



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

Appendix L

Local Development Framework

**SA**

# South Derbyshire Sustainability Appraisal

**LOCAL PLAN PART 2:**

**Main  
Report**



**November 2017**

South Derbyshire Changing for the better

<b>SECTION 1 BACKGROUND</b>	<b>4</b>
1.1 Background	4
1.2 The Development Plan Process	4
1.3 The Local Plan Part 2	4
1.4 Local Plan Vision	4
1.5 Local Plan Objectives	6
1.6 Relationship with other Plans and Programmes	7
1.7 Delivering Sustainable Development	7
1.8 Strategic Environmental Assessment	8
1.9 Sustainability Appraisal	8
1.10 The Combined Process	8
1.11 Habitat Regulations Assessment	9
1.12 Purpose of this Report	9
1.13 Report Structure	9
1.14 Compliance with the SEA Directive and Enacting regulations	11
1.15 Compatibility with DCLG requirements for Sustainability Report	11
<b>SECTION 2: APPRAISAL METHODOLOGY</b>	<b>13</b>
2.1 Overview of the Sustainability Appraisal Process	13
2.2 Sustainability Appraisal Stages	13
2.3 Who has carried out the Sustainability Appraisal?	14
2.4 When was the Sustainability Appraisal carried out?	14
2.5 Difficulties encountered in undertaking the Sustainability Appraisal	15
2.6 Consultation on the Scope and Findings of the Sustainability Appraisal	17
<b>SECTION 3: SUSTAINABILITY BASELINE AND CONTEXT</b>	<b>19</b>
3.1 Links to other Policies, Plans and Programmes and Sustainability Objectives	19
3.2 Baseline Characteristics	22
3.3 District Characteristics	22
3.4 Key Sustainability Issues and Sustainability Objectives to Tackle These	30
<b>SECTION 4: SUSTAINABILITY APPRAISAL FRAMEWORK</b>	<b>34</b>
4.1 Sustainability Objectives	34
4.2 Detailed Decision Making Criteria (Sub Objectives)	34
4.3 Indicators	34
4.4 The Sustainability Appraisal Framework	34
<b>SECTION 5: LOCAL PLAN BROAD OPTIONS APPRAISAL</b>	<b>40</b>
5.1 Compatibility of the Local Plan Objectives against the Sustainability Objectives	40
5.2 The Local Plan Part 2	44
5.3 Relationship with the Local Plan Part 1	44
5.4 Undertaking the Sustainability Appraisal of the Broad Strategic Options	46
5.5 Issue 1: Settlement Boundaries	49
5.6 Issue 2: Part 2 Housing Apportionment Options	60
5.7 Issue 3: Part 2 Local Green Space Options	71
5.8 Issue 4: Swadlincote Town Centre	78
5.9 Issue 5: Secondary School Provision	89

<b>6.0</b>	<b>SECTION 6: APPRAISALS OF THE PLAN POLICIES</b>	<b>101</b>
6.1	Appraisal Findings	101
6.2	Policy SDT1 Settlement Boundaries and Development	102
6.3	Policy H23 Non-Strategic Sites	105
6.3.1	Policy H23a Moor Lane, Aston on Trent	106
6.3.2	Policy H23b Jacksons Lane, Etwall	109
6.3.3	Policy H23c Derby Road, Hilton	111
6.3.4	Policy H23d Station Road, Melbourne	114
6.3.5	Policy H23e Acreford Road, Overseal	116
6.3.6	Policy H23f Valley Road, Overseal	119
6.3.7	Policy H23g Milton Road, Repton	121
6.3.8	Policy H23h Mount Pleasant Road, Repton	124
6.3.9	Policy H23i Off Kingfisher Way, Willington	126
6.3.10	Policy H23j Oak Close, Castle Gresley	129
6.3.11	Policy H23k Midland Road, Swadlincote	131
6.3.12	Policy H23l Land north of Scropton Road, Scropton	134
6.3.13	Policy H23m Montracon Site, Woodville	136
6.3.14	Policy H23n Stenson Fields	138
6.4	Policy H24 Replacement Dwellings in the Countryside	141
6.5	Policy H25 Rural Workers Dwellings	144
6.6	Policy H26 Residential Gardens within the Countryside	147
6.7	Policy H27 Residential Extensions and other Householder Development	149
6.8	Policy H28 Residential Conversions	151
6.9	Policy BNE5 Development in the Countryside	154
6.10	Policy BNE6 Agricultural Development	156
6.11	Policy BNE7 Trees, Woodland and Hedgerows	158
6.12	Policy BNE8 Local Green Space	160
6.13	Policy BNE9 Advertisements and Visual Pollution	162
6.14	Policy BNE10 Heritage	164
6.15	Policy BNE11 Shopfronts	166
6.16	Policy BNE12 Former Power Station Land	168
6.17	Policy RTL1 Retail Hierarchy	170
6.18	Policy RTL2 Swadlincote Town Centre Potential Redevelopment Locations	174
6.19	Policy INF11 Telecommunications	177
6.20	Policy INF12 Provision of Secondary Education Facilities	178
6.21	Policy INF13 Southern Derby Area and Infinity Garden Village	181

<b>SECTION 7: PREFERRED AND NON PREFERRED SITES</b>		<b>184</b>
7.1	Site Appraisal Methodology	184
7.2	Sites which the Authority proposed to rule out at an early Stage	184
7.3	Preferred and Non Preferred Sites	187
7.4	New Sites Not Previously Put Forward Through the SHLAA	208
<b>SECTION 8: ASSESSMENT OF EFFECTS</b>		<b>209</b>
8.1	Derby Urban Area	209
8.2	Swadlincote and Woodville	209
8.3	Key Service Villages	210
8.4	Local Service Villages	213
8.5	Rural Villages and Rural Areas	214
8.6	Plan Wide Effects	215
<b>SECTION 9: THE DIFFERENCE THE PROCESS HAS MADE TO DATE</b>		<b>220</b>
9.1	The Difference the Process Has Made To Date	220
<b>SECTION 10: IMPLEMENTATION AND MONITORING</b>		<b>221</b>
10.1	Links to Other Tiers of Plans and Programmes and the Project Level	221
10.2	Developing a Monitoring Framework	222
<b>SECTION 11: WHAT HAPPENS NEXT</b>		<b>223</b>
10.1	What Happens Next?	223

## 1.1 SECTION 1: BACKGROUND

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

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

1.1.1 This document is called a Sustainability Appraisal Report (sometimes called an Environmental Report). It is a key output of the Sustainability Appraisal and Strategic Environmental Assessment (SEA) processes. It presents information on the social, environmental and economic effects of implementing the South Derbyshire Local Plan Part 2 Local Plan (hereafter referred as the LP2) and the appraisal methodology adopted to identify these effects.

1.1.2 This report has been produced to meet the reporting requirements of both the Strategic Environmental Assessment and the Sustainability Appraisal processes.

## 1.2 THE DEVELOPMENT PLAN PROCESS

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

1.2.2 Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act requires that the District Council prepare a Development Plan to manage growth across the District. This document together with the Local Plan Part 1 will replace the existing South Derbyshire Local Plan adopted in 1998.

## 1.3 THE LOCAL PLAN PART 2

1.3.1 The LP2 will provide non-strategic policies and guidance. It supplements and provides additional detail concerning how development will be managed in South Derbyshire up to 2028.

