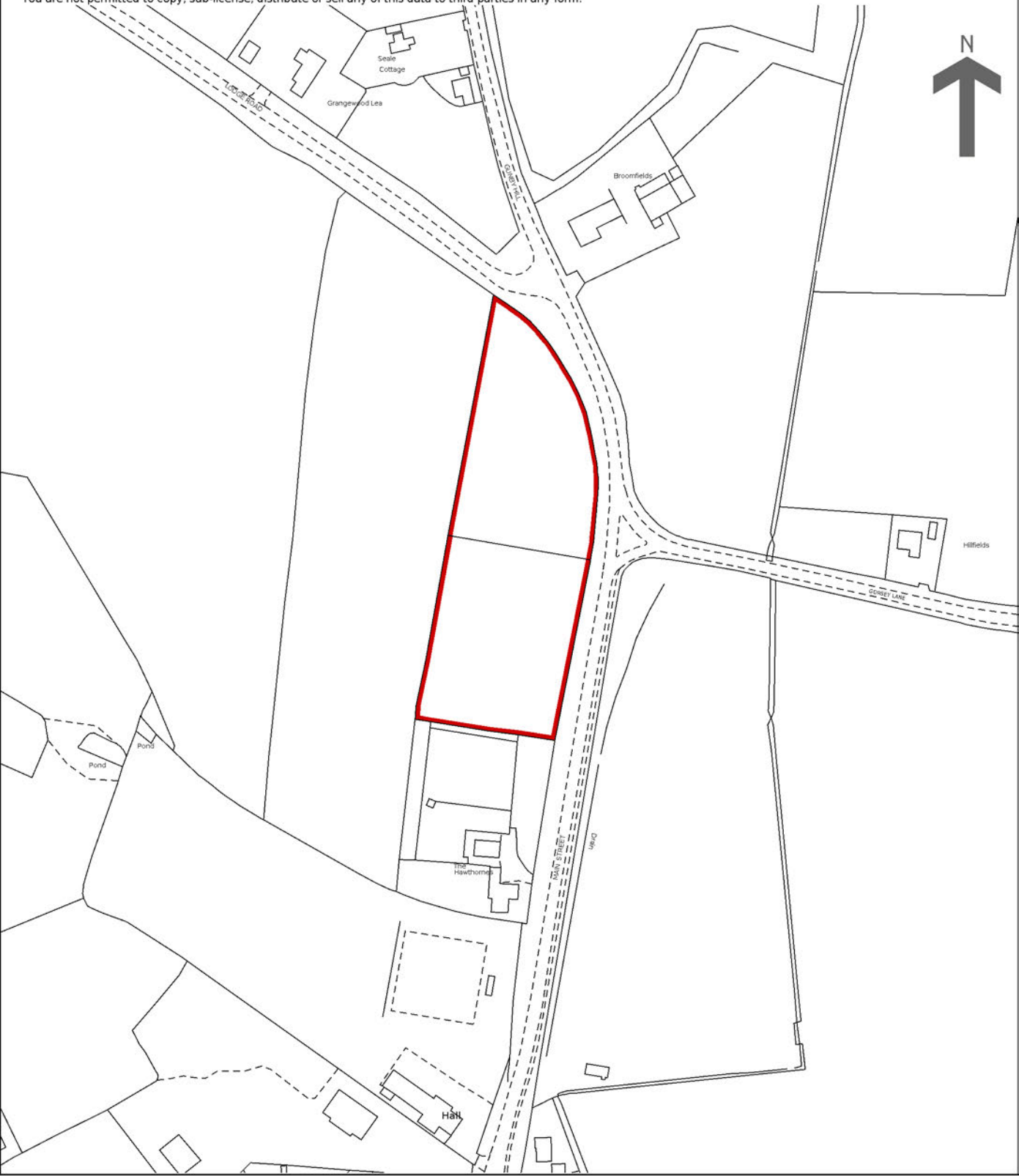


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[Report](#)

Good morning,

Please find attached our representation concerning the promotion of land at Netherseal for consideration as part of the Local Plan Part 2 Review – Issues and Options. I have also included the title plan for reference.

We trust this representation will assist the Council in shaping the next stage of the Local Plan. Should any further clarification or supporting documentation be required, please do not hesitate to contact me.

Kind regards,

[REDACTED]

[REDACTED]



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

Our Ref: MB/4731/2025-01-03

28th January 2026

Dear Officer,

RE: PROPOSED ALTERATION TO SETTLEMENT BOUNDARY OF NETHERSEAL

This representation is submitted on behalf of our client Mr Badger in response to the South Derbyshire Local Plan Part 2 Review – Issues and Options consultation. We request that land on the west side of Main Street, Netherseal, currently located outside of the defined settlement boundary of Netherseal, is considered for inclusion within a revised boundary in the emerging Local Plan. A copy of the site title is also included alongside this covering letter.

Site Description

The 1.08ha site is located on the west side of Main Street, Netherseal, Swadlincote, adjacent to Gorsey Lane, and is bordered by a dwellinghouse to the south, community open space to the west, and adopted highways to the north and east. The site is located approximately 170m to the north of Netherseal's current settlement boundary.



Figure 1: The site, edged in red

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Macclesfield Office

Waters Green House, Walters Green,
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Sheffield Office

32 Gilbert Street, Park Hill,
Sheffield, S2 5PN

There are no significant constraints affecting the site. There are no designated heritage assets on site, nor within the vicinity. The site is located entirely within Flood Zone 1 with no risk of surface water flooding, and it is not within the Green Belt.

