

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

12th June 2026

To whom it may concern,

**Consultation Response – South Derbyshire’s Local Plan
Part One Review 2022-2041 (Regulation 19 Addendum: Proposed Modifications)
In respect of, Land at Burton Road, Rosliston**

1.1. Introduction

- 1.2. Tesni Properties Limited (referred to as ‘Tesni’) are instructed to provide the following representations to South Derbyshire Local Plan Part 1 Review - Regulation 19 Proposed Modifications. This statement is submitted on behalf of our clients, who are the freehold owners of Land at Burton Road, Rosliston (SHELLA Ref: 092); as identified in the attached Location Plan.
- 1.3. Representations have been submitted to the Local Plan at various stages setting out development proposals for the referenced land and demonstrating how the site represents a suitable, available and deliverable location for residential development.
- 1.4. Throughout the preparation of the Local Plan Review, Tesni has consistently demonstrated that the site is capable of delivering a modest and sustainable extension to Rosliston and that any identified constraints, including heritage considerations, can be appropriately addressed through design and mitigation measures. Evidence of this has been provided through Tesni's proactive engagement with the local planning authority and through responses to the Issues and Options consultation in 2022 and the Draft Local Plan consultation in Summer 2024.
- 1.5. The following written representations are made in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and in response to the consultation on the Main Modifications of the Local Plan Part One:
 - The suitability, availability and deliverability of Site S/0175;
 - The Council’s approach to heritage considerations and whether these justify the exclusion of the site;
 - The role of Rosliston as a sustainable Local Service Village capable of accommodating modest growth;
 - The contribution that Site S/0175 could make towards housing delivery, flexibility and the resilience of the housing trajectory;
 - And the consistency of the Plan with national planning policy.

- 1.6. To inform the process appropriately and highlight the opportunity of a smaller allocation, supporting a more rural community with evident benefits. This letter is also supported with more site-specific information including a Considerations Plan, Concept Plan and a Transport Note; which are all appended.

2. Land at Burton Road, Rosliston (S/0175)

- 2.1. Tesni objects to the continued omission of Site S/0175, Land at Burton Road, Rosliston, from the proposed allocations within the South Derbyshire Local Plan Review.
- 2.2. The Council's evidence base identifies no overriding constraints that would prevent the development of the site and demonstrates that it represents a suitable, available and deliverable location for residential development adjoining one of the district's identified Local Service Villages. The continued omission of the site is therefore not justified by the evidence base and fails to represent the most appropriate strategy when considered against reasonable alternatives.
- 2.3. The site comprises of approximately 1.65 hectares of land located immediately adjacent to the northern edge of Rosliston. The site is physically well-contained by existing residential development, Burton Road, as well as established vegetation and woodland associated with the Rosliston Forestry Centre. It forms a logical extension to the existing settlement pattern and is capable of delivering a modest level of housing growth in a sustainable location.
- 2.4. The Council's assessment process has identified no overriding constraints relating to access, flood risk, ecology, infrastructure capacity or deliverability. The site is available immediately and is capable of contributing towards housing delivery early in the Plan period.
- 2.5. The site is capable of delivering a modest level of housing growth that is proportionate to the role and function of Rosliston within the settlement hierarchy. Its allocation would assist in achieving a more balanced distribution of growth across the district whilst reinforcing the role of Rosliston as a Local Service Village.

3. Heritage Considerations

- 3.1. It is understood that the principal reason for the exclusion of Site S/0175 relates to concerns regarding the setting of the Grade II* Church of St Mary.
- 3.2. Tesni Properties fully recognises the importance of conserving designated heritage assets and their settings. However, the evidence before the Council does not demonstrate that residential development of the site would result in unacceptable harm to the significance of the church or that any impacts could not be appropriately mitigated through design.
- 3.3. A detailed Heritage Impact Assessment prepared by Planning & Design Practice examined the contribution made by the site to the significance of the Church of St Mary and other nearby heritage assets. The assessment concluded that whilst the church derives part of its significance from its rural village setting, only certain views across the site contribute meaningfully to that significance.
- 3.4. Importantly, the Heritage Impact Assessment does not conclude that development of the site would be unacceptable. Rather, it demonstrates that residential development could be accommodated whilst conserving and enhancing the setting of nearby heritage assets through an appropriately designed scheme.

- 3.5. The assessment identified a number of measures capable of avoiding or mitigating potential effects, including:
- Retention of a central view corridor towards the church;
 - Protection of views of the church steeple from Burton Road;
 - Concentration of development adjacent to existing built form;
 - Retention and enhancement of landscape features;
 - Sensitive treatment of public right of way; and,
 - A layout and building hierarchy informed by the historic form of the village.
- 3.6. The evidence prepared on behalf of Tesni demonstrates that any effects on the setting of the Grade II* Church of St Mary would be capable of mitigation through a heritage-led design approach and would not result in substantial harm to the significance of the asset. Consequently, the Council has not demonstrated that heritage considerations justify the complete exclusion of the site from the development strategy.

4. Consistency with National Policy

- 4.1. As outlined in Paragraph 215, the National Planning Policy Framework requires decision-makers to balance heritage impacts against the public benefits of development where less than substantial harm may arise. It also encourages opportunities for development that preserve or better reveal the significance of heritage assets through sensitive design.
- 4.2. The evidence before the Council indicates that any heritage impacts associated with Site S/0175 can be appropriately addressed through masterplanning, landscape design and development management controls. No evidence has been presented to demonstrate that substantial or unavoidable harm would occur.
- 4.3. Rosliston is identified as a Local Service Village and contains a range of facilities and services including a primary school, convenience store, public house, village hall, recreation facilities and public transport connections.
- 4.4. Paragraph 83 of the NPPF confirms that planning policies should enable the sustainable growth and expansion of rural areas and support the development of accessible services and community facilities. Furthermore, it seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities.
- 4.5. As a designated Local Service Village, Rosliston has already been identified by the Council as a settlement capable of accommodating an appropriate level of growth. The continued omission of Site S/0175 fails to capitalise on the settlement's sustainability credentials and represents a missed opportunity to support local services and facilities through modest and proportionate development.

5. Housing Delivery and Plan Flexibility

- 5.1. Tesni Properties recognises that the proposed Local Plan continues to rely heavily upon a small number of strategic allocations and a substantial contribution from windfall development.

- 5.2. Paragraph 61 of the NPPF requires local planning authorities to identify a supply of specific deliverable sites and encourages the development of small and medium-sized sites to support a diverse land supply. Such sites are widely recognised as making an important contribution to housing delivery by increasing flexibility and delivering homes significantly earlier than larger strategic allocations.
- 5.3. Site S/0175 represents precisely the type of site encouraged through national policy. It is available immediately, deliverable within the early years of the Plan period and capable of contributing towards housing supply in advance of many larger strategic allocations. Its allocation would improve resilience against delays affecting strategic sites and provide greater certainty within the housing trajectory.