**Table 1.1 Contents of the Plan**

Section Number	Section Title	Included in this section
1	Settlement Boundaries and Development	Policy concerning Proposed Settlement Boundaries for Swadlincote, Key Service Villages, Local Service Villages and some Rural Villages
2	Housing Policies	Sets out Locational Strategy for Part 2 Housing Sites as well as development management policies for determining planning proposals to 2028
3	Built and Natural Environment Policies	Sets out Policies concerning development in the Countryside as well as protection of trees, heritage and Local Green Spaces
5	Retail	Designation of a Town Centre Boundary for Swadlincote, together with retail policies to support continued growth within the town as well as elsewhere in South Derbyshire.
5	Infrastructure	Development Management Policy to support the delivery of telecommunications, broadband Infrastructure and also a policy to support the delivery of new secondary school(s) in South Derbyshire and the coordinated delivery of a garden village to the South of Derby City.

## 1.4 LOCAL PLAN VISION

1.4.1 The vision for South Derbyshire is set out in the Part 1 Local Plan. As a daughter document of the Part 1 Local Plan the LP2 will also seek to deliver the same vision. For the sake of completeness this is set out below.

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

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

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

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

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

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

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

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

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

## **1.5 LOCAL PLAN OBJECTIVES**

1.5.1 The LP2 shares the same objectives as the Part 1 Local Plan. These are as follows:

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

promote the continued growth of local tourism and leisure offer across the whole of the District.

11. To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations
12. To enhance and develop the role of Swadlincote town centre and its wider urban area as a focus for living, working, shopping and leisure
13. To ensure growth in South Derbyshire is co-ordinated with development in adjoining areas both within and outside the Derby HMA

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

- 1.6.1 The LP2 will form part of the overall development plan which will guide many aspects of development up to 2028. The LP2 will outline the location of non-strategic scale growth, review the boundaries of settlements, town centre boundaries as well as set out further, more detailed, planning policies to guide the detailed design and layout of new development.
- 1.6.2 All elements of the South Derbyshire Local Plan will work in combination with local plans being proposed in Amber Valley and Derby City to meet the growth requirements within the Derby Housing Market Area. Other than unmet need for Derby City, the plan does not make provision for meeting housing or other development needs. Nonetheless strategic development in South Derbyshire close to the boundaries of these authorities (for example around Drakelow Park and Woodville) could increase pressure on local infrastructure outside of South Derbyshire and to this end we have engaged with neighbouring authorities through an ongoing basis on our respective plans.
- 1.6.3 The LP2 will also include a range of policies and proposals to deliver other sub regional projects or programmes. For example joint working with Derbyshire County Council and Derby City in respect of the delivery of a new Secondary School to serve housing growth proposed through the Plans on the edge of Derby City as well as the coordinated delivery of a 'garden Village' adjacent to the southern edge of Derby City.
- 1.6.4 In addition the policies included in the plan will in many instances help to deliver the objectives identified in non land-use related plans (see Table 3.1 for a full list of plans reviewed by the Council). For example policies in the plan could help manage the District's heritage and assist in the delivery of plans such as external conservation bodies such as the County Council or Historic England. More detailed information on the relationship and synergies between policies set out in the plan and other policies and programmes is set out in the policy appraisal at Section 6.

## **1.7 DELIVERING SUSTAINABLE DEVELOPMENT**

- 1.7.1 In producing the Local Plan we are committed to the promotion of sustainable development. The Brundtland Report released by the World Commission on the Environment and Development defined sustainable development as:
- 1.7.2 *"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs".*
- 1.7.3 The key priorities for delivering sustainable development are set out in the UK Government's Sustainable Development Strategy (*Securing the Future*) published in March 2005. These are:



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

1.7.4 The concept of sustainability lies at the heart of the Planning Process. The National Planning Policy Framework states that *'At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking'*. In order ensure that the Local Plan is 'sustainable' we are required to carry out two distinct, but complementary processes. These processes are called Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). These two processes are considered in more detail below.

## **1.8 STRATEGIC ENVIRONMENTAL ASSESSEMENT**

1.8.1 The European Directive 2001/42/EC enacted in England under the Environmental Assessment of Plans and Programmes Regulations (2004) requires a Strategic Environmental Assessment (SEA) to be completed on all parts of the LDF with the exception of the Local Development Scheme (LDS), and Statement of Community Involvement (SCI).

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

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

## **1.9 SUSTAINABILITY APPRAISAL**

1.9.1 Whilst SEA focuses upon environmental issues, Sustainability Appraisal (SA) widens the approach to include social and economic issues. The purpose of SA is to ensure that the principles of sustainable development are taken fully into account when preparing the Local Plan. In preparing LP2 Section 19 (5) of the *Planning and Compulsory Purchase Act (2004)* requires that we:

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

## **1.10 THE COMBINED PROCESS**

1.10.1 In England, the requirements for SA and SEA have been integrated into a combined 'Sustainability Appraisal'. This combined process is designed to extend the ambit and rigor of the SEA process to include other pillars of sustainability, namely social and economic assessment.

1.10.2 The combined Sustainability Appraisal process seeks to ensure that Local Plans are subject to appraisal before they are adopted in order that the environmental, social and economic effects of each plan can be adequately tested and modified prior to adoption.

## **1.11 HABITAT REGULATIONS ASSESSMENT**

- 1.11.1 In addition to the SEA and SA we are also required to undertake a separate form of assessment under the Conservation of Habitats and Species Regulations (2010). This assessment known as Habitat Regulations Assessment is required to ensure that:
- A Strategy or Plan either alone or in combination with other plans or projects, would not have a significant effect on a European site, and where the plan being produced is not directly connected with the management of the site for nature conservation.
- 1.11.2 Where the Plan could affect a European site the Council is required to undertake and 'Appropriate Assessment'. European sites referred to include Special Areas of Conservation (SAC) and Special Protection Areas (SPA). Within South Derbyshire there is one Special Area of Conservation; the River Mease SAC. There are a number of other SACs and SPA located in surrounding districts and boroughs.
- 1.11.3 This Plan has been subject to a screening assessment to help identify which European Sites could be affected by the proposals included within it. The results of the screening report have been published on the Districts Council's <http://www.south-derbys.gov.uk/localplanpart2>.
- 1.11.4 Put simply, however, the conclusions from the Habitats Regulation Screening Assessment are:
- There is no likely significant impact on any SPAs or SACs located outside of the District as a result of implementing small scale development projects outlined within the LP2 given that the housing requirement and the spatial distribution of growth on these sites was previously considered in the Part 1 Local Plan
  - Two proposed allocations will increase foul flows to Overseal waste water treatment works, although water quality impacts associated with increased discharges into the SAC will be mitigated via contributions to the River Mease DCS
  - Three sites could increase surface water flows into the SAC, although the use of sustainable drainage (required by flood risk and drainage policies in the Part 1 Local Plan) will ensure surface water is treated prior to discharge
  - Two of the proposed sites in the catchment (Valley Road and Acresford Road Overseal) already have planning consent and have been subject to Habitat Regulations Assessment through that process and no likely significant effects have been identified.
  - The remaining site located in Woodville would discharge foul and potentially surface water out of catchment to Milton wastewater treatment works.
  - As the South Derbyshire Local Plan (parts 1 & 2) will have no impact on the River Mease SAC it will not have cumulative effects with other plans and strategies.

