
[redacted]

Travelling Showpeople

- 3.21 Data from planning permissions are also available in the study area showing provision for Travelling Showpeople. The cultural practice of Travelling Showpeople is to live on a plot in a yard in static caravans or mobile homes, along with smaller caravans used for travelling or inhabited by other family members (for example, adolescent children). Their equipment (including rides, kiosks and stalls) is usually kept on the same plot.
- 

Boat Dwellers

- 3.23 There are 260 recorded permanent moorings within the study area (in South Derbyshire (which are in the process of being developed). [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Residential caravan sites

- 3.24 From the data gathered and consultation with site managers and owners it is determined that there are [REDACTED] residential caravan sites located within the study area, with a total of [REDACTED] pitches (including private family sites and registered park homes).

- 3.25 Table 3.3 shows the number of authorised residential caravan pitches within each local authority area.

Table 3.3: Residential caravan sites and pitches in the study area

Local authority	sites	pitches
[REDACTED]	[REDACTED]	[REDACTED]
South Derbyshire	6	176

Source: GTAA 2023

Summary

3.26 [REDACTED] When population size is considered [REDACTED] local planning authority areas are above the study area average of 34 caravans per 100,000 population – [REDACTED] South Derbyshire (129), [REDACTED]

3.27 [REDACTED]

3.28 In January 2022 there were [REDACTED] Gypsy and Traveller pitches within the study area consisting of [REDACTED] authorised private pitches, [REDACTED] local authority managed pitches, and [REDACTED] pitches on unauthorised developments. There are also [REDACTED] transit pitches in the study area including [REDACTED], 6 pitches on 2 leaseholder sites in South Derbyshire, [REDACTED] There are 260 recorded permanent moorings within the study area (in South Derbyshire which are in the process of being developed), [REDACTED]

4. Stakeholder consultation

Introduction

- 4.1 Consultations with a range of stakeholders were conducted to provide in-depth qualitative information about the accommodation needs of Gypsies, Travellers and Travelling Showpeople.
- 4.2 The aim of the consultation was to obtain both an overall perspective on issues facing these groups, and an understanding of local issues that are specific to the study area. The consultation took the form of an online survey and telephone interviews. In recognition that Gypsy and Traveller issues transcend geographical boundaries and the duty to cooperate in addressing the needs of Gypsies and Travellers, consultation was undertaken with officers from neighbouring authorities.
- 4.3 Key stakeholders involved in the consultation included: local authority officers with responsibility for Gypsy, Traveller and Travelling Showpeople issues, planning and planning policy officers, housing strategy officers, enforcement officers, housing officers, education service officers, police, fire and rescue services, NHS, Leicestershire Multi Agency Travellers Unit (MATU), Derbyshire Gypsy Liaison Group (DGLG), Derbyshire Traveller Issues Working Group (DTIWG), National Federation of Gypsy Liaison Groups, Canal and River Trust (CRT), National Bargee Traveller Association (NBTA), Residential Boat Owners Association (RBOA), and local and national representatives of the Showmen's Guild of Great Britain.
- 4.4 Themes covered in the interviews included: the need for additional provisions and facilities; travelling patterns; the availability of land; accessing services; and work taking place to meet the needs of Gypsy, Traveller, Travelling Showpeople, and boat dwellers. This chapter highlights the main points that were raised.

Accommodation needs

- 4.5 It was generally acknowledged that there is a lack of accommodation provision throughout the study area. It was noted that this issue is frequently raised at meetings of the Derbyshire Gypsy and Traveller Issues Working Group (DTIWG). However, it is recognised that the extent of Gypsy, Traveller, Travelling Showpeople, and boat dwellers' accommodation needs is small in comparison to general housing needs.
- 4.6 Stakeholders commented on how Derbyshire being centrally placed in the country and well connected by key arterial routes such as the M1, A61, A6, A38, A50 and A52 makes it attractive to travellers. It was also noted that whilst provision throughout the study area is uneven there is unmet demand even in those areas where provision is relatively high. Stakeholders reported differences in terms of demand for accommodation across the study area.

4.7 Stakeholders commented on accommodation needs in respective local authorities. It was stated that some authorities such as [REDACTED] South Derbyshire already accommodate considerable numbers of Gypsies and Travellers. Consequently, future demand for permanent pitches sites is likely to be greater in these local authority areas compared to those which currently have few or no Gypsy and Traveller accommodation [REDACTED]. Also, it was suggested that local planning authorities may be reluctant to meet accommodation needs from neighbouring authorities.

4.8 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

4.9 It was noted that the 2015 GTAA identified that more than one third of accommodation needs is expected to arise from within existing family units on sites and that this factor is expected to remain unchanged. The drivers for accommodation needs identified by stakeholders included: new family formations and household growth; overcrowding at existing pitches; a lack of sufficient sites; households seeking pitches within the local area; and homelessness amongst the Gypsy and Traveller community.

4.10 According to some stakeholders it is preferable to have separate provision for Romany Gypsies, Irish Travellers, and Travelling Showpeople. However, it was acknowledged that this meant that the accommodation needs of some families may not be met if their ethnic identity differed from families already occupying a particular site. Stakeholders stressed that family sites and yards were the most favoured form of provision. However, some stated that not all households are able to develop sites or yards and there remains a need for private rented and social rented accommodation.

4.11 Stakeholder views differed as to whether new Gypsy and Traveller accommodation should be met in local authority areas in which it arose or shared across the study area. Whilst it was acknowledged that accommodation needs may arise in both urban and rural areas, it was agreed that new sites or yards should be situated close to services and facilities and be accessible by public or private transport routes:

“I think that location [of new sites and yards] should not just be driven by where needs arise but by where Travellers will actually want to be located to ensure that the sites meet need. This would include smaller family-run sites in more rural or edge of urban area locations with good transport connectivity and access to services (local authority officer).”

- 4.12 Whilst local authorities may have a good understanding of the number of Gypsy and Traveller pitches, or Showpeople plots, there is less information about the number of boat dweller moorings.
- 4.13 It was suggested that all boat dweller provision in the study area is privately rented. There are some transit and leisure moorings which over time have unofficially become permanent moorings. Some are located in remote spots with unlicensed boats moored on them. According to stakeholders, there are people residing permanently on moorings which are not licensed for such use. However, there is little accurate data on the number of boat dwellers permanently residing on unlicensed moorings. It was suggested that the study area local authorities review licenses and determine which moorings could be licensed for permanent residential occupation. Also, that marina owners and managers offer more flexible residency conditions.
- 4.14 It was suggested that local authorities tend to have a limited knowledge about boat dwellers. Until recently this was not regarded as an issue as there was no obligation on local authorities to specifically assess the accommodation needs of boat dwellers. Also, it was generally accepted that many boat dwellers and residential caravan dwellers reside in such accommodation due to life-style choices or the need to occupy affordable accommodation.
- 4.15 Public perceptions of boat dwellers tend to differ from that towards Gypsies and Travellers, and Showpeople. Some stakeholders suggested that this may be because the boat dweller community primarily consists of the members of the settled community.

Barriers to Accommodation Provision

- 4.16 Key barriers to new accommodation provision noted by stakeholders included: local and political opposition to new sites or yards; a lack of suitable or affordable land; competing interests for suitable land; a lack of finance; and the complexity of planning processes.
- 4.17 Gaining planning permission for a new sites or yards was regarded by stakeholders as a significant hurdle. Applicants sometimes sought planning permission for the minimum number of pitches or plots with the intention of seeking permission for further pitches at a later date. This was not problematic if the site is large enough to cope with expansion. However, the most difficult initial hurdle was gaining planning permission. It was noted that some planning permissions for new sites within the study area were initially refused but later granted on appeal. A lack of finance, both in relation to the provision of new sites and maintenance, was considered a key barrier by stakeholders.
- 4.18 Stakeholders acknowledged political barriers to new sites. In particular, national planning policy was regarded as encouraging a negative attitude to new provision. Both national and local media sometimes play a negative role in determining attitudes towards Gypsies and Travellers which can impact on public and elected members' attitudes:

“Planning applications and allocations regarding Gypsy and Traveller sites are politically sensitive and as a general rule opposed by local residents. This can lead to applications which have been recommended for approval by Planning Officers being refused at planning committee (neighbouring authority representative).”

4.19 Similarly:

“Families on established sites often want to extend them but face all sorts of difficulties to do so. If the site is adjacent to an existing settlement usually any extension plans face strong opposition from the settled community. If there is strong opposition then councillors are rather inclined to refuse any site extensions (agency representative).”

4.20 Stakeholders stated that changes in planning processes and guidance may impact on meeting accommodation needs. They commented on how focusing on travelling patterns of Gypsies and Travellers is unhelpful when families are less likely to travel much if at all, but still live the cultural life of Gypsies and Travellers and require pitches.

4.21 However, the 2015 PPTS definition of Gypsies and Travellers means that travelling is a key factor in determining an applicant’s status and rights. Stakeholders commented on how this has led to further complications to the planning process. Gypsies and Travellers have to prove that they are travelling as well as their ethnic status. It was suggested that this may contravene the human rights of Gypsies and Travellers.

4.22 Interestingly, stakeholders stated that public perceptions of Travelling Showpeople differed from Gypsies and Travellers. The former is regarded as providing a popular, cultural service and are more defined by the public by the type of work they undertake. It was suggested that the media are less likely to portray Travelling Showpeople negatively. There was some difference between stakeholders in terms of the type of accommodation required by Travelling Showpeople with some stating that yards are required all year whilst others suggested that only winter quarters (when fairs do not take place), are required.

4.23 It was acknowledged by stakeholders that the availability of land (or lack of it) is a key issue in relation to the accommodation needs of Gypsies, Travellers and Travelling Showpeople. The process of identifying suitable land was deemed problematic. According to one stakeholder:

“There is a lack of available sites and tolerated stopping locations both for travellers passing through the local authority and visiting family or friends. This leads to regular unauthorised encampments during the travelling season. There is also a lack of available sites for families to set up their own site. This is partly due to land values but also to the lack of suitable and available undeveloped sites (local authority officer).”

- 4.24 Stakeholders identified barriers to obtaining land suitable for new provision. One issue was that whilst landowners may be keen to capitalise on land values by releasing land for the development of market housing, they were more reluctant to sell it for affordable housing or Gypsy and Traveller sites.
- 4.25 Green Belt constraints and the desire to utilise brownfield sites were regarded as key issues. Sustainability is also a key issue for the selection of new sites e.g. the criteria that new sites should not be located too far away from existing communities. This can lead to opposition from Gypsy and Traveller representatives as they frequently want to live away from the settled community.
- 4.26 It was noted that Planning Policy for Traveller Sites (2015) strictly limits new site development in open countryside or too far away from existing settlements. However, planning applications for new traveller sites are often located in the open countryside and/or within protected areas such as the Green Belt or Special Landscape Areas. It was suggested that local authorities should advise local Gypsies and Travellers about the type of land more likely to be suitable for development. This would prevent them submitting planning applications to develop land unsuitable for reasons such as being prone to flooding or lack of highways access.
- 4.27 Stakeholders commented on a lack of cultural understanding and understanding of needs of Gypsies, Travellers and Travelling Showpeople. Preconceptions about Gypsies, Travellers, and Travelling Showpeople were seen to influence attitudes and that perceptions vary depending on the situation. For example, it was suggested by some stakeholders that tensions and opposition to new sites may exist in areas where unauthorised encampments have occurred, or where sites are rumoured to be proposed.
- 4.28 Gypsies and Travellers living in bricks and mortar accommodation or on permanent sites were regarded as 'settled' and, as such, less likely to be regarded as requiring support. However, it was suggested it would be worthwhile for the settled community and Gypsies and Travellers to meet in order to better understand differing perspectives. This would also help to reduce prejudice.

Transit provision and travelling patterns

- 4.29 It was acknowledged by stakeholders that a lack of transit provision can lead to high levels of unauthorised encampments. The lack of transit provision was regarded as a key issue for stakeholders across the study area and neighbouring authorities. Stakeholders commented on how this relates only to Gypsies and Travellers as Travelling Showpeople do not use unauthorised encampments and tend to travel to pre-arranged venues primarily for work purposes.
- 4.30 Gypsy and Traveller transit provision, similar to permanent sites, was regarded by stakeholders as being publically and politically sensitive. Stakeholders commented on a

lack of funding, absence of suitable or available land, and concerns regarding the management and illicit use of transit sites. It was suggested that “there is not the political appetite to allocate transit sites on top of addressing the individual authorities’ needs” (Local authority officer). Also:

“Similar to the provision of new permanent sites, it is not straightforward to identify and propose a perfectly well-situated transit site as there are many constraints and issues affecting suitability. Apart from location, constraints and issues a new transit site would need to be supported by councillors and accepted by local residents (agency representative).”

- 4.31 It was noted that the PPTS 2015 change in definition of Gypsies and Travellers may have led to more households travelling in order to prove ethnic status. This could lead to more unauthorised encampments. Alternatively, it was suggested that PPTS 2015 had not impacted on travelling patterns.
- 4.32 According to some stakeholders there is increasing emphasis on the need for negotiated stopping places rather than for new transit provision. The ‘negotiated stopping place’ model was developed by Leeds Gypsy and Traveller Exchange. It is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent ‘built’ transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets.
- 4.33 Agreements are made between the authority and the (temporary) residents regarding expectations on both sides. This was regarded by some stakeholders as the best way forward. One stakeholder suggested that negotiated stopping agreements would need to be able to be explained to the settled community to avoid tensions.
- 4.34 Stakeholders cited the main reasons for travelling as: to be close to friends and family; for employment reasons; for holidays; to attend funerals and weddings; and for cultural reasons i.e. to reinforce cultural identity. As noted above, some households may travel in order to meet the PPTS 2015 definition.
- 4.35 Stakeholders agreed that it can be difficult to determine travelling routes although there was acknowledgment that these transcend local authority boundaries. There is a ‘north-south’ route throughout the study area although the location of current sites may impact on routes i.e. families may be attracted towards existing sites. Also, it was suggested that the M1, A38, A50, A52 and A61 are key travelling routes:

“They tend to follow the main roads in the south of the county – the A38 which runs from the M1 through Derby to Birmingham or the A50 which runs east to west from the M1 south of Derby to Stoke-on-Trent. Travelling

patterns also tend to be related to horse fairs – Appleby, Stow-on-the-Wold etc. (Local authority officer).”

- 4.36 Similarly, it was suggested that Gypsy and Traveller households tend to use the A61 and A6 including at Bakewell located in the Peak District National Park planning area.
- 4.37 In relation to boat dwellers, stakeholders commented on the need for greater flexibility regarding how long temporary moorings can be used. A lack of permanent moorings means that a large number of boat dwellers constantly move from one temporary mooring to the next. However, a large proportion of boat dwellers prefer to travel the waterways rather than reside on a permanent mooring.

Access to Services

- 4.38 Stakeholders felt that access to services was very important for all Gypsy, Traveller and Travelling Showpeople families. They spoke about how Gypsy, Traveller and Travelling Showpeople continue to face problems when accessing services and how this is sometimes due to service providers not understanding their needs:

“I am aware of some issues which affect Gypsies, Travellers and Travelling Showpeople across the country such as poor school attendance, children missing from education, discrimination and bullying of children in education, lack of access to primary healthcare, reduced life expectancy (neighbouring authority representative).”

- 4.39 Gypsy and Traveller, and boat dweller households, not having a permanent address tend to experience even more problems accessing services. Stakeholders commented on how all Gypsies and Travellers and boat dwellers may experience problems accessing services. However, families residing on unauthorised encampments find it more difficult to access services. The Derbyshire Protocol stipulates the need to assess the health and education needs of households residing on unauthorised encampments. However, it was noted local authorities are not always aware of unauthorised encampments and that a lack of staff means that health and welfare checks are not always possible. There is a need for awareness-raising and training of professionals working with families to improve access to services and break down barriers for all.
- 4.40 It was noted that the education gap between Gypsy, Traveller and Travelling Showpeople children and those from the settled community can be extensive, but is better than it used to be. According to a stakeholder:

“The Derbyshire County Council post which used to specifically deal with Gypsy and Traveller education issues no longer exists. This has made it difficult for Gypsies and Travellers to seek support regarding education. However, I am aware that the role has now been incorporated into a wider

education post, which will hopefully address this issue (agency representative).”

- 4.41 Education was regarded by stakeholders as an important factor in determining demand for accommodation. Stakeholders spoke about how areas which already contain large numbers of Travellers tend to have schools which are more aware of the educational needs of Travellers. Such schools are more likely to attract Gypsy, Traveller and Travelling Showpeople families to the area. This factor not only impacts on educational demand in area but also the need for sites.

Communication

- 4.42 In relation to issues concerning cooperation on Gypsy, Traveller, Travelling Showpeople, and boat dweller issues between different authorities and agencies, stakeholders emphasised the importance of working collectively when addressing the needs that the GTAA will identify. It was acknowledged that accommodation needs transcend local authority boundaries. As such, it was suggested that this requires a ‘joined up’ response to accommodation need and for local authorities and agencies to better share information and knowledge about Gypsy and Traveller issues.
- 4.43 Stakeholders noted ways in which they currently do and do not successfully cooperate regarding Gypsy and Traveller issues. There can be very strong working relationships with planning colleagues. However, it is more difficult to liaise over the more politically sensitive issue of Gypsy and Traveller accommodation needs. Whilst officers liaise closely the issue can sometimes be pushed down the political agenda by elected members.
- 4.44 It was acknowledged that there are political barriers to the issue of new accommodation. It was suggested that one reason is because elected members sometimes reflect the opinions of local communities who are antagonistic towards new provision in local areas. As such, it was recommended that elected members are offered awareness training on Gypsy and Traveller issues. It was suggested that allocating sites in areas where there is strong local opposition is undesirable although it was suggested that there should be greater emphasis on the positive relationship between Gypsies and Travellers and the settled community and between Gypsy, Traveller, Travelling Showpeople, and boat dwellers, and local authorities.
- 4.45 Stakeholders commented on how departments and neighbouring authorities can work well together but this is “on an ad hoc basis, as the need arises rather than the norm”. They also commented on how through the recent inter-agency protocol, there is potential for better local authority/inter-agency working. They commented how they are grateful that the County Council manages the process of updating the GTAA, although it would be helpful if district councils and the County Council were to work together more closely at other times.

- 4.46 The Derbyshire Traveller Issues Working Group (DTIWG) was regarded by stakeholders as the key tool in bringing agencies and local authority departments together. It is made up of all the local authorities, some neighbouring authorities, and partners such as the NHS, police, fire service, and the Derbyshire Gypsy Liaison Group. It was referred to by stakeholders as an invaluable network in relation to working with Gypsy, Traveller, Travelling Showpeople, and boat dwellers.
- 4.47 Derbyshire County Council Planning Department manages and leads on DTIWG meetings, which take place regularly. Some stakeholders commented on how some partners need to take on more responsibility and more active roles. For example, “the Inter-Agency Guidance needs updating, but that is difficult when Gypsy and Traveller issues do not form a large proportion of most people's work” (agency representative).

Summary

- 4.48 The stakeholder consultation has offered important insights into the main issues faced by Gypsy, Traveller, Travelling Showpeople, and boat dwellers within the study area. It was generally acknowledged that there is a lack of accommodation provision throughout the study area. Also, it was noted that whilst provision throughout the study area is uneven there was unmet demand even in those areas where provision was relatively high.
- 4.49 Stakeholders reported differences in terms of demand for accommodation across the study area. One reason, as discussed in Chapter 1, is that Gypsy, Traveller, Travelling Showpeople, and boat dweller families tend to ‘cluster’ around certain localities. Also, it should be acknowledged that those areas with most current provision are more likely to attract Gypsy, Traveller, Travelling Showpeople, and boat dweller families.
- 4.50 It was felt that a lack of transit provision can lead to unauthorised encampments. Some stakeholders suggested that local authorities have a duty of care to support families residing on unauthorised encampments. It was suggested that local authorities may want to adopt the ‘negotiated stopping’ model, but not necessarily as formal as that adopted by Leeds City Council. This would allow caravans to be sited on suitable pieces of ground for an agreed and limited period of time, and if necessary, with the provision of limited services such as water, waste disposal and toilets.
- 4.51 Although the preferred accommodation type for many Gypsy, Traveller and Travelling Showpeople families may be small sites located on land owned by themselves, the consultation acknowledged difficulties in Gypsy, Traveller, Travelling Showpeople, and boat dwellers either buying or developing land for new accommodation. This is acknowledged throughout this report.
- 4.52 It was noted that there can be cultural differences between Gypsies and Travellers living in bricks and mortar accommodation and members of the settled community. Local authorities should include Gypsy and Traveller categories on ethnic monitoring forms to improve data

on population numbers, particularly in housing. Also, there needs to be better sharing of information between agencies which deal with the Gypsy and Traveller community.

- 4.53 The stakeholder consultation acknowledged many of the barriers faced by Gypsy, Traveller, Travelling Showpeople and boat dwellers. Some stakeholders suggested that public attitudes towards Gypsy, Traveller, Travelling Showpeople, and boat dweller people had hardened in recent years. Stakeholders discussed how changing attitudes takes time. It was discussed how many people only get the negative news and how this adds to problems. There is a need for education on the needs of these communities and to foster better relations between families and the settled community. This should involve working more closely with the Derbyshire Gypsy Liaison Group (DGLG), the Showmen's Guild and with other relevant service providers regarding the specific needs of these communities.
- 4.54 To summarise, the consultation provided a wealth of qualitative data on the accommodation needs of Gypsy, Traveller, Travelling Showpeople, and boat dweller families. There is evidence that accommodation needs within the study area has not yet been fully met although there was agreement about the need for smaller sites and negotiated stopping agreements, rather than transit sites. Despite barriers it is apparent that there is a need to consider the means of providing Gypsy, Traveller, Travelling Showpeople, and boat dweller accommodation.

5. Gypsies and Travellers consultation

Introduction

- 5.1 This chapter provides a snapshot of households residing in the study area at the time of the survey (January 2022) and an analysis of need for current and future pitches across the study area. In doing so, it examines the key findings derived from the consultation with Gypsy and Traveller families (the accommodation needs of Travelling Showpeople are discussed in Chapter 6).
- 5.2 Table 5.1 below lists the number of authorised sites and pitches, unauthorised sites and pitches, and potential pitches (there are no pitches with temporary planning permission in the study area). Table 5.2 further below demonstrates the response rate for the consultation carried out with the households on the known sites. Every known authorised (both private and local authority) and unauthorised site was visited, and consultation with the households has taken into consideration the accommodation needs of every known pitch and site. Due to Covid-19 restrictions, a combination of direct consultation with households and proxy consultation with members of the community (including site owners, neighbours and relatives) was undertaken, some of which was by telephone.
- 5.3 Data in relation to transit provision was gathered by visiting the sites and consulting with the managers / owners of sites. Data regarding unauthorised developments (sites without planning permission but where the occupants have consent from the owners of the land to reside there) were gleaned using similar methods.

Table 5.1 Gypsy and Traveller sites and pitches per authority

	Sites	Pitches	Occupied Pitches	Potential Pitches	Vacant Pitches	UD Sites	UD Pitches
South Derbyshire	18	97	86	11	0	0	0

Source: Study area local authorities

- 5.4 In relation to consultation undertaken on authorised, occupied permanent pitches, the response rates are as follows:

Table 5.2 GTAA Survey response rates			
	Occupied Authorised Permanent Pitches	No. Surveyed	Response rate %
South Derbyshire	86	82	95%

Source: GTAA 2023

- 5.5 The consultation included questions regarding a number of issues such as family composition (per pitch), accommodation and facilities, the condition, ownership, management and suitability of current sites and pitches (including facilities and services), occupancy of existing pitches (including the number of, and reasons for, vacant and / or undeveloped pitches and future plans for pitches), travelling patterns, health, education and employment, and accommodation needs.
- 5.6 The number and location of pitches were determined using local authority data. Households were consulted on key issues regarding accommodation needs. The consultation was undertaken between Summer 2021 and January 2022. The combination of local authority data, site visits and consultation with households helped to clarify the status of pitches (i.e. which pitches are occupied by Gypsies and Travellers, vacant pitches, overcrowded pitches, pitches occupied by household members with a need for separate accommodation, and hidden households, amongst other needs issues).
- 5.7 Attempts were made to access households residing in bricks and mortar accommodation. However, it was not possible to consult with households residing in bricks and mortar accommodation. As such, an alternative method for determining the accommodation needs of households residing in bricks and mortar accommodation has been applied (see step 15 below). The methods used in attempting to contact households residing in bricks and mortar accommodation included:
- Asking households residing on sites if they were aware of any relatives or friends residing in bricks and mortar accommodation;
 - Contacting key stakeholders to request help to access Gypsies and Travellers living in bricks and mortar; and
 - Seeking information about the location of households residing in bricks and mortar accommodation through the stakeholder interviews

Consultation

- 5.8 Most households were satisfied with the condition and location of their respective sites. Although most commented on experiencing varying levels of racism, they spoke about feeling part of the local community. They stated that it is important to reside on family sites with sufficient space and good facilities. Owning the land they reside on, with family residing close by was regarded by households as ideal. Residing on rental land was the preferred alternative if owning land is not possible. Households owning private sites were more likely to be satisfied than households renting sites, as the former felt more in control of site conditions.
- 5.9 Households residing on unauthorised developments felt unable to invest in their sites due to not having permanent planning permission. Some households residing on permanent sites commented on wanting to make improvements to their sites, but being unable to do so due to a lack of finance or space restraints.
- 5.10 As well as having sufficient space and facilities on site, good access to local services including education, health, and retail facilities was also important to the households. They spoke about how having a support network involving services such as health and education is essential for both the adult members of the household and children. The support network is an important reason as to why a family prefers to remain in the local area.
- 5.11 Access to other types of services and facilities such as shops were also regarded as important. However, households stated that it is not important that these are in close proximity as long as they are accessible by car. Access to services for households without access to transport (e.g. due to age or health issues) was deemed problematic although such households were usually supported by family or neighbours. Households deemed it more important to reside on a site and for family members to reside close together than to have access to any particular service.
- 5.12 Education was regarded as an important element of life for the families. They spoke of how this was becoming more important amongst Gypsy and Traveller communities, including learning to read and write, and gaining skills and qualifications. They also spoke of the importance of every generation learning the culture and skills linked to their way of life, and the importance of keeping their culture whilst at the same time gaining a good education. The families on the sites without permanent planning permission commented on how their children's education was one reason why they would prefer to reside on a permanent site.
- 5.13 Employment was also regarded as important. Households spoke of how Gypsies and Travellers travel more if they are unable to gain sufficient employment locally. Households were primarily self-employed with some occupants employed locally, unemployed, or

retired. With Covid-19 restrictions in place, self-employed households or those who travel for work have struggled to find work.

- 5.14 Gypsy and Traveller households in the study area regard travel primarily for cultural and social reasons. Some households also travel for work purposes including the buying and selling of horses, building and construction work, and garden and maintenance work. Some households spoke about how Gypsies and Travellers do not travel as much as they used to. This is because they may be employed locally, or children may attend local schools. Households suggested that it can be difficult to travel due to limited stopping places, being moved on, and the increasing costs of travelling. One commented on how travelling is only part of their culture.
- 5.15 Households recognised the importance of transit provision in the study area (some households with land are interested in developing new transit provision). However, negotiated stopping agreements were also regarded as an effective way of meeting the transit needs of visiting Gypsies and Travellers and minimising unauthorised encampments. This would involve caravans being sited at suitable locations for an agreed and limited period of time, with possible provision of limited services. Also, households residing permanently on sites would like to be able to accommodate visiting family and friends for an agreed period of time.

Accommodation needs

- 5.16 Additional accommodation needs derive from households residing on unauthorised pitches (including tolerated unauthorised sites but without full planning status), and pitches with temporary planning permission requiring permanent permission; households residing on authorised sites requiring more space to meet current or future needs; and new family formations. Accommodation needs also derives from households residing in bricks and mortar accommodation. Households residing on sites and stakeholders commented on how it is important to acknowledge and determine this component of accommodation need.
- 5.17 Households with accommodation needs stated their desire to stay with or close to family. No households residing on sites expressed an interest in residing in a house. Some owners of sites with space to accommodate their own additional needs are considering applying for planning permission to develop additional pitches.
- 5.18 Whilst some local authority sites have waiting lists, this assessment does not include them in the accommodation needs calculations as they are unreliable indicators of needs. For example, households registered on several waiting lists for pitches could lead to double-counting.

- 5.19 Some sites with additional accommodation need have the capacity to accommodate further pitches. Household members with accommodation needs but residing on sites without space for expansion would prefer to reside close to existing family sites.

Requirement for residential pitches 2020-2025²³

- 5.20 The need for residential pitches in the study area is assessed according to a 15-step process, based on the model suggested in DCLG (2007) guidance and supplemented by data derived from the survey. The results of this are shown in Table 5.3 below, while the subsequent section contains explanations of the sourcing and calculation of figures for each step. There are slight differences between the individual authority data (shown in the appendices) and the study area figures due to rounding. However, the overall needs figures remain the same.
- 5.21 This GTAA provides two accommodation needs figures: first, based on ethnic identity ('Ethnic' column); and second, based on PPTS 2015 ('PPTS' column). The 'ethnic' column contains the accommodation needs of all households identified as Gypsies and Travellers (whether they travel or not), whilst the PPTS column only includes the accommodation needs of households who meet the PPTS 2015 definition i.e. who have not permanently ceased to travel. Table 5.3 shows that there is an accommodation need for ■■■ additional pitches in the first 5-year period using the 'ethnic' definition, and ■■■ additional pitches using the 'PPTS' definition. This means that ■■■ households with accommodation needs travel, whilst an additional ■■■ pitches are required by households who have ceased to travel. Please note that the annual pitch needs relate to financial years i.e. 1 April to 31 March.

²³ Please note that due to rounding column totals may differ slightly from row totals



Requirement for residential pitches 2020-2025: steps of the calculation

5.22 Information from local authorities and the census plus evidence from the survey was used to inform the calculations including:

- The number of Gypsies and Travellers housed in bricks and mortar accommodation
- The number of existing Gypsy and Traveller pitches
- The number of families residing on unauthorised encampments requiring accommodation (and surveyed during the survey period)
- The number of unauthorised developments (during the survey period)
- The number of temporary pitches
- The number of vacant pitches
- The number of planned or potential new pitches
- The number of transit pitches

5.23 The remainder of this chapter describes both the process and results of the Gypsy and Traveller accommodation needs calculations.

Supply of pitches 2020-2025

5.24 Supply steps (steps 1 to 6) are the same irrespective of which definition of accommodation needs is used.

Step 1: Current occupied permanent site pitches

5.25 Based on information provided by the councils and corroborated by site visits and household surveys, there are currently ■ occupied authorised Gypsy and Traveller pitches in the study area.

Step 2: Number of unused residential pitches available

5.26 There is currently ■ vacant pitch in the study area.

Step 3: Number of existing pitches expected to become vacant 2020-2025

5.27 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. However, the figures for mortality have been increased in accordance with studies of Gypsy and Traveller communities suggesting a life expectancy approximately 10 years lower than that of the general population.²⁴ This results in the supply of ■ pitches.

Step 4: Number of family units in site accommodation expressing a desire to leave the study area

5.28 As there are no family units with a desire to leave the study area, this resulted in the supply of ■ pitches.

Step 5: Number of family units in site accommodation expressing a desire to live in housing

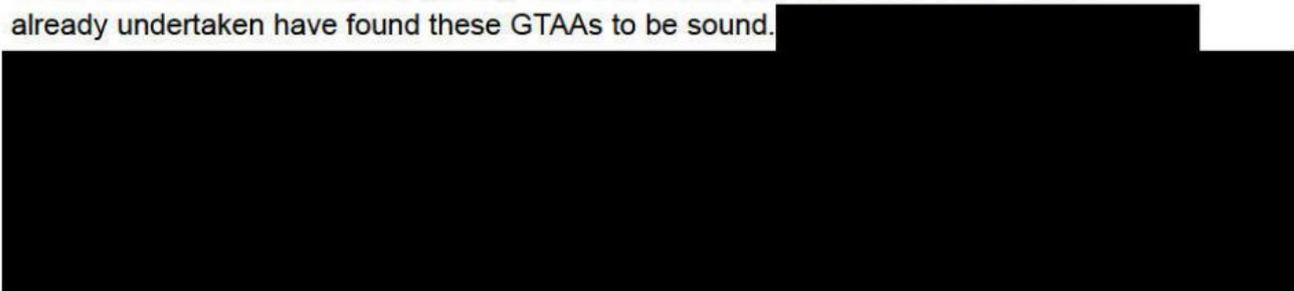
5.29 This is determined by survey data. It was assumed that all those currently residing on sites planning to move into housing in the next five years (step 5), or preferring to move into housing from an overcrowded pitch (step 11), would be able to do so. This resulted in a supply of ■

Step 6: Residential pitches planned to be built or brought back into use, 2020-2025

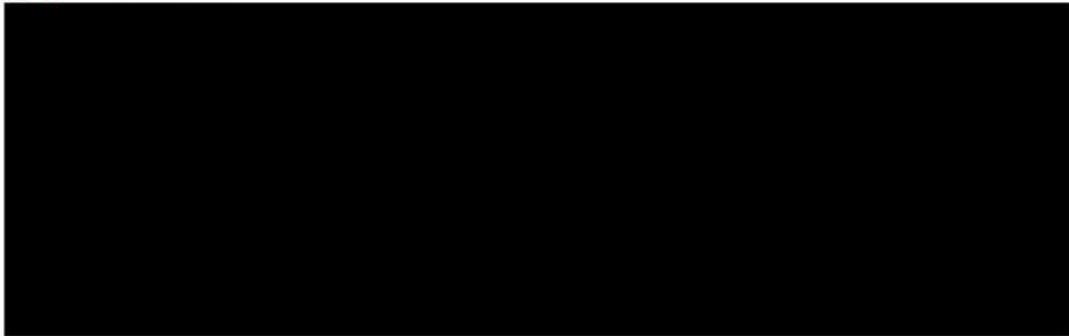
5.30 This is determined by local authority data and from an assessment of sites during visits. Such pitches are referred to as 'potential'. This means that the pitches have been granted

²⁴ E.g. L. Crout, *Traveller health care project: Facilitating access to the NHS*, Walsall Health Authority, 1987. NB: For Travelling Showpeople, the standard mortality rate is used.

feelings of claustrophobia. Proven psychological aversion to residing in bricks and mortar accommodation is one factor used to determine accommodation needs.

- 5.42 This was determined firstly by estimating the number of houses occupied by Gypsies and Travellers. Work undertaken by Shelter (2005) estimates that between one-half to two-thirds of the Gypsy and Traveller population reside in bricks and mortar accommodation. From previous GTAAs undertaken by RRR Consultancy Ltd, it is estimated that around 10% of Gypsies and Travellers residing in bricks and mortar accommodation experience psychological aversion and require accommodating on sites. This was based on previous GTAAs undertaken by RRR Consultancy including Central Lincolnshire (2013 and 2020), South Kesteven and Rutland (2016), and Bassetlaw (2019). Local Plan examinations already undertaken have found these GTAAs to be sound.
- 

Balance of Needs and Supply

- 5.43 From the above the Total Additional Pitch Requirement is calculated by deducting the supply from the needs.
- 

Requirement for residential pitches 2020-2025 per authority

- 5.44 The breakdown of the supply and needs for each of the local authorities which form the study area are provided in Appendix 1. It is for the study area partner authorities to collectively decide how they address their respective needs (i.e. either on a cross boundary and shared basis or on an individual authority basis).

Requirement for residential pitches 2025-2040

- 5.45 Considering future accommodation needs it assumed that those families with needs stemming from psychological aversion to residing in houses, overcrowding, unauthorised developments and encampments will move onto sites within a 5-year period. As such, only natural population increase (same as step 15 above), mortality, and movement into and out of the study area accommodation needs to be considered. The base figures

regarding the number of pitches on sites at the end of the first 5-year period are shown in Table 5.8 below. Please note that the 2020 base figures include both authorised occupied and vacant pitches, whilst the 2025 base figures assume that any potential pitches have been developed.

5.46 2025 pitch base figures are determined by a number of factors including:

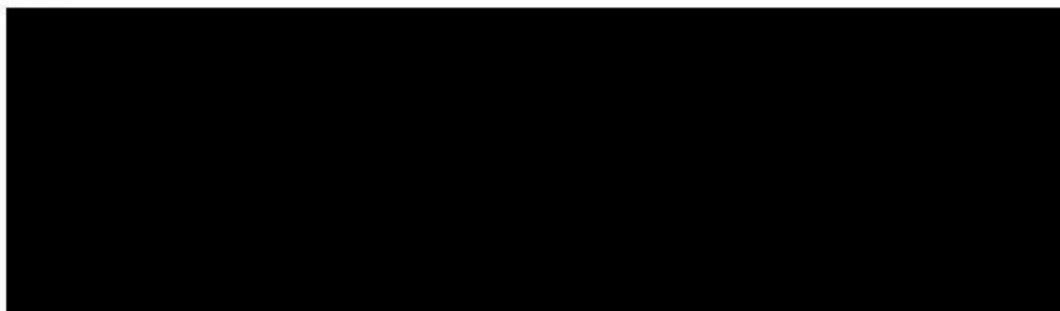
- the number of occupied pitches in 2020 (as determined by the household survey)
- the number of vacant pitches in 2020 (as determined by the household survey)
- the number of potential pitches (as determined by local authority data)
- accommodation needs for the period 2020-2025 (as determined by the GTAA)

5.47 It is assumed that by 2025 vacant pitches will be occupied, potential pitches will have been developed and occupied, and any additional needs has been met by new supply.

5.48 In March 2014 Brandon Lewis (Parliamentary Under Secretary of State within the Department for Communities and Local Government) confirmed that the 3% household growth rate for Gypsy and Traveller households does not represent national planning policy.

5.49 In relation to this accommodation assessment, analysis of the current population indicates that an annual household growth rate of 2.38% per annum (compound) equating to a 5-year rate of 12.49% is more appropriate. This is based on an analysis of various factors derived from the surveys including current population numbers, the average number of children per household, and marriage rates. It is assumed that these rates are likely to continue during the period 2025-2040.

The Study Area



Requirements for transit pitches / negotiated stopping arrangements

5.50 In relation to transit provision, it is recommended that all of the local authorities within the study area adopt a negotiated stopping policy. This involves caravans being sited at a suitable location for an agreed and limited period of time, and if necessary, with the

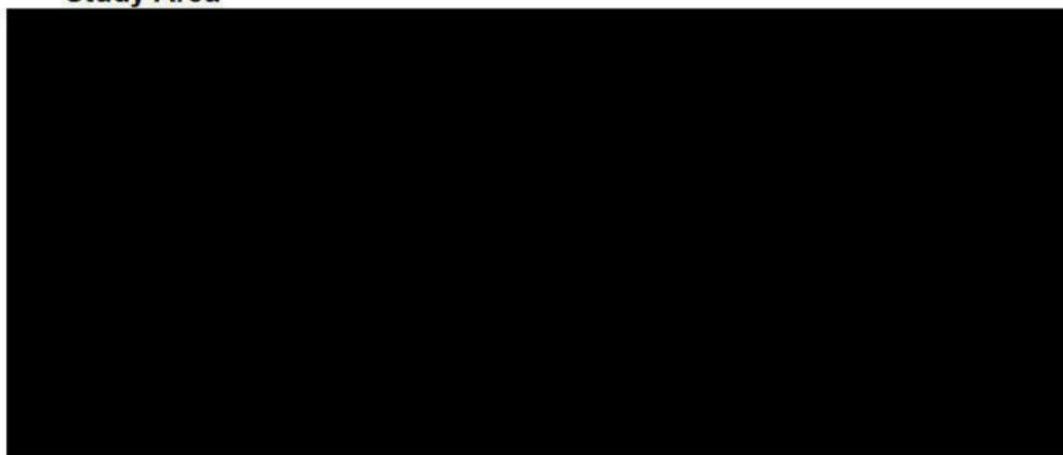
provision of services such as waste disposal and toilets. Whilst it is important that all local authorities adopt the negotiated stopping place policy, it could be implemented on an individual local authority, across the study area, or countywide basis.