6. Transitional Arrangements and Procedural Concerns

- 6.1. Tesni also wishes to raise concerns regarding the procedural approach taken by the Council in progressing a further Regulation 19 consultation following the publication of the South Derbyshire Local Plan Part 1 Review Addendum: Proposed Modifications.
- 6.2. Paragraph 234(a) of the National Planning Policy Framework establishes transitional arrangements for emerging local plans that had reached Regulation 19 stage before 12th March 2025. The purpose of these arrangements is to provide certainty to authorities that had substantially progressed plan preparation under the previous policy framework.
- 6.3. The Planning Practice Guidance recognises that some authorities may undertake more than one round of Regulation 19 consultation. Whilst plans will normally be regarded as having reached Regulation 19 on the date of the first consultation, the guidance is clear that, in limited circumstances, a subsequent Regulation 19 consultation may represent the relevant date where the content of the emerging plan has changed significantly from what was originally presented.
- 6.4. In this instance, the Council has undertaken a further Regulation 19 consultation following a series of substantive modifications to the emerging Plan. These include amendments to the plan period, revisions to housing requirements and housing supply assumptions, changes to the housing trajectory, and a reappraisal of the role and contribution of key strategic allocations. Collectively, these changes extend beyond minor modifications and have the potential to alter the overall strategy and distribution of development across the district.
- 6.5. It is therefore questionable whether the Plan can continue to rely upon the date of the original Regulation 19 consultation for the purposes of applying the transitional arrangements set out within paragraph 234(a) of the Framework. Given the scale and significance of the modifications now proposed, there is a reasonable basis to conclude that the current Regulation 19 consultation should constitute the relevant procedural stage.
- 6.6. If this interpretation is accepted, the Plan would not have reached Regulation 19 stage prior to the transitional deadline of 12 March 2025 and would therefore need to be assessed against the requirements of the current National Planning Policy Framework and associated standard method housing requirement.
- 6.7. Whilst Tesni Properties acknowledges that the ultimate interpretation of the transitional provisions is a matter for the appointed Inspector, it considers that the Council should clearly demonstrate why the current consultation does not amount to a materially revised Regulation 19 plan and why continued reliance upon the transitional arrangements remains justified.

6.8. The uncertainty surrounding this matter further reinforces the need for the Plan to maintain flexibility and ensure that sufficient deliverable sites are identified to respond to any changes arising through examination. The allocation of Site S/0175 would provide an additional source of housing delivery, improve resilience within the housing trajectory and assist in ensuring that the Plan remains effective under any examination outcome.

7. **Soundness of the Local Plan Review**

7.1. The omission of Site S/0175 means the Plan remains unsound for the following reasons:

- **Justified** – The Council has not demonstrated that the exclusion of Site S/0175 represents the most appropriate strategy when considered against reasonable alternatives. The available evidence indicates that the site is suitable, available, achievable and capable of being developed without unacceptable environmental or heritage impacts.
- **Effective** - The exclusion of a deliverable site in a sustainable rural settlement reduces flexibility within the housing supply, limits the range of available delivery opportunities and increases reliance on a relatively small number of strategic allocations.
- **Consistency with Policy** - The Plan does not adequately support the sustainable growth and vitality of rural communities, nor does it make effective use of a suitable and deliverable site capable of contributing towards housing delivery during the Plan period.

7.2. It is suggested by Tesni that in order to make the Plan sound, Site S/0175 (Land at Burton Road, Rosliston) should be allocated for residential development. Such an approach would enable the site to contribute towards the district's housing requirement whilst safeguarding the significance of nearby heritage assets and supporting the long-term vitality of Rosliston.

8. **Summary**

8.1. In conclusion, Tesni Properties maintains its objection to the continued omission of Land at Burton Road, Rosliston (Site S/0175) from the South Derbyshire Local Plan Review. The site represents a suitable, available and deliverable location for residential development adjoining the settlement boundary of Rosliston, a designated Local Service Village. The Council's evidence identifies no overriding constraints that would prevent development and the site is capable of contributing towards housing delivery in the early years of the Plan period.

8.2. The principal reason for the site's exclusion appears to relate to concerns regarding the setting of the Grade II* Church of St Mary. However, the Heritage Impact Assessment prepared on behalf of Tesni Properties demonstrates that residential development can be accommodated whilst conserving the significance of nearby heritage assets through appropriate design, layout and mitigation measures. The available evidence does not demonstrate that heritage considerations justify the complete exclusion of the site from the development strategy.

8.3. The allocation of Site S/0175 would support the sustainable growth and vitality of Rosliston, assist in maintaining local services and facilities, and provide a valuable source of flexibility within the housing trajectory. As a modest-sized site capable of early delivery, it would complement the Plan's strategic

allocations and contribute towards a diverse and resilient housing land supply in accordance with national planning policy.

- 8.4. For these reasons, Tesni Properties considers that the continued omission of Site S/0175 means the Plan is not justified, effective or fully consistent with national policy. To make the Plan sound, Site S/0175 should be allocated for residential development, supported by appropriate site-specific policy requirements to safeguard heritage assets, landscape features, public rights of way and green infrastructure.

Please do not hesitate to contact me should there be any further questions.

Yours Sincerely,



Sam Leuty-Milner

Planning & Development Manager



Appendix 1: Heritage Impact Assessment



PLANNING | ARCHITECTURE | HERITAGE

Heritage Impact Assessment

Land off Burton Rd, Rosliston,
South Derbyshire

Produced by:

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Document Control Sheet

Project Name	Land off Burton Rd, Rosliston, South Derbyshire
Client	Tesni Properties Ltd
Project Reference	3805
Team Members	Jon Millhouse BA(Hons) MRPTI IHBC, Ruth Gray BA(Hons) MA Public History and Heritage.
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Version	File Name	Description	Prepared	Checked	Date
01	3805_HIA_V1	Heritage Impact Assessment	RG/JM	JM	1/9/22

1 INTRODUCTION

- 1.1 Planning & Design Practice were commissioned to prepare a heritage impact assessment for Tesni Properties Ltd. This report has been prepared to inform and support, Local Plan representations for the of the residential development of Land off Burton Rd, Rosliston, South Derbyshire.



Figure 1 Showing the view centrally from within the site looking southwest towards Burton Road.