## **1.12 PURPOSE OF THIS REPORT**

- 1.12.1 This report sets out the findings of the SA of the South Derbyshire LP2. It presents information on the social, environmental and economic effects of implementing the Plan and the appraisal methodology adopted to identify these effects.

## **1.13 REPORT STRUCTURE**

1.13.1 This report contains the following sections:

- Section 1** Background (this section)
- Section 2:** Appraisal Methodology
- Section 3:** Sustainability Objectives, Baseline and Context
- Section 4:** Sustainability Appraisal Framework
- Section 5:** Local Plan Broad Options Appraisal
- Section 6** Policy Appraisals
- Section 7:** Preferred and Non Preferred Housing Sites
- Section 8** Assessment of Effects
- Section 9** The difference the SA process has made to date.
- Section 10** Implementation Monitoring
- Section 11** What Happens Next

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

## **1.14 COMPLIANCE WITH THE SEA DIRECTIVE AND ENACTING REGULATIONS**

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

**TABLE 1.2: COMPLIANCE OF THE SUSTAINABILITY (ENVIRONMENTAL) REPORT WITH THE SEA DIRECTIVE<sup>†</sup>**

<b>Requirement of the SEA Directive</b>	
An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes.	Section 1 Background Scoping Report Appendix 1
The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme <sup>2</sup> ;	Section 3 Baseline Characteristics Scoping Report Appendix 3
The environmental characteristics of areas likely to be significantly affected;	Section 3 Baseline and Key Issues Scoping Report Appendix 3
Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;	Section 3 Key Issues Section 5 Broad Options Appraisal Section 6 Appraisal of Plan Policies Section 8 Assessment of Effects
The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;	Scoping Report Appendix 1 Section 3 Key Issues Section 5 Broad Options Appraisal Section 6 Appraisal of Plan Policies Section 9 The Difference the SA process has made to date
The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects)	Section 5 Broad Options Appraisal Section 6 Appraisal of Plan Policies Section 8 Assessment of Effects Appendix 3 Housing Site Appraisal Proformas
The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;	Broad Options Appraisal Appraisal of Plan Policies Appendix 3 Housing Site Appraisal Proformas
An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how <sup>3</sup> ) encountered in compiling the required information;	Section 5 Broad Options Appraisal Section 6 Appraisal of Plan Policies Section 7 Preferred and Non Preferred Sites Appendix 3 Housing Site Appraisal Proformas
a description of measures envisaged concerning monitoring <sup>1</sup>	Section 4 Sustainability Appraisal Framework Section 10 Monitoring and Implementation Section 11 What Happens Next?
a non-technical summary of the information provided under the above headings. <sup>1</sup>	Non Technical Summary

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

## 1.15 COMPATIBILITY WITH THE DCLG REQUIREMENTS FOR SUSTAINABILITY REPORT

1.15.1 The Department of Communities and Local Government (DCLG) also provides guidance on the contents of the ‘Sustainability Report’. This guidance largely mirrors the requirements of the SEA Directive in order to ensure that the information to be set out in a combined Sustainability Appraisal and Strategic Environmental Assessment ‘Sustainability Report’ contains the necessary information to satisfy the requirements of the SEA Directive and Regulations.

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

<b>Structure of the Report</b>	<b>Components of the SA Report which make up the Environmental Report for the purposes of the SEA Directive</b>	<b>Section in the Sustainability Appraisal Report</b>
Summary and outcomes	<ul style="list-style-type: none"> <li>▪ Non-technical summary;</li> <li>▪ Statement of the likely significant effects of the plan statement on the difference the process has made to date.</li> <li>▪ How to comment on the report</li> </ul>	<p>Separate document Section 5 Broad Option Appraisal Section 6 Appraisal of Plan Policies Also to be set out in Adoption Statement</p> <p>Section 2 Appraisal Methodology Section 11: What Happens Next?</p>
Appraisal Methodology	<ul style="list-style-type: none"> <li>▪ Approach adapted to the SA When the SA was carried out and by whom.</li> <li>▪ Who was consulted, when and how?</li> <li>▪ The difficulties encountered in compiling information or carrying out the assessment.</li> </ul>	<p>Section 2 Appraisal Methodology Section 5 Broad Options Appraisal Section 6 6 Appraisal of Plan Policies</p>
Background	<ul style="list-style-type: none"> <li>▪ Purpose of the SA and the SA Report</li> <li>▪ Plan objectives and outline of contents.</li> <li>▪ Compliance with the SEA Directive/ Regulations</li> </ul>	<p>Section 1 Background</p>
Sustainability objectives, baseline and context	<ul style="list-style-type: none"> <li>▪ Links to other policies, plans and programmes and sustainability objectives and how these have been taken into account in appraisal.</li> <li>▪ A description of the social, environmental and economic baseline characteristics and the predicted future baseline.</li> <li>▪ The main social, environmental and economic issues and problems identified and the limitations of the information, assumptions made etc.</li> <li>▪ The SA framework, including objectives, targets and indicators</li> </ul>	<p>Scoping Report Appendix 1 Section 3 Key Issues Section 4 SA Framework</p>
Plan issues and Options	<ul style="list-style-type: none"> <li>▪ The main strategic options considered and how they were identified.</li> <li>▪ A comparison of the social, environmental and economic effects of the options.</li> <li>▪ How social, environmental and economic issues were considered in choosing the Preferred Options.</li> <li>▪ Other options considered, and why these were rejected</li> <li>▪ Any proposed mitigation measures</li> </ul>	<p>Section 5 Broad Options Appraisal Appendix 3 Housing Site Proformas Section 2 Appraisal Methodology Section 4 SA Framework Section 7 Preferred and Non Preferred sites Appendix 3 Housing Site Proformas</p>
Plan policies	<ul style="list-style-type: none"> <li>▪ Significant social, environmental and economic effects of the preferred policies</li> <li>▪ How social, environmental and economic problems were considered in developing the policies and proposals</li> <li>▪ Proposed mitigation measures</li> <li>▪ Uncertainties and risks</li> </ul>	<p>Section 2 Appraisal Methodology Section 5 Broad Options Appraisal Section 6: Appraisal of Plan Policies Section 8 Assessment of Effects Section 9 The Difference the SA process has made to date Appendix 5: Implications of proposed modifications</p>
Implementation	<ul style="list-style-type: none"> <li>▪ Links to other tiers of plans and programmes and the project level (EIA, design guidance etc.)</li> <li>▪ Proposals for monitoring</li> </ul>	<p>Appendix 1 of the Scoping Report Section 5 Broad Options Appraisal Section 3 Sustainability Appraisal Framework Section 10 Monitoring and Implementation</p>

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

## SECTION 2: APPRAISAL METHODOLOGY

### 2.1 OVERVIEW OF THE SUSTAINABILITY APPRAISAL PROCESS

2.1.1 We have undertaken the SA (incorporating the requirements of the SEA Directive) of the LP2 in accordance with guidance published by the Office of the Deputy Prime Minister (ODPM) in November 2005<sup>1</sup>. However whilst we recognise that this guidance sets out information to assist Local Planning Authorities to comply with the SEA Directive, it is not intended as a legal interpretation of the Directive. As such, in undertaking the SA of the Local Plan the ODPM guidance has been considered in conjunction with the Directive<sup>2</sup>, the Regulations<sup>3</sup> which transpose the Directive into English law, The Planning Act<sup>4</sup>, The Localism Act<sup>5</sup>, and the Town and Country Planning Regulations 2004<sup>6</sup> together with other relevant planning guidance and case law.