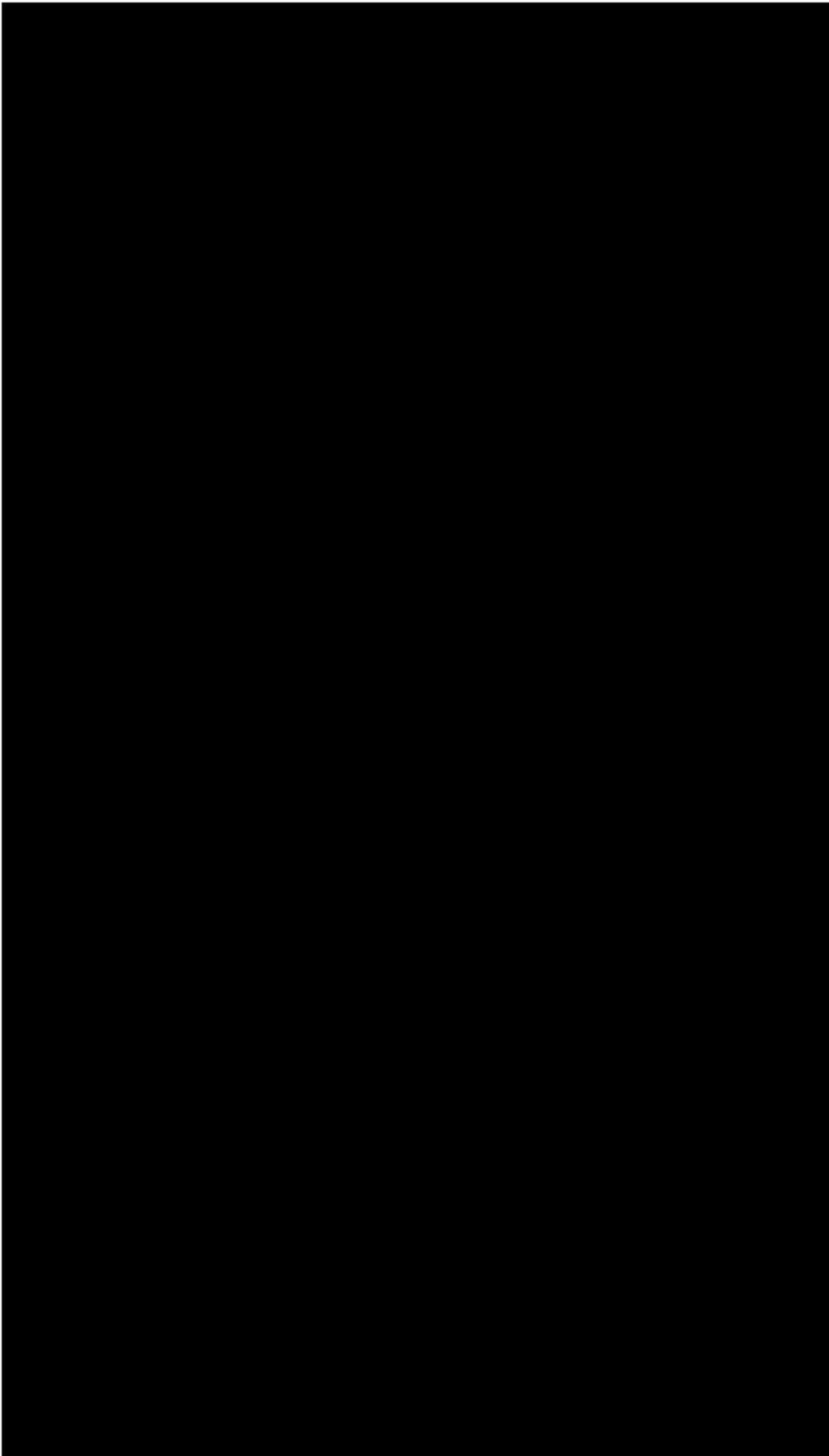
- 5.51 The term 'negotiated stopping' is used to describe agreed short-term provision for transient Gypsies and Travellers. Caravans on negotiated stopping places are allowed to stay for an agreed amount of time. This could be on private or public land providing the encampment does not cause any danger, problems or nuisance to its occupants or local community. The arrangement is between the local authority, police, the transient households (and landowner if situated on privately owned land). The location of a negotiated stopping place could be where the transient household is located at the time they are identified. If not appropriate, the household could be moved on to an appropriate alternative location.
- 5.52 It is important for local authorities to respond to the temporary accommodation needs of transiting households within the local authority area rather than simply directing them to neighbouring authorities. Also, local authorities should consider allowing households visiting family or friends who reside on permanent sites in the local authority area to temporarily reside on the site for an agreed amount of time. If and where possible, it is recommended that local authorities, either on an individual or collective basis, consider the development of transit sites

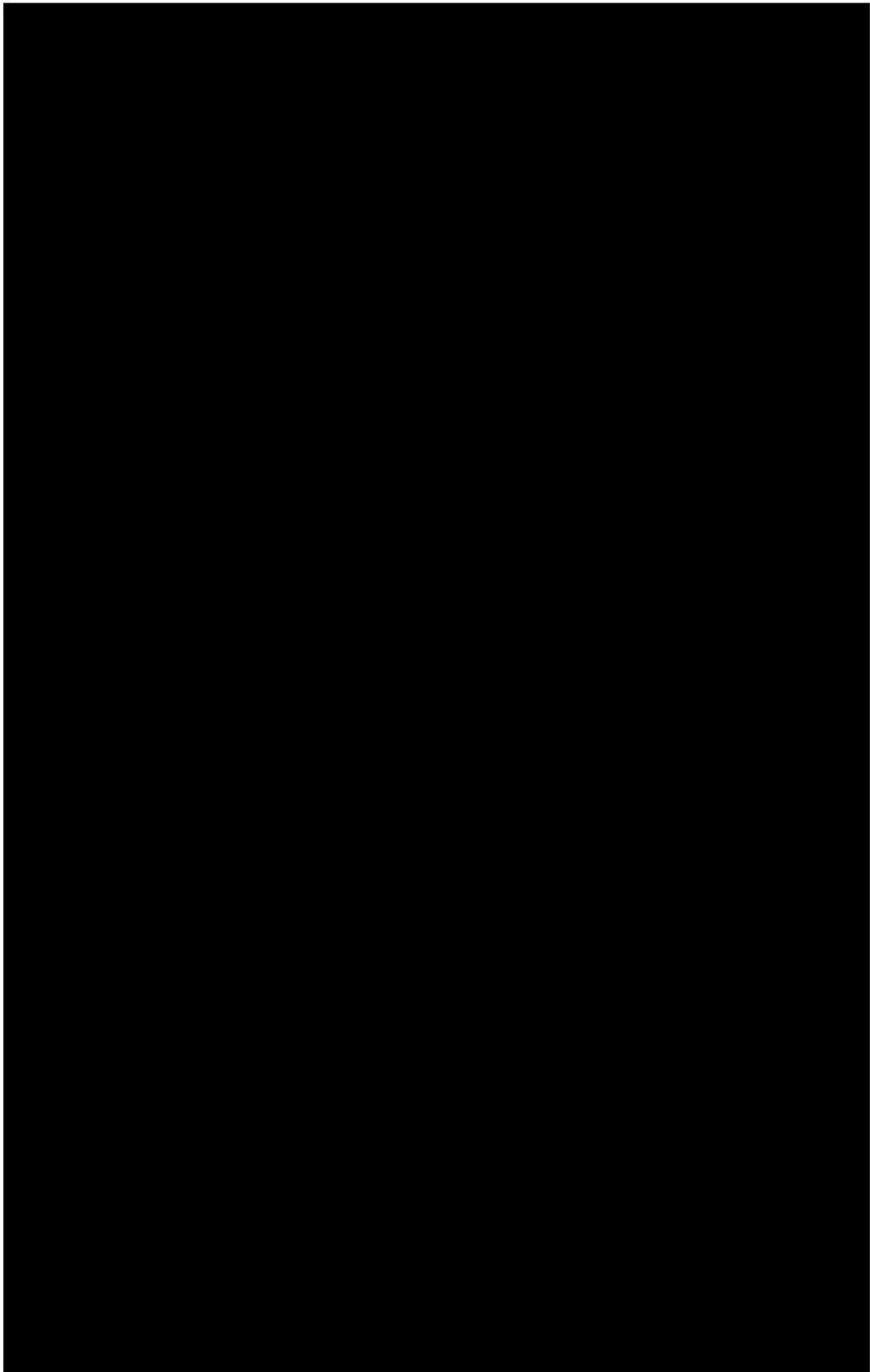
Summary

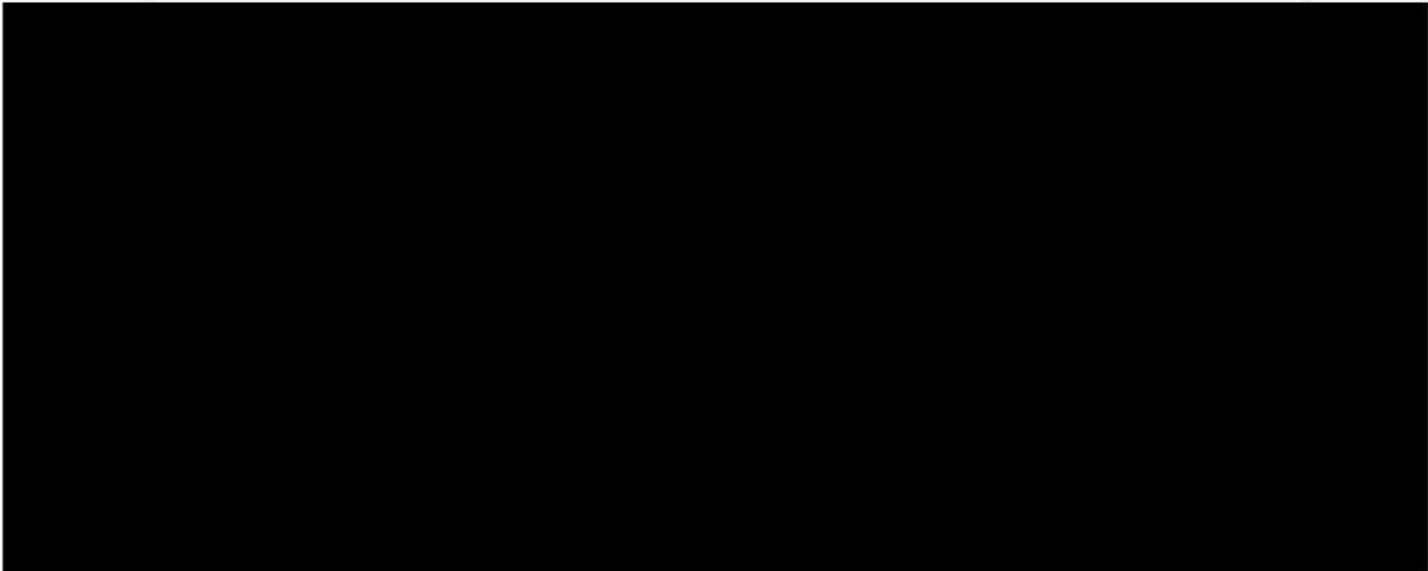
- 5.53 This chapter has provided both quantitative and qualitative data regarding key characteristics of respondent households residing on Gypsy and Traveller sites. The tables below show the accommodation needs arising from the study area as a whole and the ten partner local authorities. It should be noted that any identified land in local plans will contribute towards meeting needs and subsequently reduce the level of needs.

Study Area









South Derbyshire

Table 5.16: Summary of accommodation needs 2020-40 (pitches)

Period	Ethnic definition	PPTS 2015 definition
Total 2020-25	20	14
Total 2025-30	12	11
Total 2030-35	13	12
Total 2035-40	14	13
Total 2020-40	59	50

Source: GTAA 2023

6. Travelling Showpeople consultation

Introduction

- 6.1 As described in Chapter 1, this GTAA considers the accommodation needs of Travelling Showpeople. Unlike Gypsies and Travellers, Travelling Showpeople are not considered to be an ethnic minority and, as such, are not protected by the Equality Act 2010. Nonetheless, government guidance (DCLG Planning Policy for Traveller Sites August 2015) indicates that local authorities should consider the accommodation needs of Travelling Showpeople families. As such, they have been included in this report.
- 6.2 Table 6.1 below lists the number of authorised plots, plots on unauthorised developments (UDs), and plots with temporary planning permission per study area planning authority (primarily based on data provided by the local authorities). There are ■■■ authorised yards with a total of ■■■ plots. A section on the Guild's yard is available for short-term use (managed by the Guild). There are also ■■■ potential plots due to be developed in the next 5 years. However, there are concerns about this development and uncertainty if it will be completed.

Table 6.1 Gypsy and Traveller sites and pitches per authority

	Yards	Plots	UD yards	UD plots	Temp yards	Temp plots
■■■	■■■	■■■	■■■	■■■	■■■	■■■
South Derbyshire	0	0	0	0	0	0
■■■	■■■	■■■	■■■	■■■	■■■	■■■

Source: Study area local authorities

- 6.3 In relation to consultation undertaken on authorised, occupied permanent plots, the response rates are as follows:

	Occupied Permanent Plots	Authorised Plots	Consultation	Response rate %
South Derbyshire	0	0	0	
Total				

Source: GTAA 2023

- 6.4 Consultation was undertaken in relation to all (100%) known plots being taken into account in the assessment. Due to Covid-19 restrictions, consultation was undertaken with the assistance of the Showmen's Guild of Great Britain. The consultation included questions regarding issues such as: family composition (per plot), occupancy of existing plots (including number of and reasons for vacant and /or undeveloped plots and future plans for plots), management and suitability of current yards and plots (including facilities and services), and accommodation needs.

Consultation

- 6.5 Travelling Showpeople households residing on study area yards and plots are involved in differing activities including running circuses, fairgrounds, and concession stands. Some households consisted of retired Travelling Showpeople. Most households had worked in the study area (and beyond) for generations. Three generations of the same family are residing on some plots leading to overcrowding and the needs for separate accommodation for some newly forming households.
- 6.6 Household size on each plot varied between 1 and 14 persons. The age of individuals ranged from a new-born to retirement age. Some individuals and households reside on yards all year round, whilst others use the yards as a base. Since March 2020, Covid-19 restrictions have led to more Showpeople residing on plots all year leading to overcrowding. Also, Showpeople yards needs may need to accommodate long- and short-term employees.
- 6.7 The yards primarily have good access to services such as education, health, and retail facilities. However, the need for additional space in which to store and maintain equipment, and to accommodate growing families, was highlighted as a key concern.
- 6.8 Showpeople regard education as an important element of life for the families. Also, the importance of managing a good balance between their children gaining a good education and learning the culture and tradition of the families.

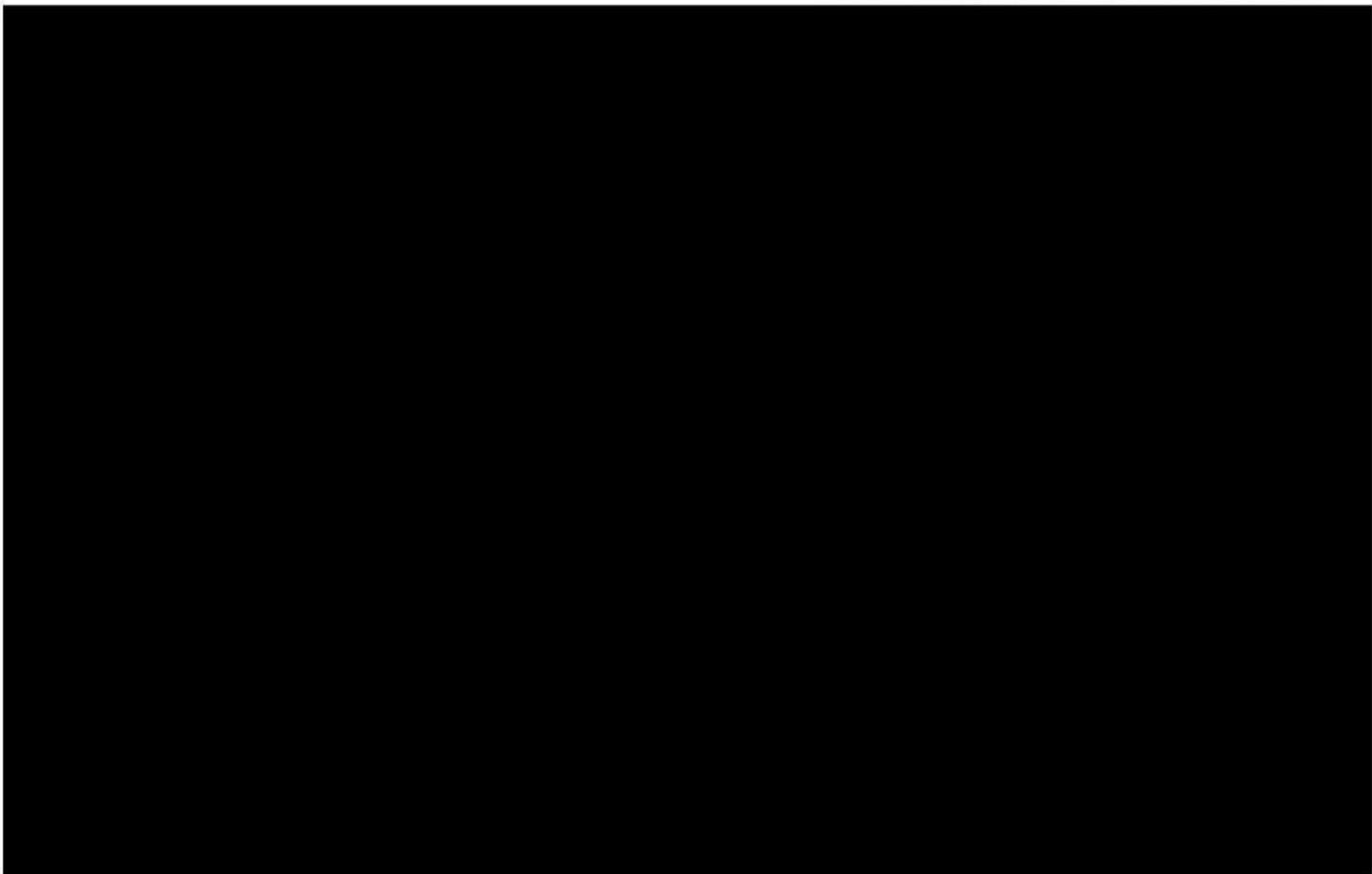
- 6.9 The Showpeople households residing on study area yards travel mainly for work. However, households tend to travel less often and, generally, not as far as they used to. This is because a larger proportion of families mainly work at local events and venues, or at least within a reasonable distance which enables them to travel to and from yards. Covid-19 restrictions meant that many families were unable to travel or work during 2020 and 2021. Many households are concerned that the same Covid-19 related issues will have a similar impact on work throughout 2022.
- 6.10 When the yards were initially developed there was sufficient space for both accommodation and equipment. However, an increasing number of people occupying the yards and larger equipment means that the yards are no longer large enough for both accommodation and storage.

Calculation of Accommodation Needs

- 6.11 The need for permanent plots for Showpeople in the study area is based on the model suggested in DCLG (2007) guidance and supplemented by data provided by the local authorities. It provides a calculation of accommodation needs for the period of 2020-2040 in 5-year periods.
- 6.12 As discussed in Chapter 2, there are differing interpretations of the PPTS (August 2015) definition of Travelling Showpeople. However, all households travel and all meet the PPTS definition.

Requirement for residential plots 2020-2025

- 6.13 The need for residential plots in the area is assessed according to a 14-step process, based on the model suggested in DCLG (2007) guidance and supplemented by data derived from the survey. The results of this are shown in Table 6.3 below, while the subsequent section contains explanations of the sourcing and calculation of figures for each step.
- 6.14 As discussed in Chapter 2, there are differing interpretations of the PPTS (August 2015) definition of Travelling Showpeople. However, all of the households travel and all meet the PPTS definition. Please note that the annual plot needs relate to financial years i.e. 1 April to 31 March.



Requirement for residential plots 2020-2025: steps of the calculation

6.15 Information from local authorities and evidence from the survey was used to inform the calculations including:

- The number of existing plots
- The number of families residing on unauthorised encampments requiring accommodation (and surveyed during the survey period)
- The number of unauthorised developments (during the survey period)
- The number of temporary plots
- The number of vacant plots
- The number of planned or potential new plots
- The number of transit plots

6.16 The remainder of this chapter describes both the process and results of the Travelling Showpeople's needs calculations.

Supply of plots 2020-2025

Step 1: Current occupied permanent plots

6.17 Based on information provided by [REDACTED] and corroborated by information from plot surveys, there are currently [REDACTED] authorised yards with [REDACTED] occupied authorised plots.

Step 2: Number of unused residential plots available

6.18 There are ■ vacant plots.

Step 3: Number of existing plots expected to become vacant 2020-2025

6.19 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. It then calculates the number of plots that would become vacant as a result of mortality. This results in ■ additional plot.

Step 4: Number of family units in plot accommodation expressing a desire to leave the study area

6.20 This was determined by survey data. It was assumed that those currently residing on plots expecting to leave the area permanently in the next five years – out of choice (step 4) or due to overcrowding (step 12) – would generally be able to do so. Given that the plots are not currently occupied and that none of the intended households indicated they would be leaving the study area, this resulted in the supply of ■ plots.

Step 5: Number of family units in plot accommodation expressing a desire to live in housing

6.21 This was determined by survey data. It was assumed that all those currently residing on plots planning to move into housing in the next five years (step 5), or preferring to move into housing from an overcrowded plot (step 12), would be able to do so.

6.22 As with step 5, a supply of ■ plots in the study area were expected from this source, excluding those moving out of the study area, since these are already counted in step 4.

Step 6: Residential plots planned to be built or brought back into use, 2020-2025

6.23 These are plots with planning permission, and which have been partly developed or which were previously occupied but are now vacant and in need of redevelopment. There are ■ plots in the study area that are expected to be built or brought back into use during the period 2020-2025.

Need for plots 2020-2025

Step 7: Seeking permanent permission from temporary plots

6.24 This is determined by local authority data. It is assumed families residing on plots whose planning permission expires within the period 2020-2025 will still require accommodation within the study area. There are currently ■ plots with temporary planning permission located in the area.

Step 8: Family units on plots seeking residential plots in the study area 2020-2025

6.25 This was determined by survey data. These family units reported that they 'needed or were likely' to move to a different home in the next five years, and wanted to stay on an authorised plot, or that they were currently seeking accommodation.

6.26 This category of need overlaps with those moving due to overcrowding, counted in step 12, In order to avoid double-counting family units which both are overcrowded and seeking accommodation are counted only once. This generates a total need of [REDACTED] plots in the study area.

Step 9: Family units on transit plots seeking residential plots in the study area

6.27 This generates a total need of [REDACTED] plots as there is no transit yard in the study area.

Step 10: Family units on unauthorised encampments seeking residential plots in the study area

6.28 There were [REDACTED] households residing on unauthorised encampments interviewed during the survey period, so there is a need of [REDACTED] plots arising from this source.

Step 11: Family units on unauthorised developments seeking residential plots in the study area

6.29 There are [REDACTED] and therefore there is a need of [REDACTED] plots.

Step 12: Family units on overcrowded plots seeking residential plots in the study area

6.30 Overcrowding on a Travelling Showpeople plot may differ to that on Gypsy and Traveller pitch due to the larger need for equipment and vehicle storage. Showpeople require more space for their equipment and vehicles as well as enough space for accommodation such as caravans (static and tourers). This generates a total need of [REDACTED] plots in the study area.

Step 13: New family units expected to arrive from elsewhere

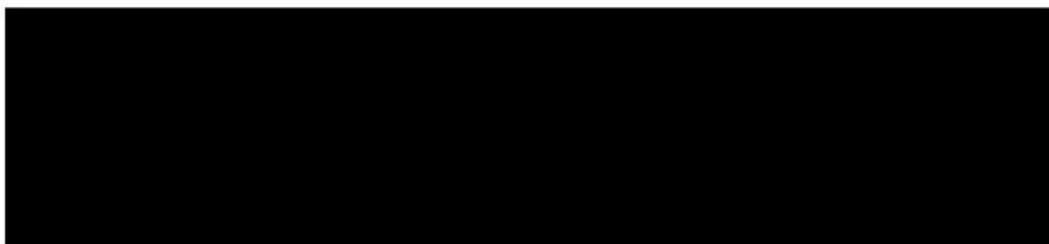
6.31 This generates a total need of [REDACTED] plots in the study area.

Step 14: New family formations expected to arise from within existing family units on yards

6.32 This generates a total need of [REDACTED] plots in the study area.

Balance of Needs and Supply

6.33 From the above the net additional plot requirement is calculated by deducting the supply from the needs.



Requirement for residential plots 2025-2040

6.34 Considering future needs, only natural population increase, mortality, and movement into and out of each borough/district needs be considered. The base figures regarding the number of plots on sites at the end of the first 5-year period are shown in Table 6.5 below.

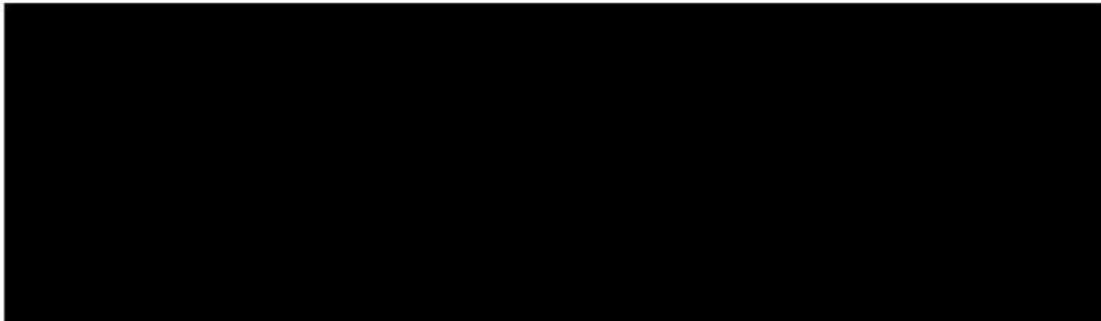
Please note that the 2020 base figures include both authorised occupied and vacant plots, whilst the 2025 base figures assume that any potential plots have been developed.

- 6.35 In relation to this accommodation assessment, analysis of the current population indicates that an annual household growth rate of 2.38% per annum (compound) equating to a 5-year rate of 12.49% is more appropriate. This is based on an analysis of various factors derived from the surveys including current population numbers, the average number of children per household, and marriage rates. It is assumed that these rates are likely to continue during the period 2025-2040. This results in a need of:



Summary

- 6.36 This chapter has provided both quantitative and qualitative data regarding key characteristics of respondent households residing on Travelling Showpeople plots. Accommodation needs resulting from the calculations in the tables above are as follows:



7. Boat dweller consultation

Introduction

- 7.1 As described in Chapter 1, this GTAA considers the accommodation needs of boat dwellers. Unlike Gypsies and Travellers, boat dwellers are not considered to be an ethnic minority and, as such, are not protected by the Equality Act 2010. Nonetheless, government guidance (DCLG 2016) indicates that local authorities should consider the accommodation needs of boat dweller families. Given the presence of boat dwellers in the study area they have been included in this report.

Methodology

- 7.2 Given that the requirement to determine the accommodation needs of boat dwellers was only recently introduced by the DCLG Draft Guidance on Housing Needs (Caravans and Houseboats) (March 2016), there is no established method to determine need. As such, the need for residential moorings in the study area is assessed according to DCLG (2007) guidance and supplemented by data provided by the local authorities and consultation with stakeholders (in particular the boat dwellers). It is also in accordance with NBTA guidance. This methodology has previously been used by RRR Consultancy to undertake Boat Dweller Accommodation Assessments (BDAAs) on behalf of Oxford City Council (2018) and Wokingham Borough Council (2019), and for other authorities as part of their GTAAs.
- 7.3 Whilst households residing on boats in the study area were consulted, there was an insufficient number to base accommodation needs calculations on household consultation alone. As such, the extent of boat dweller mooring supply and needs was determined by consulting with boat dwellers, boat yard and marina owners and managers, the National Barge Travellers Association (NBTA), the Canal and River Trust (CRT). It is also based on an analysis of secondary data including local authority data, an assessment of online data regarding marinas, yards and the waterways in the study area, and visits to different parts of the waterways.
- 7.4 The consultation led to the following: an estimated number of authorised and unauthorised, residential and transit moorings; the number of occupied and vacant moorings; the characteristics of the boat dwellers; and the need for residential and transit moorings.

Households on boats

- 7.5 The household size across the study area varied between 1 person and 5 persons with most boats occupied by 1 or 2 people. According to stakeholders and boat dwellers, very few boats within the study area are permanently occupied by families with children. The age of boat dwellers residing on residential moorings ranged from early twenties to

retirement age. Stakeholders stated that households with older children tend to seek accommodation in housing due to a lack of space and to better access health and education facilities.

- 7.6 Whilst most boats on local marinas are used for leisure purposes by households with residential accommodation elsewhere, some are being used as a form of permanent accommodation. An unconfirmed number of leisure cruisers are being occupied on a regular basis, including being used as accommodation during the week by people working in the local area, by students during term-time, and as alternative bed and breakfast facilities.
- 7.7 Boat dwellers derive from a broad range of social backgrounds with a wide range of professions, skills and interests. Some boat dwellers permanently live and work within the local area, particularly those residing on residential moorings and constant cruisers. Some boat dwellers have permanent residency elsewhere but work in the area and reside on a boat only during the working week. Similarly, some boat dwellers only access boats in the area for leisure purposes at weekends or during holidays.
- 7.8 Boats are increasingly being used as student accommodation. Some parents who may have previously purchased a house to accommodate their children whilst at university or college are purchasing boats as a more affordable option. A preferred option is narrow boats. However, some student boat dwellers do not reside on residential moorings and are continuously cruising.
- 7.9 Some boat dwellers are retired whilst others are unemployed. A small number of local boat dwellers have special needs including substance misuse issues, and / or experience mental health issues. There are also boat dwellers who previously resided in a house but are separated from partners and reside on boats due to a lack of alternative or affordable accommodation. This enables them continued access to their children and employment. There is an increasing number of people residing on boats as an alternative form of accommodation, which increases demand for moorings.

Accommodation needs

- 7.10 Whilst many boat dwellers permanently reside on boats due to a desire to live an alternative lifestyle, some do so due to a lack of affordable accommodation. The cost of buying or renting housing in the study area was regarded by stakeholders as leading to boat dwelling as an affordable alternative. However, potential mooring locations are restricted by land ownership and/or are not suitable for development as new moorings e.g. limited access.
- 7.11 It is recommended that study area local authorities work closely with the Canal and River Trust (CRT), and organisations such as the National Bargee Traveller Association (NBTA),

and existing marinas to address accommodation need. This is particularly important in relation to the CRT who are planning to develop additional permanent and transit moorings in the study area.

Requirement for residential moorings 2020-2025

7.12 There are 260 recorded permanent moorings within the study area (in South Derbyshire) which are currently in the process of being developed. [REDACTED]

[REDACTED]

[REDACTED]

7.14 This need does not include South Derbyshire, as there is sufficient provision in the local authority area to address need. However, this is dependent on the potential moorings that are in the process of being developed being available for residential moorings on a full calendar year basis (as per data held by the council). [REDACTED]

[REDACTED]

Requirement for residential moorings 2020-2040

7.15 It is assumed that by 2025 vacant residential moorings will be occupied, potential moorings will have been developed and occupied, and any additional need has been met by new supply. This includes the shortfall in relation to vacancies where moorings are awaiting occupation / resale have been addressed.

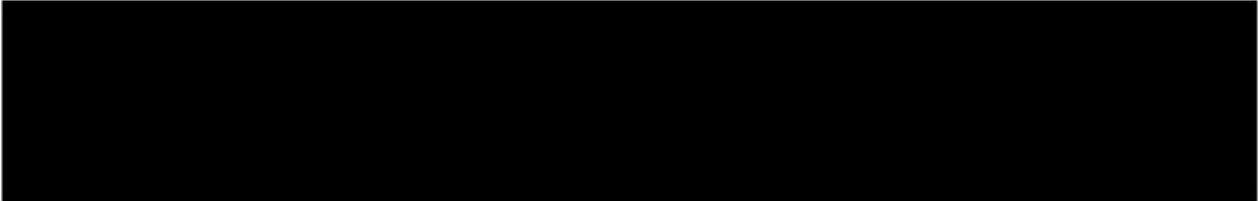
7.16 The residential boat dweller accommodation needs for the period 2025-2040 are determined by applying a mortality rate of 0.4% per annum (equating to 2% over a 5-year period), and a population growth rate of 0.6% per annum (equating to 3% over a 5-year period). This equates to a net population growth of 1% during each 5-year period.

7.17 The residential moorings accommodation needs for the period 2025-2040 are shown in Table 7.1 below. Boat dwellers tend to have a lower mortality rate and smaller household size compared to Gypsy and Traveller households. As such, the household formation rate is lower.



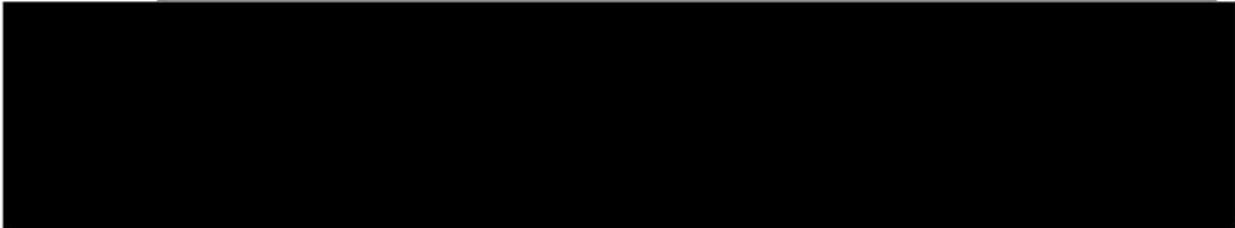
Requirements for transit moorings: 2020-2040

7.18

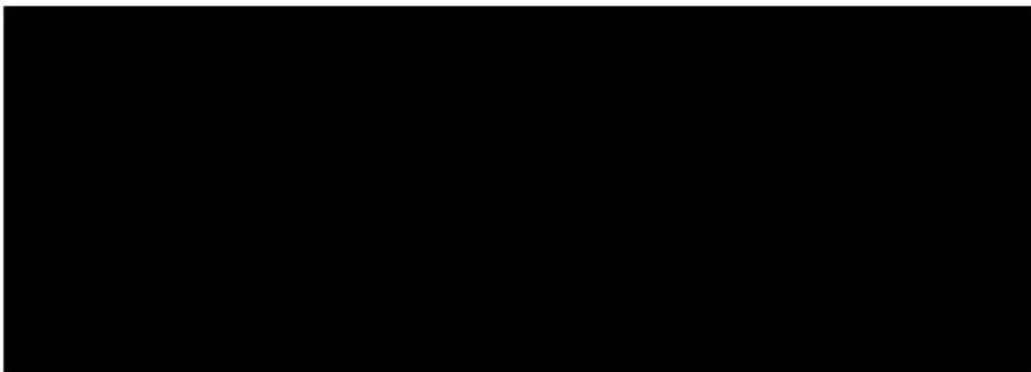


Summary

7.19 It is estimated that there are over [redacted] boat dweller households residing on their boats in the study area without an authorised permanent mooring. This is a combination of those who choose to be constant cruisers and those who would prefer a permanent authorised mooring. From this it is estimated that there is a need for [redacted] additional permanent moorings. [redacted]



Study Area



8. Residential Caravan Dwellers

Introduction

- 8.1 As described in Chapter 1, this chapter considers the accommodation needs of permanent residential caravan dwellers who do not consider themselves to be Gypsies, Travellers or Travelling Showpeople. Unlike Gypsies and Travellers, residential caravan dwellers are not considered to be an ethnic minority and, as such, are not protected by the Equality Act 2010. However, recent Government guidance (March 2016) and paragraph 124 of the Housing and Planning Act 2016 indicates that local authorities should consider the accommodation needs of residential caravan dwelling households.

Methodology

- 8.2 This methodology is similar to that previously used by *RRR Consultancy* to undertake Residential Caravan Accommodation Assessments on behalf of Norwich, South Norfolk, North Norfolk, Broadlands, Broads Authority and Great Yarmouth (2016), and Broads Authority and Great Yarmouth (2021).
- 8.3 Statistical data was provided by each of the authorities regarding the number of caravan pitches and sites, and holiday and mixed-use data in each local authority area. The local authority also provided addresses for sites and desk-based research confirmed contact details for the sites. Attempts were made to contact identified sites to confirm number of residential pitches with permission, occupied, vacant and potential.
- 8.4 Each local authority provided data on known locations. Not all data was complete and not all data confirmed the number of pitches that were licenced and had planning consent for permanent residential use. It was subsequently analysed and checked against online data, other council data, and through consultation with site managers and key stakeholders. Not all sites consulted have permanent pitches or people who permanently reside in caravans on sites. However, some sites without permanent residential pitches acknowledged that there are occupants who reside on site for 12 months of the year even when the pitch is not for permanent use.

Existing Supply

- 8.5 The following provides the known overall number of authorised residential pitches (including private family sites and registered park homes) per authority for the local authority area as a whole. From the data gathered and consultation with site managers and owners it is determined that there are ■ residential caravan sites located within the local authority area, with a total of ■.

8.6 Table 8.1 shows the number of authorised residential caravan pitches within each local authority area.

Table 8.1: Residential caravan sites and pitches in the study area		
Local authority	sites	pitches
[REDACTED]	[REDACTED]	[REDACTED]
South Derbyshire	6	176

Source: GTAA 2023

Calculation of Accommodation Need

8.7 Given that the requirement to determine the accommodation needs of residential non-Gypsy or Traveller caravan dwellers was only recently introduced by the DCLG Draft Guidance on Housing Needs (Caravans and Houseboats) (March 2016), there is no established method to determine need. The need for permanent residential pitches in the local authority area is based on the model suggested in DCLG (2007)²⁶ guidance and consultation with stakeholders.

8.8 Whilst this guidance relates specifically to assessing needs for Gypsy and Traveller accommodation, it is considered appropriate for assessing needs for residential caravan dwellers (please note that residential caravan sites with more permanent structures are often referred to as 'mobile home parks').

8.9 The PPTS definition does not apply to accommodation need for residential caravan dwellers, as non-Gypsy and Traveller caravan dwellers primarily do not travel in their caravans, and a substantial proportion of the caravans they occupy are static caravans unable to move. Also, it should be acknowledged households may reside in residential caravans due to a 'lifestyle' choice or as an affordable alternative to residing in bricks and mortar accommodation.

²⁶ Although the guidance was withdrawn in December 2016 it remains useful as a model for determining accommodation need.

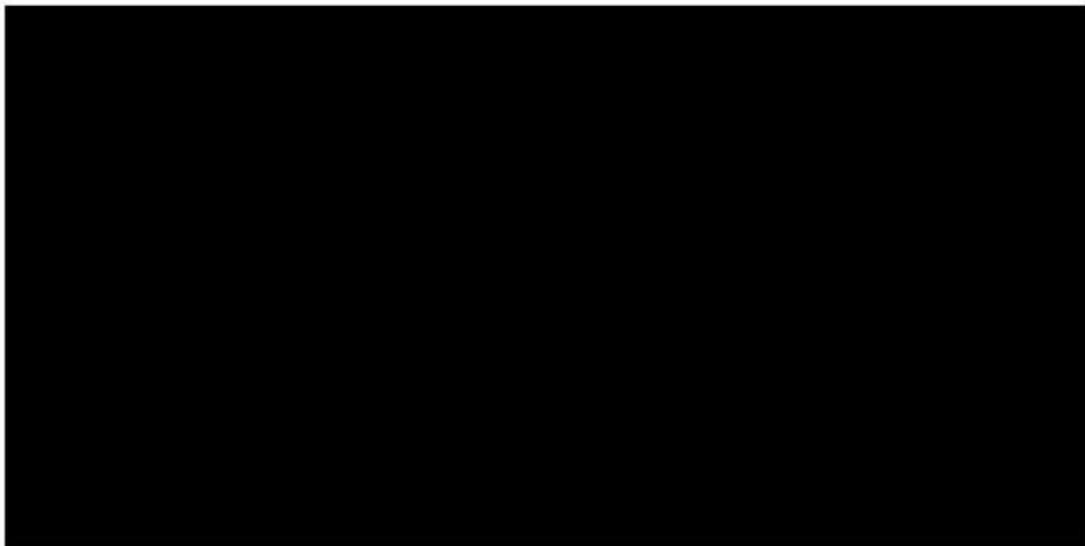
Requirement for Residential Pitches 2020-2025

8.10 The levels of supply and need were based on an estimation of the following:

- Number of mobile park homes / sites in the local authority area
- Total number of mobile home/park home units in the local authority area
- Number of current and potential vacant pitches
- Level of demand
- Whether these are the main residence of the occupiers or secondary/holiday accommodation

8.11 It has not been possible to determine the proportions of private rented or owner-occupied pitches, or to determine levels of affordability. It is important to note that whilst residing in a caravan is primarily a lifestyle choice for most people who opt for this form of accommodation, there are some residing in caravans due to financial issues and being unable to afford an alternative.

8.12 The following illustrates how the consultation and the other methods discussed above, have resulted in an estimated requirement for a further [REDACTED] residential caravan pitches for the period 2020 to 2025. It is based on all known residential occupancy and does not include those pitches occupied as second or holiday homes.