- 1.2 The site sits immediately adjacent to the built framework of Rosliston, in a field that abuts the northern boundary of the settlement with new housing development to the northwest. The site borders the grade II* listed parish church of St Mary on the southern side. Although not within the site itself there are the non-designated assets of the house known as Moonraker and the former Bulls Head Pub, along with medieval ridge and furrow sites to the north and west of the site, and therefore an assessment of heritage significance will be required by the local authority as part of the consideration of any potential residential development of the site, hence this report. The report assesses the evidential, historical, communal, and aesthetic value of the designated and non-designated heritage assets that have the potential to be affected by the proposed development.



Figure 2 Ariel View of the proposed site.

1.3 This statement assesses the proposal in relation to the relevant statutory duties, including the National Planning Policy Framework (NPPF), the South Derbyshire District Adopted Local Plan.

2 DOCUMENTARY RESEARCH

2.1 The following sources have been consulted:

- Planning officers report concerning a previous planning application at the site for twenty-six dwellings (9/2016/0293)
- HER Record,
- Historic Ordnance Survey Maps,
- Historic England Listing,
- The History, Topography and Directory of Derbyshire by T. Bulmer (1895)

- History, Gazetteer and Directory of the County of Derby, with the Town of Burton on Trent and Staffordshire, a General Survey of the County. By White, Francis, & Co

3 POLICY CONTEXT

3.1 The nature of heritage assets and the potential impact upon them through development are both very varied. Heritage assets include both designated heritage assets – such as listed buildings, scheduled ancient monuments and conservation areas – and non-designated heritage assets, a category that includes locally listed buildings, field systems, buried archaeological remains and views. The degree of impact a development could have on such assets is variable and can sometimes be positive rather than negative. The wide range of possible impacts can include loss of historic fabric, loss of historic character, damage to historic setting, and damage to significant views. Historic England guidance notes ‘Conservation Principles, Policies and Guidance,’¹ ‘Good Practice Advice Notes 2² and 3³’ and ‘Local Heritage Listing Advice Note 7,’⁴ are useful in assessing significance.

3.2 The significance of heritage assets is assessed in terms of the following values, as set out in National Planning Policy Practice Guidance:⁵

- *‘archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*
- *architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and*

¹ <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesandguidanceapril08web/>

² <https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2/>

³ <https://thegardenstrust.org/wp-content/uploads/2016/11/EH-The-Setting-of-Heritage-Assets-1.pdf>

⁴ <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag301-local-heritage-listing/>

⁵ <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

- *historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.'*

3.3 The National Planning Policy Framework

Paragraph 189 of the NPPF defines a heritage asset as:

'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These 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.'

Paragraph 194 of the NPPF advises that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

Paragraph 197 of the NPPF advises that:

'In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraphs 199 & 200 state:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

Paragraph 202 states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Paragraph 206 states:

'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'

3.4 Listed Buildings and Conservation Areas Act 1990

Section 66 provides a statutory duty in respect of Listed Buildings for the decision maker to:

‘Have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’

3.5 Adopted South Derbyshire District Local Plan

The Local Plan for South Derbyshire has been prepared in two parts. Part 1 was adopted by Full Council on June 13, 2016. The Local Plan Part 2 was adopted by Full Council on November 2, 2017.

Policy S1 Sustainable Growth Strategy

‘South Derbyshire will promote sustainable growth to meet its objectively assessed housing and commercial needs in the plan period 2011-2028. This strategy will be developed through this part of the Local Plan – Part 1 with development allocations made alongside development management policies which will continue into Part 2 of the Local Plan. The two parts of the Local Plan will ensure that the economic, social, and environmental objectives set out in this Plan are fully addressed:

- i) Over the plan period (2011 – 2028) at least 12,618 dwellings will be built within South Derbyshire. The housing sites required will be met on a mixture of brownfield and greenfield sites with encouragement given to the re-use of previously developed land.*
- ii) Retaining, promoting, and regenerating employment development on sites in urban areas and other locations which already are, or could be in the future, well served by infrastructure, including public transport.*
- iii) Provide new infrastructure to support the growth across the district. This will include new transport and education provision, and other services and facilities. This will be undertaken through obtaining appropriate planning obligations from future development and working alongside key stakeholders to ensure that existing and future requirements are considered.*

- iv) *Supporting and encouraging tourism within the district which makes an important contribution to the local economy. The District Council support The National Forest objectives including the increase of woodland cover. There will also be encouragement for healthy lifestyles through leisure pursuits, open space, and greater accessibility for residents.*

- v) *It is essential that the district's heritage assets, landscape and rural character are protected, conserved, and enhanced.'*

Policy BNE5 Development in Rural Areas

'Outside of settlement boundaries (as defined in policy SDT1) within the Rural Areas of the district planning permission will be granted where the development is:

- i) *allowed for by policies H1, H22, E7, INF10, H24, H25, H26, H27 or H28; or*

- ii) *otherwise, essential to a rural based activity; or*

- iii) *unavoidable outside settlement boundaries; or*

- iv) *considered to be infill that is in keeping with the character of the locality and represents the infilling of a small gap for not normally more than two dwellings, within small groups of housing; and*

- v) *will not unduly impact on: landscape character and quality, biodiversity, best and most versatile agricultural land, and heritage assets.'*

Policy BNE10 Heritage

'Applications for development that affects heritage assets, as defined in Policy BNE2, will be determined in accordance with national policy for 4.16 4.17 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.

4 SETTING AND HISTORY

- 4.1** Rosliston is a key centre and local service village/farming community in the District of South Derbyshire situated two miles south of Burton upon Trent. Rosliston is located within The Mease/Sence Lowlands landscape character area which lies at the southernmost limits of Derbyshire, being bordered to the west by the Trent Valley and to the north and east by the South Derbyshire Coalfield. It is an area of typical rolling lowland becoming almost flat around the river Mease which forms the county boundary to the south.⁶
- 4.2** The site itself comprises an area of arable land situated on the northern edge of the village. There is an existing entry point from the Burton Road, by way of a break in the hedgerow/fencing, providing vehicular access to the site and also access for pedestrians using the public rights of way. There are two public rights of way that intersect diagonally across the site. One of these follows an unofficial 'desire line' rather than the official route. The site is defined along its western boundary by the Burton Road and the adjacent residential properties of 'The Chase'. To the north lies the dense woodlands of the Rosliston Forestry Centre. The southern boundary is defined by existing residential development, some hedgerow, a small linear belt of trees and The Church of Saint Mary. To the east lies further woodlands, and public rights of way, extending from the Rosliston Forestry Centre on the northern boundary. The site is located in an area that reflects the wider topography which is characterised by an extensive area of rolling lowlands. The site is on gently sloping land, down towards the south-east of the site.