### 2.2 SUSTAINABILITY APPRAISAL STAGES

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

- Stage A:** Setting the context and Sustainability Objectives, establishing the baseline and deciding on the Scope
- Stage B:** Developing and refining options and assessing effects
- Stage C:** Preparing the SA Report
- Stage D:** Consulting on the draft Local Plan and the SA Report
- Stage E:** Monitoring the implementation of the Plan

2.2.2 **Stage A** of the SA process requires that the Authority collect detailed information on the character of the District. This information is gathered by reviewing general data and statistics on the environmental, economic and social characteristics of the plan area and by reviewing other relevant plans and programmes (and their objectives and targets) that are related to the plan. This information is then used to identify key issues affecting the plan area, and to establish a Sustainability Appraisal Framework (a set of sustainability objectives and indicators, against which plan options can be appraised). The information collected during this stage of the appraisal process is set out in a **Scoping Report** that was published for consultation in November 2014. The scope of the work proposed has been substantially informed by the Part 1 Local Plan SA, but has been updated to reflect changes in national guidance and responses to the scoping consultation.

2.2.3 Following on from the Scoping Report consultation the Council assessed responses received back from consultees and used them to inform a second stage of work (**Stage B**). During this stage the Council identified and appraised the different options (or ways) that we could deliver our Plan objectives. This appraisal work is then used to identify our preferred options.

2.2.4 The likely impacts of implementing the different broad and preferred growth options are set out in this environmental report (**Stage C**). An interim and presubmission version of which has been previously published alongside the Draft and Pre Submission LP2. However this report has been further updated to set out the likely effects of the Plan the Council proposes to adopt (i.e. it takes account of the changes

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

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

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

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

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

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

to the Plan made following the Examination in Public). This report seeks to identify the key impacts that would arise if each identified option was implemented. Impacts are considered in terms of their magnitude, geographical scale, the period of time over which they will occur, whether they are permanent or temporary, positive or negative, frequent or rare, and whether or not there are likely to have cumulative and/or synergistic effects. Where significant effects on the environment or on the local communities or the economy are identified, mitigation measures (including avoidance, offsetting and enhancement measures) are suggested.

- 2.2.5 Once the LP2 is adopted the final part of the SA process will be to monitor the implementation of the Plan against the Sustainability Appraisal Framework (**STAGE E**). This will allow the Council to identify and respond to any unforeseen adverse effects that arise from the implementation of the Plan.

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

- 2.3.1 South Derbyshire District Council's Planning Policy Team has undertaken the Sustainability Appraisal. We have sought to undertake the appraisal 'in-house' in order to ensure that the results are fully integrated with the preparation of the Plan.
- 2.3.2 The appraisal has also been informed through liaison with infrastructure providers, meetings with site owners and developers; consultation through the Plan making process with members of the public and joint working and/or liaison with neighbouring authorities including HMA partner Authorities.
- 2.3.3 External consultation was sought initially on the scope of the Sustainability Appraisal in November and December 2014 with alongside a number of other environmental, economic and social stakeholders including the Environment Agency, Natural England and Historic England. The scoping report is available to view [here](#)
- 2.3.4 Further detail on the SA process and how it links in with the Local Plan preparation process, including relevant dates that the specific stages of work have been, or remain to be undertaken, is set out at Figure I.

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

- 2.4.1 The Sustainability Appraisal for the LP2 commenced in November 2014. Work on the appraisal is on-going with the interim draft of the appraisal being published for consultation in June 2016. It was further updated and submitted for consultation alongside the Pre-submission draft of the Local Plan as part of the Regulation 19 Consultation in October 2016 and has been updated further to reflect modifications proposed to the Plan following the examination in public held in April 2017.