Supply of residential caravan pitches 2020-2025

Step 1: Current occupied permanent residential pitches

8.13 Based on information provided by the local authority and corroborated by information from consultation there are currently [REDACTED] authorised residential caravan pitches within the local authority area.

Step 2: Number of unused permanent residential pitches available

8.14 From stakeholder consultation it is [REDACTED]

Step 3: Number of existing residential pitches expected to become vacant

8.15 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. It then calculates the number of residential pitches that would become vacant as a result of the mortality. This results in an additional supply of [REDACTED] pitches.

Step 4: Permanent residential pitches planned to be built or brought back into use, 2020-2025

8.16 This can include residential pitches which have been partly developed, never developed, or which were previously occupied but are now vacant and in need of redevelopment. This results in a supply of [REDACTED] additional pitches.

Need for residential caravan pitches 2020-2025

Step 5: Seeking permanent permission from temporary residential pitches

8.17 This is determined by local authority data. It is assumed families residing on residential pitches whose planning permission expires within the period 2020-2025 will still require accommodation within the local authority area. There are currently [REDACTED] pitches with temporary planning permission located in the area.

Step 6: Households seeking permanent residential pitches in the local authority area

8.18 Previous studies undertaken by *RRR Consultancy* and stakeholder consultation in relation to this study have shown a demand for around 10% of total supply over a 5-year period equating to a need of [REDACTED] additional residential caravan pitches.

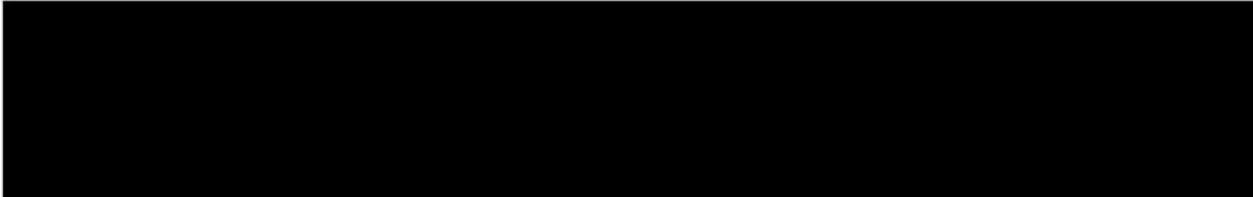
Balance of Need and Supply

8.19 From the above the net additional residential caravan pitch requirement is calculated by deducting the supply from the need:

[REDACTED]

Requirement for residential pitches 2025-2040

8.20 [REDACTED]



- 8.21 Please note that the 2020 base figures include both authorised occupied and vacant residential pitches, whilst the 2025 base figures assume that any potential pitches have been developed.
- 8.22 The residential caravan accommodation needs for the period 2025-2040 are determined by applying a mortality rate of 0.4% per annum (equating to 2% over a 5-year period), and a population growth rate of 0.6% per annum (equating to 3% over a 5-year period). This equates to a net population growth of 1% during each 5-year period.
- 8.23 The residential caravan accommodation needs for the period 2025-2040 are shown in Table 8.4 below:



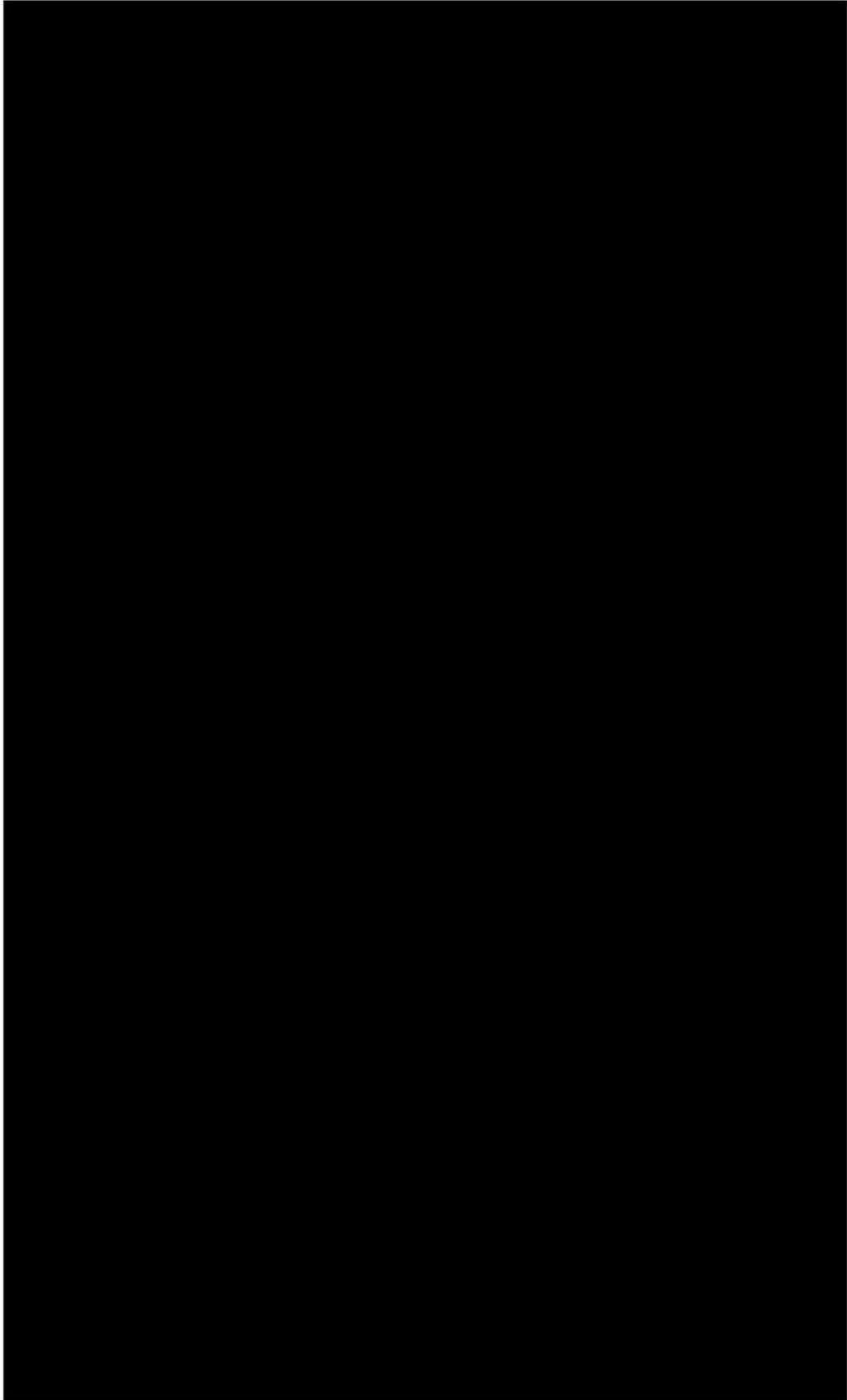
Summary

- 8.24 This chapter has provided both quantitative and qualitative data regarding key characteristics of respondent households residing on residential caravan pitches. Accommodation needs resulting from the consultation and the calculations above are as follows:

Study Area



Source: GTAA 2023



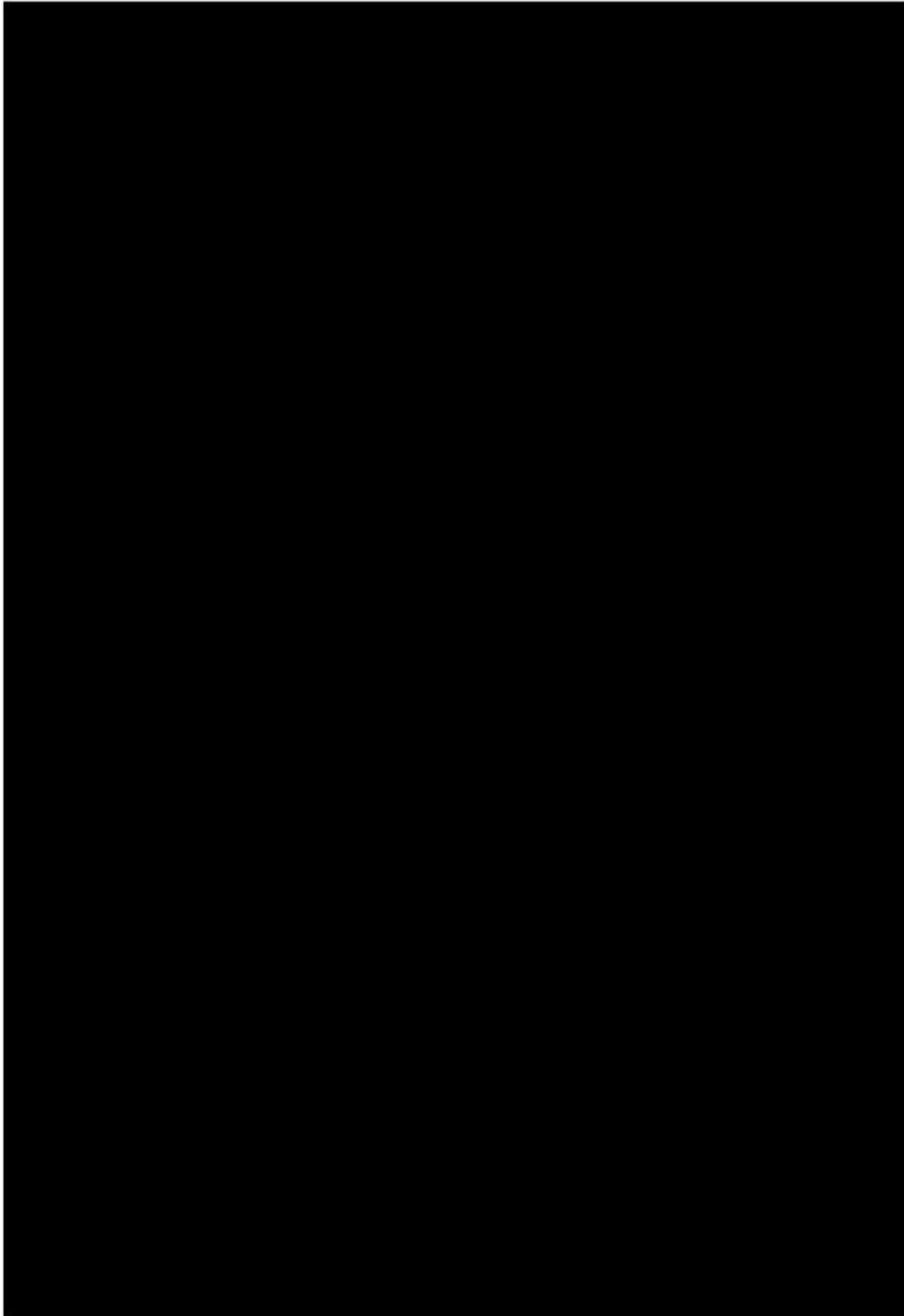
**South Derbyshire**

Table 8.15: Summary of accommodation needs 2020-40

Period	Pitches
2020-25	5
2025-30	3
2030-35	3
2035-40	3
2020-40	14

Source: GTAA 2023

9. Conclusion and recommendations

Introduction

- 9.1 This final chapter draws conclusions from the evidence. It then makes a series of recommendations relating to meeting the identified need for new provision, facilities, and recording and monitoring processes.
- 9.2 The chapter begins by presenting an overview of the policy changes, followed by a review of the accommodation needs of Gypsies and Travellers, Travelling Showpeople, and boat dwellers, and concludes with key recommendations.
- 9.3 The accommodation needs calculations undertaken as part of this GTAA were based on analysis of both secondary data and primary consultation with Gypsies, Travellers, Travelling Showpeople, boat dwellers, and key stakeholders. The consultation was undertaken in a Covid-19 safe manner i.e. it followed government guidance and restrictions. However, this meant that consultation with households was delayed and some consultation was undertaken using remote methods e.g. over the telephone.

Policy Changes

- 9.4 In August 2015 the DCLG published 'Planning Policy for Traveller Sites' (including Travelling Showpeople yards). It states that for the purposes of planning policy "gypsies and travellers" means:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

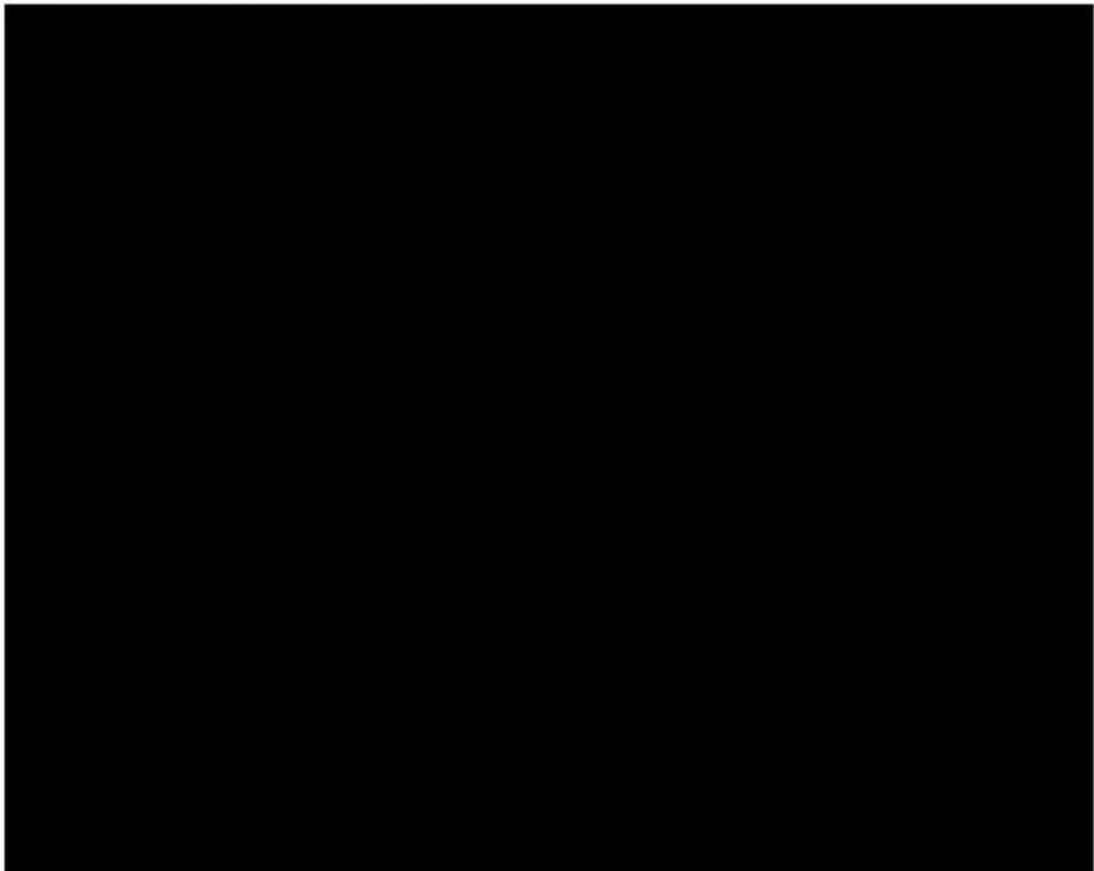
- 9.5 In determining whether persons are "Gypsies and Travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:
 - a) whether they previously led a nomadic habit of life
 - b) the reasons for ceasing their nomadic habit of life
 - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.
- 9.6 In March 2016 the then Department for Communities and Local Government (DCLG) published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for

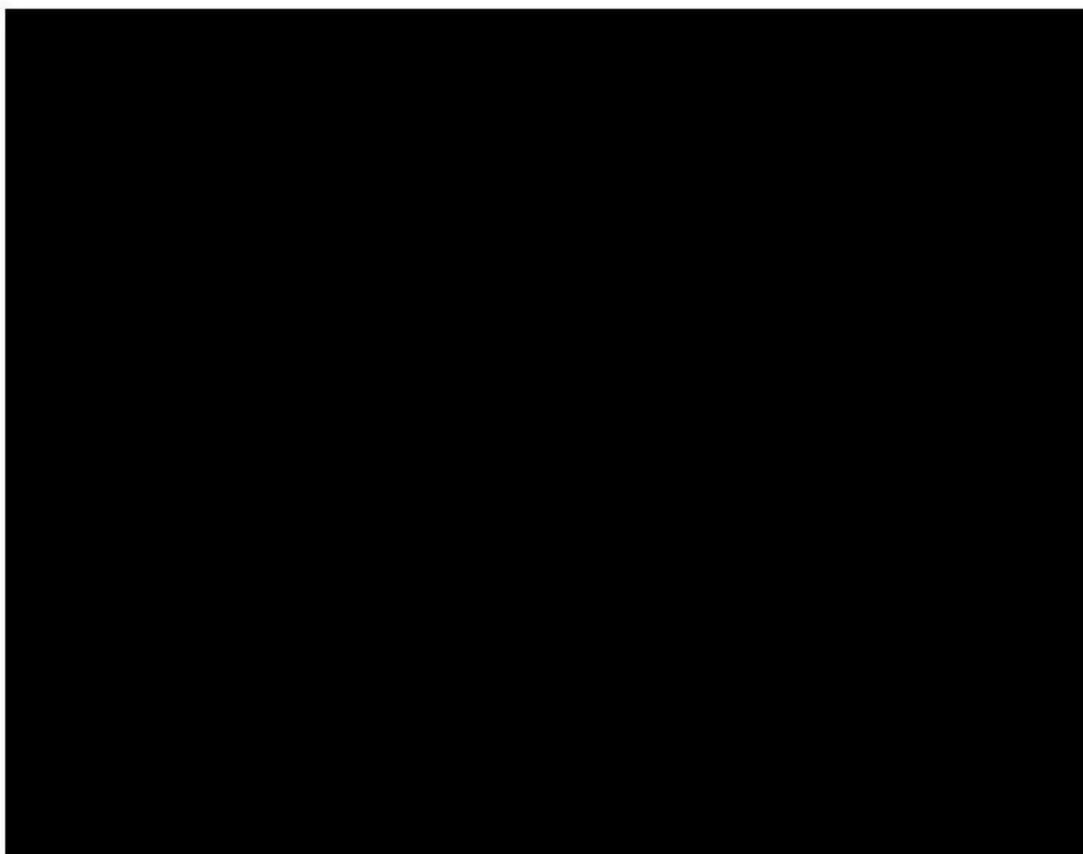
caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances including, for example, caravan and houseboat dwelling households, and households residing in bricks and mortar accommodation.

- 9.7 The Housing and Planning Act, which gained Royal Assent on 12 May 2016, deletes sections 225 and 226 of the Housing Act 2004, which previously identified 'gypsies and travellers' as requiring specific assessment for their accommodation needs when carrying out reviews of housing needs. Instead, the Act amends section 8 of the Housing Act 1985 governing the assessment of accommodation needs to include all people residing in or resorting to the area in caravans or houseboats. However, for planning purposes, as noted above, the DCLG Planning Policy for Traveller Sites (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

Accommodation needs

- 9.8 The following outlines the accommodation needs for each of the community groups for the Local Plan period of 2020 to 2040.





The location of new provision

- 9.9 There is a general consensus that smaller sites are preferred by Gypsy and Travellers due to better management and maintenance of provision and security. Ongoing monitoring of provision and vacant provisions should be undertaken by the local authorities alongside discussions with different community groups, to ensure that any additional need that may arise is identified.
- 9.10 Ensuring that new provisions are located in a safe environment is important although the impact of land costs on determining feasibility must also be considered. The settled community neighbouring sites or yards should also be involved in consultations. In relation to Showpeople, the accommodation need on one yard could be met by the family purchasing adjoining land to develop additional plots.
- 9.11 In terms of identifying broad locations for new permanent sites, there are a number of factors which could be considered including:

Costs

- How do land costs impact on feasibility i.e. is it affordable?
- Implementation of services – is it possible for the new site to connect to nearby mains services e.g. electricity, gas, water or sewerage?
- Can good drainage be ensured on the new provision?

Social

- Does the proposed location of the new provision lie within a reasonable distance of school catchment areas?
- Sustainability – is the proposed location close to existing bus routes?
- Proximity of social and leisure services – is the proposed location close to leisure facilities such as sports centres, cinemas etc. or welfare services such as health and social services etc?

Availability

- Who owns the land and are they willing to sell / rent?
- Is access easy or will easements across other land be needed both for residents and services/utilities?
- Are utilities close enough to service the provision at realistic prices?

Deliverability

- Does the proposed location meet existing general planning policy in terms of residential use, (for example in relation to Green Belt, flooding and the historic environment)?
- Can the owner sell the land easily and quickly?
- Can utilities connect to the proposed provision?
- Can highways connect to the proposed provision?

9.12 Considering the evidence gathered throughout the GTAA, it is likely that the key factors determining new provision are:

- The affordability of land suitable for the development of new sites and the cost of development
- The need to ensure that new provisions are within reasonable travelling distance of social, welfare and cultural services
- The need to carefully consider the proximity of new provisions to existing provisions i.e. whether social tensions might arise if new provisions are located too close to existing provisions
- The sustainability of new provisions i.e. ensuring that they do not detrimentally impact on the local environment and do not place undue pressure on the local infrastructure

9.13 It is important that new provisions are located close to amenities such as shops, schools and health facilities or where there are good transport links or within reasonable distance for households to access the necessary facilities and amenities. DCLG (2015) guidance suggests that local planning authorities should strictly limit new Gypsy and Traveller site development in the open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas do not dominate the nearest settled community and avoid placing an undue pressure on the local infrastructure. As stated in Chapter 2, the study area local

authority Local Plan policies contain locational criteria to help determine suitable locations for the development of new sites or yards.

- 9.14 The DCLG (2015) guidance states that when considering applications, local planning authorities should attach weight to the following matters:
- a. effective use of previously developed (brownfield), untidy or derelict land
 - b. sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
 - c. promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
 - d. not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

The size of new provision

Gypsy and Traveller pitches

- 9.15 DCLG (2008)²⁷ guidance states that there is no one-size-fits-all measurement of a pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs. However, they do suggest that as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, (or two trailers, drying space for clothes, a lockable shed for bicycles, wheelchair storage etc.), parking space for two vehicles and a small garden area.
- 9.16 Based on DCLG guidance, it can be determined that a pitch of approximately 325 square metres would take into account all minimum separation distance guidance between caravans and pitch boundaries as stipulated in guidance and safety regulations for caravan development. A pitch size of at least 500 square metres (0.05ha) would comfortably accommodate the following on-pitch facilities:
- Hard standing for a touring caravan (enabling households to travel)
 - Hard standing for a static caravan (including double static trailers)
 - 2 car parking spaces
 - 1 amenity block
 - Hard standing for storage shed and drying
 - Garden/amenity area

²⁷ Please note that this publication was withdrawn in September 2015.

- 9.17 If granting permission on an open plan basis, permission should be given on a pitch-by-pitch equivalent basis to the above. For example, an existing pitch which has enough space to accommodate a chalet structure, 2 touring caravans and 1-2 static caravans along with 4 parking spaces, 2 blocks etc., could be counted as 2 pitches even if it is shown on plans as 1 pitch. However, this would need to be recorded for future monitoring.

Showpeople plots

- 9.18 In relation to Showpeople, new plots need to not only accommodate living space (similar to the above in relation to Gypsies and Travellers), but also space for work equipment. New plots need to accommodate structures and / or caravans designed for living quarters sufficient to accommodate the household and meet their specific requirements, and space away from the living quarters for storage and maintenance of work equipment and vehicles and domestic vehicles i.e. family car(s). Due to the need for both accommodation space and space for storage and maintenance of very large equipment, the size and space required for a Showpeople plot needs to be much larger than a standard Gypsy and Traveller pitch.

Boat Dweller Moorings

- 9.19 New provision for boat dwellers is required for permanent moorings with sufficient space and time allowed to moor for transient use. Both permanent moorings and moorings for transit use require access to necessary provisions and services, be located in safe locations with good access by emergency services. It is recommended that the councils work closely with representative organisations such as the CRT, CCT, and NBTA to ensure that any provision meets guidance (e.g. CRT 2017²⁸). The Broads Authority have provided guidance in relation to the design of new moorings²⁹.

Residential Caravan pitches

- 9.20 According to the [then] Department for Communities and Local Government (DCLG) (2008), the residential site caravan design guidance³⁰ should be applied with due regard to the particular circumstances of each case, including the physical character of the site, any facilities or services that may already be available within convenient reach and other local conditions. The boundaries of the caravan site from any adjoining land shall be clearly marked by a manmade or natural feature. No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site. Every caravan must, where practicable, be spaced at a distance of no less than 6 metres (the separation distance)

²⁸ See: <https://canalrivertrust.org.uk/media/original/32800-planning-for-waterways-in-neighbourhood-plans.pdf>

²⁹ See: <https://www.broads-authority.gov.uk/planning/planning-permission/broads-planning-guides/mooring-design-guide/practical-considerations>

³⁰ CLG, Model Standards for Caravan Sites in England, 2008.

from any other caravan which is occupied as a separate residence. No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site. The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

Transit provision

- 9.21 Whist recognising that there are ■■■ transit pitches within the study area, it is recommended that the local authorities set up a negotiated stopping places policy to address transit provision. This is land temporarily used as authorised short-term (less than 28 days) stopping places. They may not require planning permission if they are in use for fewer than 28 days in a year. The requirements for emergency stopping places reflect the fact that the site will only be used for a proportion of the year and that individual households will normally only stay on the agreed location for a few days. Amenities such as portaloos and showers (or access to alternative nearby facilities) and skips or wheelie bins should ideally be made available for the duration of the agreed period.
- 9.22 Agreements could be made with households residing on sites and allowing visiting family and friends to stay for agreed periods of time. This would lead to fewer unauthorised encampments which adversely impact on the local community.
- 9.23 If and where possible, it is recommended that local authorities, either on an individual or collective basis, consider the development of transit sites.

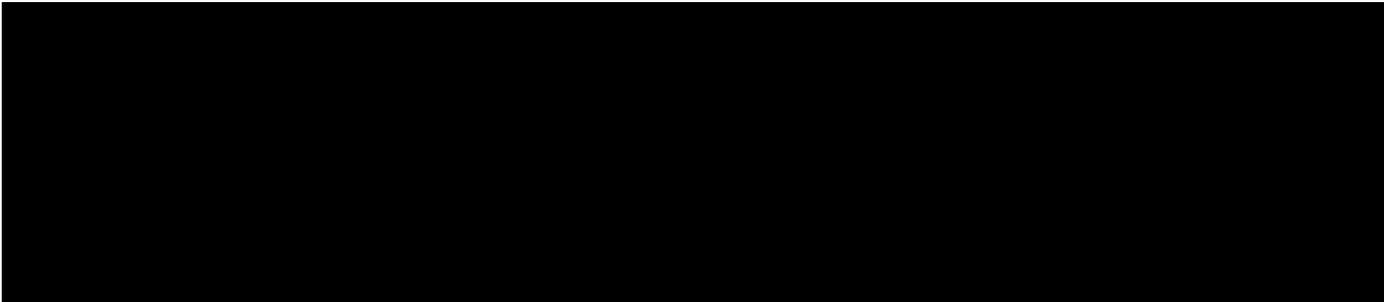
Summary

- 9.24 There is a need of ■■■ pitches in relation to households who meet the PPTS definition i.e. who have not permanently ceased to travel, and an accommodation need of a further ■■■ pitches in relation to households *who do not meet* the PPTS definition but who are ethnically recognised as Gypsies and Travellers. This means that ■■■ households with accommodation needs travel, whilst an additional ■■■ pitches are required by households who have ceased to travel. Please note that annual pitch and plot needs relate to financial years i.e. 1 April to 31 March.
- 9.25 There is also a need for ■■■ additional Travelling Showpeople plots during the same period, ■■■ residential caravan pitches and ■■■ permanent moorings. It is recommended that the councils have a corporate policy in place to address negotiated stopping places for small-scale transient Gypsy and Traveller encampments, and that they work with neighbouring authorities to determine the location and size of new transit provision.
- 9.26 It is recommended that each study area local planning authority determines for itself which of the accommodation needs figures in relation to Gypsies and Travellers it chooses to prioritise in its Local Plan. This GTAA recommends adopting the 'ethnic' definition accommodation needs figures i.e. meeting the accommodation needs of all

households who ethnically identify as Gypsies and Travellers. This will not only demonstrate knowledge of the overall accommodation need of all Gypsies and Travellers, but also how the accommodation needs in relation to households not meeting the PPTS definition are being addressed.

9.27 Alternatively, the local authorities may adopt the 'PPTS 2015' definition accommodation needs figures with the difference between the PPTS 2015 figures and Ethnic' definition being an additional need that the council(s) may choose to meet. This means that the local authorities would firstly meet the need of ■■■ (■■■ within the first 5 years) as the obligation but accept the need of a further ■■ ■■ within the first five years) as potential needs in the area if further applications are brought forward through windfalls. It is important to note that this only refers to Gypsies and Travellers and not Travelling Showpeople.

9.28 It is also recommended that the local planning authorities incorporate into their local plans a criteria-based policy which takes into consideration any planning applications that might materialise over the plan period from households not considered by this assessment. This could include households residing on unauthorised developments not included in this assessment, unauthorised encampments, due to in-migration, and those residing in bricks and mortar accommodation. This accommodation needs should be considered separate to the needs identified below and could be met through windfall applications.



9.30 As well as quantifying accommodation needs, the study also makes recommendations on other key issues including:

Accommodation needs:

- In relation to Gypsies and Travellers and Travelling Showpeople it is recommended that the local authorities work closely with the families to determine how their accommodation needs can best be met.
- Also, for the local planning authorities to provide pre-planning application advice to households who have identified land to help determine if it is suitable to address accommodation need.
- In order to meet the accommodation needs of Travelling Showpeople it is also recommended that the local authorities work closely with yard owners to determine how the proposed land that they have already identified, and other potential land could meet their current and future accommodation needs.

- Dependent upon meeting planning requirements, it is recommended that the local authorities review the sites and yards with temporary permission and consider making them permanent, and to review the unauthorised sites and yards and consider them gaining permanent status.

9.31 As well as quantifying accommodation needs, the study also makes recommendations on other key issues including:

Planning policy:

- Implement corporate policy to provide negotiated stopping arrangements to address unauthorised encampments for set periods of time at agreed locations.
- To liaise with owners of the sites and yards to determine how they could expand the number of pitches to meet the family's accommodation needs.
- To consider how the accommodation needs can be met by expanding existing provision and/or providing new sites and yards.
- To consider alternative options for developing new sites and yards such as sites developed on a cooperative basis, shared ownership, or small sites owned by a local authority, but rented to families for their own use.
- To consider alternative site funding mechanisms such as: site acquisition funds; loans for private site provision through Community Development Financial Institutions; and joint ventures with members of the Gypsy and Traveller, Showpeople and boat dweller communities.
- Prior to action being taken against a site which is being used without planning permission, the local authority, in partnership with the landowner, occupants and relevant agencies (e.g. Showmen's Guild and National Federation of Gypsy Liaison Groups), to review its current, historic and potential planning status.
- To consider safeguarding Gypsy, Traveller and Travelling sites and Showpeople yards with permanent planning permission for their current use unless it can be demonstrated that they are no longer required to meet accommodation needs.
- The population size and demographics of the Gypsy, Traveller, Travelling Showpeople and boat dweller communities can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.

Management:

- Housing organisations need to consider the type of housing allocated to Gypsies and Travellers residing in bricks and mortar in order to minimise the psychological aversion and feelings of isolation.
- Develop a holistic vision for their work on Gypsies and Travellers and embed it in Community and Homelessness Strategies, Local Plans and planning and reporting obligations under the Equality Act 2010.
- Provide training and workshop sessions with local authority and service provider employees (and elected members) to help them to further understand issues relating to the Gypsy, Traveller, and Travelling Showpeople communities.

- In liaison with relevant enforcement agencies such as the police to develop a common approach to dealing with unauthorised encampments.
- Encourage local housing authorities to include Gypsy and Traveller categories on ethnic monitoring forms to improve data on population numbers, particularly in housing.
- Better sharing of information between agencies in relation to Gypsy and Traveller, Travelling Showpeople and boat dweller communities.

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Glossary

Amenity block

A small permanent building on a pitch with bath/shower, WC, sink and (in some larger ones) space to eat and relax. Also known as an amenity shed or amenity block.

Authorised site

A site with planning permission for use as a Gypsy and Traveller site. It can be privately owned (often by a Gypsy or Traveller), leased or socially rented (owned by a council or registered provider).

Average

The term 'average' when used in this report is taken to be a mean value unless otherwise stated.

Bedroom standard

The bedroom standard is based on that which was used by the General Household Survey to determine the number of bedrooms required by families. For this study, a modified version of the bedroom standard was applied to Gypsies and Travellers residing on sites to take into account that caravans or mobile homes may contain both bedroom and residing spaces used for sleeping. The number of spaces for each accommodation unit is divided by two to provide an equivalent number of bedrooms. Accommodation needs were then determined by comparing the number (and age) of family members with the number of bedroom spaces available.

Bricks and mortar accommodation

Permanent housing of the settled community, as distinguished from sites.

Caravan

Defined by Section 29 (1) of the Caravan Sites and Control of Development Act 1960 a caravan as:

"... any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted."

Concealed household

A household or family unit that currently lives within another household or family unit but has a preference to live independently and is unable to access appropriate accommodation (on sites or in housing).

Doubling up

More than one family unit sharing a single pitch.

Emergency stopping places

Emergency stopping places are pieces of land in temporary use as authorised short-term (less than 28 days) stopping places for all travelling communities. They may not require planning permission if they are in use for fewer than 28 days in a year. The requirements for emergency stopping places reflect the fact that the site will only be used for a proportion of the year and that individual households will normally only stay on the site for a few days.

Family Owner Occupied Gypsy Site

Family sites are seen as the ideal by many Gypsies and Travellers in England. They are also often seen as unattainable. There are two major obstacles: money/affordability and getting the necessary planning permission and site licence. While the former is clearly a real barrier to many less well-off Gypsies and Travellers, getting planning permission for use of land as a Gypsy caravan site (and a 'site' in this context could be a single caravan) is currently a major constraint on realising aspirations among those who could afford to buy and develop a family site.

Family unit

The definition of 'family unit' is used flexibly. The survey assumes that a pitch is occupied by a single household or family unit although it acknowledges that this may also include e.g. extended family members or hidden households.

Gypsy

Member of the main groups of Gypsies and Travellers in Britain. In this report it is used to describe English (Romany) Gypsies, Scottish Travellers and Welsh Travellers. English Gypsies were recognised as an ethnic group in 1988, whilst Scottish Gypsies were recognised in Scotland as an ethnic group in 2008.

Gypsy and Traveller

As defined by DCLG Planning Policy for Traveller Sites (August 2015):

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

The DCLG guidance also states that in determining whether persons are "gypsies and travellers" for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life
- b) the reasons for ceasing their nomadic habit of life
- c) whether there is an intention of residing a nomadic habit of life in the future, and if so, how soon and in what circumstances.

Household

The definition of 'household' is used flexibly. The survey assumes that a pitch is occupied by a single household or family unit although it acknowledges that this may also include e.g. extended family members or hidden households.

Irish Traveller

Distinct from Gypsies but sharing a nomadic tradition, Irish Travellers were recognised as an ethnic group in England in 2000.

Local Authority Sites

The majority of pitches on local authority owned or managed sites are designed for permanent residential use. The latest published Traveller Caravan Count undertaken in July 2021 suggests that there are a total of 4,319 permanent local authority and private registered provider pitches capable of housing 6,993 caravans.

Local Development Documents (LDD)

Local Plans and other documents that contain planning policies and are subject to external examination by an Inspector. It is important to note that Supplementary Planning Documents (SPDs) contain guidance are not subject to Examination. Planning applications are determined in relation to an adopted Development Plan which contains documents found to be sound at an External Examination.

Negotiated Stopping

The term 'negotiated stopping' is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated arrangements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. The arrangement is between the local authority and the (temporary) residents.

Net need

The difference between needs and the expected supply of available pitches (e.g. from the re-letting of existing socially rented pitches or from new sites being built).

New Traveller (formerly 'New Age Traveller')

Members of the settled community who have chosen a nomadic or semi-nomadic lifestyle. The first wave of New Travellers began in the 1980s and were associated with youth culture and 'new age' ideals. They now comprise a diverse range of people who seek an alternative lifestyle for differing reasons including personal or political convictions. Economic activities include making hand-made goods that are sold at fairs.

Newly forming families

Families residing as part of another family unit of which they are neither the head nor the partner of the head and who need to live in their own separate accommodation, and/or are intending to move to separate accommodation, rather than continuing to live with their 'host' family unit.

Overcrowding

An overcrowded dwelling is one which is below the bedroom standard. (See 'Bedroom Standard' above).

Permanent residential site

A site intended for long-stay use by residents. They have no maximum length of stay but often constraints on travelling away from the site.

Pitch

Area on a site developed for a family unit to live. On socially rented sites, the area let to a tenant for stationing caravans and other vehicles.

Plot

Area on a yard for Travelling Showpeople to live. As well as dwelling units, Travelling Showpeople often keep their commercial equipment on a plot.

Primary data

Information that is collected from a bespoke data collection exercise (e.g. surveys, focus groups or interviews) and analysed to produce a new set of findings.

Private rented pitches

Pitches on sites which are rented on a commercial basis to other Gypsies and Travellers. The actual pitches tend to be less clearly defined than on socially rented sites.

Psychological aversion

Whilst not a medical condition this is a term that is accepted as part of accommodation assessments in encapsulating a range of factors that demonstrate an aversion to residing in bricks and mortar accommodation (see DCLG October 2007). The factors concerned can include: feelings of depression, stress, sensory deprivation, feeling trapped, feeling cut off from social contact, a sense of dislocation with the past, feelings of claustrophobia. Proven psychological aversion to residing in bricks and mortar accommodation is one factor used to determine accommodation needs.

Secondary data

Existing information that someone else has collected. Data from administrative systems and some research projects are made available for others to summarise and analyse for their own purposes (e.g. Traveller Caravan Count).

Settled community

Used to refer to non-Gypsies and Travellers who live in housing.

Site

An area of land laid out and/or used for Gypsy and Traveller caravans for residential occupation, which can be authorised (have planning permission) or unauthorised. Sites can be self-owned by a

Gypsy and Traveller resident, or rented from a private or social landlord. Sites vary in type and size and can range from one-caravan private family sites on Gypsies' and Travellers' own land, through to large local authority sites. Authorised private sites (those with planning permission) can be small, family-run, or larger, privately-owned rented sites.

Socially rented site

A Gypsy and Traveller site owned by a council or private Registered Provider. Similar to social rented houses, rents are subsidised and offered at below private market levels.

Tolerated

An unauthorised development or encampment may be tolerated by the local authority meaning that no enforcement action is currently being taken.

Transit site/pitch

This is the authorised encampment option for Gypsies and Travellers travelling in their caravans and in need of temporary accommodation while away from 'home'. Transit sites are sometimes used on a more long-term basis by families unable to find suitable permanent accommodation.

Travelling Showpeople

People who organise circuses and fairgrounds and who live on yards when not travelling between locations. Most Travelling Showpeople are members of the Showmen's Guild of Great Britain.