⁶ <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/conservation/landscapecharacter/the-landscape-character-of-derbyshire.pdf>



Figure 3 Showing the entrance to the site off Burton Road Rosliston Footpath 1



Figure 4 Showing the Rosliston Footpath 3 (The National Forest Way)

- 4.3** The site contains three footpaths. The first is Rosliston Footpath one leading off from Burton Road. Second is The Spires and Stiles Walk (Rosliston Footpath two). This 9-mile route passes through the farmland of the Mease Lowlands in South Derbyshire and links six National Forest sites. The

third is The National Forest Way (Rosliston footpath three) which extends over 75 miles from the National Forest Memorial Arboretum in Staffordshire to Beacon Hill Country Park in Leicestershire.⁷

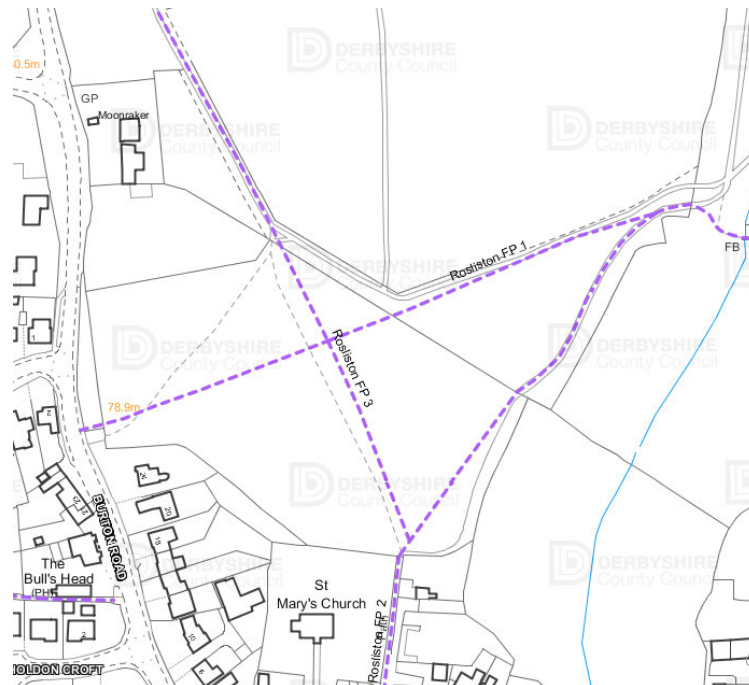


Figure 5 Showing the three footpaths through the site.

4.4 The following maps show the development of the area since 1662 to the current day. They show that the site's setting has remained relatively unchanged until the late twentieth century when the dwellings increased to the west of Burton Road. The site was historically part of a larger field, with a gravel pit marked on land to the north. The boundaries remained the same until the 1968 map when the land to the north was subdivided. Tree planting in this area (now part of the forestry centre) came relatively recently. The maps also evidence a pond within the site that is no longer there.

7

<https://www.nationalforest.org/sites/default/files/components/downloads/files/Stage%209%20Westbound%20150dpi.pdf>



Figure 6 Bleau 1662 the church clearly marked.

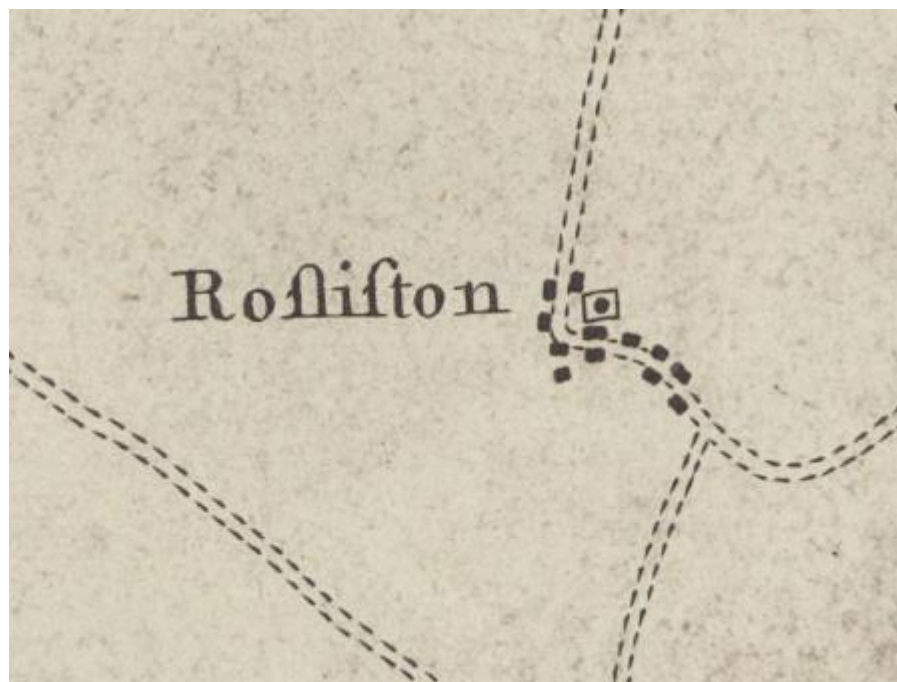


Figure 7 Burdette, Peter Pery, 1767 with the church shown within the rectangle.