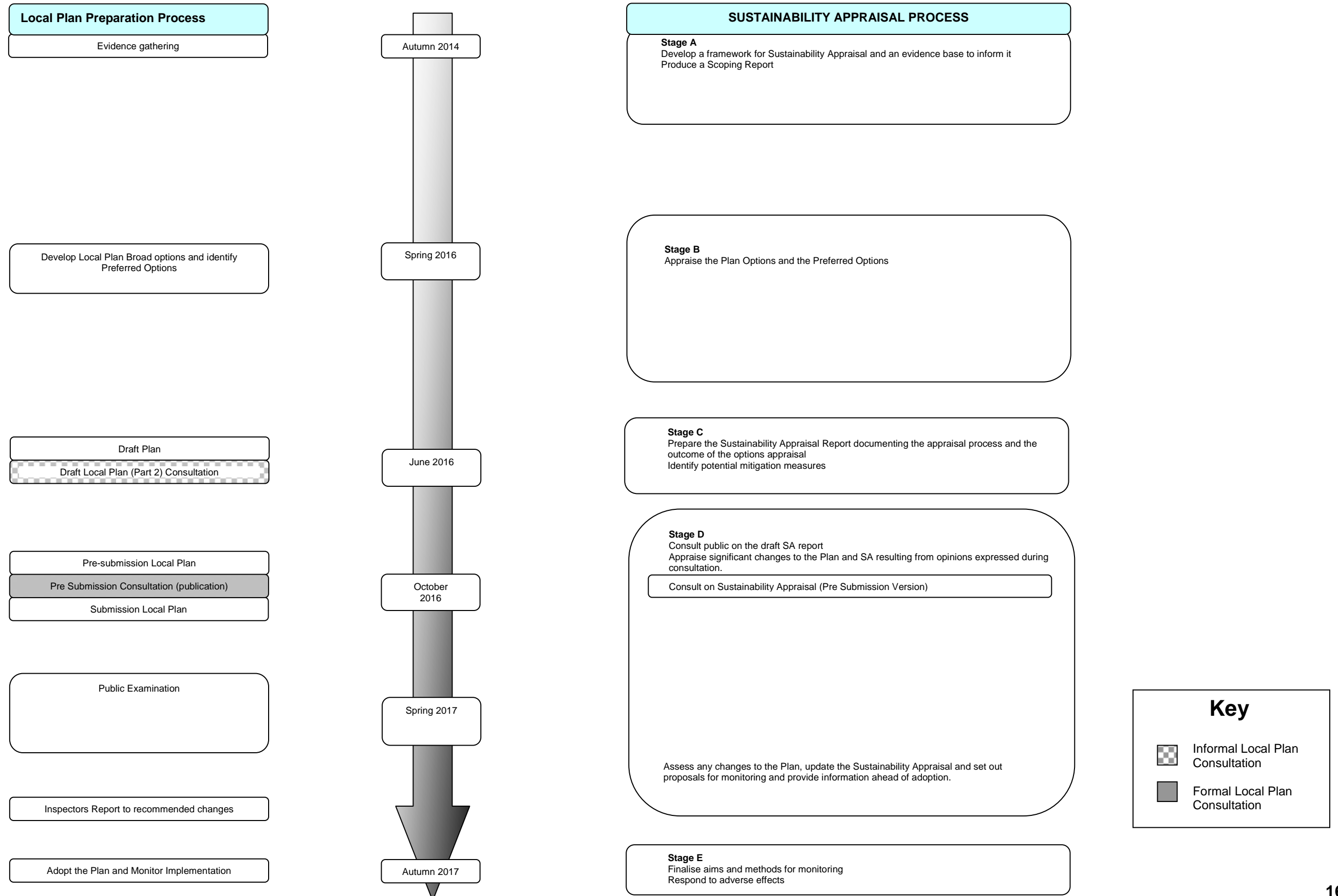
## 2.5 DIFFICULTIES ENCOUNTERED IN UNDERTAKING THE SUSTAINABILITY APPRAISAL

### 2.5.1 Difficulties

- The Council has commissioned significant evidence regarding the environment, social and economic baseline in South Derbyshire and how this could change in the future, inevitably there are still some gaps in our knowledge and forecasting how environmental and social conditions could change in the future is a difficult exercise as wider government policy and investment could have a major effect on the environmental, social and economic condition of the District. However the Council has worked with other Authorities and agencies to try and understand the likely effects of the proposals and policies in the Plan and will seek to proactively manage Plan performance as well as wider policy requirements to ensure that the Plan can deliver against the Plan objections set out in Section 1.5 of this report.
- It is difficult to predict the exact nature of impacts of varying options identified in respect of some issues. For example in respect of appraising sites there remains considerable uncertainty over how well sites could perform as their performance could be largely determined by the exact location (layout) of development proposals and the way development is implemented. Where such uncertainties exist this will be documented in individual appraisals and where appropriate measures to provide certainty over the nature and direction of impacts will be documented within detailed appraisals. Moreover following the adoption of the Local Plan Part 1 there will be greater policy guidance which will help ensure that where developments do come forward they meet the policy criteria specified in that document.
- Related to the above, a similar level of uncertainty exists regarding the likely effects of Local Green Space Options. This is because at the time the appraisal was undertaken, decisions regarding the methodology were still outstanding and it is unclear how many local green spaces could ultimately be proposed for designation, where these will be located and what their nature will be.
- Finally, in respect of Swadlincote town centre boundary there is uncertainty regarding the likely prospect of continued major private investment. A recently completed study of Swadlincote town centre indicates that retail and leisure occupier demand for Swadlincote is currently limited and is likely to remain so in the short to medium term. However there may be potential for mixed use development schemes as well as public or grant funded projects and on this basis appraisals reflect that there will be some potential to deliver improvements to the town centre even in the absence of major private investment. With all of the above in mind the Authority have sought to moderate its appraisal of broad options and policies concerned with town centre development given that private sector opportunities are expected to be limited in the short to medium term and whilst other opportunities may arise they are likely to be limited.



**Figure i: Local Plan and Sustainability Appraisal Processes.**



## 2.6 CONSULTATION ON THE SCOPE AND FINDINGS OF THE SUSTAINABILITY APPRAISAL

2.6.1 In addition to internal consultation and involvement, there is a specific requirement for us to engage with statutory consultation bodies and public consultees at certain stages of the combined Sustainability Appraisal and Strategic Environmental Assessment Processes. These requirements are set out in the SEA Regulations and reiterated in guidance published by the ODPM<sup>7</sup>

2.6.2 In determining the 'scope' of the SA (the level of detail and information to be used to appraise the plan options), the SEA regulations requires that the three statutory environmental consultation bodies should be consulted for a period of five weeks. We consulted the following three organisations by posting out a complete copy of the Scoping Report for a five week period commencing in November 2014:

- Environment Agency
- Historic England
- Natural England

2.6.3 In addition Government guidance recommends that other community groups, and social and economic bodies should be consulted, as the planning authority considers appropriate. As such the authority has alerted a number of further organisations to the publication of this scoping report on our website through direct mail. These were:

- D2N2 Local Economic Partnership
- Nottinghamshire and Lowland Derbyshire Local Nature Partnership
- Adjoining Local Planning Authorities
- Derbyshire County Council
- Staffordshire County Council
- Leicestershire County Council
- The National Forest Company
- Highways England
- Network Rail
- East Midlands Airport
- Severn Trent Water
- South Staffordshire Water
- National Grid Transco
- Council for the Protection of Rural England (CPRE) (Derbyshire Branch)
- Derbyshire Wildlife Trust
- National Trust
- Home Builders Federation
- Sport England (East Midlands Region)
- Derbyshire Constabulary

2.6.4 Parish Councils and Council Members were also informed of where and how to view and comment on the Scoping Report by direct mail or email. Whilst a full public consultation was not required at this stage of the SA process, we published the Scoping Report on the Council's website, and made it available to view at the Council Offices for any members of the public interested in the process or wishing to make any comments.

---

<sup>7</sup> ODPM (November 2005) *Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks: Guidance for Regional Planning Bodies and Local Planning Authorities*, ODPM, London.

2.6.5 Comments submitted regarding the 'scope' of the SA and the amendments made to the information set out in the Scoping Report following this stage of consultation are set out at Appendix 1: An updated version of the Scoping Report and a complete list of the changes made in response to consultation have been available to view on the District Councils website since November 2015.

## SECTION 3: SUSTAINABILITY BASELINE AND CONTEXT

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

The parts of the SEA Directive Requirements considered in this section

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

- 3.1.1 A fundamental part of undertaking a SA of the Local Plan is the identification and assessment of the relationships between the Plan and other relevant plans and strategies established at international, European Community, national, and local levels.
- 3.1.2 The purpose of identifying and reviewing other plans and strategies is to allow us to identify potential synergies, or inconsistencies between the objectives set out in the proposed LP2 and other policies, plans and programmes.
- 3.1.3 A list of plans, policies and programmes, relevant to the Local Plan has been compiled and analysed by the District Council’s Planning Policy Team. This list, (originally published in the LP2 Scoping Report) has been updated to reflect comments received back during the Scoping Consultation and incorporates the release of up to date planning guidance. A summary of the plans and programmes reviewed is listed below:

**TABLE 3.1: OTHER POLICIES PLANS AND PROGRAMMES RELEVANT TO THE SOUTH DERBYSHIRE LOCAL PLAN PART 2**

<b>BIODIVERSITY FLORA AND FAUNA</b>	
<b>NATIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
1	Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services
2	Biodiversity, The UK Action Plan
3	England Biodiversity Strategy Climate Change Adaptation Principles Conserving Biodiversity in a Changing (2008)
4	Government Forestry and Woodlands Statement
<b>REGIONAL AND SUB REGIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
5	National Forest Strategy 2014-24
6	Lowland Derbyshire Biodiversity Action Plan
7	National Forest Biodiversity Action Plan
8	Derbyshire Wildlife Trust Strategic Plan
9	Lowland Derbyshire and Nottinghamshire Local Nature Partnership Vision and Action Plan (2012)
<b>POPULATION AND HUMAN HEALTH</b>	
<b>NATIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
10	National Planning Policy Framework 2012 (NPPF) and Guidance (NPPG) (living document)
11	Planning Policy for Traveller Sites (DCLG, 2012)
12	The UK Government Sustainable Development Strategy (2005)
13	Laying the Foundations: A Housing Strategy for England (DCLG, 2011)
14	Creating a sporting habit for Life (Sport England 2012-17)
15	Strategic Framework for Road Safety (2011)
16	Healthy Lives, Healthy People: our Strategy for public health in England (Department of Health, 2010)
17	Noise Policy Statement for England (2010)
<b>REGIONAL AND SUB REGIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
18	Derbyshire’s Sustainable Community Strategy 2006- 2009
19	Derbyshire Health and Wellbeing Strategy 2012-15
<b>LOCAL PROGRAMMES, PLANS AND STRATEGIES</b>	