Unauthorised development

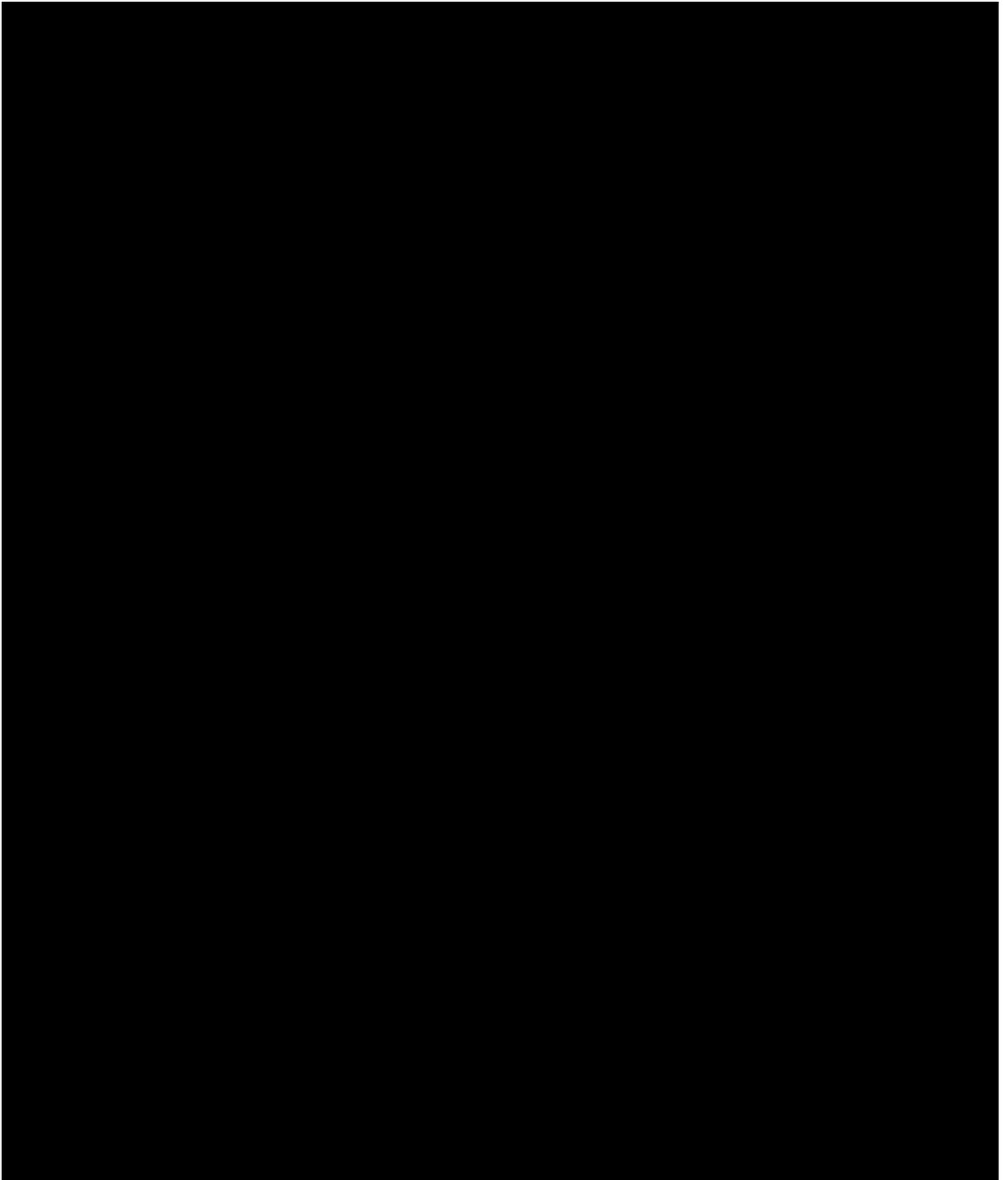
Unauthorised developments include situations where the land is owned by the occupier, or the occupier has the consent of the owner (e.g. is tolerated /no trespass has occurred), but where relevant planning permission has not been granted.

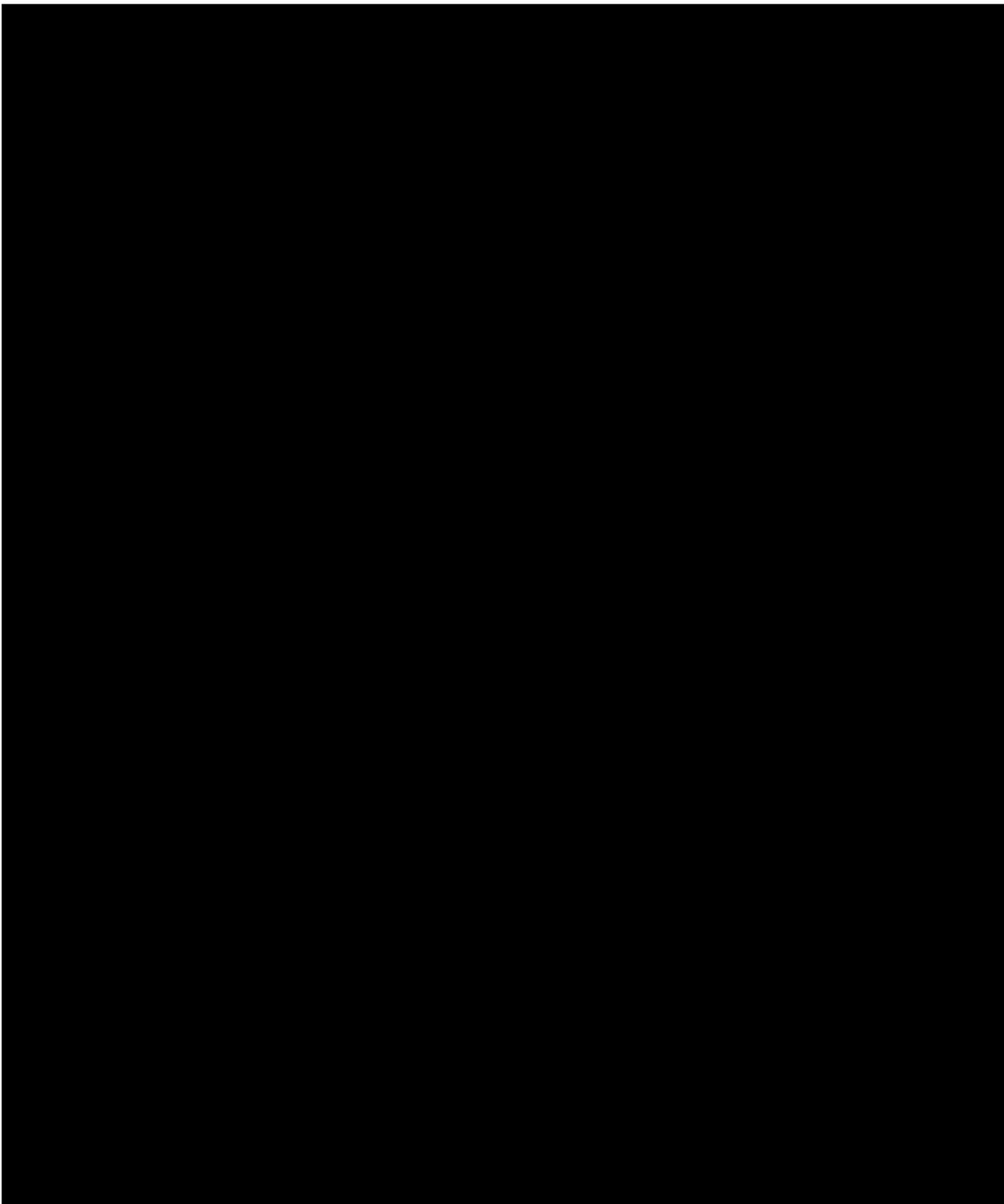
Unauthorised encampment

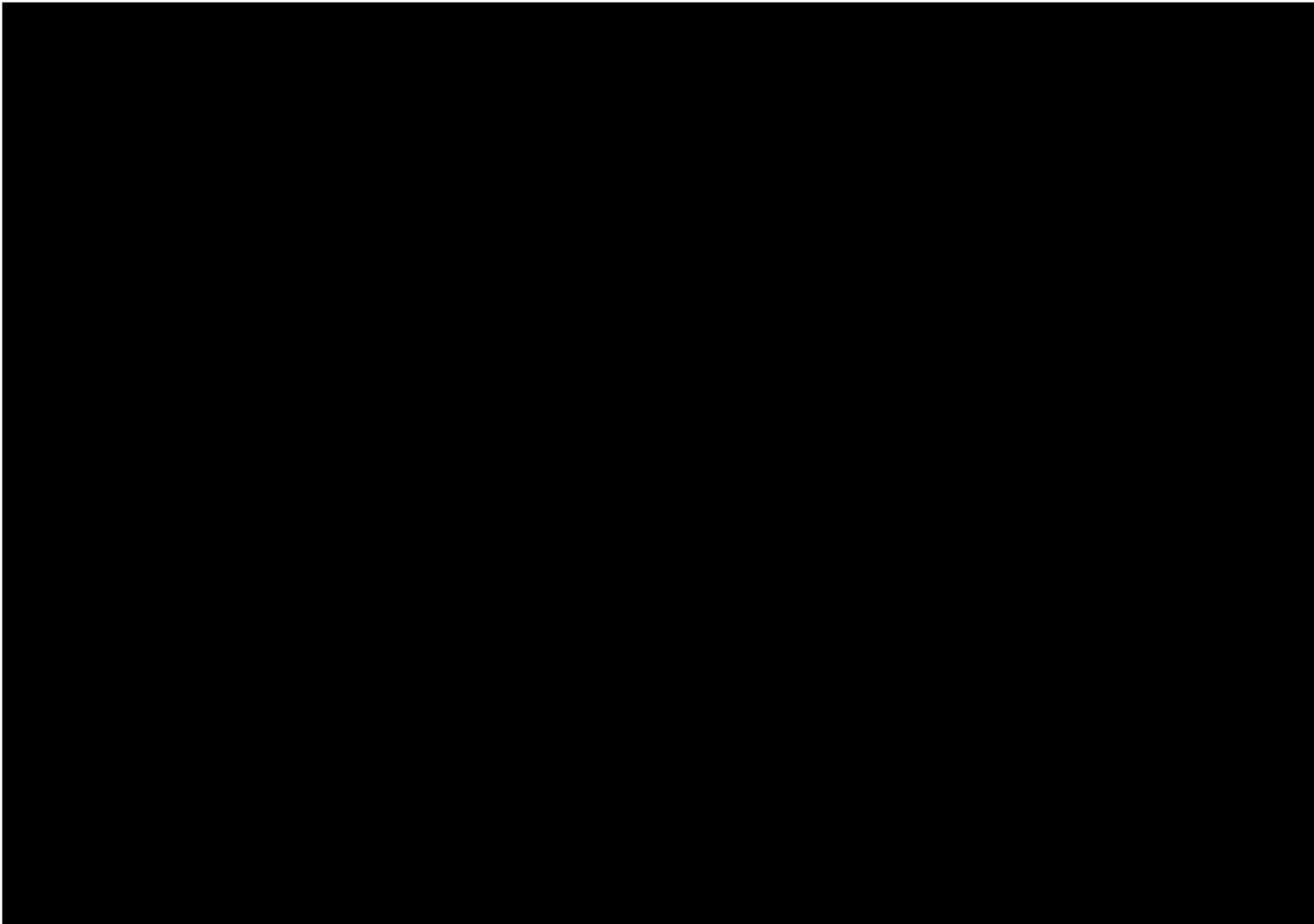
Unauthorised encampments include situations where the land is not owned by the occupier, the land is being occupied without the owner's consent, and as such a trespass has occurred. An encampment can include one or more vehicles, caravans or trailers.

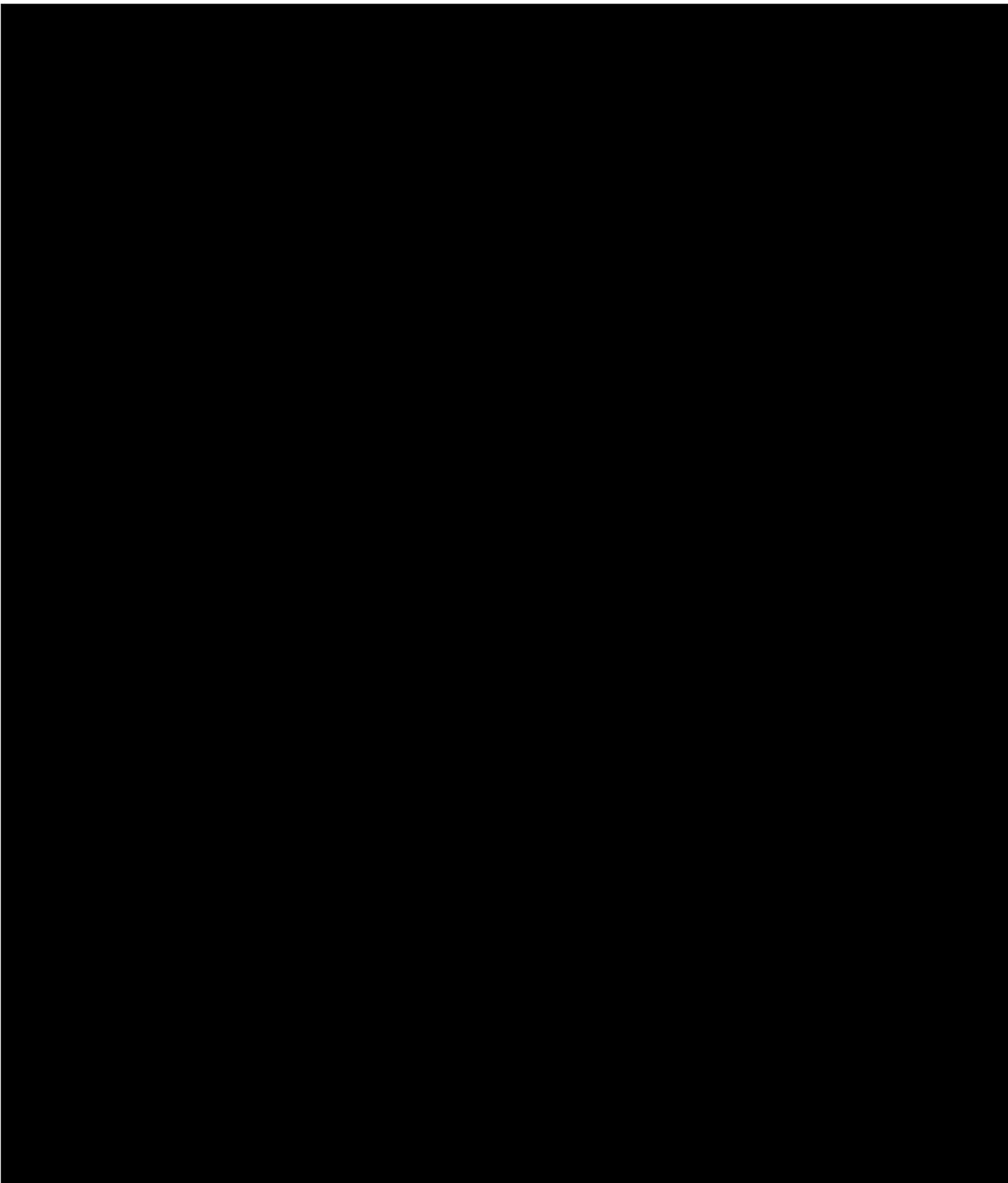
Unauthorised site

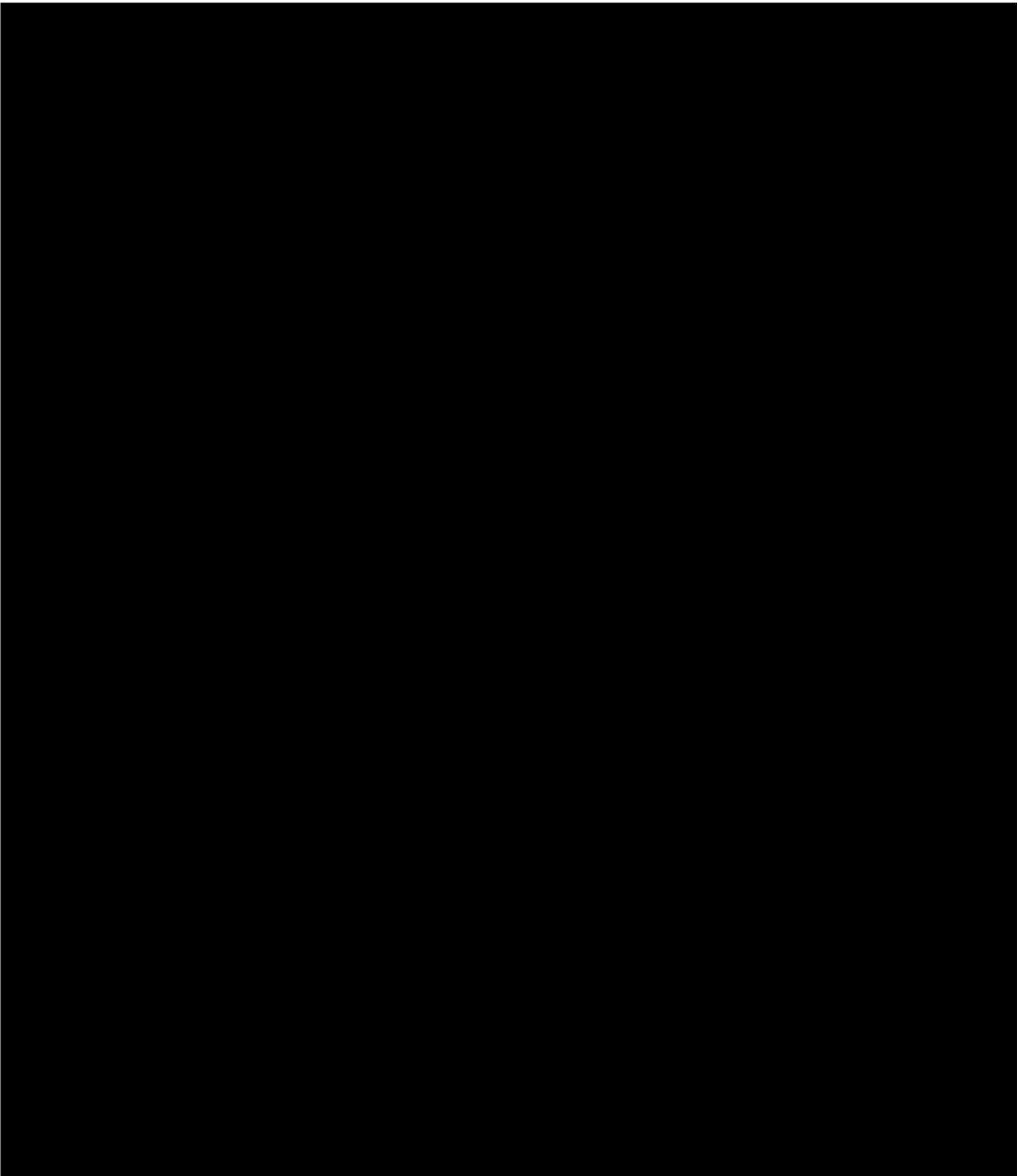
Land occupied by Gypsies and Travellers without the appropriate planning or other permissions. The term includes both unauthorised development and unauthorised encampment.