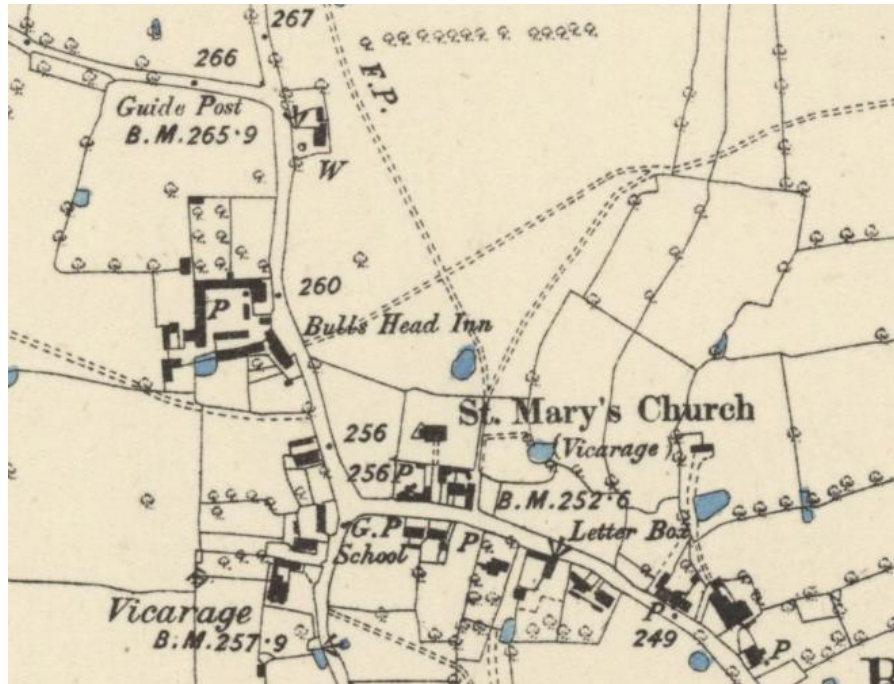


Figure 8 1884



Figure 9 1901

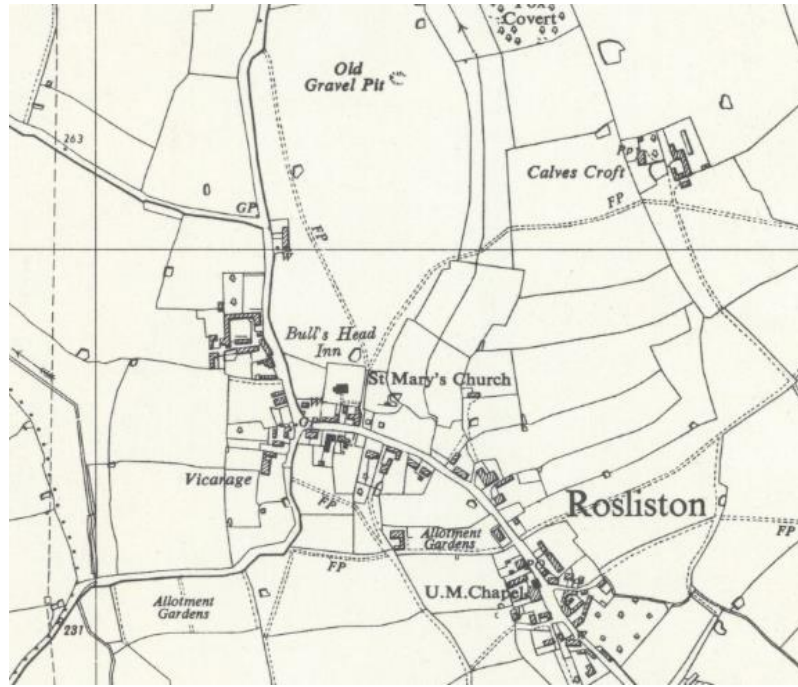


Figure 10 1955.

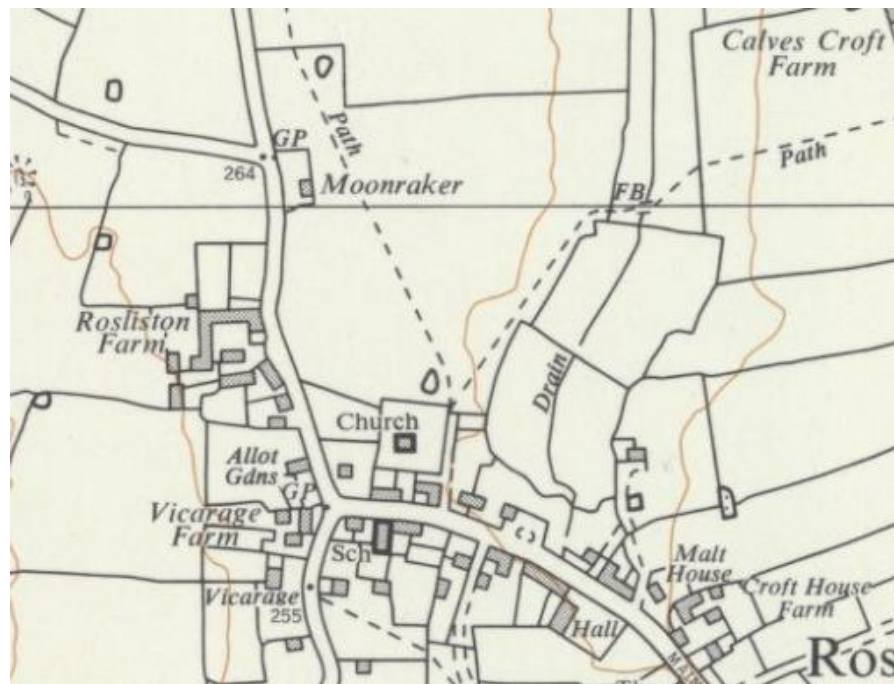


Figure 11 1968.

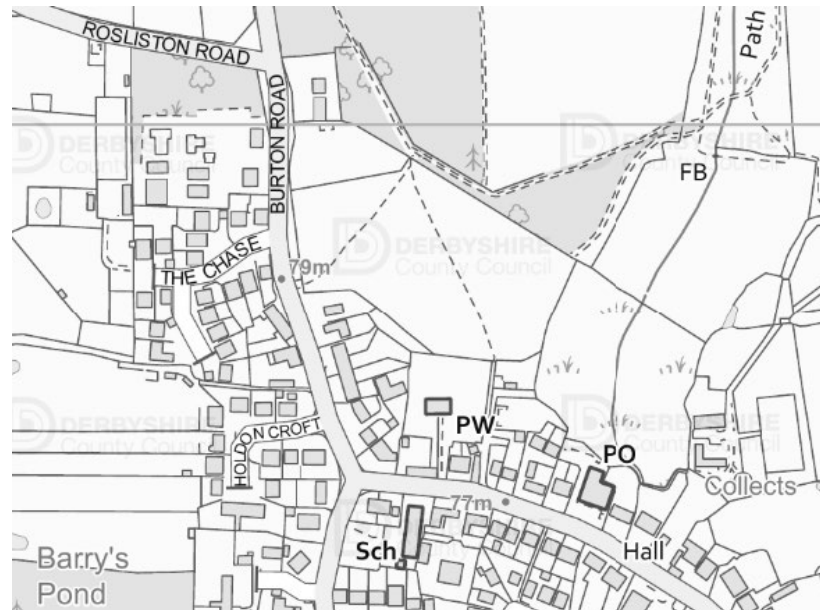


Figure 12 Modern OS

4.5 Timeline

- Rosliston was a settlement mentioned in the Domesday Book, in the hundred of Walecros and the county of Derbyshire. It had a recorded population of 23.5 households in 1086, putting it in the largest 40% of settlements recorded in Domesday as:

*'Land of King William Households: 33 villagers. 3 freemen. 10 smallholders. 1 priest. Land and resources Ploughland: 7 ploughlands. 2 lord's plough teams. 12 men's plough teams. Other resources: Meadow 40 acres. Woodland 7 * 5 furlongs. 1 mill, value 6 shillings and 7 pence. 1 church. Valuation Annual value to lord: 10 pounds in 1086; 6 pounds in 1066. Owners Tenant-in-chief in 1086: King William. Lord in 1086: King William. Lord in 1066: Earl Algar*.⁸⁹*

⁸ *Earl Algar was the son of Lady Godiva. Godiva and Leofric gave land to many churches on their estates, such as those at Burton-upon-Trent, Coventry, Evesham, Leominster, Much Wenlock, and St. Marystow in Lincolnshire. They founded churches in many populated parts of their land and set up preaching crosses in smaller settlements.