20	South Derbyshire Community Strategy 2005-2010
21	South Derbyshire Part 1 Local Plan (Adopted 13 June 2016)
22	South Derbyshire Local Plan (Adopted Version) May 1998
23	South Derbyshire Corporate Plan
24	South Derbyshire Housing Strategy 2009-14
25	South Derbyshire Playing Pitch Strategy
<b>MATERIAL ASSETS</b>	
<b>NATIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
26	Creating Growth, Cutting Carbon: Making Sustainable Local Transport Happen (2011)
27	National Infrastructure Plan
<b>REGIONAL AND SUB REGIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
28	Derbyshire Local Transport Plan (LTP3) 2011
29	Derby City Local Transport Plan (LTP3) 2011
30	Derbyshire Rights of Way Improvement Plan.
31	D2N2 Local Economic Partnership Vision and Action Plan
32	East Midlands Airport Masterplan
33	Derbyshire Greenways Strategy
<b>SOIL, WATER AND AIR</b>	
<b>NATIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
34	Government Review of Waste Policy in England 2011
35	Safeguarding Our Soils; A Strategy for England, DEFRA 2009
36	Future Water 2008
37	National Flood and Coastal Erosion Risk Management Strategy for England 2011
38	The Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007
<b>REGIONAL AND SUB REGIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
39	Towards a Regional Waste Strategy 2006
40	Water Resource Strategy for the East Midlands
41	River Trent Catchment Food Management Plan
42	Humber River Basin Management Plan
43	Staffordshire Water PLC Water Resource Plan 2015-40
44	Severn Trent Water PLC Water Resource Management Plan 2015-40
45	The Tame, Anker and Mease Catchment Abstraction Licencing Strategy (2013)
46	Lower Trent and Erewash Catchment Abstraction Licencing Strategy (2013)
47	Dove Abstraction Licencing Strategy (2013)
48	Derbyshire Derwent Abstraction Licencing Strategy (2013)
49	River Mease Water Quality (Phosphate) Management Plan 2011
50	River Mease Diffuse Water Pollution Plan
51	River Mease SAC/SSSI River Restoration Plan
52	Minerals Local Plan (incorporating First Alteration: Chapter 13 Coal November 2002)
<b>CLIMATIC FACTORS</b>	
<b>NATIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
53	Planning Our Electric Futures: A White Paper for a secure, affordable and low carbon electricity
54	The Carbon Plan: Delivering Our Low Carbon Future
55	Energy Efficiency Strategy
56	Energy Security Strategy
<b>CULTURAL STRATEGY</b>	
<b>NATIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
57	National Heritage Protection Plan
58	Government Tourism Strategy
<b>REGIONAL AND SUB REGIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
59	A Vision and Action Plan for Sustainable Tourism in the National Forest
60*	Swadlincote Conservation Area Management Plan
61*	Swadlincote Vision and Strategy
62*	Swadlincote Townscape Activity Plan
<b>LANDSCAPE</b>	
<b>REGIONAL AND SUB REGIONAL PROGRAMMES, PLANS AND STRATEGIES</b>	
62	Landscape Character of Derbyshire

- 3.1.4 The plans, policies, programmes and studies reviewed provide different types of information and fulfil several roles, for example:
- The provision of baseline data
  - The inclusion of objectives which the Local Plan should have regard to
  - A strategic or overarching policy steer that guides the 'nature' or format of policies to be included in the Local Plan

- An indication of the likely effects of implementing the Local plan 'in combination' with other plans and strategies.

## 3.2 BASELINE CHARACTERISTICS

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

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

- 3.2.1 Baseline information provides the basis for predicting and monitoring the effects of implementing the proposed Local Plan and helps identify sustainability problems (or key environmental, social and economic issues) and the possible options for dealing with them.
- 3.2.2 The baseline data collected by the District Council was drawn largely from existing sources. Key sources included nationally or regionally produced data sets including:
- The Office of National Statistics website ( including Census Data, NOMIS and Neighbourhood Statistics although the latter website closed down in May 2017)
  - the Land Registry data for the District
  - the East Midlands Public Health Observatory (Health Profile for South Derbyshire)
- 3.2.3 This data has been supported by the collection of extensive locally produced data and studies as follows:
- The Derby Housing Market Area Housing Requirements Study
  - The Derby Housing Market Area Strategic Housing Market Assessment
  - Derby Housing Market Area Wide Strategic Housing Land Availability Assessment (SHLAA)
  - Strategic Site Summaries (for housing and employment sites)
  - Local Rural Housing Needs Studies
  - Derbyshire Gypsy and Travellers Accommodation Needs Assessment
  - Derbyshire Housing Market Area Wide Employment Land Study
  - Derby Housing Market Area Transport Assessment
  - South of Ashbourne Rural Accessibility Study
  - Swadlincote Retail and Leisure Study (2015)
  - Derby Housing Market Area Assessment of renewable energy capacity and potential within the District
  - Conservation Area Appraisals
  - Derbyshire Landscape Character Assessment
  - Derbyshire Areas of Multiple Environmental Sensitivity Study
  - Trent Valley Landscape Sensitivity Study
  - Technical Assessment of the Nottingham and Derby Green Belt
  - PPG17 Study and Assessment (Open Space Audit) (as updated)
  - South Derbyshire Environmental Audit
  - South Derbyshire Level 1 Strategic Flood Risk Assessment
  - Derbyshire Housing Market Area Scoping and Outline Water Cycle Study.