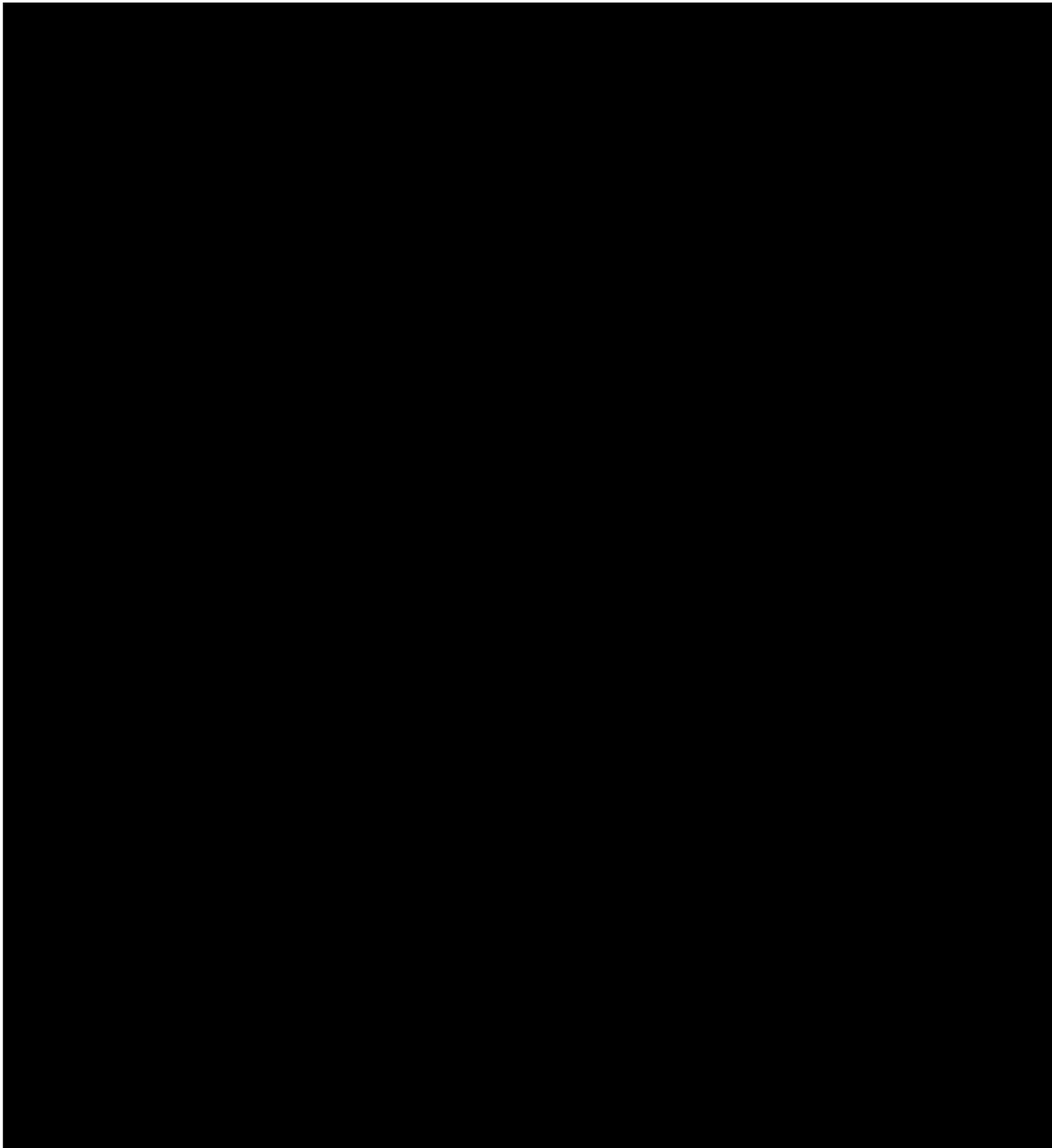


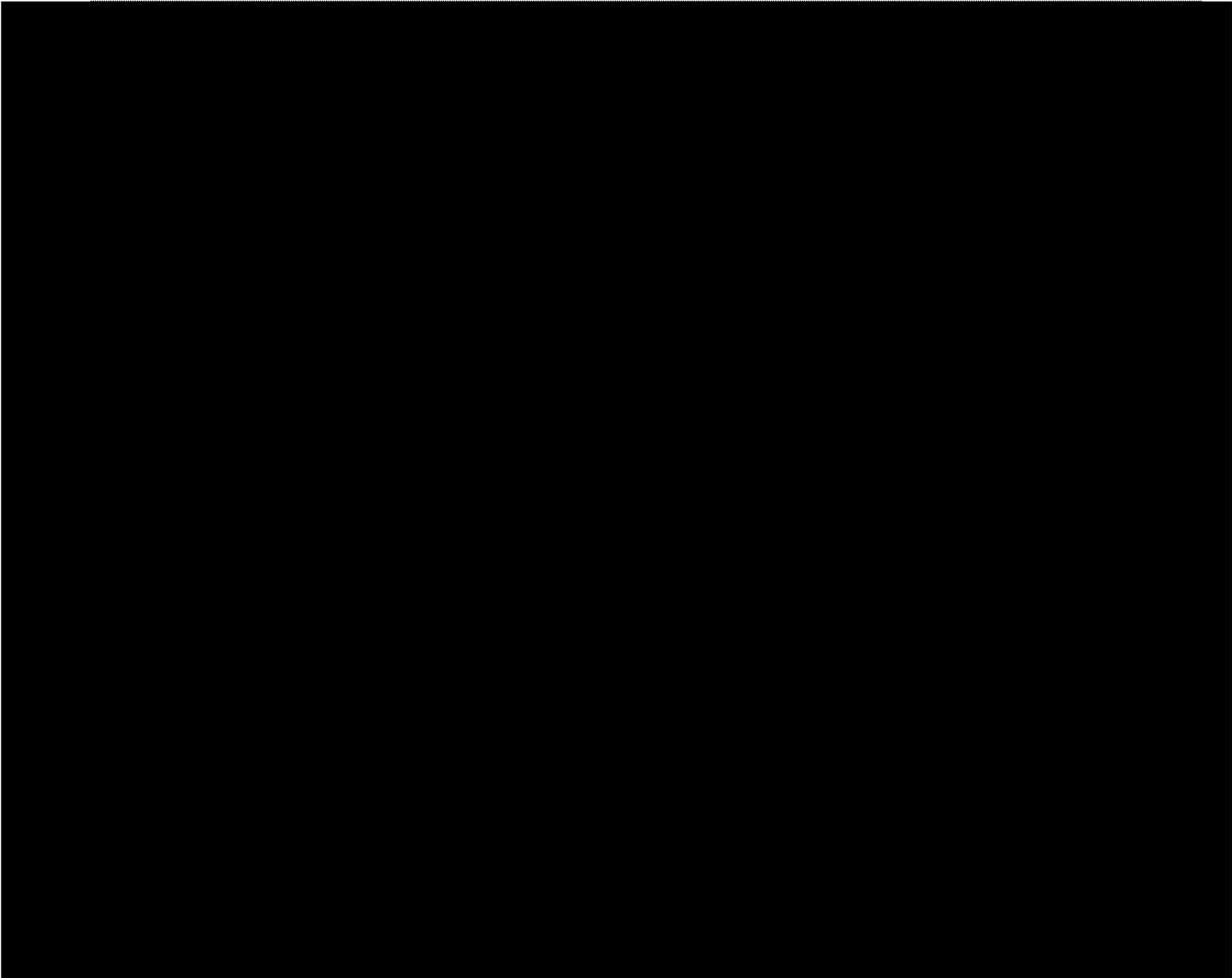


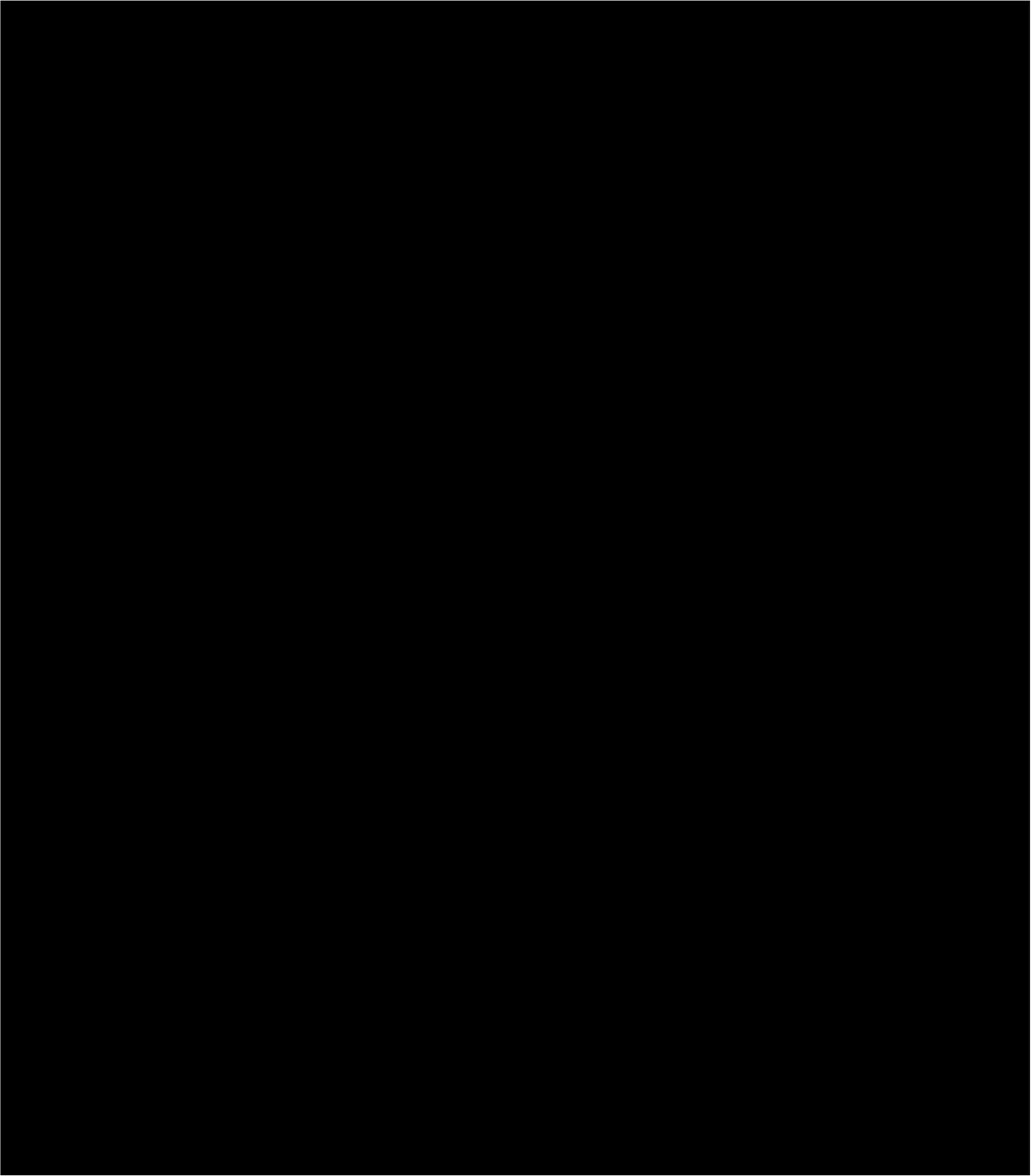


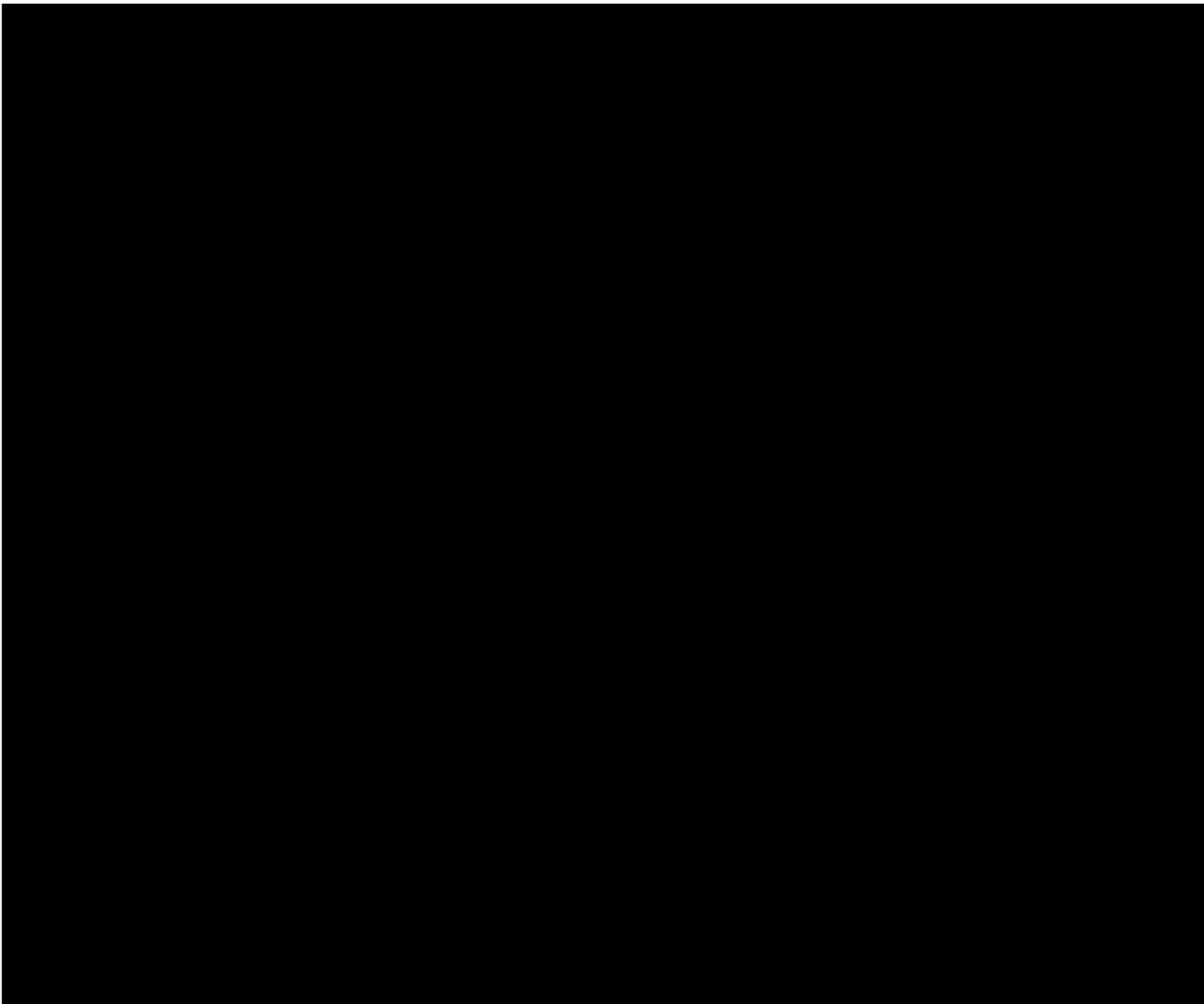


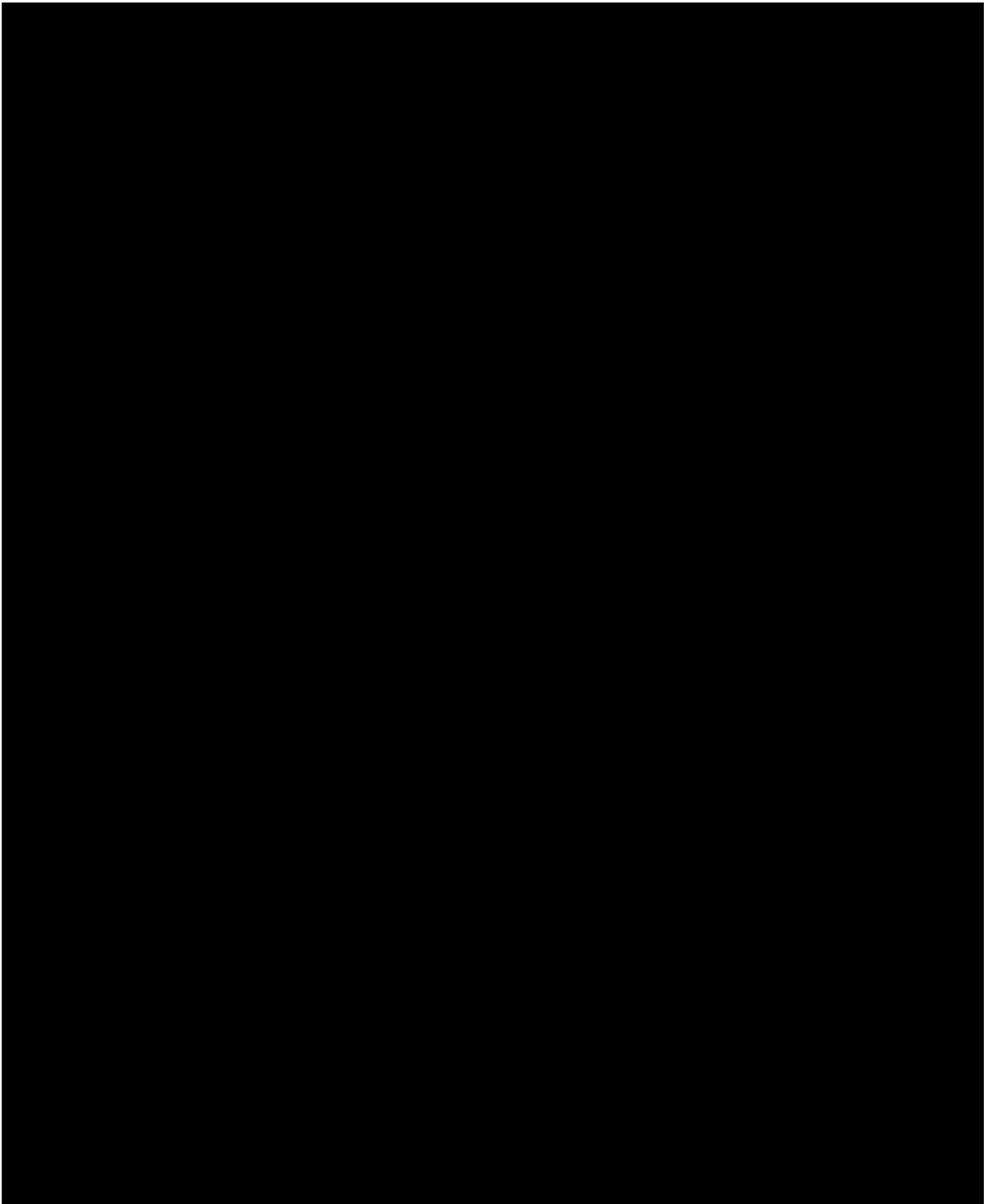


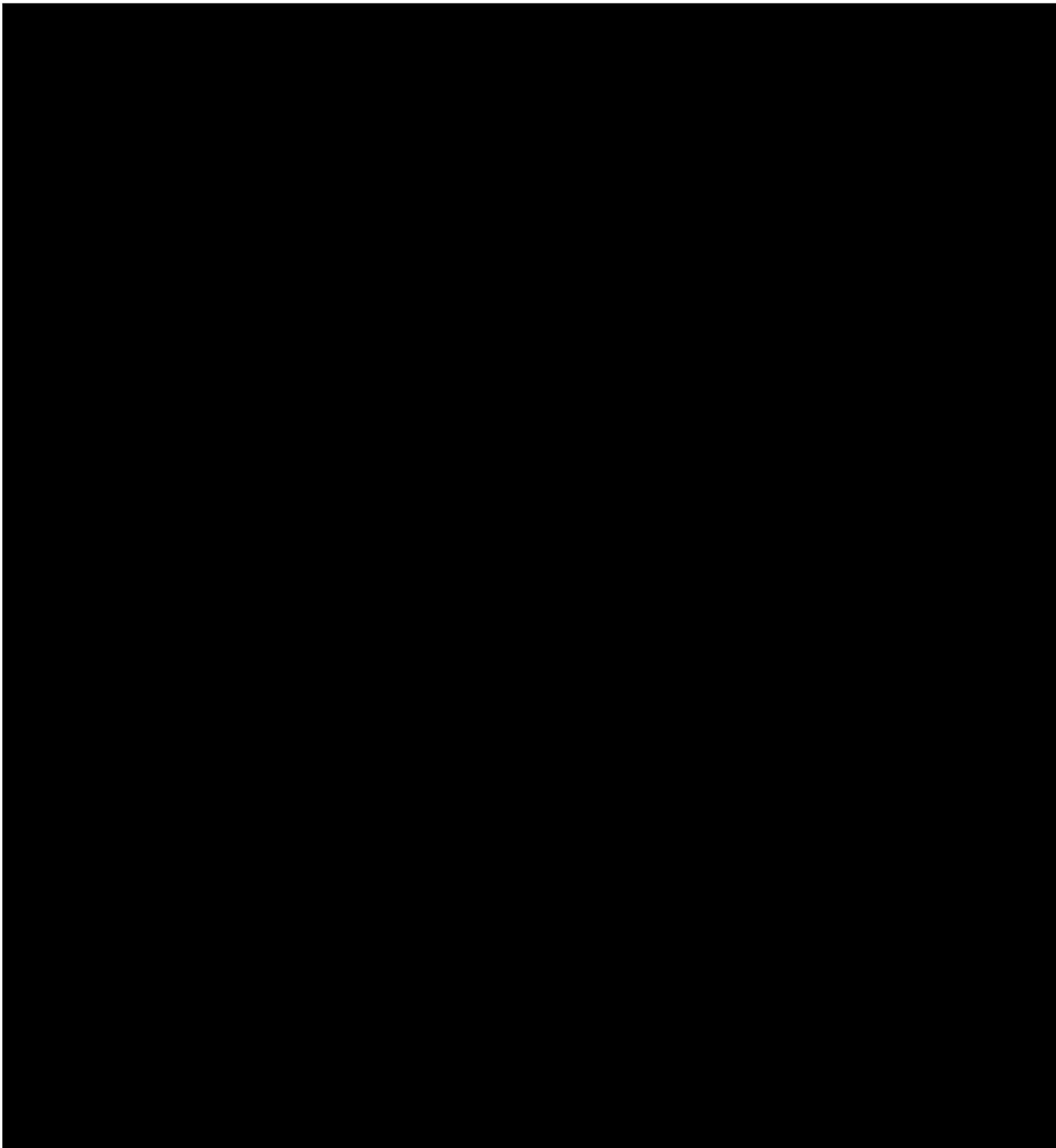


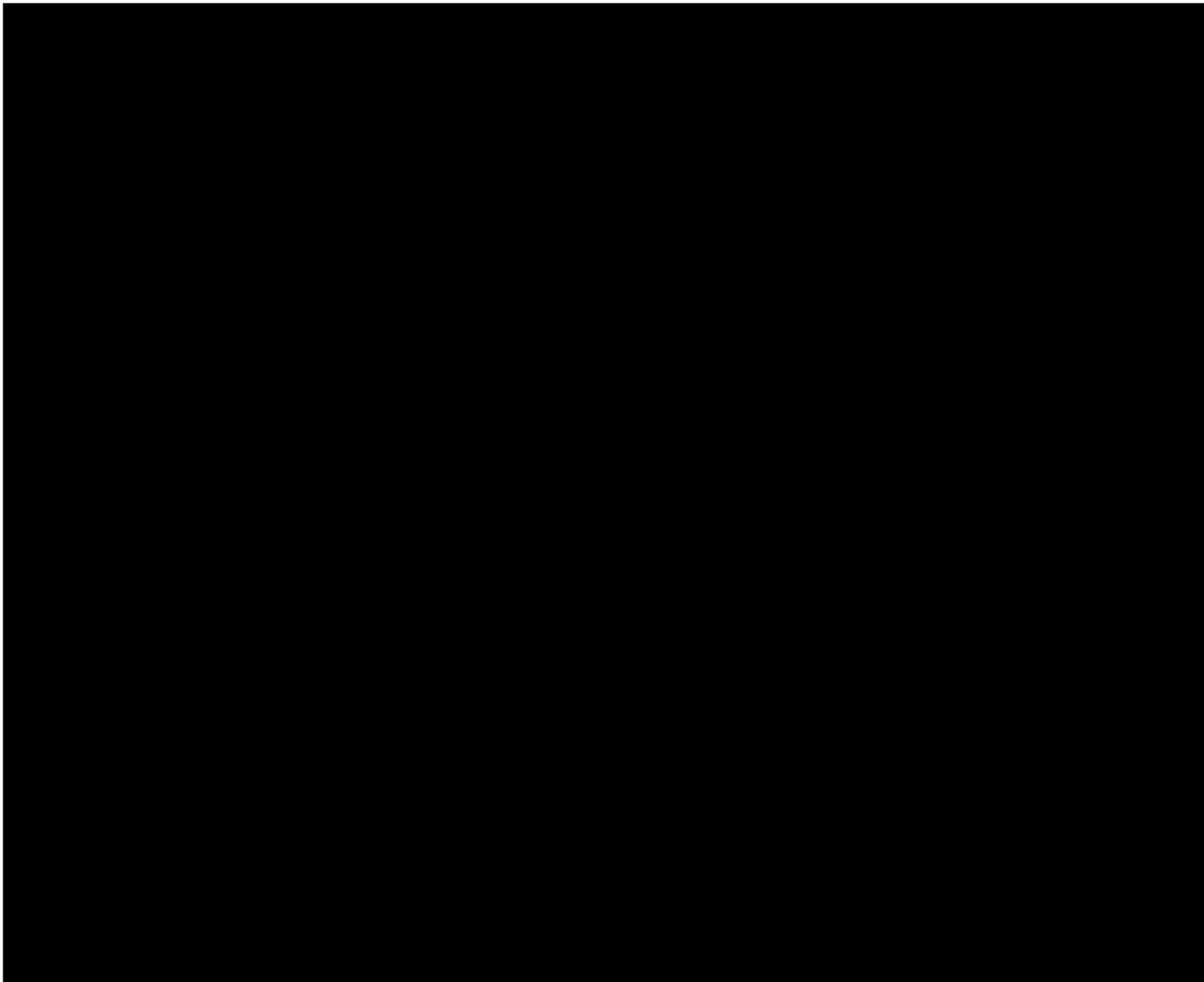


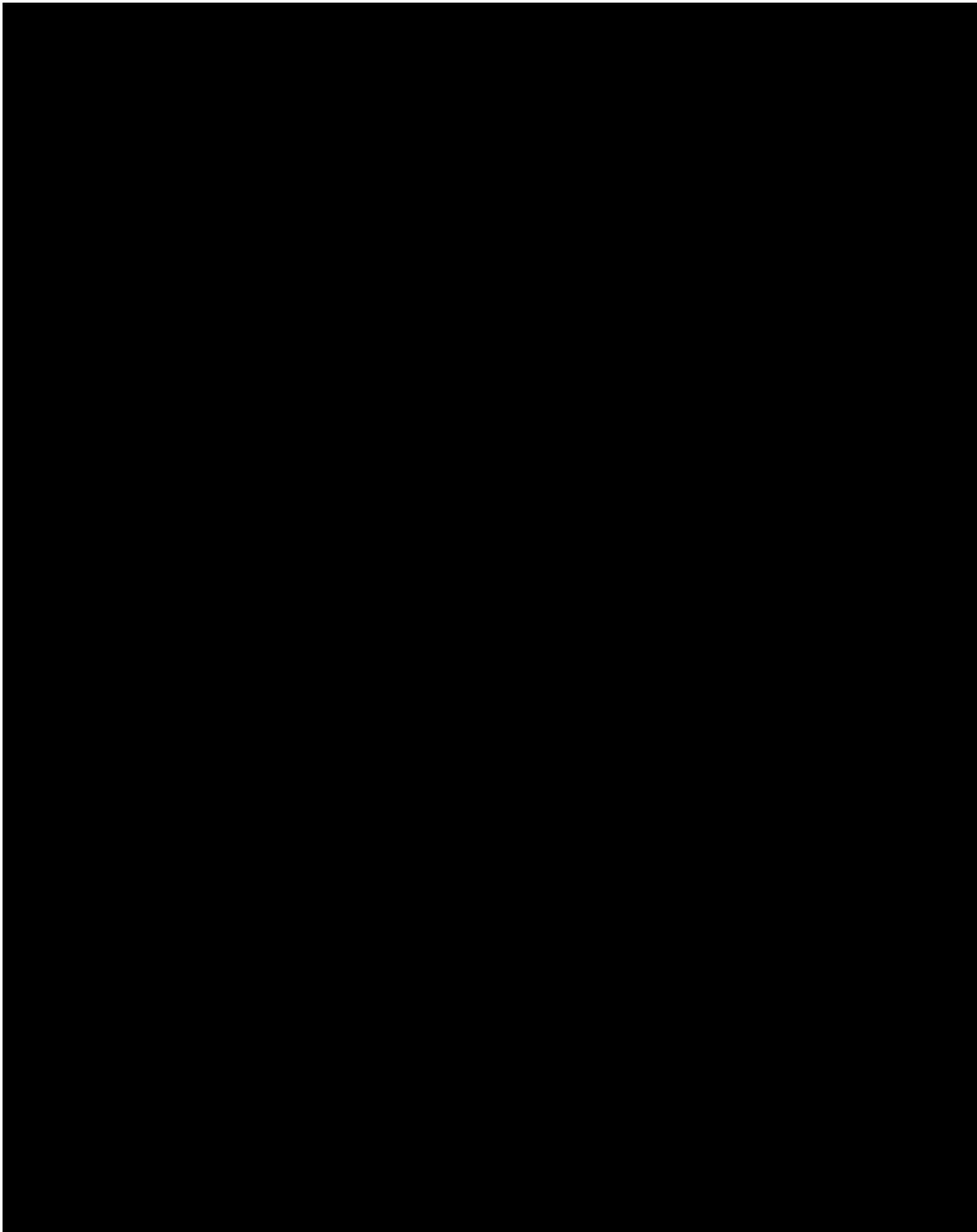


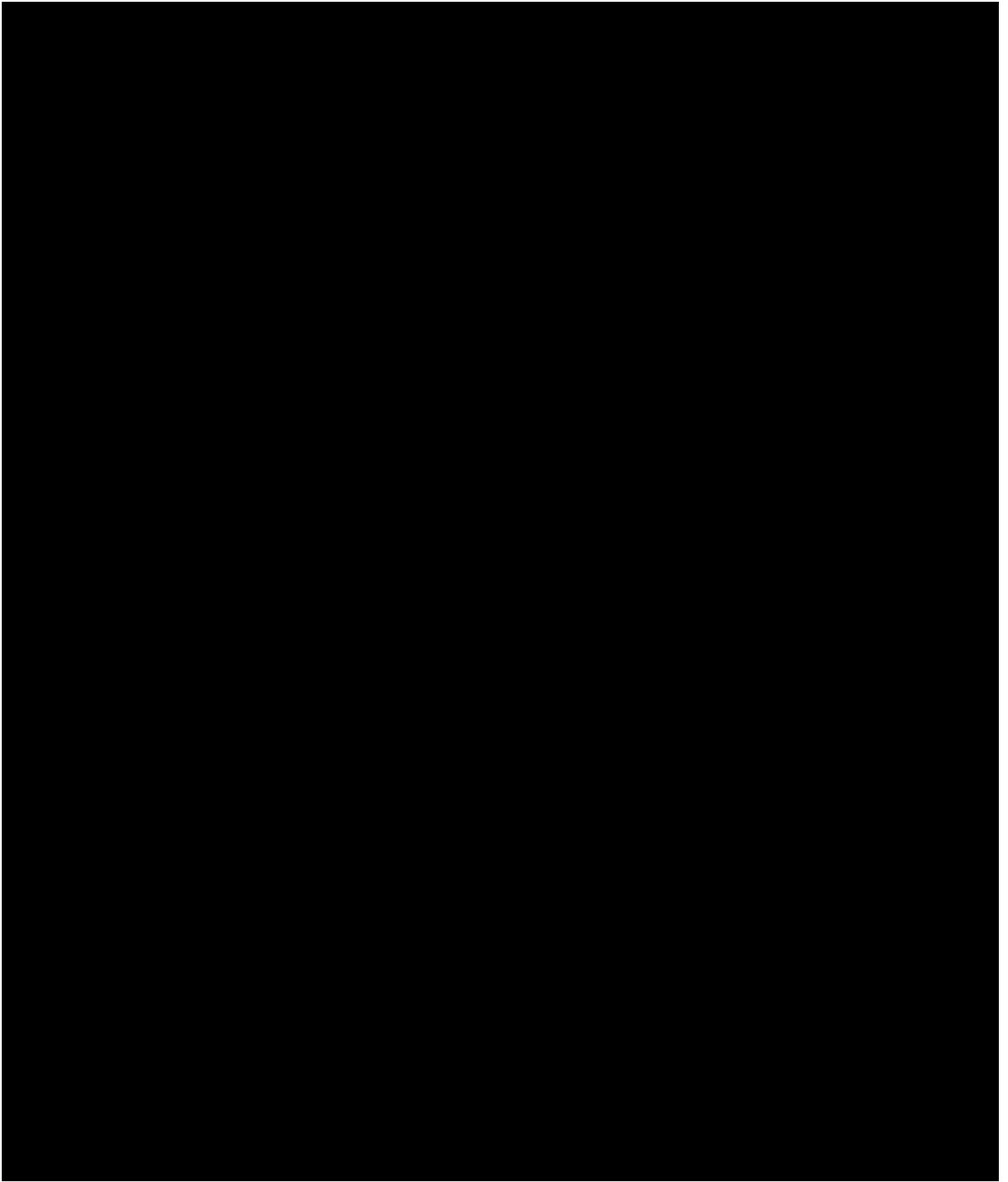


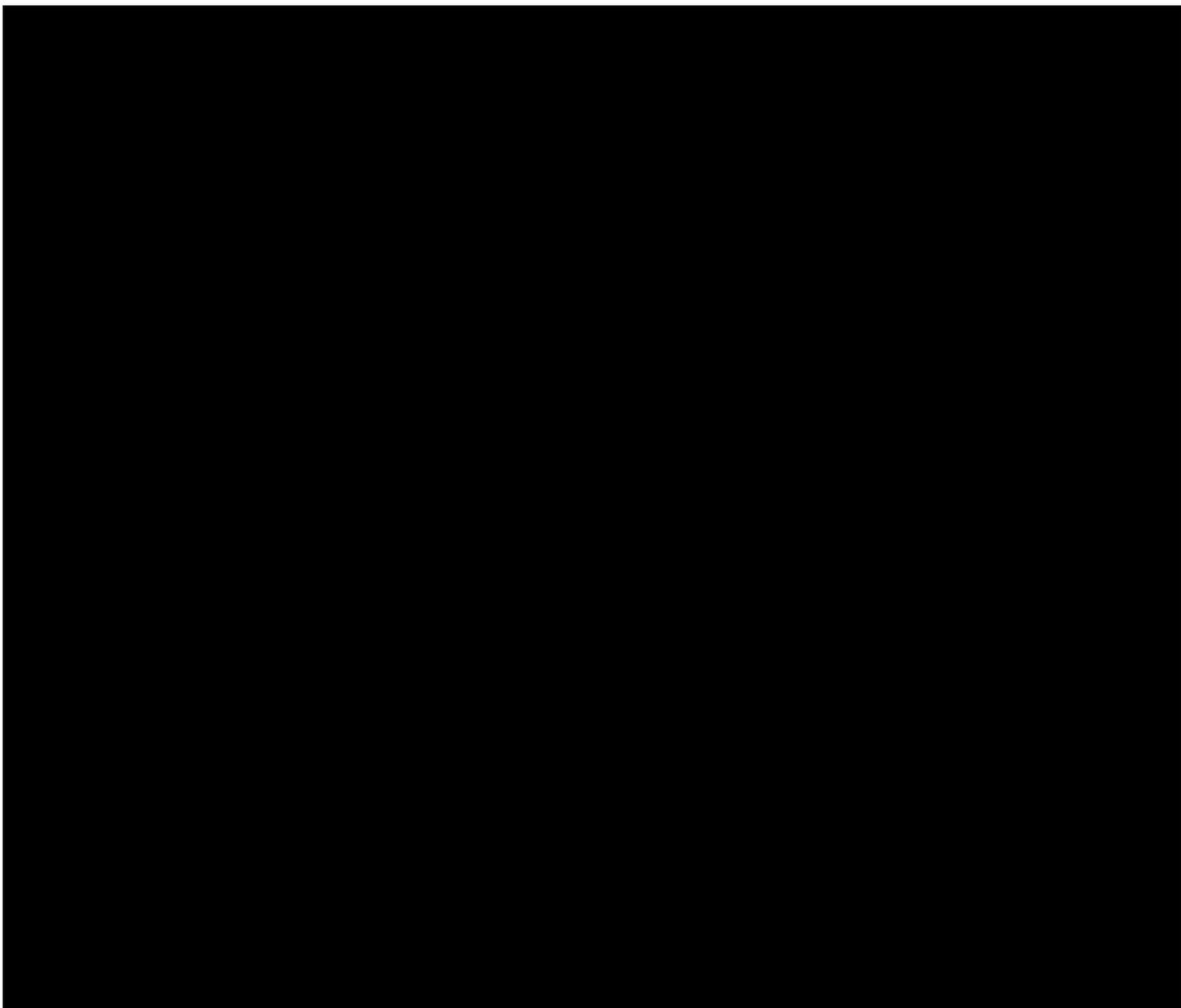


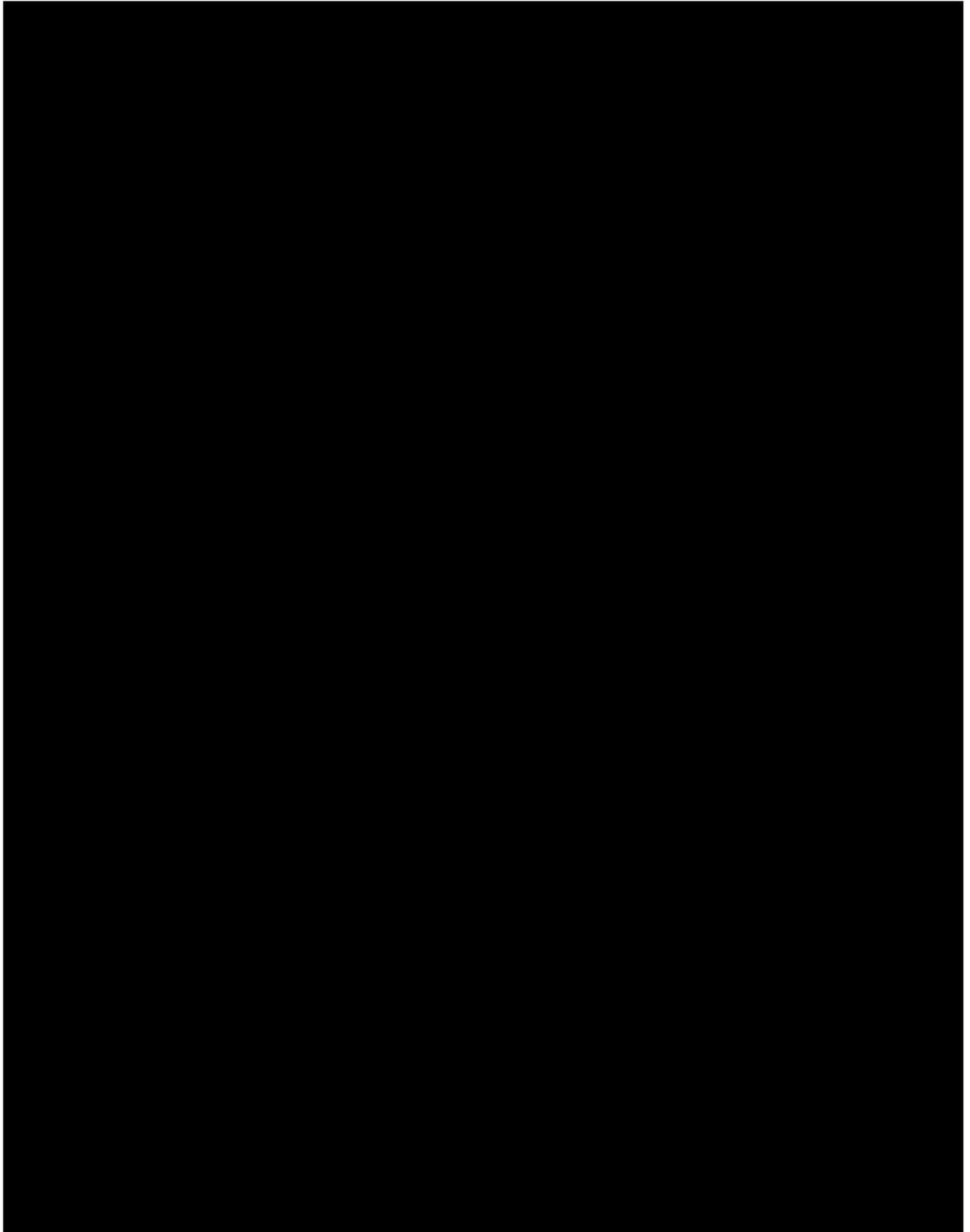


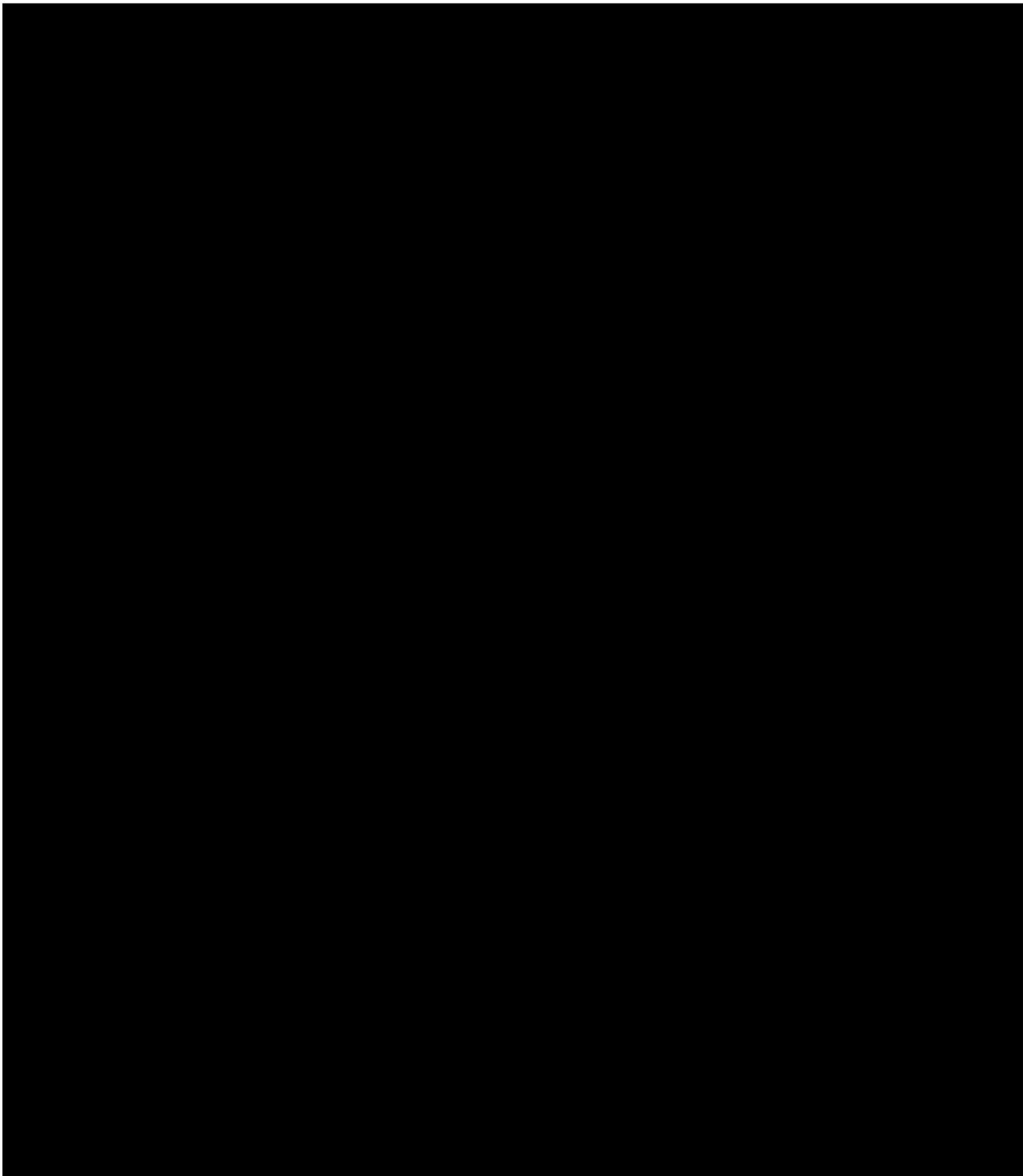


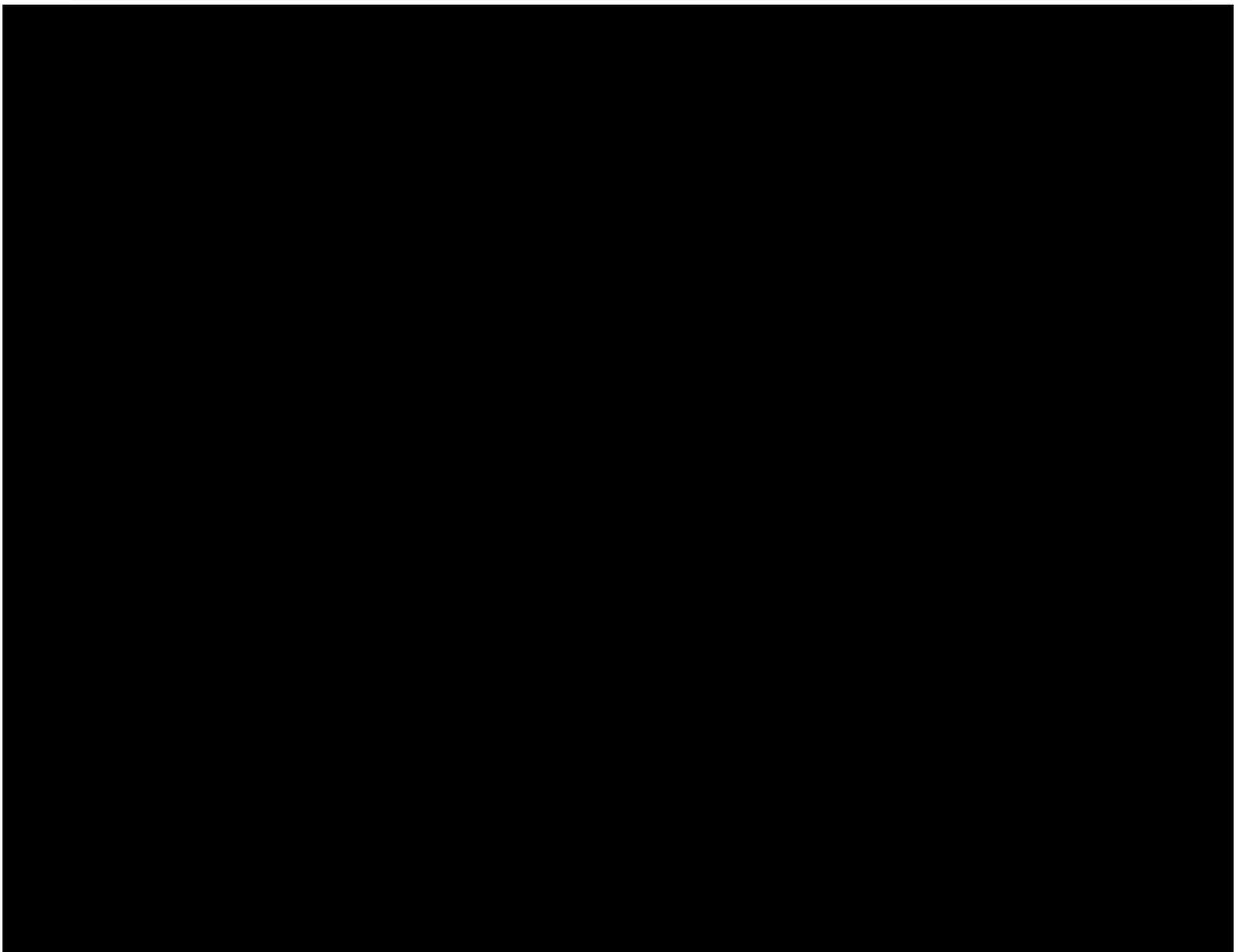


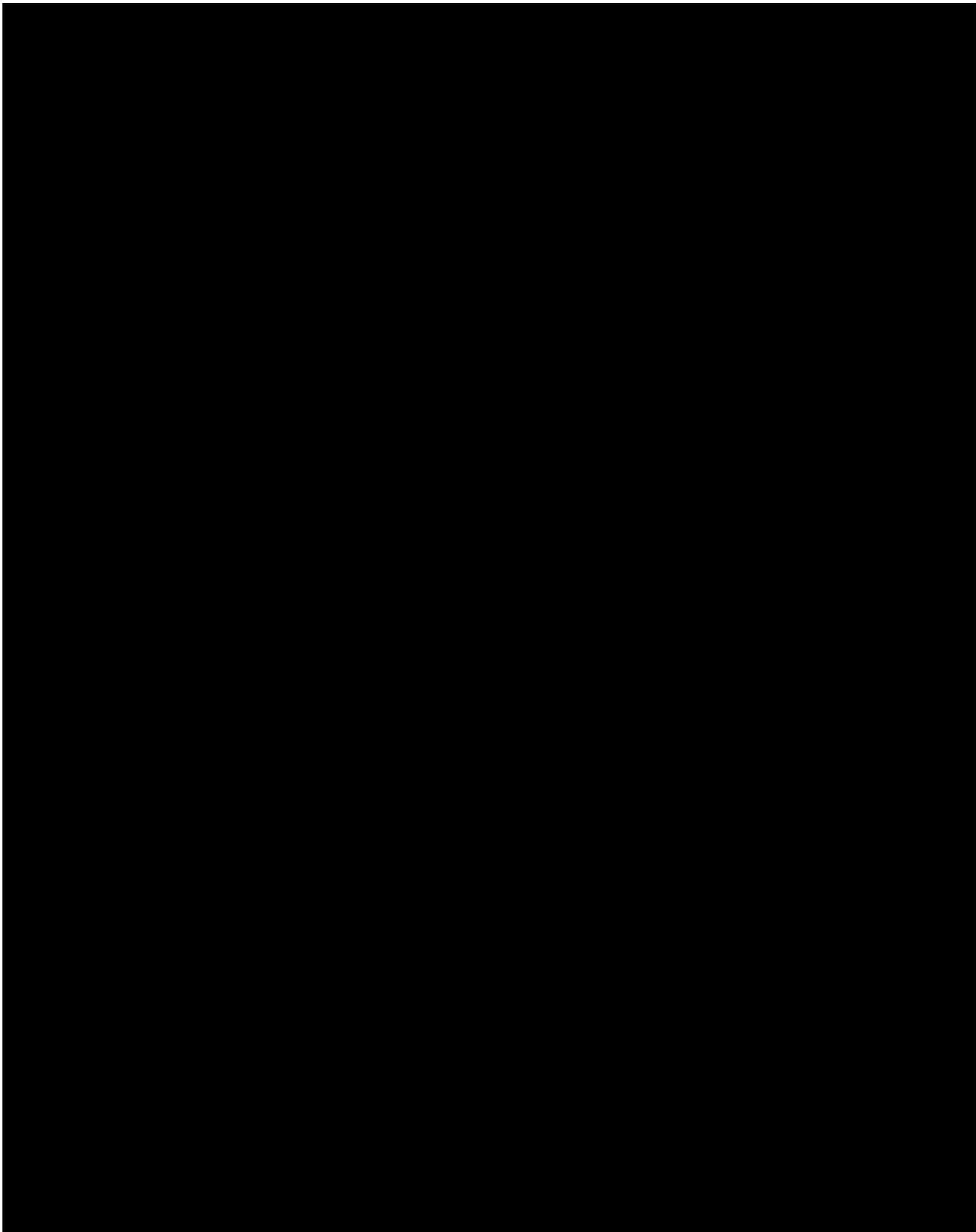


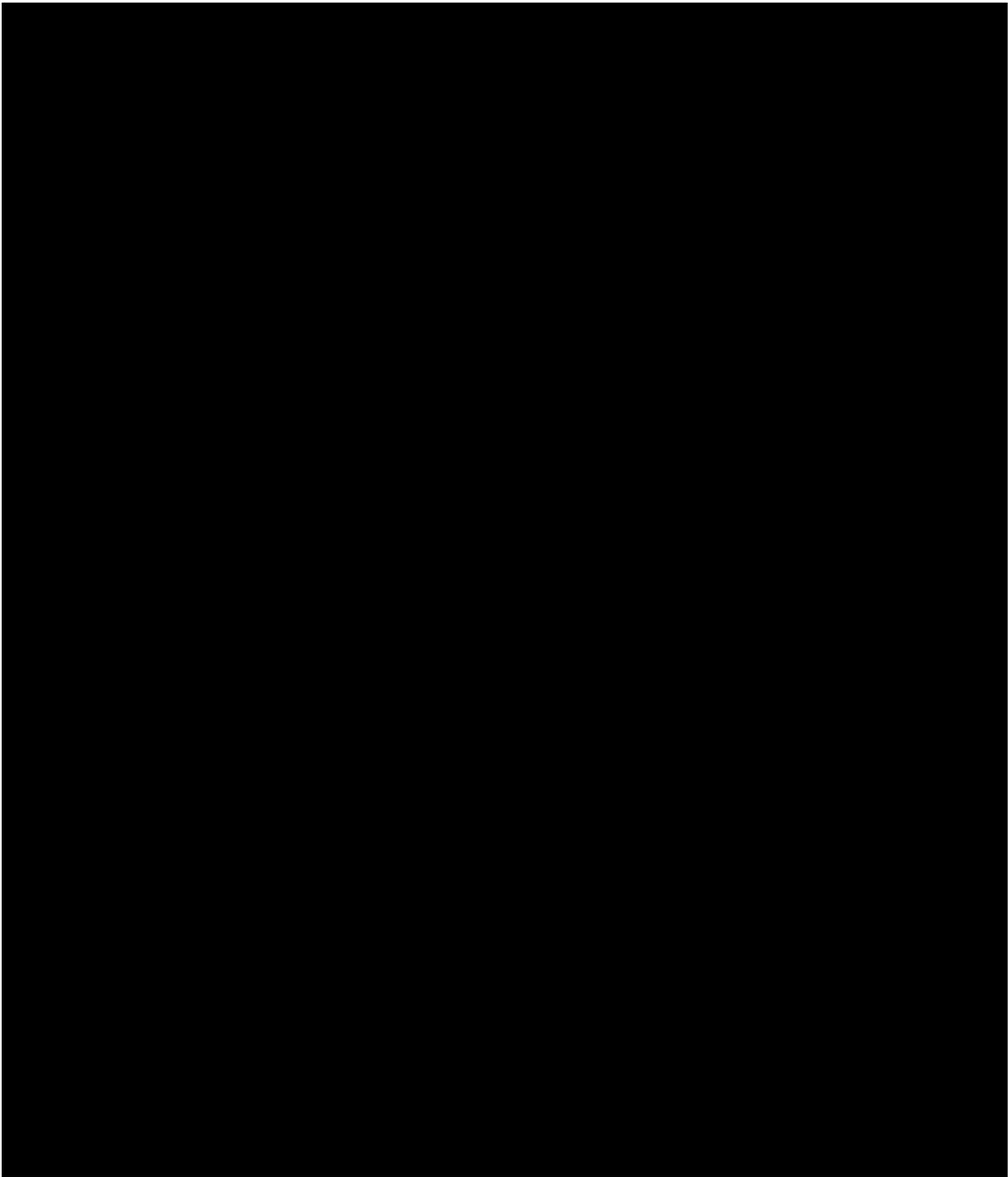


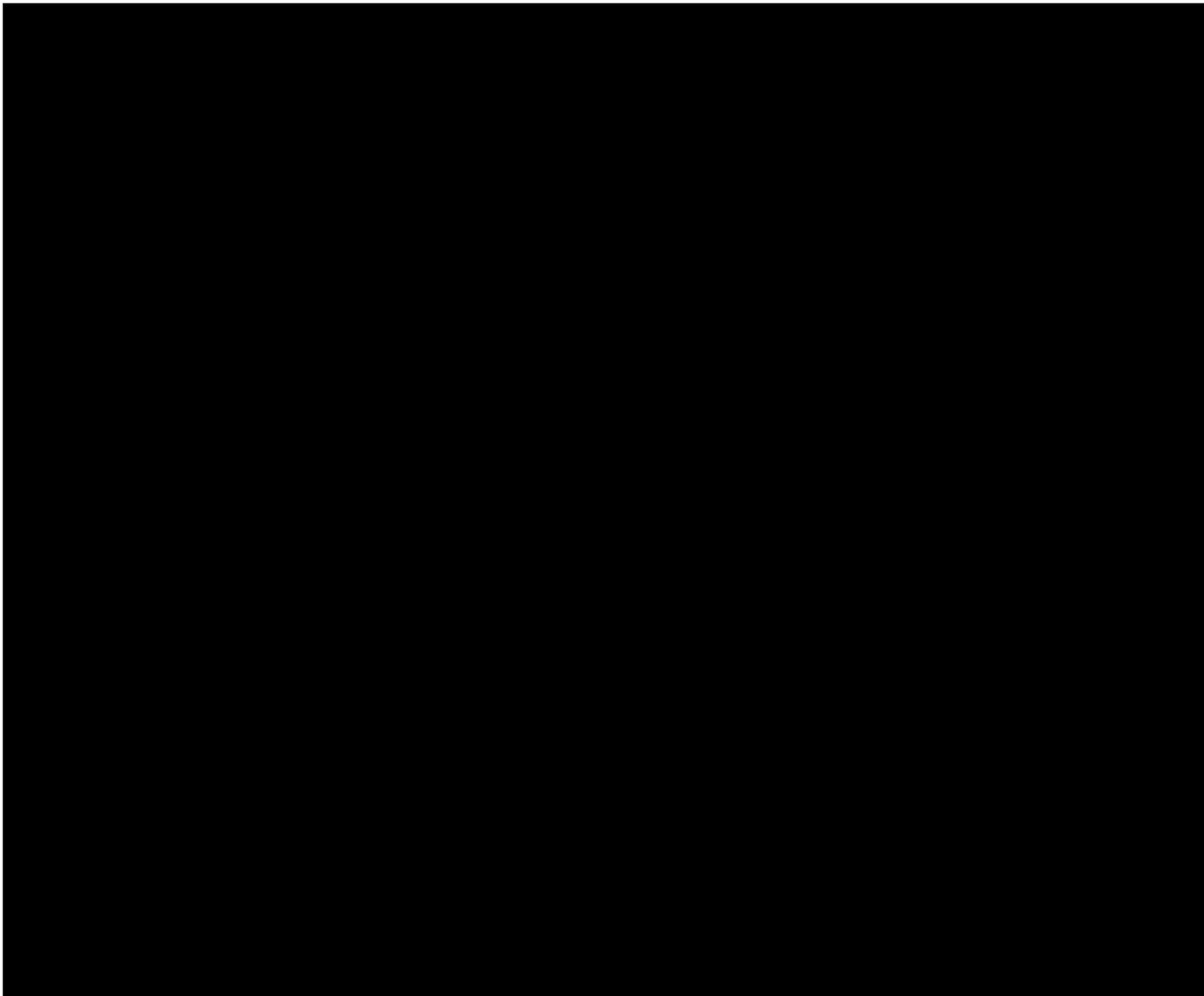


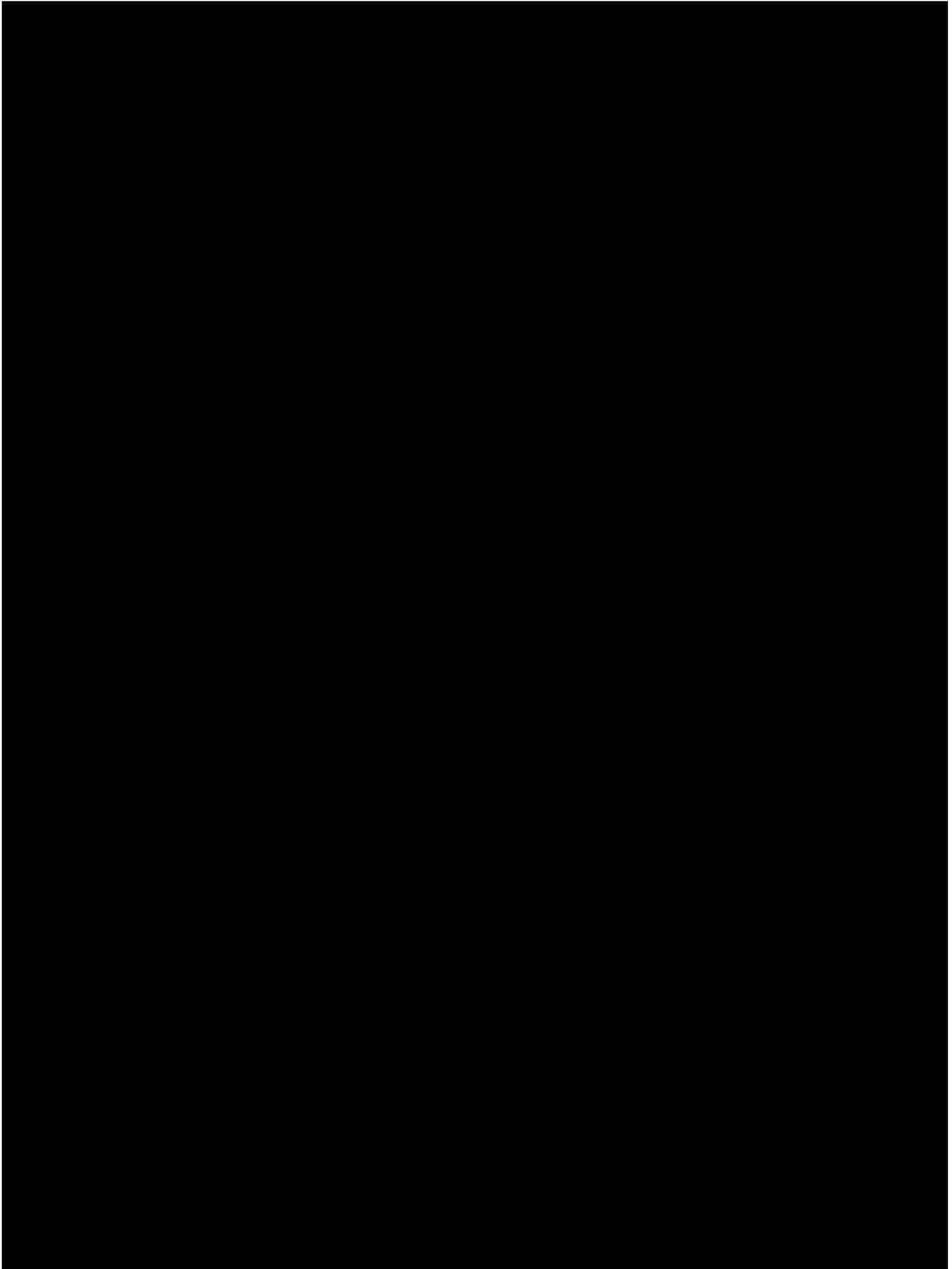


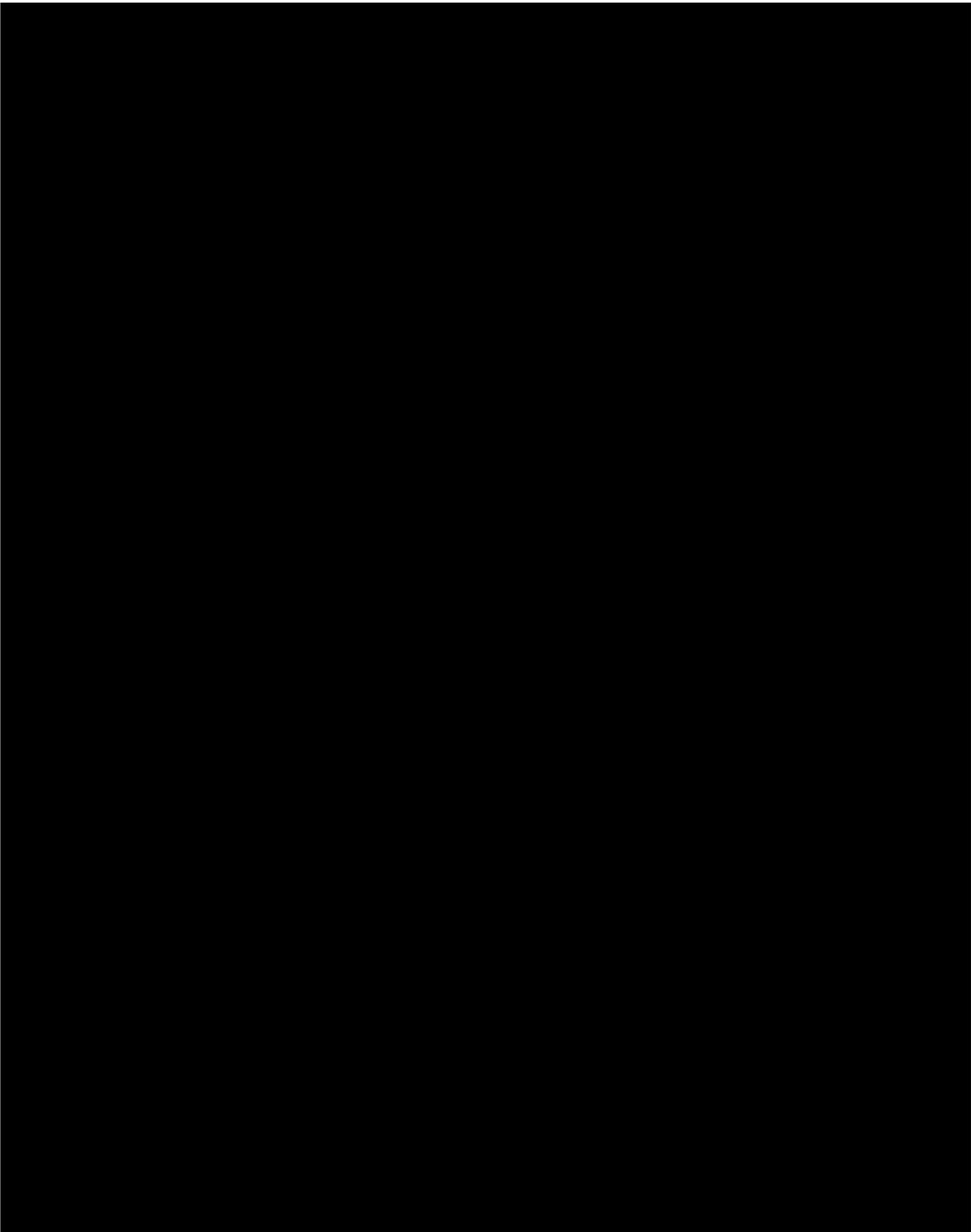


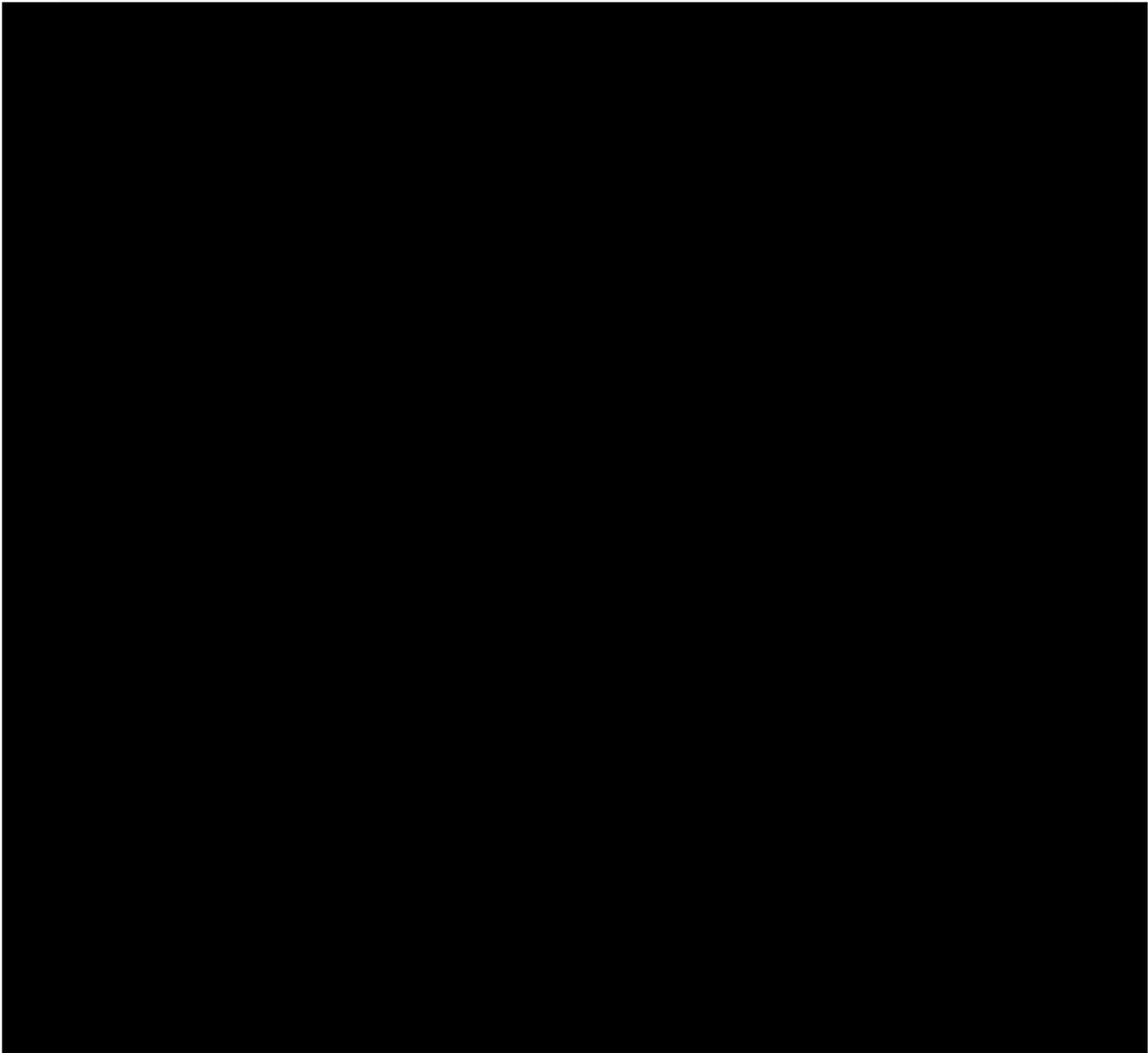


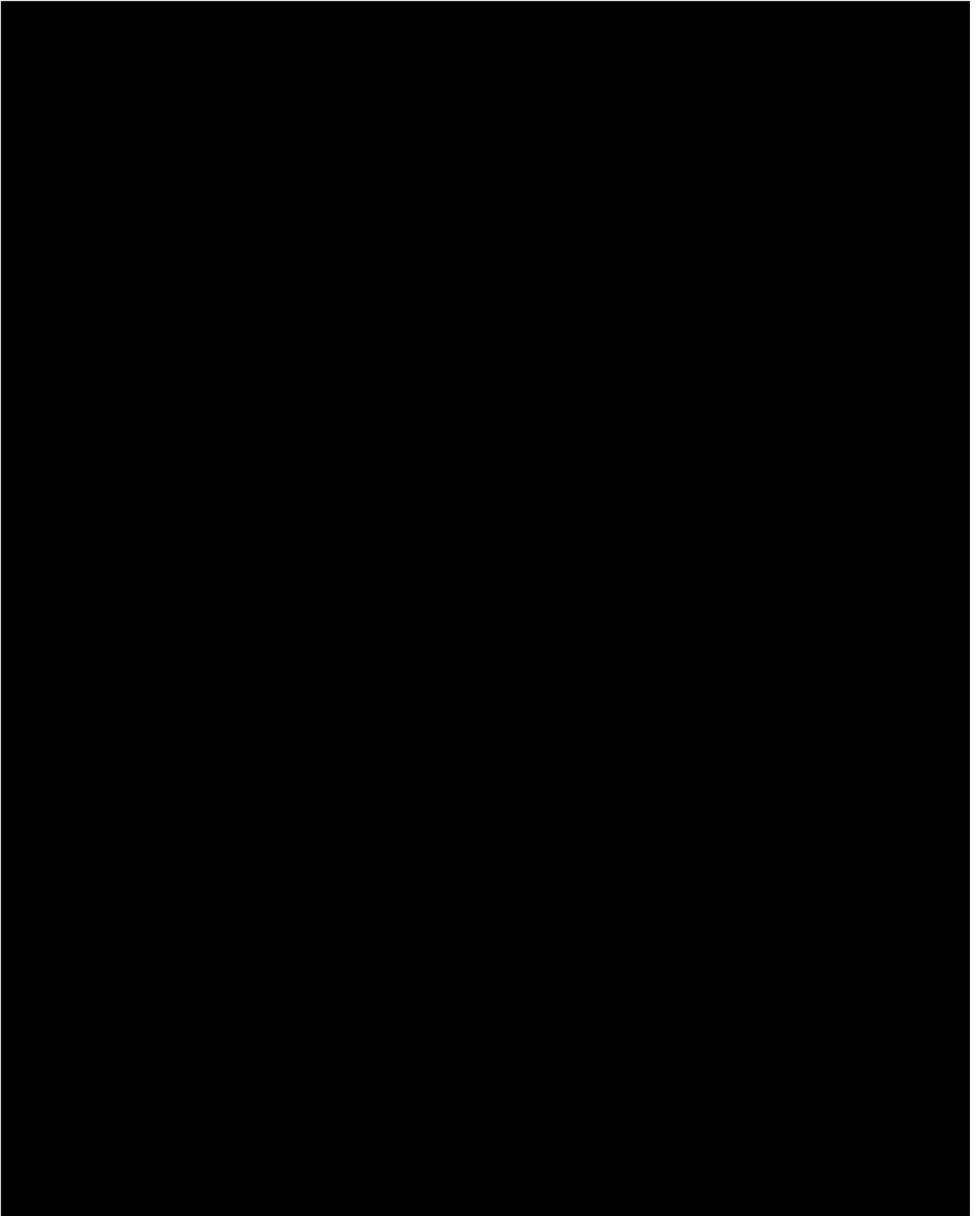


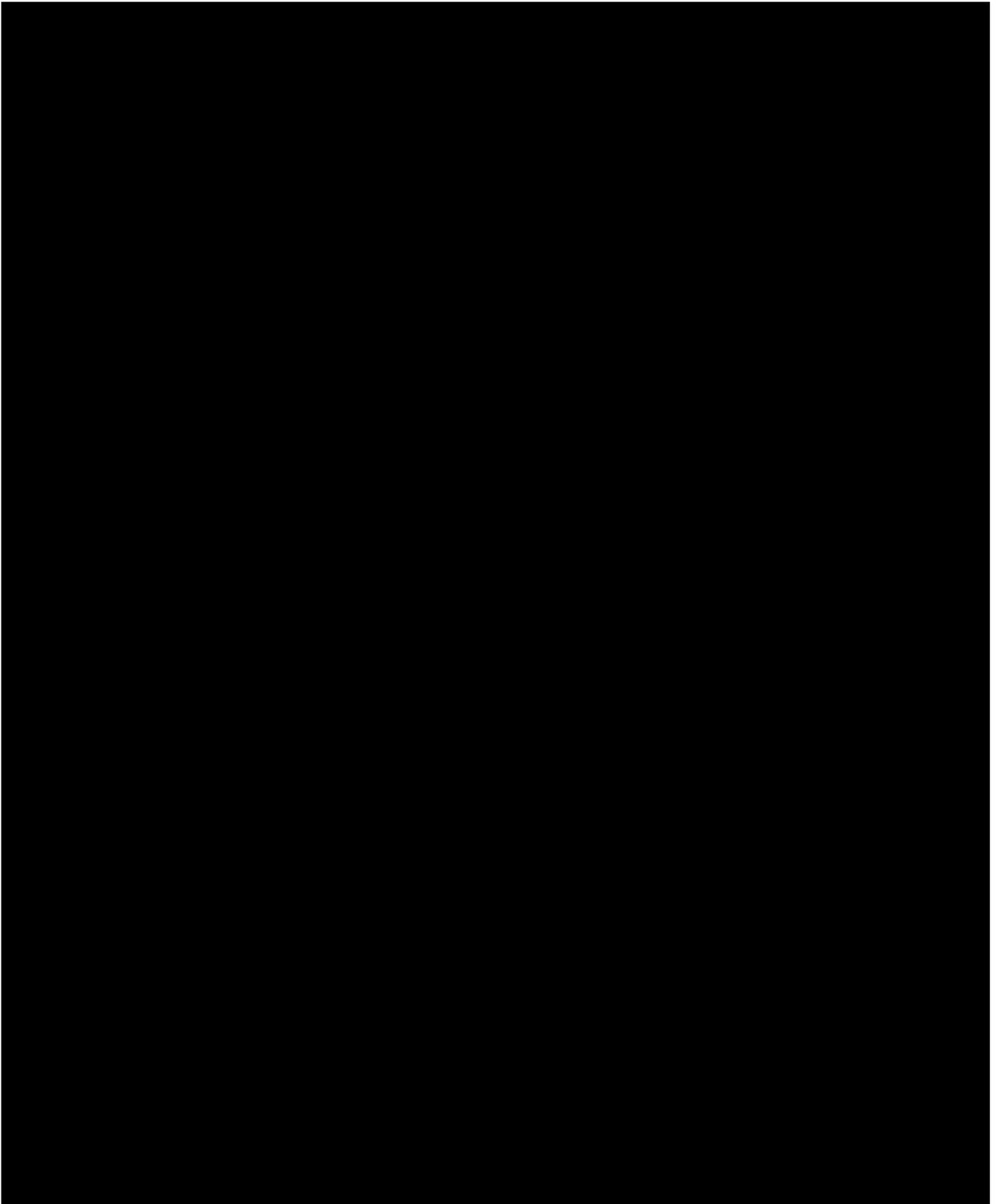


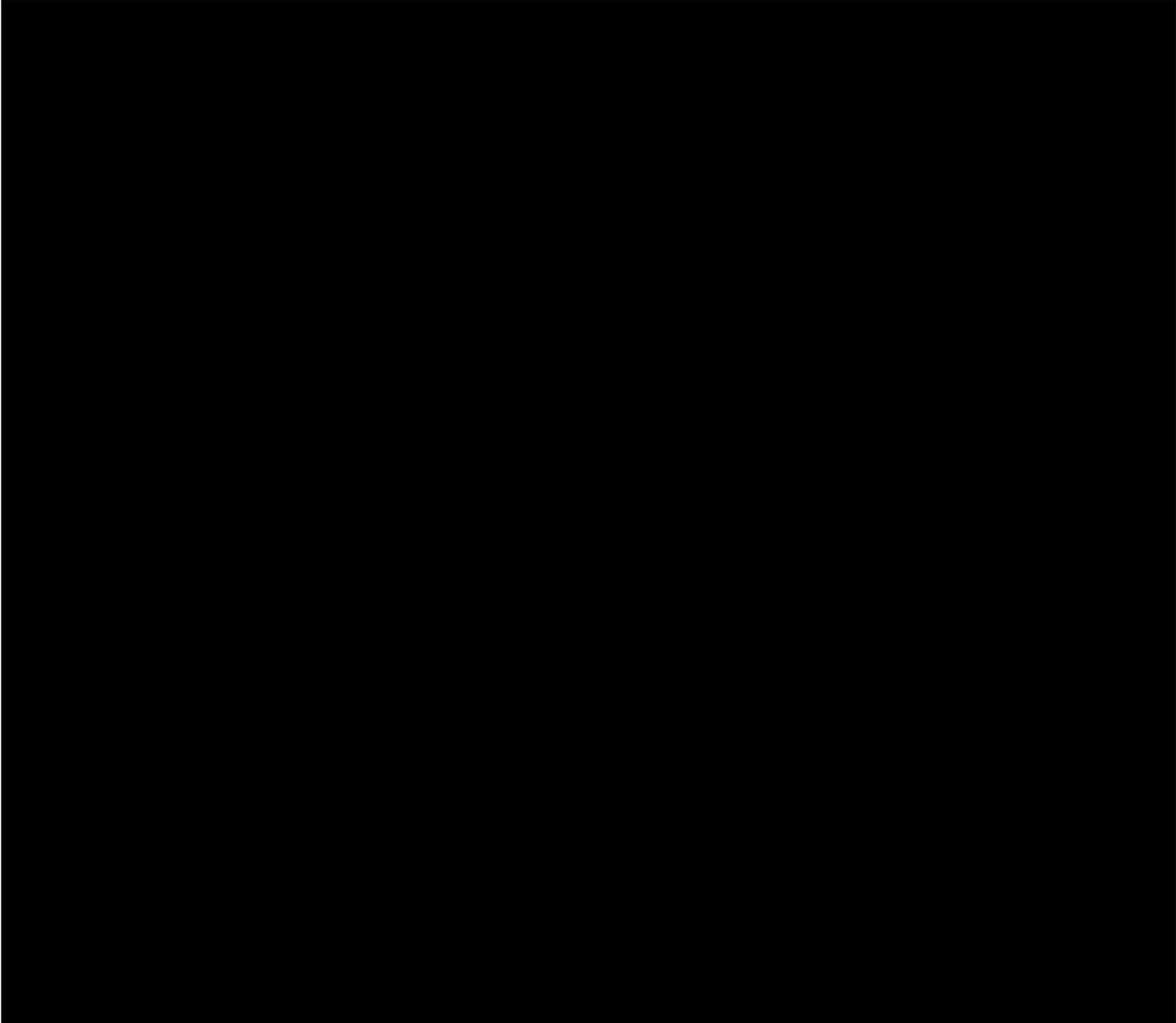












South Derbyshire: Gypsies and Travellers

Ethnic

Estimate of the need for permanent residential site pitches 2020-2025	
1) Current occupied permanent residential site pitches	86
2) Number of unused residential pitches available	0
3) Number of existing pitches expected to become vacant through mortality 2020-2025	3
4) Net number of households on sites expected to leave the area in next 5 years	0
5) Number of households on sites expected to move into housing in next 5 years	0
6) Residential pitches planned to be built or to be brought back into use 2020-2025	11
Total Additional Supply	14
<i>Additional residential needs</i>	
7) Seeking permanent permission from temporary sites	0
8) Households (on pitches) seeking residential pitches in the area, excluding those counted as moving due to overcrowding in step 12	0
9) Households on transit pitches requiring residential pitches in the area	0
10) Households on unauthorised encampments requiring residential pitches	0
11) Households on unauthorised developments requiring residential pitches	0
12) Households currently overcrowded (or hidden family members) on pitches seeking residential pitches in the area, excluding those containing emerging household in step 8	13
13) Net new households expected to arrive from elsewhere	0
14) New family formations expected to arise from within existing households	12
15) Households in housing but with a psychological aversion to housed accommodation	9
Total Needs	34
<i>Balance of Needs and Supply</i>	
Total Additional Pitch Requirement	20
Annualised Additional Pitch Requirement	4

Source: GTAA 2023

Summary of accommodation needs 2020-40 (pitches)	
Total 2020-25	20
Total 2025-30	12
Total 2030-35	13
Total 2035-40	14
Total 2020-40	59

Source: GTAA 2023

PPTS

Estimate of the need for permanent residential site pitches 2020-2025	
1) Current occupied permanent residential site pitches	86
2) Number of unused residential pitches available	0
3) Number of existing pitches expected to become vacant through mortality 2020-2025	3
4) Net number of households on sites expected to leave the area in next 5 years	0
5) Number of households on sites expected to move into housing in next 5 years	0
6) Residential pitches planned to be built or to be brought back into use 2020-2025	11
Total Additional Supply	14
<i>Additional residential needs</i>	
7) Seeking permanent permission from temporary sites	0
8) Households (on pitches) seeking residential pitches in the area, excluding those counted as moving due to overcrowding in step 12	0
9) Households on transit pitches requiring residential pitches in the area	0
10) Households on unauthorised encampments requiring residential pitches	0
11) Households on unauthorised developments requiring residential pitches	0
12) Households currently overcrowded (or hidden family members) on pitches seeking residential pitches in the area, excluding those containing emerging household in step 8	12
13) Net new households expected to arrive from elsewhere	0
14) New family formations expected to arise from within existing households	11
15) Households in housing but with a psychological aversion to housed accommodation	5
Total Needs	28
<i>Balance of Needs and Supply</i>	
Total Additional Pitch Requirement	14
Annualised Additional Pitch Requirement	3

Source: GTAA 2023

Summary of accommodation needs 2020-40 (pitches)	
Total 2020-25	14
Total 2025-30	11
Total 2030-35	12
Total 2035-40	13
Total 2020-40	50

Source: GTAA 2023

South Derbyshire: Residential Caravans

Estimate of the need for residential pitches 2020-2025	
1) Current residential	176
<i>Current residential supply</i>	
2) Vacant but available for use	9
3) Expected to become vacant due to mortality	4
4) Planned to be brought back into use	0
Total Additional Supply	13
<i>Current residential need</i>	
5) Seeking residential permission from temporary permission	0
6) Estimated households requiring residential provision	18
Total Additional Need	18
<i>Balance of Need and Supply</i>	
Total Additional Requirement	5

Source: GTAA 2023

Summary of accommodation needs 2020-40	
Period	Pitches
2020-25	5
2025-30	3
2030-35	3
2035-40	3
2020-40	14

Source: GTAA 2023

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	25 JANUARY 2024	CATEGORY:
		DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS 07971 604326 steffan.saunders@southderbyshire.gov.uk	DOC:
SUBJECT:	AUTHORITY MONITORING REPORT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Committee notes the content of the Authority Monitoring Report (AMR) and
- 1.2 Authorises the publication of the document on the Council's website.

2.0 Purpose of the Report

- 2.1 To allow the Committee to note the content of the AMR, which provides information on the performance of policies in the adopted Local Plan Part 1 and 2 for the monitoring period April 1st, 2022 to March 31st 2023 and to seek authorisation to publish this on the Council's website.

3.0 Detail

- 3.1 The preparation of an AMR is a requirement under the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.2 The Council has produced monitoring reports on an annual basis since 2004. These have historically been published in December or January each year. The reports present data on a wide range of issues such as the number of homes and amount of commercial floor space completed or under construction during the monitoring year and the progress being made on the preparation of Development Plan Documents
- 3.3 The AMR includes monitoring for the Local Plan polices included in the Local Plan Part 1 and 2.
- 3.4 Particular areas of note from the report are that in the monitoring year there were 1118 new housing completions, of which 132 were affordable homes. These figures

are an increase on the previous year by 198 and a decrease of 24 affordable homes, respectively. The Council can demonstrate a five-year housing land supply of 5.76 years using the Local Plan Requirement and 8.18 years using the Government's Standard method. For comparison the same figures were 6.29 years and 8.71 years in the report last year. This reduction in supply is to be expected as existing local plan allocations continue to be built out, and new allocations will be needed to replenish the housing supply as part of the Local Plan review which is underway. This also takes into account changes to the NPPF from December 2023 which allow a more favourable calculation of 5 year supply this year when compared to last.

- 3.5 Regarding regeneration and the use of brownfield land, 11% of housing delivered within the monitoring period was on previously developed land and 89.95% of employment floor space was delivered on previously developed sites.

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

Employment Implications

- 5.1 None directly arising from this report.

Legal Implications

- 5.2 None directly arising from this report.

Corporate Plan Implications

- 5.3 The AMR allows effective monitoring of the Council's planning policies some of which are of importance in delivering the strategic priorities and objectives included in the Council's Corporate Plan and relative Service Delivery Plans produced by the individual directorates.

Risk Impact

- 5.4 None directly arising from this report.

6.0 Community Impact

Consultation

- 6.1 None.

Equality and Diversity Impact

- 6.2 None directly arising from this report.

Social Value Impact

- 6.3 The AMR notes that the level of affordable housing completions across the District has decreased compared to the previous monitoring period, partially reflecting lower housing completion rates due to the Covid-19 pandemic and increased levels of Section 106 Affordable Housing commuted sums paid for off-site delivery.
- 6.4 The AMR records that there was a new increase in employment land and floorspace over the monitoring period.

Environmental Sustainability

- 6.5 None.

7.0 Conclusions

- 7.1 The AMR shall be published on Council's website following Committee approval.

8.0 Background Papers

Appendix 1: Authority Monitoring Report 2022/23

Appendix 2: Housing Position Paper, January 2024



Authority Monitoring Report

1 April 2022 - 31 March 2023

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Regeneration	17
Infrastructure	17



Executive Summary

Theme

Population



Housing



Headline

In 2022 the mid-year population estimate for South Derbyshire stood at 111,133. Since the start of the Plan period in 2011 there has been an **increase** in the District's population of **16,522** people.

The District Council's 2016 Local Plan Housing Target is 742 homes to be built per annum between 2011-2028. As set by the standard methodology South Derbyshire's housing requirement is 538 homes per year, going up to 742 in order to meet some of Derby City's unmet housing need.

In the 2022/23 monitoring period there were 1125 (**gross**) completions. However, once losses in the period are taken into account, a total of **1118** homes (net) were built.

Since 2011, **9,336** homes have been built against a requirement of **8904**.

Affordable housing completions for the period 2022/23 were 132. This is a reduction from the number recorded in the 2021/22 period when **156** affordable homes were completed. **11.7% of homes completed in the period were classed as affordable.**

In 2022 **median house prices were 7.21 times median (gross) annual workplace earnings.** A decrease from 7.68 times earnings in 2021 indicating that homes have become more affordable in the monitoring period¹.

A total of 12 individuals were added to the District Council's self-build register during the seventh base period (31 October 2021 to 30 October 2022). 14 individuals were added to the register during the sixth base period.

¹ House price to workplace based earnings ratios can be found on the following webpage:

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>



Employment



The total industrial and business land need outside the Derby Urban Area within South Derbyshire between 2011 - 2028 is **47.27ha**. On 31 March 2023, **the amount of new land developed since 1 April 2011 was 46.98**, with a further **21.96ha under construction** at the time of the survey. **A further 43.21ha had planning consent and 6.71ha did not yet have planning consent but was allocated for industrial and business development** in the Local Plan Part 1.

Net additional floor space delivered in the monitoring period was **22,469 sqm**.

Retail



A total of 14 retail, office and leisure units were recorded as vacant in Swadlincote Town Centre during the survey in 2022. **The vacancy rate for the retail, leisure and office uses in the town centre is 7.48% by number of units, or 4.68% if measured as a proportion of floor space.**

No new local centres were completed with the monitoring period. Proposed local centres on strategic sites at New House Farm, Boulton Moor, Wragley Way and Drakelow Park had not been implemented as of 31 March 2023.

Regeneration



The Brownfield Land Register submission for 2022 comprised 17 sites with a total area of 81.58 ha.

26.7% of housing delivered in the monitoring period was on previously developed land, whilst 89.95% of employment floor space was delivered on previously developed sites.



Infrastructure



Local infrastructure projects delivered in the monitoring period:

Cadley Urban Park was completed during the monitoring period.



Plan Preparation

Plans and Policy Documents

The Local Development Scheme sets out the timetable for the preparation of planning policy documents. The latest version was published in May 2022 (LDS 10) and can be viewed on the Council's website [here](#). The LDS will be reviewed before the submission of any future Local Plan.

Local Plan Review

South Derbyshire District Council has begun the process of reviewing its Local Plan through evidence gathering. As part of this the Council is undertaking a Strategic Housing and Economic Land Availability Assessment (SHELAA). Assessments of submitted sites are available to view on the Council's website [here](#). An Issues and Options document was published for consultation in October 2022 and a draft Local Plan is being prepared for consultation during 2024. It is intended that it should be Submitted to the Secretary of State for Examination by June 2025. The latest consultation document from the ongoing review is available [here](#).

The Local Plan Part 1 (LP1)

This document, adopted by the Council on 13 June 2016, forms the strategic part of the Council's Local Plan. It contains allocations for strategic housing and employment sites as well as a range of thematic spatial policies in respect of housing, employment, sustainable development, the built and natural environment and infrastructure. The Plan is available to view on the Council's website [here](#).

The Local Plan Part 2 (LP2)

This document was adopted by the Council on 2 November 2017 in accordance with LDS8. It sets out the location of 14 non-strategic housing sites allocated within the District, defines settlement boundaries and sets out a range of thematic policies on topics such as heritage, retail, local green spaces, and development in the countryside. It is available to view on the Council's website [here](#).



Local Green Spaces Plan