⁹ <https://opendomesday.org/place/SK2416/rosliston/>

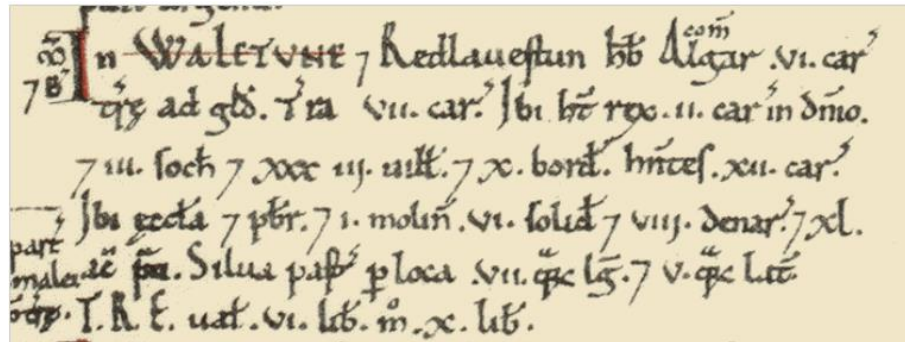


Figure 13 Domesday Entry for Rosliston.¹⁰

- 30 Nov 1471 Title deeds grant by John Broune of Rosliston to John Gresley, knight, and John Dawson, of all his lands and hereitaments in Rosliston, Coton and Repton.¹¹
- In 1857 The History, Gazetteer and Directory of the County of Derby extract below states that ownership of Rosliston is a consortium made up of noble men and women.

ROSLISTON, a township, parish, and pleasant village, 5 miles S. by W. from Burton-upon-Trent, and 4 miles N.W. from Oakley station, contains 1189A. 3R. 37P. of fertile land, and in 1851 had 86 houses, and 379 inhabitants, of whom 189 were males, and 190 females; rateable value, £1903 17s. 7d. The principal owners are, John Hamp, Esq., Trustees of the late C. Arkwright, Esq., Miss Evans, John W. Daniel, Esq., Mr. Daniel Moor, and Mrs. E. Cox. The Church, dedicated to St. Mary, is a perpetual curacy annexed to the rectory of Walton-upon-Trent. Rev. Thos. Perrott, incumbent. It was re-built, with the exception of the steeple, in 1819, by subscription, aided by a grant of £50 from the Incorporated society, and 200 sittings are unappropriated. Here are 58A. of glebe, and the tithe was commuted in 1840 for £100. There were 307A. tithe-free, and 517A. were covered by a modus. A New school was built in 1849 by subscription, the site for which was given by John Hamp, Esq.; the average attendance is about 50. The

Figure 14 Extract from History Gazetteer and Directory of the County of Derby, with the Town of Burton on Trent and Staffordshire.¹²

¹⁰ <https://opendomesday.org/place/SK2416/rosliston/>

¹¹ Derbyshire Record office D77/1/21/60.

¹² *History, Gazetteer and Directory of the County of Derby, with the Town of Burton on Trent and Staffordshire, a General Survey of the County.* By White, Francis, & Co

- The following extract from the History and Topography and Directory of Derbyshire shows that ownership of Rosliston was in the hands of Sir Robert Gresley and Lieut. Col Charles Milligan in 1895.

ROSLISTON.

Rosliston, formerly a chapelry under Walton, was, by an Order of the Queen in Council, constituted an independent parish about twenty years ago. It consists of the township of its own name, containing 1,187 acres, and is valued for rating purposes at £2,095. The inhabitants, who number 448, are chiefly employed in agriculture. The soil is marl and gravel resting on clay, and more than half of it is arable. Wheat and barley are chiefly grown. **Rosliston** is in

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SOUTHERN PARLIAMENTARY DIVISION.

the hundred of Repton and Gresley, petty sessional division of Swadlincote, poor law union and county court district of Burton-on-Trent, and rural district and deanery of Repton. Sir Robert Gresley, Bart. (Drakelow Hall), and Lieut.-Col. Charles Milligan (Caldwell Hall), are the chief landowners and joint lords of the manor. Sidney Evershed, Esq., M.P., Stapenhill, Burton-on-Trent, has an estate here, and the vicar has 56 acres of glebe.

The village of **Rosliston** (Redlavestun in Domesday Book) stands about $4\frac{1}{2}$ miles S. of Burton-on-Trent, and is $2\frac{1}{2}$ miles distant from the railway stations at Walton and Church Gresley. **Rosliston** had its chapel at an early period. Though not specifically named, this chapel is undoubtedly the one referred to in the Taxation Rolls of 1291, under Walton cum Capella. It consists of a small apsidal chancel, nave, south porch, and western tower with octagonal spire. The upper portion of the spire was restored in 1802. In 1818 a brief was obtained for rebuilding the church. Happily the scheme did not include the tower and spire, which belong to the first half of the 14th century. There are three bells, cast in the last quarter of the 18th century. In the churchyard is the base or socket of an ancient cross. The earliest register begins in 1596.

The living is a vicarage, net yearly value £135, with residence, in the gift of the trustees of Mr. D. H. Sutton and the Rev. J. L. Sutton, and held by the Rev. John Vallancey, M.A. Tithe rent-charge £81 10s.

The school, built in 1849, is attended by about 100 children. The Free Methodists have had a chapel here since 1873. In 1803 a workhouse, or as it was called in the inscription on the front of the building, "House of Industry," was erected here for the parishes and townships of **Rosliston**, Stretton-in-the-Fields, Caldwell, Linton, Coton-in-the-Elms, and Croxall. After the passing of the Poor Law Bill and the formation of unions in 1834, this workhouse was disused and converted into tenements.