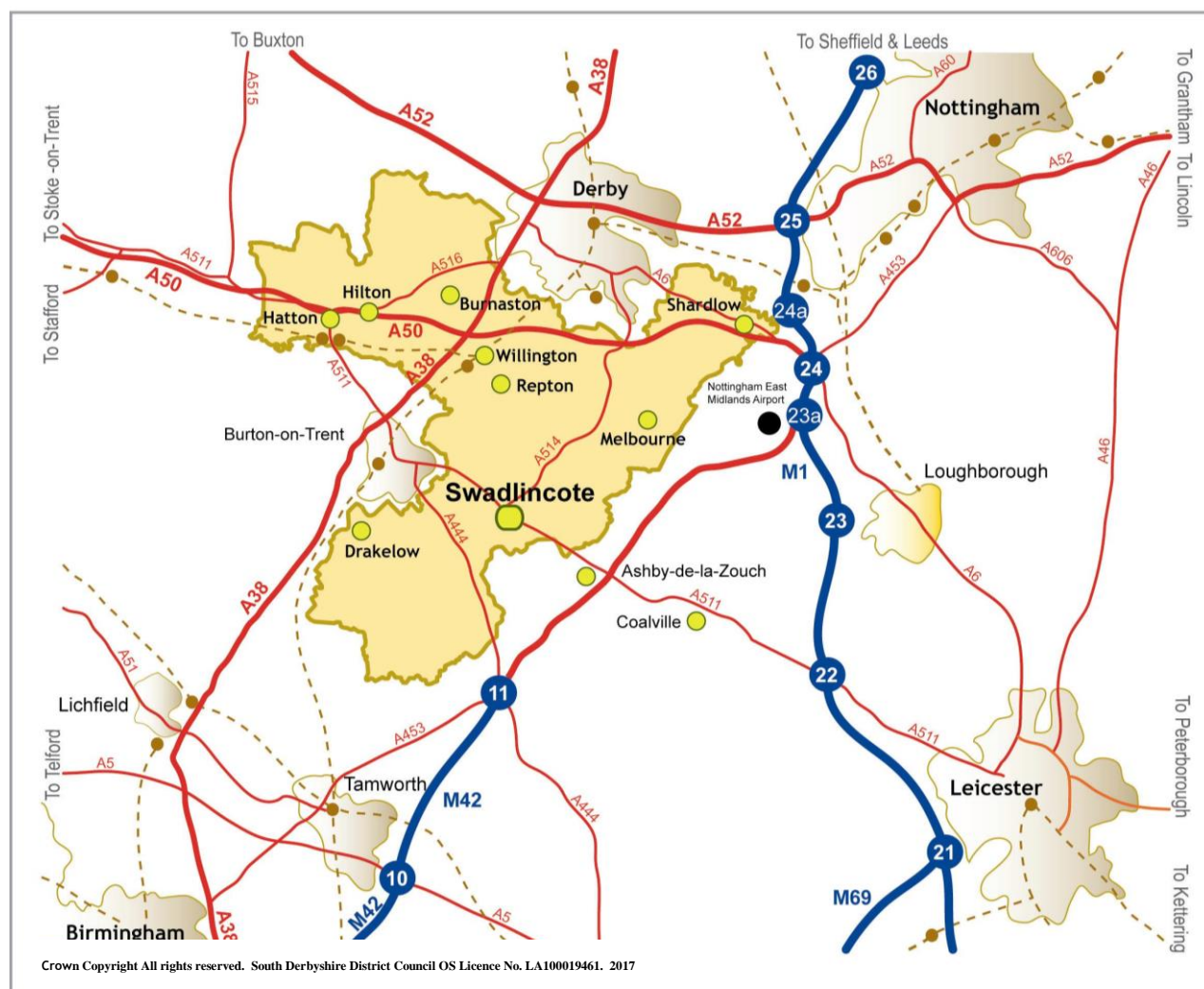
## 3.3 District Characteristics

- 3.3.1 The District of South Derbyshire covers an area of approximately 33,800 hectares (112 square miles) and is bounded by the City of Derby to the north, Burton on Trent to the West and Ashby-de-la-Zouch to the East. The urban area making up

Swadlincote has a population of around 35,000 and is the largest settlement and commercial centre for the District.

**Figure 3.1: Location Map of South Derbyshire District:**

South Derbyshire Regional Setting



### **BIODIVERSITY, GEODIVERSITY, FLORA & FAUNA**

3.3.2 The District has a wide range of environmental assets. The National Forest covers around 12,870 ha (50 square miles) of the southern part of the District and is helping to create diverse landscape and wildlife habitats as well as contributing to the economic and social well-being of the district through the delivery of new tourism and leisure opportunities. In addition to the National Forest there are 6 sites of Special Scientific interest, one of which, (the River Mease) is a Special Area of Conservation, (combined area 164 ha). 90% of SSSIs by land area were recorded as being in either favourable condition or unfavourable but recovering condition in recent assessments published by Natural England, in 2014<sup>8</sup>.

3.3.3 There are 156 wildlife sites (covering approximately 5% of the land area for the District) and 7 regionally important geological sites (combined area 248 ha). There are two local nature reserves within the District (Elvaston Castle and Coton Park).

<sup>8</sup> Natural England assesses the condition of SSSIs using standard methods that have been developed together with the Joint Nature Conservation Committee



There are proposals to establish an additional Local Nature Reserve at Swadlincote Woodlands within the southern part of the District. There is one National Nature Reserve located within the District at Calke Park.

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

### **POPULATION AND HUMAN HEALTH**

- 3.3.5 The District had a total population of 96,000 at 2012 (currently 99,300 people), this is forecast to increase to 111,600 by 2028 according to the 2012 ONS Sub National Population Projections for the District but based on growth outlined in the Part 1 Local Plan could be closer to 127,000 people (based on the number of homes to be delivered and average household density) reflecting the fact that the District will need to accommodate some of Derby City's unmet housing need. South Derbyshire is currently the 13<sup>th</sup> fastest growing District in England and Wales by population growth in percentage terms and 3<sup>rd</sup> fastest in respect of household growth<sup>9</sup>. This reflects the fact that the area offers a high quality of life and is a place people want to live.
- 3.3.6 By 2028 ONS sub national population projections indicate the 22.4% of South Derbyshire residents will be 65 or older by 2028. In comparison 25.8% of the County's residents will be aged 65 and over. However this will still represent an increase on the present where currently 17.4% of people resident in South Derbyshire are aged 65 and over.
- 3.3.7 In terms of social profile the District is considered to be fairly affluent being ranked 213 out of 354 local authorities nationally (where rank one is most deprived). Life expectancy within the District (78.7 for men and 83.4 for women) is also slightly higher than the national average for men and women (78.5 and 82.5 respectively). Just over 1/6 of the population of South Derbyshire have a limiting long term illness (17.5%). This is lower than the Derbyshire average and surrounding districts.
- 3.3.8 Access to natural green space is known to influence the health of people and effect health inequalities. Within South Derbyshire access to natural greenspace has been mapped within an updated open space assessment. This indicates that access to open space is best around the National Forest area including Swadlincote and along the Trent Valley where a number of larger villages are located close to historic minerals working which have been restored with public access. However, a number of locations do not meet Natural England's natural green space standards and could therefore lead to health inequalities resulting from a lack of access to such areas. Natural green space provision is generally better in the southern part of the District, largely due to the level of accessible natural green space delivered through National Forest Planting.
- 3.3.9 Crime rates within the District are lower than the national average and have fallen over the past 5 years. Similarly recent surveys undertaken by Derbyshire County Council indicate that the number of residents very worried or fairly worried about crime have fallen since 2011.
- 3.3.10 With regard to educational attainment 26.0% of residents aged 16-74 have higher-level qualifications (degree, HNC, HND or equivalent) and 48.3% have lower level qualifications (GCSEs, A levels (NVQ level three or lower). A further 25.7% of the District's residents have no qualification or their educational attainment is unknown. Census data indicates a significant dichotomy in educational attainment between the

---

<sup>9</sup> 2011 Census - Population and Household Estimates for England and Wales, March 2011. Available [here](#)

north and south of the District, with residents living in the northern part of South Derbyshire typically being educated to a higher level.

- 3.3.11 Main roads located within the District include the A38 and A50. Both the M1 and the A42 are also accessible locally. Other locally important routes include the A444, A511 and the A514. Traffic counts undertaken on key local roads by the Department of Transport indicate that traffic flows have remained broadly flat since 2009, although would be likely to increase as a result of development to be delivered through the Part 1 Local Plan. Public transport provision within the District is focused around the main commercial centre of Swadlincote. There are two train stations within the District (Willington and Hatton), although stations at Burton on Trent and Derby are also important locally. East Midlands Airport is located just outside the District in North West Leicestershire.
- 3.3.12 At 2011, 13.5% of households had no access to a car, whilst 40.9% and 45.6% respectively had access to either one car, or two or more cars. As such car ownership is considerably higher within the District than at the national level, no doubt reflecting the largely rural nature of the District. Superfast broadband coverage remains patchy in the District although significant improvements to local connectivity are being delivered under the Digital Derbyshire scheme. More information on this can be found at: [www.digitalderbyshire.org.uk/](http://www.digitalderbyshire.org.uk/)
- 3.3.13 78.5% of South Derbyshire working age population is economically active, which compares favourably to the national average of 77.4%. This, however, masks inequalities at a more local level. Of the working population living in South Derbyshire, only 40% of residents also work within the District. 60% of the Districts working residents commute out of the District to work. Census Data for 2001 (there is no more recent data) indicates that South Derbyshire is a net-exporter of labour as around 25,000 people leave the District to work, but only 12,500 workers living in other Districts commute into South Derbyshire to work. Average earnings in 2013 for people who work in the District is £24,278. The average earnings for people who live within the District is £27,111. Unemployment rates within the District stood at 1.7% in May 2014, although unemployment rates are notably higher within the Swadlincote area than in the settlements located in the northern part of the District.