The site also benefits from existing bus stops at Gorsey Lane, which provide the site with an hourly bus service between Burton and Ashby. Local amenities are also available within Netherseal, with the village shop just 600 metres from the site, and the primary school only 800 metres away, both of which are considered to be within walking distance.



Figure 2: The site, edged in red, and the bus stops for route 19 between Burton and Ashby

The site is located entirely within Flood Zone 1, meaning that it is not considered to be at risk of flooding. There is also no significant risk of surface water flooding, with the annual likelihood of flooding (1 in 100) displayed in Figure 4.



Figure 3: Flood map for planning, showing the site to be within Flood Zone 1



Figure 4: Flood map for planning (surface water), annual likelihood of flooding (1 in 100)

There is no relevant planning history for the site, which is currently in agricultural use.

Relevant Planning Policy

The development plan consists of the South Derbyshire Local Plan Part 1 (2016), Part 2 (2017), and the National Planning Policy Framework (2024):

South Derbyshire Local Plan Part 1 (2016):

- S1: Sustainable Growth Strategy
- S2: Presumption in Favour of Sustainable Development
- S4: Housing Strategy
- S6: Sustainable Access
- H1: Settlement Hierarchy
- H21: Housing Balance
- Policy E7: Rural Development
- SD1: Amenity and Environmental Quality
- SD2: Flood Risk
- BNE3: Biodiversity
- BNE4: Landscape Character and Distinctiveness
- INF2: Sustainable Transport

South Derbyshire Local Plan Part 2 (2017):

- SDT1: Settlement Boundaries and Development
- BNE5: Development in Rural Areas
- BNE7: Trees, Woodland and Hedgerows

National Planning Policy Framework (2024)

- Paragraph 11
- Paragraph 61
- Paragraph 72
- Paragraph 73
- Paragraph 83
- Paragraph 89
- Paragraph 109
- Paragraph 110
- Paragraph 115
- Paragraph 116
- Paragraph 124
- Paragraph 125
- Paragraph 126

Proposed Settlement Boundary



Figure 5: Proposed extension to the settlement boundary.

The existing settlement boundary of Netherseal extends to the southern edge of the Philip D. Richardson Memorial Field, Playing Field and St Peter's Sports Club. It is proposed to extend the settlement boundary to include these community open spaces, as well as the community woodland adjacent to the submitted site. Grangewood Road to the north and Gorsey Lane to the northeast provide physical, existing boundaries for a revision to Netherseal's settlement boundary.

Key Planning Issues

Principle of Development

First, it should be noted that a recent appeal (Ref: APP/F1040/W/25/3368728) confirmed that South Derbyshire District Council cannot evidence a 5-year housing land supply. As such, the presumption in favour of development *tilted balance*, as detailed by footnote 8 of the NPPF, is triggered.

While the site is located approximately 170m north of the current settlement boundary, it is not an isolated parcel of land in the countryside, bordering a community woodland to the west and dwellinghouse to the south. As highlighted by Figure 2, the site is enclosed on all sides and represents a natural extension to the village of Netherseal, without encouraging further encroachment into the countryside to the north due to the physical boundary provided by Grangewood Road and Gunby Hill.

Netherseal is a *Local Service Village* (tier 3 settlement), as defined by Policy H1, where:

"[...] development of sites within the settlement boundary will be considered appropriate and sites adjacent to settlement boundaries as an exceptions or cross subsidy site as long as not greater than 15 dwellings."

The proposed revision to the settlement boundary would enable sustainable growth consistent with Policies S1 and S4 of the Local Plan. The site would also support the vitality of a rural, local service village, while remaining modest in size, and incorporating existing community facilities into the settlement boundary.

Ecology and Trees

The site is bordered on all sides by hedgerow and is subdivided into two fields by an existing hedge. There are also no trees on site, however the dwellinghouse to the south benefits from mature trees along its northern edge, at the site's south. The site is currently used for agriculture, and there are no priority habitats on site.

Flood Risk

The site is located entirely within Flood Zone 1, and there is no risk of surface water flooding.

Highways, Access and Transport

An existing gate provides access to the site from Main Street, opposite the junction with Gorsey Lane. It would be possible to demonstrate that safe and suitable access can be achieved from Main Street, with standard visibility splays. Main Street also benefits from an existing pavement, connecting the site to the rest of the built form of Netherseal, as well as the existing bus stops. As such, the site supports the objectives of Policies S6 and INF2 of the Local Plan, as well as paragraph 109 of the Framework, which seek to ensure that locations for development provide future residents with a genuine choice of travel, prioritising active transport.

Conclusions

In summary, the site to the west of Main Street provides a logical and sustainable opportunity for a modest extension to Netherseal. The land is adjacent to the existing built form, enclosed by strong physical boundaries, free from significant environmental constraints, and well connected to local services and transport infrastructure.

The ongoing Local Plan Part 2 Review – Issues & Options specifically invites views on settlement boundaries and the identification of appropriate sites to support sustainable growth across the district.

The inclusion of this site within a revised settlement boundary would support the council's housing shortfall, as a sustainable location for future residential development. We therefore respectfully request that the Council includes this land within the settlement boundary for Netherseal. We welcome continued engagement with officers and would be happy to discuss the site in further detail or provide additional material as required.

Yours sincerely,