Figure 15 Extract from the 1895: History, Topography, and Directory of Derbyshire.¹³

¹³ History, Topography, and Directory of Derbyshire
Comprising Its History and Archaeology: A General View of Its Physical and Geological Features, with Separate Historical and Topographical Descriptions of Each Town, Parish, Manor, and Extra-parochial Liberty
1895

4.6 Nearby Listed Buildings

The National Heritage List of England was assessed on the 27th of July 2022 to identify listed buildings which may have a direct relationship with the site. Although there are no listed buildings within the site itself there is one significant building adjacent to which is:

CHURCH OF ST MARY,

'Listing Number: 1159242, Grade II Date assigned Friday, December 12, 1986 (Grade II* buildings are particularly important buildings of more than special interest. 5.8% of listed buildings are Grade II*) Full description:*

Parish church. C14 steeple, restored 1802, nave and chancel built 1819. Ashlar with stone dressings, plain plinth, and graduated slate roof with ridgeback copings on moulded kneelers, that to eastern nave gable with ridge cross, plus coved cornice. Small western steeple with nave plus south porch and lower chancel bay. Two stage tower has a massive low clasping buttress to base with central steps on west side leading up to a small ogee headed C14 door plus hoodmould with foliage finial which forms the corbelled base of a trefoil headed moulded niche above. Bell stage is narrower and has a chamfered band to base. North and south sides have trefoil headed louvred lancets, west side has a simple louvred lancet with hoodmould and eastern side has similar blocked opening. Broached stone spire over has small lucarnes on four sides. North elevation has three chamfered pointed Y-tracery windows with transomes and leaded lights to nave, and a raised pointed doorcase with panelled door to chancel. East chancel elevation has similar transomed Y-tracery central window flanked by lower chamfered lancets. South elevation similar to north except central window exists only above transome level. South porch below has raised pointed outer arch, simple chamfered single light windows to either side, ridgeback copings to flush parapets and a similar pointed inner door with double panelled doors. Interior has three stepped chamfered pointed arches into the chancel bay and similar low arches between centre and side parts of the chancel bay. Nave has flat ceiling with reeded cornice and a pointed raised doorcase into the tower. Simple fittings with early C20 oak altar rails, a late C19 octagonal wooden pulpit, late C19 bench nave pews, and an octagonal stone font with moulded base. West end of nave has a late C19 organ and a vestry to south side divided off by late C19 timber screen with trefoil headed arcade to

top. South side of nave has two re-set white marble oval wall memorials, to the Broune family, both of c1760 and north side has grey marble memorial to Albert Burton who died 1917. Above the tower door is a painted pointed plaque inscribed 'Upwards of two hundred free and unappropriated sittings have been obtained in this church by the aid of the Society for the Enlargement and Building of Churches and Chapels and by other voluntary Subscriptions 24 October 1819'. All nave windows have clear glass, chancel windows have coloured glass.'

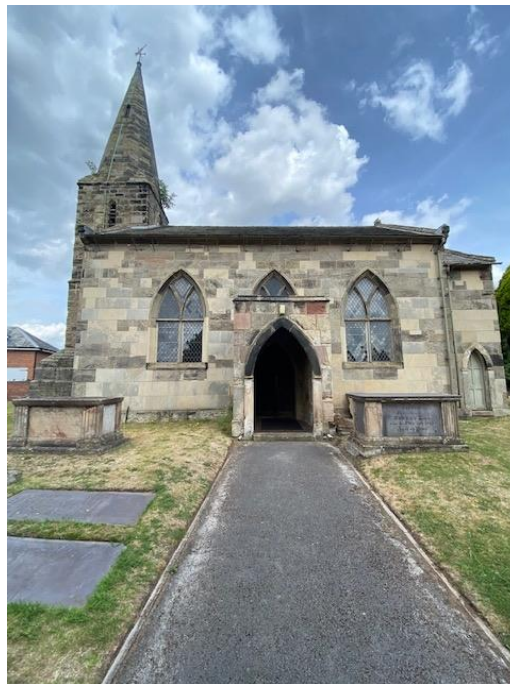


Figure 16 Church of St Mary

4.7 Non-Designated Heritage Assets

The Derbyshire Historic Environmental Record was assessed on the 27th July 2022 to identify non designated heritage assets which may have a direct relationship with the site. Non-Designated Heritage Assets are those buildings, monuments, places, areas, or landscapes deemed as having a degree of heritage significance, meriting consideration in planning decisions yet do not have formal designation. A review of the site confirmed that not all of the non-designated heritage assets outlined below have a direct, intervisible relationship with the site:

Churchyard Cross-Base, St Mary's Church, Rosliston

'Type and Period CROSS (Medieval - 1066 AD to 1539 AD) Protected Status/Designation None recorded Monument record MDR2504 - In the churchyard at Rosliston there is the base or socket of an ancient cross.'



Figure 17 Churchyard Cross base

Ridge and furrow, north-west of Rosliston

'Type and Period FIELD SYSTEM (Medieval - 1066 AD to 1539 AD) RIDGE AND FURROW (Medieval - 1066 AD to 1539 AD) Protected Status/Designation None recorded Monument record MDR7122 Field system of medieval date, consisting of probable earthwork ridge and furrow of medieval date seen as a fragmentary, random, curvilinear ridge and furrow system, with 'blocks' of on average 190m by 150m. Mapped using good quality aerial photographs.'

Field system, north of Rosliston

'Type and Period FIELD SYSTEM (Medieval - 1066 AD to 1539 AD) RIDGE AND FURROW (Medieval - 1066 AD to 1539 AD) Protected Status/Designation None recorded Monument record MDR7123 Field system of medieval date, consisting of probable earthwork ridge and furrow of medieval date seen as a fragmentary, random, curvilinear ridge and furrow'

system, with 'blocks' of on average 190m by 150m. Mapped using good quality aerial photographs.'

4.8 Other Buildings

Moonraker is a cottage located immediately north of the site on the Burton Road. The property appears on the 1884 map and possibly the 1767 map (see Figure 7 and Figure 8) Although not listed it contributes to the character of the local area.



Figure 18 Showing 'Moonraker' A non-designated property to the north of the site.

The Bulls Head cottages are opposite the site, these were once the original Bulls Head Pub until the early twentieth century and these appear on the 1884 map and possibly 1767 map. Although not listed or a non-designated asset they contribute to the character of the local area.



Figure 19 Bulls Head Cottages

Immediately to the west of the site across the Burton Road is a new development of homes built within the last few years.

5 OBSERVATIONS AND DESIGN RECOMMENDATIONS

- 5.1** As a Grade II* listed building, the Church of St Mary's is of 'more than special architectural/historic interest in a national context. Its 14th century steeple is a local landmark and has been for centuries, illustrating the relative historic importance of the village. The church derives part of its significance from its rural village setting, and its history is understood in this context. The site, as an undeveloped field, plays a role in this, and the views on approach from the footpath allow this to be appreciated. Views are also available out from the church, towards the field.