This document was adopted by the Council on 24 September 2020 in accordance with LDS9. The Local Green Spaces Plan designates areas of land that are of particular value to the local community, for protection from most forms of development. The Plan will be used to guide development, together with the rest of the development plan, through the determination of planning applications in the District.

Local Green Spaces can also be designated through Neighbourhood Development Plans and the relevant local green space policies in the development plan also apply to spaces designated in this way.

Supplementary Planning Documents and Development Plan Documents

Design Guide and Affordable Housing Supplementary Planning Documents (SPDs) were adopted in November 2017. The Design Guide SPD incorporates car parking and open space and facilities' standards, previously proposed as separate documents.

- A Gypsy and Traveller Site Allocations DPD: Between 28 August and 2 October 2019 the District Council consulted upon the Sustainability Appraisal Scoping Report for the Gypsy and Traveller Site Allocations DPD. An up-to-date assessment of need is to be undertaken prior to the commencement of the Gypsy and Traveller Site Allocations DPD. The updated GTAA is expected to be published in early 2024.
- An SPD on Greenways: No firm dates have been set for consultation or adoption. The District Council continues to liaise with Derbyshire County Council with a view to progressing the document.
- A Planning Obligations SPD: Between 20 May and 27 June 2022, the District Council consulted on a Draft Planning Obligations SPD in accordance with Regulation 13 of the Town and Country (Local Planning) (England) Regulations 2012. The representations that have been received are currently being considered prior to any amendments been made as required.



Neighbourhood Development Plans

Neighbourhood Development Plans (NDPs) currently in production or made are as follows:

- **Repton NDP:** Following the submission of the Plan to the Council in January 2019 and the receipt of the Examiner's report in July 2019, The Parish of Repton Neighbourhood Development Plan 2016 – 2028 went to referendum on 14 November 2019. The referendum posed the question: '*Do you want South Derbyshire District Council to use the Parish of Repton Neighbourhood Development Plan to help it decide planning applications in the Repton Neighbourhood Area?*'. The outcome of the referendum was a 'yes' vote, with 565 out of 586 persons that voted, voting in favour of the Plan'. The Parish of Repton Neighbourhood Plan was formally made on 6 January 2020. More information is available on the Repton Neighbourhood Plan website at http://www.reptonvillage.org.uk/n_p/np_home.html.
- **Melbourne NDP:** Public consultation in accordance with Regulation 16 of the Neighbourhood Planning Regulations 2012 was undertaken on the Draft Melbourne Neighbourhood Development Plan for six weeks between 8 October 2021 and 19 November 2021. Since this AMR monitoring period, the Plan has progressed through the examination and referendum stage and has been proceeded to be made. More information on the Melbourne Neighbourhood Plan is available on the [Council's website](https://www.melbourneparishcouncil.gov.uk/) and at <https://www.melbourneparishcouncil.gov.uk/>
- **Hilton NDP:** An area comprising the Parishes of Hilton, Marston on Dove and Hoon has been designated as a Neighbourhood Plan Area. Hilton Parish Council undertook the Regulation 14 consultation from 28 October 2019 to 9 December 2019. The Plan was submitted to the Council in May 2020 and the Regulation 16 consultation undertaken, which closed on 19 October 2020. The examination commenced within the monitoring period and the Examiner's Report received outside of it, on 26 May 2021. The Plan was formally made on 4 November 2021 and is available on the [Council's website](#).
- **Willington NDP:** An area comprising the Parish of Willington has been designated as a Neighbourhood Plan Area.
- **Etwall NDP:** An area comprising the Parish of Etwall has been designated as a Neighbourhood Plan Area.
- **Findern NDP:** An area comprising the Parish of Findern has been designated as a Neighbourhood Plan Area.



Population

Census data indicates that the District's population has increased by 13452 people or 14.2% since the start of the Plan period, as shown in Table 1, below:

Table 1: 2011 and 2021 Census Population data

Year	Total Resident Population
2011 Census	94,611
2021 Census	107,200
2022 mid-year population estimate	111,133

Available population forecasts from the Office of National Statistics (ONS) for the District indicate that the population will continue to grow rapidly, but at a steadily falling rate as time progresses. The following table shows 2018 sub-national population projections for South Derbyshire, although it is important to note that these forecasts are likely to be revised downward slightly in the near future on the basis of the newly released 2021 Census data.



Table 2: Mid-year population forecasts for South Derbyshire 2023-2028

Year	Population Forecasts ²
2023	113,257
2024	114,819
2025	116,281
2026	117,697
2027	119,043
2028	120,342

Housing

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, councils are required to report on the housing delivery that has taken place during the past monitoring year, which in this case is the period from 1 April 2022 until 31 March 2023.

Residential land supply is monitored annually in South Derbyshire with full site surveys around 1 April each year, in accordance with a County-wide protocol. The use of a database linked to GIS enables planning permissions and progress on sites to be tracked on a consistent basis across Derbyshire. Information is also collected on the development of affordable housing by tenure as well as data on house sizes and development densities on wholly completed sites.

Housing Requirement

The agreed and examined housing target from South Derbyshire’s Local Plan Examination is a Housing Market Area (HMA) requirement from 2011 to 2028 of 33,388 dwellings of which 12,618 dwellings is the housing requirement for South Derbyshire. This figure consists of the housing need for South Derbyshire which is 9,605 dwellings together with a share of the housing need that Derby is unable to accommodate, 3,013 dwellings. **Based on a requirement of 12,618 the annualised housing requirement for the District is 742 dwellings.**

² Population forecasts based on ONS 2018-based Subnational population projections for South Derbyshire [Population projections for local authorities: Table 2 - Office for National Statistics](#)



Housing Supply

The net number of completed dwellings from the start of the Plan period in 2011 can be seen in the Table 3 below.

Table 3: Net Housing delivery since the start of the Plan period

Monitoring Period	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Number	378	274	385	420	569	820	921	1218	1285	1029	919	1118
On previously developed land (%)	38	32	26	33	12	14	11	12	13	13	15	27

As identified in Table 3 the completions from the previous nine years demonstrate the housing target of 742 has been met seven times since the beginning of the plan period. Delivery increased following the adoption of the Local Plan Parts 1 and 2. In total 9,336 homes have been completed within the Plan period up to the 31 March 2023. This indicates a surplus of 432 homes over the Plan period to date. The Council expects to continue to deliver high levels of growth over the next five years. Details regarding the Council's five-year land supply are set out in the Housing Position Paper included at Appendix B.

Completions on Previously Developed (Brownfield) Land

Of the 1118 dwellings (net completions) that were completed within the District in 2022/23, 27% were on previously developed land. As can be seen from Table 3, completions on previously developed land have generally been lower since the early part of the Plan period, but have risen significantly in the past year partly owing to increased delivery from the former Drakelow Power Station site. The National Planning Policy Framework encourages the use of brownfield sites but does not set a national target. The high level of greenfield development in South Derbyshire is a result of the high level of housing growth required and lack of availability of previously developed land. Further information on previously developed land is provided in the section on the Brownfield Land Register.



Local Plan Allocations

The Adopted Part 1 and Part 2 Local Plans include 32 allocations ranging in size from 10 dwellings to 2,239 dwellings. The Local Plan Part 1 includes 18 strategic allocations which will deliver around 12,700 homes (although a number of sites will not be fully built out by the end of the Plan period); the Local Plan Part 2 includes 14 non-strategic allocations which cumulatively will deliver at least 600 dwellings. Many of these allocations benefit from planning consent and are currently under construction.

Remaining Supply

- **Sites with Planning Permission:** Large sites with full or outline planning permission (including those with a Council resolution to approve pending the completion of legal agreements), have remaining capacity for a total of 5657 dwellings.
- **Windfall estimates:** An allowance has been included of 41 dwellings per year based on annual average completions on unallocated with planning permission for ten dwellings or more over the past five years.
- **Small Sites:** There are 375 dwellings with planning permission on small sites.
- **Losses:** An allowance for 12 dwelling losses per annum has been included in the trajectory. This figure is based on previous rates of losses.

It is expected that 3661 dwellings on large sites (with planning permission) and 314 dwellings on small site sites (with planning permission) will contribute to the housing land supply to 2028. At 1 April 2023, 727 dwellings were under construction.

For further information on large sites with planning permission please view the Housing Position Paper at Appendix B.



Affordable Housing Completions

The number of affordable housing completions is monitored alongside general market housing completions. Since the Local Plan base date, April 2011, 628 social rented homes, 334 intermediate homes, 639 affordable rented homes and 26 discount low cost homes have been completed. The total number of affordable homes completed in the 2022/23 monitoring period was 132, as set out in Table 4 below.

Table 4: Gross Affordable Housing Completions 2022/23

Social Rented Homes	Shared Ownership	Affordable Rented Homes	Affordable Homes Total
11	22	99	132

Dwelling Type Monitoring

Completions are recorded on a site basis. Table 5 below shows the numbers and percentages of completions in 2022/23 categorised by type of dwelling and number of bedrooms.

There was an increase in the number of four bed houses (381 completions) in comparison with the previous year (301 completions) and bungalows (30 completions) in comparison with the previous year (15 completions). There was a decrease in the number of flats (25 completions) compared to last year (37 completions).



Table 5: Gross Completions by Dwelling Type and Size

Dwelling Type	1 Bed	% 1 Bed	2 Bed	% 2 Bed	3 Bed	% 3 Bed	4 Bed	5+ Bed	Total	Dwelling Type %
Bungalow	0	0	16	53.3	11	36.7	3	0	30	2.7
Flat or Apartment or Maisonette	18	72.0	7	28.0	0	0.0	0	0	25	2.2
House	9	0.8	147	13.7	473	44.2	381	60	1070	95.1
Total (gross)	27	2.4	170	15.1	484	43	384	60	1125	

Gypsy and Travellers

A Gypsy and Traveller Accommodation Assessment (GTAA) covering Derbyshire, the Peak District National Park and East Staffordshire was jointly commissioned and subsequently published in June 2015. This study identified a need for South Derbyshire of 38 new pitches over the period 1 April 2014 – 31 March 2034, of which 14 pitches were to be delivered in the first five years. Beyond March 2019 the identified need for new pitches for each five-year period is seven, eight and nine respectively. An updated GTAA is due for publication in early 2024.

During the 2022/23 monitoring year 0 permanent traveller pitches were granted planning consent.

Self-Build

The Self-build and Custom Housebuilding Act 2015 places a duty on local authorities to keep and publish a register of individuals and community groups (associations of individuals) locally who want to acquire land for self-build homes and to have regard to these registers in carrying out the following functions; planning, housing, the disposal of any land by the authority and regeneration.

Local authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to an authority's register during a base period.



The first base period began on the day on which the register (which meets the requirement of the 2015 Act) was established and ended on 30 October 2016. Each subsequent base period comprises the 12 months beginning immediately after the end of the previous base period. Subsequent base periods therefore run from 31 October to 30 October each year. At the end of each base period, relevant authorities have three years in which to permission as many plots of land suitable for self-build and custom housebuilding as there are register entries for that base period.

At the close of the seventh base period ending 30 October 2022, there were 98 individuals recorded on the Council's self-build register of which 12 were added during the 12-month period (ending 30 October 2022). Between the end of the sixth base period, ending 30 October 2021, and the end of the seventh base period, ending 30 October 2022, planning permission was granted for 28 single residential units, including 16 provided through the conversion of existing buildings.

Employment

The total industrial and business land need outside the Derby Urban Area within South Derbyshire between April 2011 and March 2028 is 47.27ha. As at 31 March 2023, 46.98ha had been completed, a further 43.21ha had planning consent, 21.96ha was under construction and 6.71ha did not yet have planning consent but was allocated for industrial and business development in the Local Plan Part 1 (see Table 8). Gross employment land provision within the District, therefore, measured 118.86ha. Since April 2011, 24.77ha of established industrial and business land had been lost to other uses.