Figure 20 Looking away from the church.



Figure 21 Looking towards the church.

- 5.2** This central viewing corridor is therefore important to the setting of the church and should be kept open.

Views on approach to Rosliston along Burton Road also enable glimpses of the Church Steeple, which should be protected.

- 5.3** The former Bulls Head Public House is a characterful building visible on approach along Burton Road, and also from footpath 1. The building is not listed, and therefore is not subject to the same statutory or policy protection as a listed building. Nonetheless, it is worth noting that to some extent the site contributes to its setting and facilitates views towards it. The retention and framing/enhancement of these views would be desirable.



Figure 22 Looking towards the former Bulls Head Public House.

- 5.4** It is considered that the western part of the site could be developed in a manner which was respectful of the setting of heritage assets and the character and appearance of the settlement. The area is seen in the context of other recent development, furthest from the church and set against the treeline behind. Frontage development facing Burton Road but set behind the existing verge/hedge could provide an attractive street scene at the entrance to the village. Smaller scale development to the side and rear (facing the two footpaths) would frame and address those routes and provide for an appropriate hierarchy of built form (noting that historically principal buildings fronted Burton Road through the village). The central parts of the site should be kept open to provide viewing corridors.
- 5.5** A balanced judgement would be required in respect of any loss of ridge and furrow within the field. In the previous application for a larger development this loss was not considered unacceptable from an archaeological perspective.

6 CONCLUSIONS

- 6.1 If developed in the manner described above to a high standard it is considered that the site is capable of accommodating some residential development whilst conserving and enhancing the setting of nearby heritage assets.



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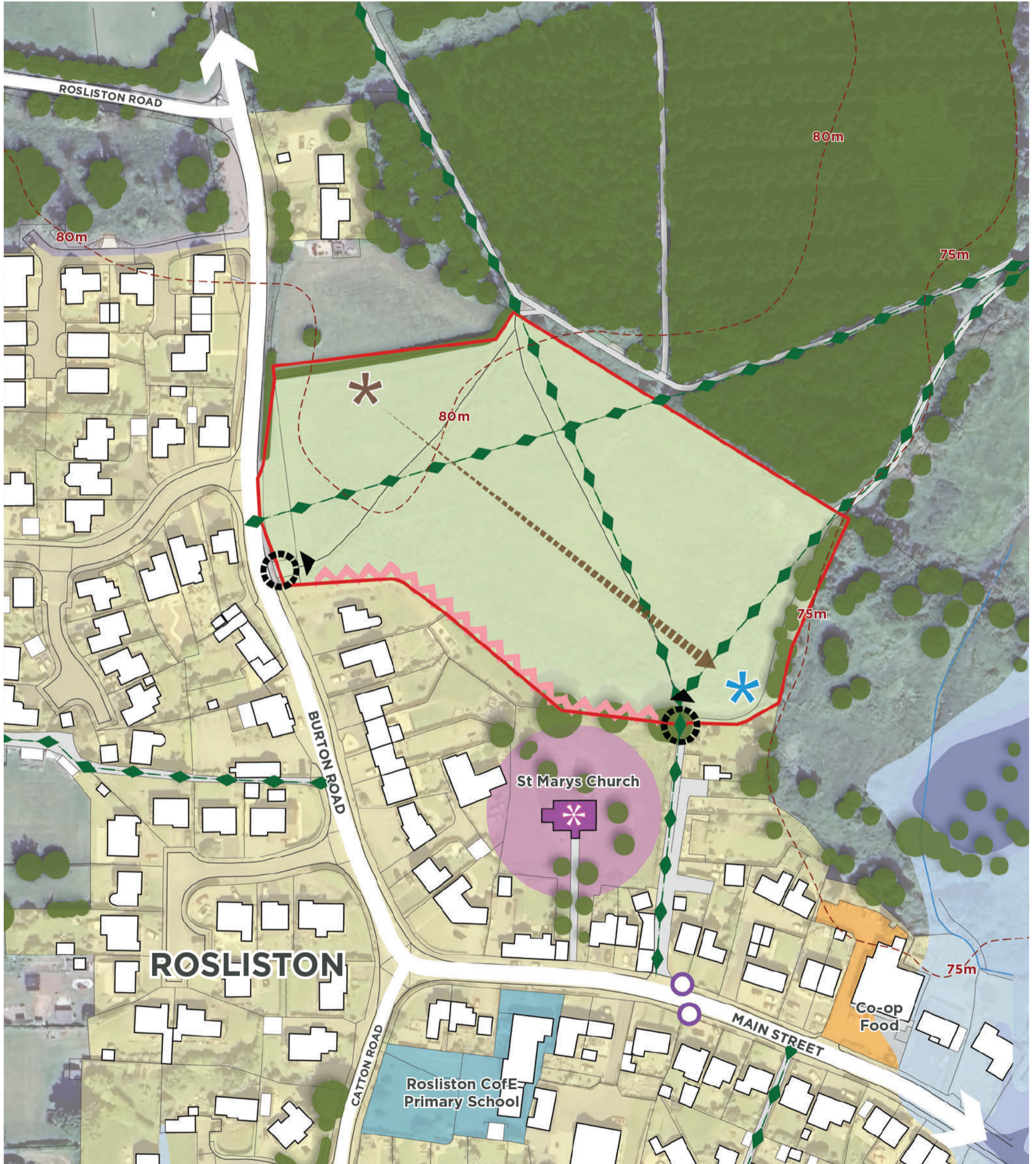
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Sheffield

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Sheffield
South Yorkshire
S1 2BX

SITE LOCATION PLAN
AREA 16 HA
SCALE: 1:2500 on A4
CENTRE COORDINATES: 424325 , 316880





LEGEND

Site boundary	5m contour line	Existing settlement	Sensitive boundary / proximity
Existing access	Site high point	High risk surface water flooding	Existing bus stop
Public Right of Way	Site low point	Medium risk surface water flooding	Primary School
Existing green infrastructure	Site direction of fall	Low risk surface water flooding	Grade II* Listed Building



LEGEND

	Site boundary		Primary street		Existing green infrastructure
	Vehicular access		Shared drive		Proposed trees / planting
	Pedestrian access		Public Right of Way		Key building
	Development block		5m contour line		SUDS basin location

NOTE

Red line area:	1.64 Ha
Open space:	0.93 Ha (inc. SUDs)
NDA:	0.71 Ha
No. Dwellings:	25 dwellings @ 35 DpH