Table 6: Total Land and Floor Space Gained and Lost and Proportion of Gains on Previously Developed Land by Use Class 1 April 2022– 31 March 2023

Description		E(g)(I)	E(g)(ii)	E(g)(iii)	B2	B8	Mixed	Total
Employment land developed or lost in 2022/23 by type.	Gains (ha)	0	0	1.14	0	3.64	4.03	8.81
	Losses (ha)	0	0	0	0.01	0	0	0.01
Employment floor space developed or lost in 2022/23 by type	Gains (sqm)	67	0	2208	354	1676	18164	22469
	Losses (sqm)	44	0	0	56	0	0	100
	Gains (sqm)	67	0	1627	354	0	18164	20212



Floor space developed for employment in 2022/23 on previously developed land.	% of gains on PDL	100	0	73.68	100	0	100	89.95
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Table 7: Completed Employment Sites 1 April 2022 – 31 March 2023

A. Sites Completed since 2011	Area (ha.)
Former Bretby Hotel and Conference Centre	1.35
Nestle, Marston Lane, Hatton	12.91
Park Road, Newhall	1.62
Dove Valley Park, Foston	6.35
Keystone Lintels, Swadlincote	2.00
ATL Foston	1.34
Tetron Point, Swadlincote	3.55
Woodyard Lane , Foston	3.22
Small sites (less than 1ha)	14.64
Total	46.98

Table 7: Employment Land Under Construction; with Planning Permission or Allocated in the Local Plan but Without Planning Permission; and Losses at 31st March 2023

B. Sites Under Construction	Area (ha.)
Small sites combined (all less than 1ha)	0.76
Ryder Close , Swadlincote	1.20
Dove Valley Business Park	20.00
Total	21.96
C. Sites with Planning Permission	



Tetron Point, Swadlincote	2.91
Dove Valley Business Park	20.44
Hilton Business Park	3.02
ATL, Foston	3.32
Drakelow Park	2.5
Sinfin Lane, Barrow	2.22
Badger Farm, Hilton	1
Land North of Occupation Lane, Woodville	4.60
Small sites combined (all less than 1ha.)	3.2
Total	43.21
D. Local Plan Allocations without Planning Permission	
Hilton	3.71
Cadley Hill	3
Total	6.71
Total (A+B+C+D)	118.86
Loss of Employment Land	
Total Losses since 1st April 2011	24.77

Retail and Town Centre

The Council currently monitors vacancy rates in Swadlincote Town Centre annually as part of the Council's town centre benchmarking scheme. The latest available data for the 2022/23 monitoring year is from October 2022.

At that point 187 retail, leisure, and office ground floor units were recorded for monitoring purposes in Swadlincote town centre of which 75 were Use Class E(a) retail units.

In total, 14 ground floor retail, office and leisure units were recorded as being vacant with a combined floor area of 2283 sqm, representing 7.48% of all such units and 4.85% of all such floorspace. The location of vacant units is shown in Fig. 1.



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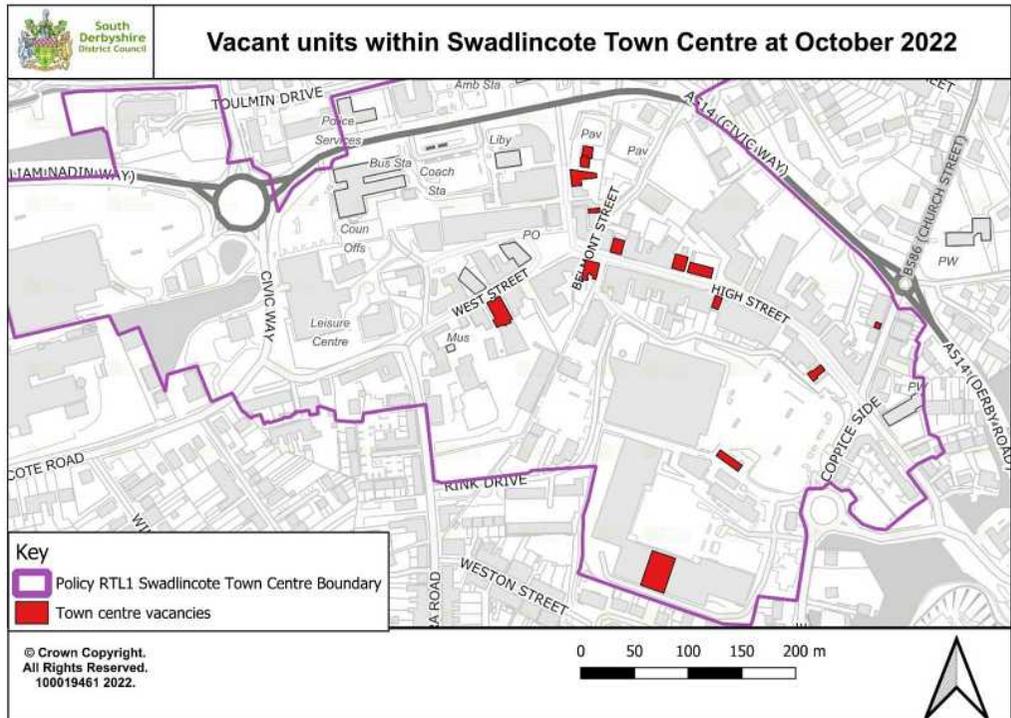


Figure 1: Vacant Units in Swadlincote as recorded in October 2022

Regeneration Brownfield Land Register

Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 requires local planning authorities in England to prepare, maintain and publish registers of previously developed (brownfield) land by 31 December. The registers are intended to provide



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information on sites that local authorities consider to be appropriate for residential development. Brownfield sites that meet the relevant criteria must be entered in Part 1 of brownfield land registers. Sites entered in Part 2 of the brownfield land registers are granted permission in principle. Regulation 17 requires local planning authorities to review their registers at least once a year. The published register for 2022 comprises 17 current sites, all contained within Part 1 of the register, with a total combined land area of 81.58ha. It may be viewed on the District Council website [here](#).

Infrastructure

On 1 September 2019, the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 came into force, requiring that all authorities in receipt of contributions received through planning obligations (also known as Section 106 contributions) must produce an annual Infrastructure Funding Statement (IFS). The fourth of these IFSs is to be published by 31 December 2023 relating to the previous financial year, i.e. the monitoring year to which this AMR relates. The IFS provides various breakdowns of the Section 106 monies, as is required by the Regulations and the IFS itself is available [here](#). During the 2022/23 monitoring year the **Cadley Urban Park, in Swadlincote** was completed and opened to the public.



Appendix A: Policy Monitoring (based on Monitoring and Implementation Tables for LPP1 and LPP2)

Indicator	Policy Number	Policy Name	Plan	Performance
Spatial Strategy Policies				
Number of planning applications which go to appeal and are subsequently granted planning permission	S2	Presumption in Favour of Sustainable Development	LPP1	Three applications were allowed at appeal
Net number of additional dwellings each year	S4	Housing Strategy	LPP1	1118 (net) additions. See main text for further information
Five Year Housing Land Supply	S4	Housing Strategy	LPP1	See Housing Position Paper at Appendix B
Annual net additional employment floor space and net employment land	S5	Employment Land Need	LPP1	Floor space and land, net of losses, delivered in the monitoring period were +22369 sqm and 8.81 ha respectively.
Amount of vacant ground floor retail, office and leisure floorspace in Swadlincote Town Centre	S7	Retail	LPP1	14 by number of units (7.48% of all ground floor retail, leisure and office use) or 4.68% by floor area. See main text for further information
Amount of new development granted within the Green Belt, including conversion, reuse of buildings and new buildings (excluding householder extensions)	S8	Green Belt	LPP1	Six applications for new development were granted in the Green Belt
Settlement Development Policies				
Number of applications (full or outline on major sites) for market housing granted consent outside of the settlement boundaries	SDT1	Settlement Boundaries and Development	LPP2	There were none consented outside of settlement boundaries (and contrary to the development plan) in the monitoring period.
Housing Policies				
Net additional dwellings by category of the settlement hierarchy	H1		LPP1	Derby UA 443 dwellings Burton UA 86 dwellings Swadlincote 317 dwellings Key Service Villages 252 dwellings Local Service Villages 7 dwellings Rural villages /areas 13 dwellings
Meet policy requirements, including site specific policy requirements	H2-H19	Strategic Housing Site Policies	LPP2	One strategic housing site was completed during this monitoring year, H17 – Holmleigh Way Chellaston

Commented [PS1]: It might be useful to break this down into what they were for, extensions etc as people might assume these are all new houses



The number of dwelling types built each year	H20	Housing Balance	LPP1	See main body of this report
The number of market, social and intermediate housing constructed annually	H20	Housing Balance	LPP1	See main body of this report
Density of wholly completed sites or phases	H20	Housing Balance	LPP1	Six sites or phases of 10 dwellings or more were completed within monitoring year, comprising a total of 663 dwellings on a gross area of 32.44 ha, giving an average of 20.44 dwellings per hectare
Annual affordable housing completions including the number of social rented and intermediate affordable housing	H21	Affordable Housing	LPP1	See main body of this report
The number of dwellings annually completed on exception sites	H21	Affordable Housing	LPP1	None
Number of additional pitches granted planning permission annually	H22	Sites for Gypsies and Travellers and Travelling Show people	LPP1	During the 2022/23 monitoring year no permanent traveller pitches were granted permission
Meet policy including site specific policy requirements	H23	Non-Strategic Housing Site Policies	LPP2	Policy H23C was completed during this monitoring year.
Number of planning applications for replacement dwellings in rural areas (outside of settlement boundaries)	H24	Replacement dwellings in the countryside	LPP2	One application for replacement dwellings outside of settlement boundaries has been recorded in the monitoring period, which were granted consent.
Number of rural worker dwellings consented in the monitoring period	H25	Rural Workers	LPP2	No permissions for permanent workers dwellings were granted in the monitoring period.
Number of applications for new residential garden land in the countryside	H26	Residential Gardens in the Countryside	LPP2	No applications were granted planning permission for residential garden use outside of settlement boundaries in the monitoring period.
Number of householder applications lost on appeal	H27	Residential Extensions and Other Householder Development	LPP2	One application was granted as a split decision on appeal.
Applications for change of use to residential Use - class C3(residential conversions) granted planning consent	H28	Residential Conversions	LPP2	36 applications were permitted, including prior notifications for conversion of agricultural buildings to dwellings, in the monitoring period.
Employment and the Economy Policies				



Annual total B1, B2 and B8 floorspace and new land area completion on strategic employment land allocations.	E1	Strategic Employment Land Allocations	LPP1	No new employment land was completed on strategic sites in the monitoring period.
Floor space area for completed units measuring under 100m2 and between 100-500m2 on the identified sites. In policy E1	E1	Strategic Employment Land Allocations	LPP1	No small-scale floor space was completed on sites identified in policy E1.
Annual total B1, B2 and B8 floorspace and new land area completion outside strategic employment land allocations.	E2	Other Industrial and Business Development	LPP1	3.88 ha and 2678 sqm of employment floor space was completed outside of strategic employment sites in the monitoring period.
The amount of employment land area/floor space lost each year to other uses.	E3	Existing Employment Areas	LPP1	0.01 ha of employment land and 100sqm of employment floor space was lost to other uses in the monitoring period.
Protection of land against development that would prejudice development of the site for intended purpose	E4	Strategic Location for Sinfin Moor Employment site Extension	LPP1	Site remains protected for future extension of Sinfin Moor employment site.
Protection of land against development that would prejudice development of the site for intended purpose	E5	Safeguarded Employment Site – Dove Valley Park	LPP1	No new permissions were granted on land allocated under Policy E5 within the monitoring year.
Completion of new industrial and business development	E6	Woodville Regeneration Area	LPP1	There was no industrial and business development in the Woodville Regeneration Area
Number of rural employment development schemes completed	E7	Rural Development	LPP1	Three rural employment schemes were completed in the monitoring period.
Sustainable Development Policies				
Number of planning applications granted annually contrary to Environment Agency advice on water quality grounds	SD1	Amenity and Environmental Quality	LPP1	There were no applications subject to a holding objection on water quality grounds from the EA in the monitoring period.
Number of Air Quality Management Areas (AQMAs) within the District	SD1	Amenity and Environmental Quality	LPP1	There are no AQMAs located within the District.
Number of planning applications granted annually contrary to Environment Agency advice on flood risk grounds	SD2	Flood Risk	LPP1	No applications were subject to a holding objection on flood risk grounds from the EA in the monitoring period.



Proportion of main rivers meeting WFD targets	SD3	Sustainable Water Supply, Drainage and Sewerage Infrastructure	LPP1	Information on WFD monitoring is available to view on the EA website http://environment.data.gov.uk/catchment-planning/RiverBasinDistrict/4
Reduce average consumption of water per household Number of properties consented that required developer to deliver optional standard of Part G of the Building Regulations of 110litres of water per person per day. Based on delivery on sites of 10 or more	SD3	Sustainable Water Supply, Drainage and Sewerage Infrastructure	LPP1	619 homes granted full or reserve matters consent were required to deliver this standard in the monitoring period.
Number of planning applications granted annually with an outstanding objection regarding Contaminated Land or mining legacy issues	SD4	Contaminated Land and Mining Legacy Issues	LPP1	One planning applications has been identified as consented with an outstanding objection regarding contaminated land or mining legacy issues.
Number of planning applications granted annually with an outstanding objection regarding minerals safeguarding	SD5	Minerals Safeguarding	LPP1	No planning applications in the monitoring period were granted with an outstanding minerals safeguarding objection.
Renewable energy capacity in South Derbyshire (on schemes over 1Mw)	SD6	Sustainable Energy and Power Generation	LPP1	There is 63.7 MW of installed renewable energy capacity in South Derbyshire. Of the seven operational schemes, five scheme are solar PV schemes. One scheme is a 1.6Mw landfill gas scheme located in Newhall, and the remaining scheme is a 40Mw battery storage scheme located in Caldwell .³
Built and Natural Environment Policies				
Number of sites granted full or Reserved matters permission within the monitoring period with Building for Life Assessments of: <ul style="list-style-type: none"> • 16 or more • 14-15 • 10-13 • Less than 10 	BNE1	Design Excellence	LPP1	Data unavailable for 2022/23

³ Data from <https://www.gov.uk/government/collections/renewable-energy-planning-data>



Number of heritage assets at risk within the District	BNE2	Heritage Assets	LPP1	There are 16 entries on the Heritage at Risk Register in the District. This includes ten buildings and structures, three places of worship, two archaeological assets and one Historic Park and Garden. On the local at risk register (including buildings/structures from grade I-II) there are 47 entries.
Number of Listed Buildings, Conservation areas, Historic Park and Gardens, Schedule Ancient Monuments within the District	BNE2	Heritage Assets	LPP1	There are 714 listed buildings and structures in the District of which 48 are grade I, 48 are grade II* and 618 are grade II There are 22 Scheduled monuments and 22 Conservation Areas in the District There are five historic parks and gardens in the District of which one is grade I, three are grade II* and one is grade II.
Number of Conservation Areas with up-to-date Conservation Area Appraisals.	BNE2	Heritage Assets	LPP1	All 22 Conservation Areas in the District have up to date conservation area appraisals, although some will shortly require review
Change on areas and populations of biodiversity importance including: <ul style="list-style-type: none"> • Change in priority habitats and species (by type) and • Change in areas designated for their intrinsic environmental value including sites for international, national, regional and sub regional importance. 	BNE3	Biodiversity	LPP1	To be updated following information from Derbyshire Wildlife Trust.
Number of applications (full or outline on major sites) for market housing granted consent outside of the settlement boundaries	BNE5	Development in the Countryside	LPP2	No full or outline applications for market housing on major sites outside of settlement boundaries (and contrary to the development Plan) were consented in the monitoring period.
Number of agricultural schemes (excluding losses to other use classes) granted and refused in monitoring period	BNE6	Agricultural Development	LPP2	25 applications or prior notifications for new agricultural buildings were consented in the monitoring period.



Number of Tree Preservation Orders (TPOs) made in monitoring period	BNE7	Trees, Woodland and Hedgerows	LPP2	There were 4 provisional orders made within the monitoring period, the most recent being number 552.
Number of TPOs lost in monitoring period	BNE7	Trees, Woodland and Hedgerows	LPP2	There were 8 TPOs where the felling of trees was permitted within the monitoring period
Adoption of Local Green Space Development Plan Documents	BNE8	Local Green Space	LPP2	Adopted by Full Council 24 th September 2020. See main text for further information.
Number of advertisement applications granted and refused in monitoring period	BNE9	Advertisements and Visual Pollution	LPP2	18 applications for advertisement consent were determined in the monitoring period; of these 15 were approved.
Number of Listed Building consents	BNE10	Heritage	LPP2	13 listed building consents were recorded in the monitoring period.
Number of applications granted for shopfronts in Swadlincote Town Centre in monitoring period	BNE11	Shopfronts	LPP2	One application for changes to existing shopfronts in Swadlincote Town Centre was granted in the monitoring period.
Number of applications on the site against the framework documents for Willington and Drakelow Power Station	BNE12	Former Power Station Land	LPP2	No applications recorded - Development Framework Documents for Power Station sites remain to be prepared.
Retail Policies				
Amount of retail floor space within Swadlincote Town Centre (Use Class E(a))	RTL1	Retail Hierarchy	LPP2	29059m ² recorded at October 2022
Amount of completed floor space in new local centres	RTL1	Retail Hierarchy	LPP2	No retail floor space was completed in new local centres within the 2022/23 monitoring period.
Loss of retailing facilities to other uses	RTL1	Retail Hierarchy	LPP2	Ten retail unit has been lost to other uses.
Preparation of design briefs for the redevelopment sites	RTL2	Swadlincote Town Centre Potential Redevelopment Locations	LPP2	No design briefs to guide comprehensive development of sites were prepared within the monitoring period.
Infrastructure Policies				
Length of journeys to work – proportion of population travelling more than 20km to work	INF2	Sustainable Transport	LPP1	15.8% of the District Population travels in excess of 20km to work



Mode of travel to work	INF2	Sustainable Transport	LPP1	Car/van 71.11%; work from home 15.15%; on foot 7.8%; bus/minibus 2.09%, on foot 7.84%, Bicycle 1.79%, Train, underground, metro, light rail, tram 0.39%
Implementation of transport infrastructure schemes in the Plan Period.	INF4	Transport Infrastructure Improvement Schemes	LPP1	No transport infrastructure schemes identified in INF4 have been implemented in the period.
Number of planning applications approved with outstanding objection by the Civil Aviation Authority (CAA)	INF5	East Midlands Airport	LPP1	No applications approved with outstanding objection from the CAA
Number of applications for new halls or built recreation facilities annually (excludes extensions or alterations to existing facilities)	INF6	Community Facilities	LPP1	No applications for new halls or built recreations facilities granted.
Change in areas of biodiversity importance	INF7	Green Infrastructure	LPP1	To be updated following information from Derbyshire Wildlife Trust.
New National Forest Planting within the District annually	INF8	The National Forest	LPP1	3.11 hectares planted between 1 st April 2022- 31 st March 2023.
Number of planning applications approved with outstanding objections from Sport England	INF9	Open Space, Sport and Recreation	LPP1	No applications have been identified as consented with an outstanding objection from Sport England in Monitoring period
Net increase/ decrease in playing pitches within the District	INF9	Open Space, Sport and Recreation	LPP1	There were no changes to the amount of playing pitches within the District.
Number of new self-catering holiday units and pitches	INF10	Tourism Development	LPP1	Seven applications were consented for holiday lets. No camping or caravanning pitches were consented in the monitoring period.
Number of applications granted for telecommunications	INF11	Telecommunications	LPP2	Three telecommunications Prior Notification applications were received and consented in the monitoring period.







**SOUTH DERBYSHIRE
AUTHORITY MONITORING
REPORT APPENDIX 2:
HOUSING POSITION PAPER**

Introduction

1. This report is published as the most up to date housing position for South Derbyshire District Council. The Local Plan Parts 1 & 2 sets out the housing sites required in order to meet the housing target in the Local Plan of 12,618. This target includes a contribution of 3,013 dwellings towards meeting some of Derby City's unmet housing need. The period covered by the Plan is 2011 to 2028.

National Policy and Guidance

- 2 National Planning Policy Framework (NPPF), paragraph 60, states the Government objective to significantly boost the supply of homes. It sets out the requirement for Local Planning Authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old (paragraph 77). The local need should be calculated using the standard method set out in National Planning Guidance.
- 3 The importance of the five-year supply and Housing Delivery Test is outlined in paragraph 11 of the NPPF. This states that where a supply of deliverable sites cannot be demonstrated, or where the Housing Delivery Test (HDT) indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years, the Council's housing policies would be considered out-of-date. In this situation housing development should be determined against a presumption in favour of sustainable development.
- 4 National Planning Practice Guidance (NPPG) indicates that all local authorities will need to be able to demonstrate a five year housing land supply and that this should be done using the latest available evidence such as an Authority Monitoring Report. This paper includes completions on sites for the 2022/23 monitoring period, and up to date information on the progress of each housing site within the housing supply.

Derby Housing Market Area

- 5 South Derbyshire has worked alongside Derby City Council and Amber Valley Borough Council as part of the Derby Housing Market Area (HMA) since 2009. A considerable amount of work was undertaken and subsequently examined on setting a housing target for the three authorities. This target was split across the three authorities taking account of Derby not being able to meet all of its housing needs.

- 6 It was agreed collectively by the HMA Authorities that Derby City could not provide more than 11,000 dwellings in the period up to 2028. Derby adopted its Local Plan Part 1 on 25 January 2017.
- 7 Amber Valley Borough Council withdrew its emerging Plan in May 2019 and is now working towards adoption in 2024.

South Derbyshire

- 8 South Derbyshire District Council has begun the process of reviewing its Local Plan through evidence gathering. As part of this the Council is undertaking a Strategic Housing and Economic Land Availability Assessment (SHELAA). Assessments of submitted sites are available to view on the Council's website [Strategic Housing and Economic Land Availability Assessment | South Derbyshire District Council](#)
- 9 An Issues and Options document was published for consultation in October 2022 and a draft Local Plan is being prepared for consultation during 2024. It is intended that it should be Submitted to the Secretary of State for Examination by June 2025.
- 10 As noted in paragraph 2, the NPPF states that where a Local Plan is more than five years old the housing land supply should be calculated using the standard method. The process for calculating housing need using the standard method is set out in National Planning Practice Guidance [Housing and economic needs assessment - GOV.UK \(www.gov.uk\)](#). As at June 2021, five years had passed since the adoption of the South Derbyshire Local Plan Part 1. The standard method currently gives an annual requirement of 522 dwellings, as opposed the Local Plan based annual target of 742. However, the Local Plan target includes part of the need generated within Derby City whilst the standard method does not (see paragraph 1). It has, therefore, been determined that the South Derbyshire five year housing land supply should be calculated using both the Local Plan target and the housing need figure derived using the standard method pending consideration of the appropriate distribution of housing provision among the three HMA local authorities in the context of their respective Local Plan reviews.

Past Housing Delivery & Buffers

- 11 The net number of completed dwellings from the start of the plan period in 2011 can be seen in Table 1 below. A total of 9336 dwellings have been built over the ten-year period to 31 March 2023, which is an average of approximately 778 dwellings per year. Table 2 sets out gross completions by dwelling type per monitoring year.

Table 1: Net completions by year

Year	Net Completions
2011/12	378
2012/13	274
2013/14	385
2014/15	420
2015/16	569
2016/17	820
2017/18	921
2018/19	1218
2019/20	1285
2020/21	1029
2021/22	919
2022/23	1118
TOTAL	9336

Table 2: Gross completions by Dwelling Type per Monitoring Year

Monitoring period	Dwelling Type					Total (Gross)
	Market	Social Rented	Intermediate	Affordable Rent	Discount Low Cost	
2011-12	364	24	9	0		397
2012-13	248	25	8	0		281
2013-14	376	23	0	0		399
2014-15	341	10	23	64		438
2015-16	477	51	12	44		584
2016-17	648	123	6	30	26	833
2017-18	754	84	52	44		934
2018/19	1005	99	43	83		1230
2019/20	1001	112	75	104		1292
1920/21	870	45	50	70		1035
2021/22	779	21	34	101		935
2022/23	993	11	22	99		1125

- 12 In order to help boost supply, the NPPF (para. 74) requires the inclusion of an additional buffer of at least 5% to ensure choice and competition in the market for land, or 20% if there has been significant under delivery over the previous three years.
- 13 The Housing Delivery Test Measurement Rule Book, published by the Ministry of Housing, Communities and Local Government (MHCLG), sets out the formula to be applied as follows:

$$\text{Housing Delivery Test (\%)} = \frac{\text{Total net homes delivered over three-year period}}{\text{Total number of homes required over three-year period}}$$

- 14 The combined number of homes delivered over monitoring years 20/21 (1029), 21/22 (919) and 22/23 (1118) in South Derbyshire is **3066**. The total of number of homes required per year in South Derbyshire as an annual average, based upon the strategic requirement identified in the Local Plan Part 1 Policy S4, is 742, which over a three-year period of the HDT is **2,226**.

$$\text{Thus, the Housing Delivery Test percentage} = \frac{3066}{2226} \times \frac{100}{1} = 137.73\%$$

Windfalls

- 15 Windfalls are sites not specifically identified in the development plan.
- 16 To arrive at an annual windfall completion assumption the average number of homes completed with planning permission for ten dwellings or more over the past seven years (the period since Local Plan Part 1 was adopted) has been calculated, as shown in Table 3.

Table 3. Completions on unallocated sites with planning permission for ten dwellings or more 1 April 2016 – 31 March 2023*

Site	Number of homes completed
Bretby Pottery, Woodville	27
Calder Aluminium, Willington	39
Alexander Road, Swadlincote	9
Eureka Lodge, Swadlincote	13
Former Dilkes Garage, Swadlincote	15
The Woodlands, Swadlincote	10
Kathglow, Dominion Road, Swadlincote	6
York Road, Church Gresley	13
Yard Close, Swadlincote	38
Rose Hill, Swadlincote	30
Hartshorne Road, Woodville	11
Castle Hotel, Hatton	13
Askew Lodge, Repton	13
The Woodlands, Church Gresley	10
Oversetts Road, Newhall	12
Hartshorne Road, Woodville	5
Lucas Lane, Hilton	2
Coppice Side, Swadlincote	18
York Road, Castle Gresley	8
Total	292
Seven-year average	41

* Excludes any sites permitted at appeal due to lack of a five year housing land supply.

- 17 To avoid any overlap with home completions from this source already accounted for, the average completion rate of 41 per annum has only been applied for years three, four and five of the five-year period, the point beyond which any current unimplemented full or reserved matters planning consent, as at 31 March 2022, would lapse.

Non-implementation rate on small sites

- 18 It is expected that not all smaller sites will be built, therefore a non-implementation rate has been applied to those sites under 10 dwellings.
- 19 It is assumed that anything that is under construction will be completed within a five-year period but that any sites without a start will have a 25% reduction applied to account for non-implementation on some sites.

Table 4: Non-implementation totals

Small Sites	Not started	Under construction	
	244	131	
Total to be counted	183	131	314

- 20 This equates to 52 dwellings a year over a six-year period arising from completions on small sites.
- 21 A non-implementation rate is not applied to the larger sites as more detailed site delivery information is known, and it is recognised in the housing trajectory that only a proportion will come forward in the five-year supply. Local Plan Part 1 indicates that on three allocations: Wragley Way (Policy H15), Drakelow (H6) and Land West of Micklover (H19), not all of the dwellings are expected to be built within the Plan Period.

Losses

- 22 An assumption of the loss of 12 dwellings per annum is made in the trajectory based on the average number of losses recorded per annum since the 2011/12 monitoring year, as set out in Table 5.

Table 5: Losses

Year	Losses
2011/12	19
2012/13	7
2013/14	14
2014/15	18
2015/16	15
2016/17	13
2017/18	13
2018/19	12
2019/20	7
2020/21	6
2021/22	16
2022/23	7

Deliverable & Developable Sites

- 23 The NPPF glossary states that to be considered deliverable, sites *“should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.”*
- 24 It goes on to say that in particular:
- a) *“sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans.”*

- b) *“where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*
- 25 Table 6 summarises the current position regarding all major housing sites within the District. In response to requests from the Local Planning Authority many site promoters and developers have provided forecasts to assist in the preparation of the housing trajectory at Table 10.
- 26 Table 7 indicates the current position regarding commitments and completions for small sites (fewer than 10 dwellings) by parish.
- 27 The five-year housing land supply calculation using the Local Plan housing requirement is set out in Table 8 whilst the same calculation using the standard method is set out in Table 9.

Table 6: Site Status

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Local Plan Part 1 sites with full or reserved matters planning permission							
Policy H2: Land north of William Nadin Way, Swadlincote: Park Road, Newhall. Site A	Under construction.	68	3	3	18	Under construction. Cameron Homes on site	None
Policy H2: Land to the north of William Nadin Way (Site C)	Under construction	400	233	108	50	Development being delivered by Avant Homes who have provided a completions forecast.	None
Policy H3: Land at Church Street/Bridge Street/Moat Street, Swadlincote	Under construction	306	3	3	7	Under construction.	None.
Policy H4: Broomy Farm, Woodville Road, Woodville	Under construction. Reserved matters/full applications granted for phase 1 (182 dwellings), phase 2a (70 dwellings), phase 3 (148 dwellings) and phase 4 (189 dwellings).	589	273	172	93	Development being delivered by Bellway Homes. Bellway has provided completions forecast.	None.
Policy H6: Drakelow Park	Phase 1 complete, Phase 2 under construction	2239	265	72	58	David Wilson development complete (Phase 1). Phase 2 under construction. Development of the site is currently capped at 400 dwellings pending the completion of the Walton Bypass, needed for transport mitigation. . Developer has submitted application DMOT/2023/1024 seeking to raise the occupation cap from 400 to 800 dwellings to allow development of the site to continue pending construction of the Walton Bypass. Countryside and David Wilson Homes have provided completions forecasts.	Timely determination of current application and all subsequent reserved matters applications.
Policy H7: Hilton Depot, The Mease, Hilton	Under construction	494	468	81	14	Nearing completion. Persimmon Homes and the site promoters have provided completions forecasts.	None

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Local Plan Part 1 sites with full or reserved matters planning permission (cont.)							
Policy H11: Land NE of Hatton	Under construction.	385	198	104	187	Developer, Bellway, on site with two outlets. Bellway has provided a completions forecast.	None
Policy H12: Highfields Farm	Under construction.	1064	1062	31	2	Nearing completion	None
Policy H13: Boulton Moor Phase 1	Reserved matters consent granted for 901 dwellings. Under construction.	1127	813	136	35	Persimmon Homes on site. Resolution to approve outline planning application DMPA/2021/1687 including up to 228 dwellings on land mainly within the Local Plan Part 1 Policy H13 allocation boundary, S106 agreement in preparation. Combined with 901 dwellings with reserved matters permission on site this will bring the total number of homes that can be delivered in this location to 1127. Persimmon Homes and Miller Homes have provided completions forecast. The Miller forecast indicates delivery of 220 homes and this is reflected in the housing trajectory in Table 10 of this document.	Timely completion of S106 agreement and determination of anticipated reserved matters planning applications for remainder of site.
Policy H14: Chellaston Fields	Under construction.	450	445	48	5	Nearing completion	None
Policy H15: Wragley Way (Phase1)	Under construction	94	0	0	0	Davidsons on site and have provided a completions forecast.	None
Policy H17: Holmleigh Way, Chellaston	Complete.	119	119	9	0	Complete .	None
Policy H18: Hackwood Farm, Mickleover	Under construction	290	74	74	72	This is part of a larger cross-boundary site, the greater part lying within Derby City. Miller Homes and Redrow Homes have provided completions forecasts.	None
Policy H19: Land West of Mickleover, Phase 2	Complete	252	252	27	0	Complete	None
Policy H19: Land West of Mickleover, Phase 3a	Under construction	317	221	118	93	Avant Homes on site and has provided a completions' forecast.	None

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Local Plan Part 1 sites with outline planning permission							
Policy H13: Boulton Moor Elvaston, Phase 2	Outline planning permission. Section 106 agreement completed.	550	0	0	0	S106 Deed of Variation completed. Awaiting submission of reserved matters application. Landowner has provided a completions forecast.	Timely determination of anticipated reserved matters planning application.
Policy H19: Land West of Mickleover, Phase 3b	Outline permission granted. S106 agreement completed.	789	0	0	0	A reserved matters planning application for development, including 687 dwellings (DMPA/2022/0996), has been submitted and is awaiting determination. Condition 31 of outline planning consent 9/2020/0543 restricts occupation of the development to no more than 317 dwellings prior to the commencement of grade separation works by National Highways of the A38 Kingsway junction. Resolution to approve application DMPA/2022/1153 to vary the above condition to allow 617 dwellings within the development be occupied prior to the commencement of the grade separation works. Awaiting completion of Deed of Variation of S106 agreement. The transport modelling material submitted with planning application DMPA/2022/1153 includes a housing completions' forecast.	Timely determination of planning applications DMPA/2022/0996 and completion of S106 Deed of Variation in association with DMPA/2022/1153.
Policy E6: Woodville Regeneration Area	Outline planning permission, S106 agreement completed.	300	0	0	0	Reserved matters planning application for phase 1 residential development (75 dwellings) awaiting determination. Site promoter has provided a completions' forecast.	Timely determination of reserved matters planning applications.

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Local Plan Part 1 Allocations with outline planning application pending							
Policy H15: Wragley Way, (Phase 2)	Outline planning application under consideration, Section 106 work underway.	1850	0	0	0	Outline application awaiting determination. Site forms part of Infinity Garden Village, with funding from Government.	Site forms part of Infinity Garden Village, with funding from Government. Planning application for the South Derby Integrated Transport Link and new A50 junction, which will support the delivery of this site, has been approved by Derbyshire County Council and Derby City Council. S106 agreement to be completed.
Policy H16: Primula Way, Stenson	Outline planning application under consideration.	500	0	0	0	Outline application submitted and awaiting determination. Site promoter has provided a completions forecast.	Timely determination of outline planning application and subsequent reserved matters applications.
Policy H13: Boulton Moor, Elvaston, Phase 3	Outline planning application under consideration	190	0	0	0	Awaiting determination of outline planning application. Highway mitigation under phase 2 agreed through S106 agreement, which also addresses the phase 3 highway mitigation requirements. Landowner has provided a completions forecast.	Timely approval of outline planning application and subsequent reserved matters applications.

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Local Plan Part 2 allocations with full or reserved matters planning permission							
Policy H23C: Derby Road, Hilton	Complete	45	45	9	0	Complete	None
Policy H23G: Milton Road, Repton	Under Construction	32	25	0	0	Reserved matters planning permission for a further 7 dwellings DMPA/2023/0361. Cameron Homes have provided a completions forecast	None
Policy H23D: Station Road, Melbourne	Under construction	46	12	12	16	Under construction. Davidsons has provided a completions' forecast.	None
H23B: Jacksons Lane, Etwall	Reserved matters planning permission.	50	8	8	0	Redrow Homes to deliver site. Redrow has provided a completions' forecast.	None
Policy H23J: Oak Close, Castle Gresley	Full planning permission	70	0	0	0	Full planning permission granted as appeal against refusal of planning application DMPA/2019/1176 was upheld. Awaiting discharge of pre-commencement conditions, currently underway	Timely discharge of remaining pre-commencement conditions.

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Local Plan Part 2 allocations with outline planning permission							
Policy H23L: Scropton Lane, Scropton	Outline planning permission. Reserved matters application under consideration.	10	0	0	0	Awaiting determination of reserved matters planning application. Landowner has provided a completions forecast.	Determination of reserved matters planning application.
Local Plan Part 2 allocations without outline planning consent or application							
Policy H23I: Kingfisher Way, Willington	Pre- application discussions underway.	50	0	0	0	Awaiting submission of planning application.	Liaise with site owner to assist in progressing pre-application work.
Policy H23M: Montracon, Swadlincote	Awaiting submission of planning application	95	0	0	0	Site purchased for re-use by an industrial concern and therefore unlikely to come forward for housing development.	Maintain contact with site owner in regard to intentions concerning the future use of the site.
Policy H23N: Stenson Fields	Pre-application discussions underway.	50	0	0	0	Site owned by Derby City Council. Active discussions within City Council continue concerning options for disposal/development. Derby City Council has provided a completions forecast	Liaise with Derby City Council and any site purchaser to assist in progressing pre-application work.

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Non-allocated sites with full or reserved matters planning consent							
47-51 Alexandra Road, Swadlincote (DMPA/2019/1036)	Under construction	12	9	0	3	Site being constructed on a gradual basis. Planning permission for 3 remaining plots to be constructed approved December 2019.	None
Kathglow, Dominion Road, Swadlincote (9/2011/0329)	Under construction	12	8	0	0	Site being constructed on a gradual basis.	None
Rosliston Road South, Drakelow (9/2017/0887)	Complete	71	71	14	0	Complete	None
Court Street, Woodville (9/2017/0062)	Under construction	14	0	0	14	Under construction	None
Calder Aluminium, Willington (9/2006/0885)	Complete	39	39	1	0	Complete	None
Coppice Side, Swadlincote (9/2006/0780, 9/2017/1377)	Part implemented (access) Reserved matters planning consent	20	0	0	0	Awaiting discharge of pre-commencement conditions. Certificate of Lawful Use (9/2017/1377) states that permission has been implemented.	Timely discharge of pre-commencement conditions
York Road, Church Gresley (DMPA/2019/1460)	Under construction	10	8	8	1	Under construction	None
Coppice Side, Swadlincote (9/2006/0780 and 9/2017/1377)	Complete	18	18	18	0	Complete	None
Mandarin, Egginton Road, Hilton (9/2019/0379)	Complete	34	34	6	0	Complete	None

Site	Current Status	Total commitments/capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Non-allocated sites with full or reserved matters planning consent (cont.)							
Park Road, Church Gresley (9/2018/1049)	Under construction	14	0	0	14	Under construction	None
Orchard Street, Newhall (DMPA/2020/0347)	Under construction	25	0	0	20	Under construction.	None
Woodville Road, Hartshorne ((DMPA/2020/0586)	Under construction	13	5	5	8	Under construction	None
Lucas Lane, Hilton (DMPA/2021/1277)	Under construction.	57	2	2	22	Under construction	None
Our Monkey Club, York Road, Church Gresley (DMPN/2022/1309)	Prior Approval for change of use	17	0	0	0	Awaiting start	None
The Dales, Repton (DMPA/2022/1625)	Reserved matters planning permission	28	0	0	0	Awaiting discharge of pre-commencement conditions. Trent and Dove Housing Association has provided a completions forecast.	Timely discharge of pre-commencement conditions

Site	Current Status	Total commitments/ capacity	Total completions 2011-2023	Completions 22/23	Under construction at 31 March 2023	Progress Commentary	Any Required Interventions
Non-allocated Sites with outline or pending planning consents							
Mercia Marina (DMPA/2022/0270)	Resolution to approve full planning consent	14	0	0	0	Awaiting completion of S106 agreement. The landowner has provided a completions forecast.	Timely completion of S106 agreement
Micklemeadow Farm, Rykneld Road (9/2018/0346)	Outline planning consent.	14	0	0	0	Awaiting submission of reserved matters planning application.	Timely determination of reserved matters planning application

Table 7: Small Sites by Parish

Parish Name	Dwellings on small sites under construction	Dwellings on small sites not started	Completions 2022/23
Ash	0	1	0
Aston on Trent	3	3	0
Barrow on Trent	0	3	0
Barton Blount	2	1	0
Bearwardcote	0	0	0
Bretby	2	7	0
Burnaston	1	1	0
Castle Gresley	1	10	1
Catton	0	2	0
Church Broughton	1	1	9
Coton in the Elms	2	1	0
Dalbury Lees	1	6	1
Drakelow	2	0	0
Egginton	1	2	0
Elvaston	7	3	1
Etwall	0	0	0
Findern	1	0	0
Foston & Scropton	3	7	1
Hartshorne	0	13	1
Hatton	1	11	0
Hilton	2	13	7
Linton	7	4	0
Lullington	0	0	0
Melbourne	20	41	14
Netherseal	2	2	0
Newton Solney	1	4	0
Osleston & Thurvaston	2	0	3
Overseal	1	4	6
Radbourne	1	0	0
Repton	9	3	4
Rosliston	1	5	0
Shardlow & Great Wilne	1	0	1
Smisby	1	3	0
Stanton by Bridge	2	1	0
Stenson Fields	1	0	0
Sutton on the Hill	1	0	0
Swarkestone	1	0	0
Ticknall	0	0	1
Trusley	1	0	0
Twyford and Stenson	0	7	0
Walton on Trent	4	0	0
Weston upon Trent	7	7	0
Willington	4	5	3
Woodville	3	14	0
Swadlincote (unparished)	31	59	3
Total for District	131	244	56

Five-year supply

28 Table 8 calculates a five-year supply based on the period 2011 – 2029.

Table 8: Five-Year Supply based on the Plan Period 2011 – 2029

a. Plan Period Requirement 2011 – 2028	12,618
b. Annualised Requirement [a/17 years]	742
c. Dwellings Completed 2011/12 to 2022/23	9336
d. Estimated Net Completions 2023/24	907
e. Dwellings left to be built [a - (c + d)]	2375
f. Shortfall [b x 13 years – (c+d)]	0 (-597)
g. Shortfall if met over 5 years (per annum) [f/5]	0
h. Adjusted Requirement (per annum) [b + g]	742
i. Projected gross Completions 2023/24 to 2028/29	4335
j. Losses (calculated as 12 per year)	-60
k. Net Projected Completions 2022/23 to 2027/28 [i - j]	4275
l. Five-Year Supply [k/h]	5.76

29 Table 9 calculates a five-year supply based on the standard method.

Table 9: Five-Year Supply based on the Standard Method for plan period 2022-2039

a. Annual Requirement	522
b. Plan period requirement	8874
c. Dwellings Completed 2021/22 to 2022/23	1118
d. Estimated Net Completions 2023/24	907
e. Dwellings left to be built [b - (c + d)]	6849
f. Shortfall [a x 2 years – (c+d)]	0 (-981)
g. Shortfall if met over 5 years (per annum) [f/5]	0
h. Adjusted Requirement (per annum) [a + g]	522
i. Projected gross Completions 2023/24 to 2028/29	4335
j. Losses (calculated as 13 per year)	-60
k. Net Projected Completions 2023/24 to 2028/29 [i - j]	4275
n. Five-Year Supply [k/h]	8.18

Summary

- 30 As can be seen from the calculations above, a five-year supply is demonstrable. The estimated net completions for 2022/23 in the January 2023 Housing Position Paper was 922, which was confirmed as 1118 dwellings following the annual survey. There is only a single phase of one Local Plan Part 1 site and three Part 2 sites without an approval or a submitted pending application.

Supply of Sites

- 31 There is forecast to be no remaining shortfall in housing provision over the Local Plan period at the base date of 31 March 2024. The current housing land supply position is set out in Table 10: Housing Trajectory.

Table 10: Housing Trajectory

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL left to be built
													Current year	Yr1	Yr2	Yr3	Yr4	Yr5	
Total net past completions	378	274	385	420	569	820	921	1218	1285	1029	919	1118							
Allocations																			
Land to N of William Nadin Way/West of Depot, Swadlincote (Park Road, Newhall) (H2) Site A													30	30	5				65
Land to N of William Nadin Way/West of Depot, Swadlincote (Burton Road, Stanton) (H2) Site C													55	55	55	2			167
Land in vicinity of Church Street/Bridge Street/Moat Street, Swadlincote (H3)													35	60	60	60	60	28	303
Broomy Farm, Woodville (H4)													150	75	75	16			316
Drakelow Power Station, Drakelow (H6)													150	170	170	170	170	170	1000
Land at Hilton Depot, The Mease, Hilton (H7)													14	12					26
Land to NE of Hatton (H11)													74	74	39				187
Highfields Farm, Findern (H12)													2						2
Boulton Moor, Elvaston (H13 – Phase 1)													78	38	40	50	50	50	306
Boulton Moor, Elvaston (H13 – Phase 2)														30	50	50	50	50	230
Boulton Moor, Elvaston (H13 – Phase 3)															50	50	50	40	190
Chellaston Fields (H14 – Phase 1)													5						5
Wragley Way (H15) Phase 1													19	52	23				94
Wragley Way (H15) Phase 2																40	100	100	240
Primula Way (H16)															40	50	60	60	210
Hackwood Farm (H18)													96	63	57				216
Land west of Mickleover (H19 – Phase 3a)													45	51					96
Land west of Mickleover (H19 – Phase 3b)														60	60	120	120	120	480
Woodville Regeneration Area (E6)														5	50	50	50	50	205

Local Plan Part 2 allocations																			
Jacksons Lane, Etwall (H23 B)													13	27	2				42
Station Road, Melbourne (H23 D)													30	4					34
Off Kingfisher Close, Willington (H23 I)																25	25		50
Oak Close, Castle Gresley (H23 J)														30	30	10			70
Land north of Scropton Road, Scropton (H23 L)															5	5			10
Montracon, Woodville (H23 M)																			0
Stenson Fields (H23 N)																25	25		50
Milton Road, Repton (H23G)														7					7
Large Sites 10 dwellings or more																			
47-51 Alexandra Road, Swadlincote													3						3
Kathglow, Dominion Road, Swadlincote													4						4
Court Street, Woodville														14					14
Woodville Road, Hartshorne													8						8
Park Road, Church Gresley													14						14
Orchard Street, Newhall													15	10					25
Lucas Lane, Hilton													25	25	5				55
Micklemeadow Farm, Rykneld Road																14			14
Coppice Side, Swadlincote (20)																20			20
York Close, Church Gresley													2						2
Our Monkey Club, Church Gresley														17					17
Mercia Marina																14			14
The Dales, Repton																28			28
Small Sites 1 – 9 dwellings													52	52	52	52	52	52	312
Windfall Allowance																41	41	41	123
Cumulative Past Completions	378	652	1037	1457	2026	2846	3767	4985	6270	7299	8218	9336							
Projected Completions													919	961	868	892	853	761	5254
District Losses													-12	-12	-12	-12	-12	-12	-72
Total Net Completions													907	949	856	880	841	749	

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 11
DATE OF MEETING:	25 JANUARY 2024	CATEGORY:
		DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS 07971 604326 steffan.saunders@southderbyshire.gov.uk	DOC:
SUBJECT:	LOCAL PLAN BUDGET	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Committee approves the budget of £190,000 for the 2024-25 financial year.
- 1.2 That the financial implications arising from this report are referred to Finance and Management Committee.

2.0 Purpose of the Report

- 2.1 To seek approval for a Local Plan budget of £190,000 for 2024-25 financial year with this request being part of the draft budget tabled to Finance and Management Committee on 23 November 2023. This is to assemble the necessary additional evidence to support the submission of the Local Plan Part 1 for its public examination by 30 June 2025. This date is a deadline imposed by central government on the submission of Local Plans under the current system which allows plans to be reviewed in two parts.

3.0 Detail

- 3.1 Local Plans must be reviewed every five years. The current Local Plan Part 1 was adopted in 2016 and the review commenced in 2021 with the early stages amounting to initial evidence gathering on matters including the Derby Housing Market Area Study and Growth Options.
- 3.2 The additional evidence to be assembled includes Transport Modelling, Retail / Town Centre Masterplanning, Strategic Flood Risk Assessment, Sustainability Appraisal which will include additional Landscape and Visual analysis, Habitats Regulation Assessment and Heritage Assessment where required, and Whole Plan Viability. It is anticipated that as with the preparation of evidence up to this point, some of this work

will be undertaken with HMA partners and this is accounted for the £190 budget request.

4.0 Financial Implications

4.1 The requested budget will allow the Council to gather the evidence necessary to submit the Local Plan for examination. This budget is needed to achieve a sound Local Plan and a failure to submit this by June 2025 will lead to an increased risk of the Council being unable to demonstrate a five-year housing land supply which in turn will lead to a likelihood of large-scale housing appeals which may cost very significant sums of money to defend. It is not uncommon for major housing Inquiries to cost more than £100,000 to defend.

5.0 Corporate Implications

Employment Implications

5.1 None directly arising from this report.

Legal Implications

5.2 None directly arising from this report.

Corporate Plan Implications

5.3 The Local Plan is a key Council ambition, and this budget will enable the necessary evidence to be assembled to submit it for examination.

Risk Impact

5.4 None directly arising from this report.

6.0 Community Impact

Consultation

6.1 None.

Equality and Diversity Impact

6.2 None directly arising from this report.

Social Value Impact

6.3 None directly arising from this report.

Environmental Sustainability

6.4 None.

7.0 Conclusions

- 7.1 A significant amount of work has already been done to get the Local Plan to its Issues and Option stage. This budget request will enable to the further work to be undertaken to get the Local Plan to its submission stage.

8.0 Background Papers

None.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES	AGENDA ITEM: 12
DATE OF MEETING:	25 JANUARY 2024	CATEGORY:
		DELEGATED or RECOMMENDED
REPORT FROM:	HEIDI McDOUGALL - STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	STEFFAN SAUNDERS - HEAD OF PLANNING AND STRATEGIC HOUSING	DOC:
SUBJECT:	APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2022-23	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS

1.0 Recommendations

- 1.1 To approve the publication of the Infrastructure Funding Statement (IFS) for the 2022-23 financial year.

2.0 Purpose of the Report

- 2.1 To report to the Committee the contents of the IFS which is included in the Appendix 1 to this report. The IFS was reported to the meeting of Environmental and Development Services committee on 9 November 2023. It is necessary to seek approval from this committee as the IFS contains an amended table 9 to clarify that the sum of £5,864,676.56 would be used on affordable housing projects within South Derbyshire that have yet to be confirmed. This includes feasibility studies for a number of sites such as Smallthorn Place and Fisher Close.
- 2.2 The statement provides a summary of the financial contributions the Council has secured through Section 106 (S106) legal agreements from new developments for off-site infrastructure provision and affordable housing.
- 2.3 In brief, the IFS provides:
- An overview of S106 obligations.
 - S106 contributions committed for future years.
 - S106 Contributions paid to the Council in the 2022/2023 monitoring period.
 - Any S106 contributions which have not been allocated by the Authority.
 - Projects successfully delivered using S106 contributions within the monitoring period.

3.0 Detail

- 3.1 The Council is a 'contribution receiving authority' and therefore as set out in the CIL Regulations 2010 (as amended) it is a mandatory requirement to publish an IFS annually (by 31st December 2023). The IFS reports on receipts and expenditure of financial contributions in relation to Community Infrastructure Levy (CIL) and S106. As South Derbyshire District Council does not have a CIL, the obligations reported are all under S106 requirements.
- 3.2 £1,032,802.75 is the estimated financial value of S106 agreements that have been entered into during the reporting period; the exact figure will only be confirmed once reserved matters applications are approved. This is a decrease from £1,400,220.38 on the previous monitoring period.
- 3.3 £6,051,676.50 of S106 contributions were collected of which just under 50% went to the District Council with the remainder due to be transferred to other public authorities. This is an increase of £22,088.41 on the previous year. The infrastructure types that these contributions are to be spent on are set out in Tables 3 and 4 of the IFS.
- 3.4 The total monies spent during the financial year was £ £4,307,106.21 of which £3,143,060.86 was transferred to external bodies.

5.0 Financial Implications

- 5.1 None.

6.0 Corporate Implications

Employment Implications

- 6.1 None.

Legal Implications

- 6.2 None.

Corporate Plan Implications

- 6.3 The S106 agreements reported within the IFS are consistent with a number of Corporate Plan themes. These include:
- To enhance biodiversity across the District (Our Environment).
 - To improve public spaces to create an environment for people to enjoy (Our Environment).
 - To promote health and wellbeing across the District (Our People).
 - To influence the improvement of infrastructure to meet the demands of growth (Our Future).
 - To enable the delivery of housing across all tenures to meet Local Plan targets (Our Future).

Risk Impact

- 6.4 None.

7.0 Community Impact

Consultation

7.1 None.

Equality and Diversity Impact

7.2 None.

Social Value Impact

7.3 The S106 contributions reported in the IFS will lead to the provision of environmental enhancements, infrastructure and affordable housing across the District.

Environmental Sustainability

7.4 The S106 contributions reported in the IFS will lead to the provision of open space provision and nature conservation enhancements across the District.

8.0 Background Papers

Appendix 1: Infrastructure Funding Statement 2022 - 2023

Infrastructure Funding Statement

2022-2023

Contents

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 - 5.3 The Section 106 Report 5
 - a) The total amount of money to be provided under any planning obligations which were entered into during the reported year 5
 - b) The total amount under any planning obligations which was received during the financial year (2022-2023) 6
 - c) The total amount under any planning obligations which was received before the reported year which has not been allocated by the authority 7
 - d) Non-monetary contributions to be provided under planning obligations which were entered into during 2022/23 7
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 - g) In relation to money (received under planning obligations) which was allocated by the authority but not spent during the financial year, summary details of the items of infrastructure on which the money has been allocated and the amount of money allocated to each item: 10
 - h) In relation to money (received under planning obligations) which was spent during the financial year 19
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1.0 Introduction

[The Community Infrastructure Regulations 2010 \(Amendment\) \(England\) \(No.2\) Regulations 2019](#), came into force on 1 September 2019. This required that all contribution receiving authorities must produce an annual Infrastructure Funding Statement (IFS).

This statement must provide a summary of the contributions the Council has secured through Section 106 (S106) legal agreements from new developments for off-site infrastructure provision and affordable housing.

In brief, the IFS provides detail of the following:

- Overview of S106 obligations.
- S106 contributions committed for future years.
- S106 contributions paid to the Council in the 2022/23 monitoring period.
- Any S106 contributions which have not been allocated by the authority.
- Projects successfully delivered throughout the District with Section 106 contributions within the monitoring period.

The information that is included within this report will be published on the Council's [website](#).

This report does not include information on infrastructure that has been delivered on site.

Throughout the IFS there will be references provided to the following definitions:

- **Allocated** – Contributions that have been received, and allocated to specific projects for future spending.
- **Received** – Contributions that have been received by South Derbyshire District Council; these can be either monetary, or non-monetary. Where another Local Planning Authority (LPA) is a signatory to the S106 (for example Derby City Council), that LPA might have received the contribution. If this is the case it will be highlighted on its IFS.
- **Spent / Transferred** – Monetary contributions that have been spent.
- **Financial year** - Unless stated, this refers to the period of 01/04/2022 – 31/03/2023.

2.0 Section 106 Agreements

Planning Obligations are a legal obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). They are used as a mechanism to make a development proposal acceptable in planning terms.

Planning obligations may only constitute a reason for granting planning permission if they meet the three statutory tests as set out in the [Community Infrastructure Levy \(CIL\) Regulations 2010 \(as amended\)](#) and in paragraph 56 of the National Planning Policy Framework ([NPPF](#)); these are that the obligation is:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.



Obligations are site specific and focus on the mitigation of the impact of the proposed development.

S106 obligations can either be provided on-site, for example, through the provision of a Locally Equipped Area for Play (LEAP) or affordable housing, or they can be provided off-site in the form of financial payments.

South Derbyshire District Council's Guide for Developers with regard to S106 obligations is available [here](#) on the Council's website.

3.0 Community Infrastructure Levy (CIL)

Community Infrastructure Levy (CIL) was introduced through the CIL Regulations 2010 as an alternative mechanism for the funding of infrastructure necessitated by new development. CIL is a tariff-based system with the associated adopted charging schedule setting out the CIL charge per square metre, depending on the type of development.

South Derbyshire District Council is not currently a CIL charging authority.

4.0 Infrastructure Funding Statement Requirements

Under Regulation 121A of the CIL Regulations, it is required that no later than 31 December each year a contribution receiving authority must publish an annual infrastructure funding statement which comprises the following three elements:

- a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) ("the infrastructure list")
- b) A report about CIL, in relation to the previous financial year ("the reported year"), which includes the matters specified in paragraph 1 of Schedule 2 ("CIL report");
- c) A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule ("Section 106 Report").

5.0 Infrastructure Funding Statement

- 5.1 Infrastructure projects, or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL

Nil: South Derbyshire District Council does not have a CIL in place.



5.2 The CIL Report

Nil: South Derbyshire District Council does not have a CIL in place.

5.3 The Section 106 Report

The heading a) to i) below directly relate to the relevant [Community Infrastructure Levy Regulations 2019](#), which set out what is required in the S106 report.

- a) The total amount of money to be provided under any planning obligations which were entered into during the reported year.

Table 1 outlines the monies to be provided through S106s signed in the financial year. This does not include contributions where another Authority is due to collect this funding (for example Education funding where Derbyshire County Council is also a signatory to the S106).

The largest infrastructure type to be provided through the agreements is the open space and leisure contribution which is in lieu of any that is to be provided within a development.

Table 1: Monies to be provided under any planning obligations which were entered into during the financial year

Infrastructure Type	Monies Agreed*
Affordable Housing	£4,500.00
Education	£20,126.95
Flood and Water Management	£27,568.00
Health	£247,566.00
Highways	£67,222.00
National Forest Planting	£99,400.00
Monitoring Fee	£12,000.00
Open Space and Leisure	£509,419.80
Total	£1,032,802.75

*As S106s are signed at the point of the planning permission being granted, the exact figure of the funding to be received from the outline planning application is unknown until a reserved matters application is approved. Therefore, the figure provided under the monies agreed column is an estimate.



It must also be noted that the figures provided above are a snapshot in time and that planning obligations can be renegotiated at any point where the LPA (at Planning Committee) and the developer agree to do so.

- b) The total amount under any planning obligations which was received during the financial year (2022-2023)

Table 2 shows the total amount of S106 money received by South Derbyshire District Council. This is split into monies that the Council is to be the direct recipient of and monies to be transferred to external organisations; these are broken down further in Tables 3 and 4 respectively. In the majority of instances, the funding was received from S106s signed prior to this financial year.

Table 2: Total monies received 2022/23 directly through South Derbyshire District Council S106s

Recipient	Monies Received
South Derbyshire District Council	£2,799,855.70
South Derbyshire District Council to be transferred to external organisations	£3,251,820.80
Total	£ £6,051,676.50

Table 3: Money received this financial year to be spent by South Derbyshire District Council

Infrastructure Type	Monies Received
Affordable Housing	£1,064,952.65
Community Facilities	£191,018.73
Green Infrastructure	£4,113.70
Flood and Water Management	£25,186.79
Monitoring Fees	£8,100.00
Open Space and Leisure	£1,506,483.83
Total	£2,799,855.70





Figure 1: Badgers Hollow Recreation Ground, Linton

Table 4: Money received this financial year that is to be transferred to external organisations.

Infrastructure Type	Monies Received
Education	£1,774,297.08
Flood and Water Management	£2,568.00
Green Infrastructure	£82,511.92
Health	£226,849.58
Highways	£1,165,594.22
Total	£3,251,820.80

- c) The total amount under any planning obligations which was received before the reported year which has not been allocated by the authority.

Table 5: Unallocated monies held by the Council at 31st March 2022

Infrastructure Type	Amount Held
Affordable Housing	£848,126.88
Community Facilities	£49,018.42
Education	£14,000.00
Green Infrastructure	£9,097.15
Health	£245,466.60
Open Space and Leisure	£571,711.22
Total	£1,737,230.27

- d) Non-monetary contributions to be provided under planning obligations which were entered into during 2022/23.

- i. In relation to affordable housing, the total number of units to be provided: 137



A total of eleven S106s were entered into during the financial year with affordable housing provision resulting from five of the developments, as set out in Table 6 below.

Table 6: Detail regarding affordable housing regarding S106s signed 2022/23.

App No	Development	Comment*
DMPA/2019/0931	Occupation Lane	The Affordable Housing is being provided on site through alternative methods.
DMPA/2021/1686	Tetron Point	This is a commercial development therefore no Affordable Housing is expected to be provided as part of it.
DMPA/2020/1004	Broomy Farm Phase 4	57 (fifty seven) Dwellings which comply with the definition of Affordable Housing to be provided as part of the Development to Eligible Households in accordance with the Affordable Housing Plan and shall comprise 14 (fourteen) Shared Ownership Housing Units and 43 (forty three) Social Rented Units in accordance with the Affordable Housing Dwelling Mix.
DMPA/2021/0627	Henshall Drive	75% of the development affordable rented (6 dwellings) and 25% shared ownership (2 dwellings)
DMPA/2021/1378	Aldi, Castle Gresley	This is a retail development therefore no Affordable Housing is expected to be provided as part of it.
DMPA/2022/0545	Plot 10, Dove Valley Park	This is a commercial development therefore no Affordable Housing is expected to be provided as part of it.
DMPA/2019/1176	Oak Close	This is a 100% affordable housing development. 44 Affordable Rent homes and 26 Shared Ownership homes.
DMPA/2021/1808	69 Woodville Road, Overseal	The development is below the threshold for Affordable Housing developments*
DMPA/2021/0579	Keystone Lintels	This is a commercial development therefore no Affordable Housing is expected to be provided as part of it.
DMPA/2020/0808	Milton Road , Repton	2 (two) Dwellings which comply with the definition of Affordable Housing to be provided as part of the Development to Eligible Households in accordance with the Affordable Housing Plan and shall comprise 2 (two) Social Rented Units in accordance with the Affordable Housing Dwelling Mix alongside the sum of £4,500 (Four Thousand Five Hundred Pounds) to be paid by the Owner to the Council in lieu of the provision of 0.1 Affordable Housing Dwellings



DMPA/2021/1878	4a Tetron Point	This is a commercial development therefore no Affordable Housing is expected to be provided as part of it.
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*Policy H21 of the adopted [Local Plan Part 1](#) requires 30% affordable housing on sites of over 15 dwellings.

ii. *In relation to educational facilities, the number of school places and category of school:*

For the amount of education places provided as non-monetary contribution please refer to Derbyshire County Council's IFS.

e) The total amount of money (received under any planning obligations) which was allocated but not spent during 2022/23 for funding infrastructure.

Table 7 shows the total funding that was allocated but has not yet been spent. This is independent of when the funding was received. The funding is allocated between various organisations in accordance with the terms of the S106.

Table 7: Total funding allocated but not yet spent.

Allocation	Monies allocated but not spent
Affordable Housing	£6,116,025.94
Community Facilities	£430,029.74
Flood and Water Management	£32,286.77
Green Infrastructure	£115,758.99
Health	£1,027,564.69
Highways	£873,421.98
Open Space and Leisure	£2,320,073.61
Primary Education	£1,168,866.77
Secondary Education	£554,218.53
Transport and Travel	£111,628.82
Total	£12,749,875.84

f) Total monies spent in 2022-2023

Table 8: Total Council monetary S106 spending and transfer 2022-2023

Money spent / transferred	Amount
South Derbyshire District Council	£1,164,045.35
Transferred to External Body	£3,143,060.86



Total	£4,307,106.21
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Figure 2 : The opening of Coronation Park , Swadlincote

g) In relation to money (received under planning obligations) which was allocated by the authority but not spent during the financial year, summary details of the items of infrastructure on which the money has been allocated and the amount of money allocated to each item:

Table 9: Affordable Housing S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Affordable Housing	South Derbyshire District Council	Affordable Housing projects within South Derbyshire including feasibility studies on a number of sites such as Smallthorn Place and Fisher Close.	£5,864,676.36
Affordable Housing	South Derbyshire District Council	Purchase of properties at Park Road, Newhall	£251,349.58
Total			£6,116,025.94





Figure 3 : Hilton Scout Group Headquarters

Table 10: Community Facilities S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Community Facilities	South Derbyshire District Council	Towards the new community centre at New House Farm	£188,447.21
Community Facilities	South Derbyshire District Council	Towards improvements of the pool at Greenbank Leisure Centre	£42,246.37
Library Contribution	Derbyshire County Council	Etwall Library Improvements	£34,416.03
Waste Contribution	Derbyshire County Council	Towards additional capacity at Newhall Household Waste Recycling Centre	£15,476.83
Community Facilities	South Derbyshire District Council	Towards the enhancement of Jubilee Fields Hatton	£149,443.30
Total			£430,029.74

Table 11: Flood and Water Management S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
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River Mease Contribution	North West Leicestershire District Council	River Mease DCS2	£7,099.98
Drainage/SUDS Maintenance Contribution	South Derbyshire District Council	Towards the cost of inspecting, repairing and maintaining the Storm Water Detention Basin at Tetron Point.	£25,186.79
Total			£32,286.77

Table 12: Green Infrastructure S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Grassland Contribution	South Derbyshire District Council	The restoration and management of Swadlincote Woodlands	£6,200.31
Tree Planting	South Derbyshire District Council	Urban Tree Planting within Swadlincote	£455.00
Public Right of Way Contribution	South Derbyshire District Council	Towards footpath connections at Woodville Woodlands	£9,382.50
Pedestrian / Cycleway Contribution	Derbyshire County Council	Creation of a Pedestrian / Cycleway from Cadley Hill Industrial Estate to Ryder Close	£16,579.90
National Forest Contribution	The National Forest Company	National Forest Planting within South Derbyshire	£83,141.28
Total			£115,768.99

Table 13: Healthcare S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
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Healthcare Contribution	Derby and Derbyshire ICB	Alvaston Medical Centre Improvements	£17,110.16
Healthcare Contribution	Derby and Derbyshire ICB	Heartwood GP Surgery Improvements	£6,235.78
Healthcare Contribution	Derby and Derbyshire ICB	Hilton GP Surgery Expansion	£63,205.42
Healthcare Contribution	Derby and Derbyshire ICB	Mickleover Medical Centre Expansion	£163,529.31
Healthcare Contribution	Derby and Derbyshire ICB	Melbourne and Chellaston Medical Practice Improvements	£51,637.13
Healthcare Contribution	Derby and Derbyshire ICB	Lister House Surgery, Chellaston Improvements	£13,542.75
Healthcare Contribution	Derby and Derbyshire CCG	Newhall Surgery – Additional Capacity	£53,058.46
Healthcare Contribution	Derby and Derbyshire CCG	Healthcare Improvements within Swadlincote	£6,151.78
Healthcare Contribution	Derby and Derbyshire CCG	South East Derby New Build	£264,812.53
Healthcare Contribution	Derby and Derbyshire CCG	Willington Surgery Improvements	£15,833.67
Healthcare Contribution	Derby and Derbyshire CCG	Woodville Surgery Improvements	£372,447.73
Healthcare Contribution	Derby and Derbyshire CCG	Healthcare provision surrounding Infinity Garden Village	£51,201.73
Total			£1,027,564.69

Table 14: Highways S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Highways	Derbyshire County Highways	Improvements to Woodyard Lane Foston	£1,381.87



Highways	Derby City Council	Improvements to A514 Transport Corridor	£350,675.72
Highways	Derbyshire County Council	A515 / A50 roundabout junction at Sudbury works	£31,619.09
Highways	Derbyshire County Council	Towards relieving the pressure on the Sainsbury's Roundabout and / or The Clock Roundabout	£256,939.53
Highways	Derbyshire County Council	Toward the creation of a pedestrian crossing on William Nadin Way	£95,937.39
Highways	Derbyshire County Council	The creation of a bus stop near to the junction at Woodyard Lane, Foston	£10,500.00
Highways	Derbyshire County Highways	Improvements to Station Road, Melbourne	£8,232.90
Highways	Derbyshire County Highways	Travel Plan monitoring in relation to Plot 4, Dove Park	£5,075.00
Highways	Derbyshire County Highways	The upgrade of the cycle route and footpath links along Tetron Point / William Nadin Way	£45,336.22
Highways	Derbyshire County Highways	The upgrade of bus-stops and bus shelters along Tetron Point and William Nadin Way and a sum of £17,222 towards Taster Tickets	£37,500.11
Highways	Derbyshire County Highways	Towards the cost of preparatory works (including assessments, modelling and	£30,224.15



		studies) to the A444.	
Total			£873,421.98



Figure 4 : Coronation Park , Swadlincote

Table 15: Open Space and Leisure S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Outdoor Sports	South Derbyshire District Council	Aston Recreation Ground Sports Facilities	£9,659.74
Outdoor Sports	South Derbyshire District Council	Broomfields Recreation Ground	£45,442.57
Recreation Contribution	South Derbyshire District Council	Shardlow Village Hall	£79,011.24
Open Space	South Derbyshire District Council	Eureka Park	£19,421.93
Built Facilities	South Derbyshire District Council	Etwall Leisure Centre	£79,645.56
Outdoor Sports	South Derbyshire District Council	Etwall Leisure Centre	£45,680.77
Built Facilities	South Derbyshire District Council	Goseley Community Centre	£9,532.16
Built Facilities	South Derbyshire District Council	Greenbank Leisure Centre Improvements	£46,920.72
Outdoor Sports	South Derbyshire District Council	Improvements to playing pitches and associated facilities at the Mease (Hilton Harriers Football	£41,848.30



		Club), including land acquisition cost	
Built Facilities	South Derbyshire District Council	Improvements to waiting and circulation area capacity at Hilton Village Hall	£23,358.96
Open Space	South Derbyshire District Council	Towards play facilities at Hilton Village Hall Recreation Ground	£44,439.12
Outdoor Sports	South Derbyshire District Council	Towards improving the pitch and outdoor facilities at the Mease Playing Fields or contribution towards the bike pump track at Hilton Village Hall	£26,210.74
Built Facilities	South Derbyshire District Council	Kings Newton Bowls Clubhouse	£15,326.07
Open Space	South Derbyshire District Council	Main Street Recreation Ground, Hartshorne Improvements	£18,098.78
Open Space	South Derbyshire District Council	Maurice Lea Memorial Park Play Equipment	£16,928.29
Open Space	South Derbyshire District Council	Newhall Park	£16,073.16
Built Facilities	South Derbyshire District Council	Improvements to the changing rooms at Overseal Recreation Ground	£4,529.41
Outdoor Sports	South Derbyshire District Council	Play Equipment Improvements in Overseal	£1,170.82
Open Space	South Derbyshire District Council	Sports Pitch Improvements at Overseal	£13,723.11
Open Space	South Derbyshire District Council	Oversetts Road Recreation Ground	£710,209.89
Built Facilities	South Derbyshire District Council	Repton Village Hall Improvements	£20,019.78
Built Facilities	South Derbyshire District Council	Rosliston Village Hall Improvements	£4,882.14



Built Facilities	South Derbyshire District Council	Rosliston Forestry Centre, Towards Visitor Centre Enhancements	£44,316.11
Open Space	South Derbyshire District Council	Rosliston Forestry Centre, towards outdoor improvements	£134,983.64
Outdoor Sports	South Derbyshire District Council	Rosliston Forestry Centre, towards outdoor improvements	£57,746.98
Built Facilities	South Derbyshire District Council	Enhancement of Scropton Road Recreation Ground	£34,413.11
Outdoor Sports	South Derbyshire District Council	Enhancement of Scropton Road Recreation Ground	£26,658.30
Outdoor Sports	South Derbyshire District Council	Strawberry Lane Recreation Ground Improvements	£22,022.92
Built Facilities	South Derbyshire District Council	Swadlincote Town Hall Improvements	£3,995.74
Outdoor Sports	South Derbyshire District Council	Towards an urban sporting hub for Swadlincote	£363,4515.57
Open Space	South Derbyshire District Council	Swadlincote Woodlands Improvements	£49,757.58
Built Facilities	South Derbyshire District Council	Twyford Road Pavilion Refurbishment	£25,310.16
Open Space	South Derbyshire District Council	Twyford Road Pavilion Refurbishment	£15,697.17
Built Facilities	South Derbyshire District Council	Woodville Recreation Ground Pavilion Refurbishment	£212,149.33
Outdoor Sports	South Derbyshire District Council	Woodville Recreation Ground Improvements	£14,063.70
Open Space	South Derbyshire District Council	Woodville Woodlands Improvements	£1,420.86
Outdoor Sports	South Derbyshire District Council	Woodhouse Recreation Ground Improvements	£7,677.39



Open Space	Derby City Council	Play Area, adjacent to Woodgate Drive Chellaston	£15,732.65
Total			£2,320,073.61



Figure 5 : Badgers Hollow Recreation Ground , Linton

The Council liaises with external partners and bodies as appropriate in facilitating the timely spending of S106 monies.

Table 16: Primary Education S106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Primary Education	Derbyshire County Council	Newhall Infant School Expansion	£450,672.49
Primary Education	Derbyshire County Council	Newhall Junior School Expansion	£476,992.24
Primary Education	Derbyshire County Council	Stanton Primary School Expansion	£24,108.72
Primary Education	Derbyshire County Council	Willington Primary School Expansion	£38,682.00
Total			£1,168,866.77

Table 17: Secondary Education Section 106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
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Secondary Education	Derbyshire County Council	Chellaston Academy Expansion or new secondary school at Infinity Garden Village	£273,107.69
Secondary Education	Derbyshire County Council	John Port Improvement Works	£260,888.88
Secondary Education	Derbyshire County Council	William Allitt Improvement Works	£20,221.96
Total			£554,218.53

Table 18: Transport and Travel Section 106 funding which was allocated but not spent (or transferred) 2022-2023

Contribution Type	Organisation Responsible for Spending	Project Allocated To	Amount
Bus Service Contribution	Derby City Council	Towards A Bus to Serve Chellaston Fields	£111,628.82
Total			£111,628.82

h) In relation to money (received under planning obligations) which was spent during the financial year

i. *The items of infrastructure on which that money was spent, and the amount spent on each:*

Table 19: Total monies spent by South Derbyshire District Council 2022-2023



Figure 6: Hatton Skatepark

Infrastructure Type	Infrastructure Project	Monies Spent
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Affordable Housing Commuted Sum	Fisher Close Redevelopment Project	£8,589.50
Affordable Housing Commuted Sum	Redevelopment of Infill Housing Sites	£12,229.00
Open Space and Leisure	Elvaston Cricket Club Pavilion Redevelopment Project	£8,420.00
Open Space and Leisure	Overseal Recreation Ground Changing Rooms Refurbishment	£5,635.35
Open Space and Leisure	Drainage To the Pitches at Strawberry Lane Recreation Ground	£8,746.51
Open Space and Leisure	Installation Of Air Source Heat Units at Greenbank Leisure Centre	£37,986.83
Open Space and Leisure	Hilton Scout Hut Extension	£143,380.00
Open Space and Leisure	Enhancement Of Melbourne Assembly Rooms	£18,079.46
Open Space and Leisure	Creation Of New Skatepark in Hatton	£34,995.00
Open Space and Leisure	Play Equipment at Newhall Park	£68,735.99
Open Space and Leisure	Play Equipment at Badgers Hollow Recreation Ground	£20,945.73
Open Space and Leisure	Play Equipment at Overseal Recreation Ground	£6,945.00
Flood And Water Management	Twyford Road Pavilion Redevelopment (Willington)	£50,000.00
Open Space and Leisure	Cadley Urban Park	£687,230.87
Open Space and Leisure	Rosliston Village Hall Play Equipment	£14,789.55
Open Space and Leisure	Woodville Recreation Ground Improvements	£37,342.81
Total		£1,164,045.35

The table above refers to S106 monies spent by the Council; in this section, the tables below refer to monies transferred to external organisations for spending, split up by the infrastructure type.





Figure 7 : Badger Hollow Recreation Ground , Linton

Table 20: Green Infrastructure S106 funding transferred 2022-2023

Recipient	Infrastructure Project	Monies Transferred
Derbyshire Wildlife Trust	Willington Wetlands Nature Reserve Project	£19,500.00
Total		£19,500.00

Table 21: Healthcare S106 funding transferred 2022-2023

Recipient	Infrastructure Project	Monies Transferred
NHS Derby & Derbyshire Integrated Care Board	Heartwood Medical Practice Internal Reconfiguration	£41,571.61
NHS Derby & Derbyshire Integrated Care Board	Alvaston Medical Centre Expansion	£497,921.34
NHS Derby & Derbyshire Integrated Care Board	Newhall Surgery, Increase in Patient Capacity	£55,962.00
NHS Derby & Derbyshire Integrated Care Board	The Lanes Medical Centre, Expansion	£10,812.00
NHS Derby & Derbyshire Integrated Care Board	Gresleydale Surgery Reconfiguration	£11,380.80
Total		£617,647.75

Table 22: Highways S106 funding transferred 2022-2023

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Traffic Calming Contribution towards works on Woodville Road, Swadlincote	£113,372.28
Derbyshire County Council	Woodville to Swadlincote Regeneration Route	£199,752.61
Derbyshire County Council	Highway and Transport Improvements in Mickleover	£867,836.79
Total		£1,180,961.78



Table 23: Primary Education S106 funding transferred 2022-2023

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Eureka Primary School expansion	£819,946.37
Derbyshire County Council	Rosliston Primary School, increase in pupil capacity	£49,983.41
Derbyshire County Council	Woodville Infant School expansion	£58,058.84
Derbyshire County Council	Belmont Primary School, increase in pupil capacity	£37,334.02
Derbyshire County Council	Repton Primary School , increase in pupil capacity	£37,203.56
Derbyshire County Council	Woodville Junior School , expansion	£16,467.12
Total		£1,018,996.32

Table 24: Secondary and Post-16 Education S106 funding transferred 2022-2023

Recipient	Infrastructure Project	Monies Transferred
Derbyshire County Council	Chellaston Academy	£170,213.53
Derbyshire County Council	John Port Spencer Academy	£86,105.59
Derbyshire County Council	Granville School	£49,635.89
Total		£305,955.01

- ii. *The amount of money spent repaying money borrowed: NIL*
- iii. *The amount of money spent in respect of monitoring in relation to the delivery of planning obligations: NIL*
- i) The total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance ‘commuted sums’ also identify separately the total amount of commuted sums held.

The total amount of S106 monies currently held as at 31 March 2023, whether allocated or not, is £14,504,706.11



The 'commuted sums' are allocated within a S106 for the sole purpose of funding the future maintenance and management of public open space within a development that has been adopted by the Council. The monies are jointly spent, as appropriate, by both the Operational Services and Parks and Green Spaces teams.

There is £410,173 of commuted sums held by South Derbyshire Council as of 31 March, 2023.



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	25 JANUARY 2024	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595889/5722 democraticservices@southderbyshire.gov.uk	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Committee 25 January 2024 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered by Last Three Committees		
Climate and Environmental Action Plan review	21 September 2023	Matt Holford Head of Environmental Services 07891 072081
Electric Recharge Infrastructure	21 September 2023	Matt Holford Head of Environmental Services 07891 072081
Budget Setting Approach 2024/25	21 September 2023	Charlotte Jackson Head of Finance 07770 085452
Woodville Link Road Bio-Diversity Net Gain Project Progress Update	21 September 2023	Sean McBurney Head of Cultural and Community Services 07435 935050
Membership of the Local Plan Working Group	21 September 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Designation of Findern Neighbourhood Area	21 September 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
The Department for Levelling Up, Housing and Communities Consultation on Implementation of Plan-Making Reforms	21 September 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
CCTV in Private Hire Vehicles Policy	09 November 2023	Ardip Sandhu

		Head of Legal and Democratic Services 01283 595715
Corporate Plan 2020-24: Performance Report 2023-24 (Quarter 2 - 1 July to 30 September)	09 November 2023	Heidi McDougall Strategic Director (Service Delivery) 01283 595775
Infrastructure Funding Statement 2022-23	09 November 2023	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Fixed Penalty Notice Charges	09 November 2023	Matt Holford Head of Environmental Services 07891 072081
Preparing for the Biodiversity Duty	09 November 2023	Sean McBurney Head of Cultural and Community Services 07435 935050
Planning Services Review	09 November 2023	Heidi McDougall Strategic Director (Service Delivery) 01283 595775
Service Based Budgets 2024/25	04 January 2024	Charlotte Jackson Head of Finance 07770 085452
Provisional Programme of Reports To Be Considered by Committee		
Route Optimisation	25 January 2024	Gary Charlton Head of Operational Services 07976 081896
Gypsy and Traveller Accommodation Assessment Report	25 January 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326

Local Plan Issues and Options	25 January 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Waste Management IT System	25 January 2024	Gary Charlton Head of Operational Services 07976 081896
Authority Monitoring Report 2022-23	25 January 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Infrastructure Funding Statement 2022-23	25 January 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Town Centre Masterplan (Exempt)	25 January 2024	Mike Roylance Head of Economic Development and Growth 01283 595725
Fleet Replacement Plan	25 January 2024	Gary Charlton Head of Operational Services 07976 081896
Operational Services Staffing (Exempt)	25 January 2024	Gary Charlton Head of Operational Services 07976 081896
Local Plan Budget Proposals	25 January 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Corporate Plan 2020-24: Performance Report 2023-24 (Quarter 3 - 1 October to 31 December)	29 February 2024	Heidi McDougall Strategic Director (Service Delivery) 01283 595775
Statement of Community Involvement	29 February 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Grass Verges and No Mow Plans 2024	29 February 2024	Sean McBurney Head of Cultural and Community Services 07435 935050
SUDs Policy Management	29 February 2024	Sean McBurney

		Head of Cultural and Community Services 07435 935050
Tender Award Approval for Environmental Health and Licensing Software	29 February 2024	Matt Holford Head of Environmental Services 07891 072081
Environmental Health and Licensing Software System (Exempt)	29 February 2024	Matt Holford Head of Environmental Services 07891 072081
Environmental Services Commercialisation Plan review	18 April 2024	Matt Holford Head of Environmental Services 07891 072081
Marston Road Extension Update	18 April 2024	Sean McBurney Head of Cultural and Community Services 07435 935050
Play Activity, Leisure, Sports Strategy	18 April 2024	Sean McBurney Head of Cultural and Community Services 07435 935050
Consultation on East Midlands Airport Sustainable Development Plan	2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	Estimate 2024	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Planning Enforcement Activity	2024/25	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Review of Biodiversity Net Gain	January 2025	Steffan Saunders Head of Planning and Strategic Housing 07971604326
Bus Shelters	April 2024	Gary Charlton Head of Operational Services 07976 081896