### **MATERIAL ASSETS**

- 3.3.14 In order to meet the District's housing need the Local Plan Part 1 has made provision for around 9,605 homes up to 2028. A further 3,013 homes will also be delivered to meet unmet housing needs arising in Derby City. Presently there are around 41,000 homes in the District of which around 40% are detached, 35% semi-detached and 20% terraced. Affordability of homes in South Derbyshire is typically 5.8x average salary. This represents a slight improvement in affordability which in 2010 was 6.65x average salary. House prices are comparatively expensive compared to surrounding Districts such as Derby City, Amber Valley and East Staffordshire, although there are notable differences in respect of affordability across the District with homes in Swadlincote, Hilton and on the edge of Derby typically being more affordable than those located in the District's villages.
- 3.3.15 In respect of affordable housing there is a significant stock of affordable housing in the District. However the number of new affordable homes delivered each year has been low over recent years typically being between 25 and 35 homes per annum. This is less than a tenth of the overall number of housing completions and well below the actual requirement to meet affordable housing need. The Local Plan seeks to ensure that up to 30% of new homes built up to 2028 will be affordable and the most recent evidence indicates that affordable housing delivery in the District continues to increase as more recent planning permissions build out.

- 3.3.16 The 2011 Census indicates that 28,253 people commuted out of South Derbyshire to work. In contrast inflows into the District were 14,322. On balance, South Derbyshire is a net exporter of labour; its resident workers exceed the jobs located in the District by around 14,000 jobs.
- 3.3.17 There are around 3,625 businesses located within the District, of which around 91% employ 9 people or less. Only 10 companies employ in excess of 250 people. Business births in the District each year currently stands at around 300-350 per annum.
- 3.3.18 The number of A1 uses (shops) within Swadlincote town centre has decreased in recent years falling from 61% of all primary frontage in 2012 to 53.7% in 2014. Over the same period vacancy rates have increased from 11% to 13.5% with a particular cluster of vacant shops being located in the Delph. In particular Swadlincote is particularly poorly served by comparison shopping outlets and there is significant leakage out of the town to surrounding shopping venues such as Burton on Trent and Ashby de la Zouch.
- 3.3.19 Away from Swadlincote there has been some loss of local retail facilities including public houses though there has also been a number of small new retail outlets serving smaller communities such as Hilton and some parts of the Swadlincote wider urban areas. Small retail facilities provide important facilities which meet top up needs locally.

### **SOIL WATER AND AIR**

- 3.3.20 Soil quality varies across the District. There is no grade 1 (agricultural land classification) agricultural land in South Derbyshire. There are significant areas of grade 2 agricultural land within the Trent Valley (mainly to the south of the river Trent between Melbourne and Burton, around Drakelow, Walton on Trent and Cauldwell as well around the southern villages of Overseal, Netherseal and Lullington). Around Swadlincote, land is generally classified as being unsuitable for agriculture or is mainly Grade 4 of the agricultural land classification. Away from these areas most land is of average quality being grade 3a or 3b (Grade 3a falling within the Government's definition of Best and Most Versatile land). During the Plan period greenfield land losses (across all grades) associated with new development will be in the region of 470ha. A further 45ha is likely to be lost to accommodate further development proposed in the LP2, these will mainly be on agricultural land on the edge of existing settlements, although around 7ha will be previously developed. .
- 3.3.21 The amount of household waste generated per person in South Derbyshire has increased slightly since 2000/01 rising from 440kg per head to 496kg per head in 2013/14. However the amount of waste composted or recycled has increased significantly in recent years. 13.19% of the District's household waste was composted or recycled in 2005/06 – by 2013/14 this had increased to 48.2%. At 2013/14 51.8% of household waste from South Derbyshire was landfilled, although the District's residual waste is now diverted away from landfill and is incinerated to generate energy.
- 3.3.22 Additional minerals and waste capacity is likely to be needed within the plan period. This is likely to lead to further greenfield land losses to accommodate these facilities, some of which may be in locations which have not historically seen such developments. Further information on Minerals and Waste Policy can be found on Derbyshire County Council's [website](#).
- 3.3.23 The District's previously developed (brownfield) land equates to around 373 hectares or just under 1% of the land area of the District, although this will reduce as the

consented housing sites at Drakelow, Hilton Depot and Aston Hall Hospital that are currently under construction are completed and the proposed gas fired power station at Willington is built out. In 2006/07 86.2% of new homes were built on previously developed land, however as previously developed land has been reused the amount of new development on such sites has fallen away. In 2014/15 33% of new homes were built on brownfield sites.

- 3.3.24 Water quality within the District's main rivers is generally classified as being of poor or moderate quality and rivers are unlikely to meet good status as required by the Water Framework Directive in the Dove, Trent, Derwent and Mease by 2015. In particular water quality in the River Mease catchment is of particular concern given the sites designation as a Special Area of Conservation. Joint working between local planning authorities, Severn Trent Water, Environment Agency and Natural England has contributed to significant improvements in water quality in this river catchment although current water quality still poses a threat to the integrity of this site.
- 3.3.25 There are presently no air quality management areas within South Derbyshire. The air quality in South Derbyshire is relatively good compared with many cities and major built up areas across the country. This does not mean, however, there are no areas of concern within the District. Emissions from traffic are a notable issue in some parts of the District and monitoring in respect of nitrogen dioxide is ongoing in a number of locations throughout the District. Generally air quality remains within national target levels, although further monitoring is being undertaken along High Street, Repton due to the volume of traffic using this road (around 6,200 movements per day) and the enclosed nature of the street which prevents dispersion of gases. Further information on localised quality monitoring in South Derbyshire is available to view [here](#).

### **CLIMATIC FACTORS**

- 3.3.26 There are 2,732 buildings located within areas identified as being at high flood risk (Flood Zone 3a) and 3,792 (includes those at high flood risk also) buildings located within areas identified as being at medium flood risk (in Flood Zone 2) from fluvial sources (rivers and brooks). It should be noted that areas located in high flood risk may be defended by flood measures to a standard of protection equivalent to medium flood risk. Whilst these figure can change as modelled flood outlines on key watercourses are changed or updated, it is clear that recently completed works around the River Dove have improved flood protection to 1,619 homes in the District according to Environment Agency data. Further proposed works along the Derwent could also improve flood protection and deliver local biodiversity and green infrastructure benefits around the communities of Shardlow and Ambaston. Increasingly, flood risk is also occurring from other sources such as surface water flooding around Scropton, Ticknall and Woodville and ground water flooding or sewer flooding which is possible across much of the District.
- 3.3.27 Water usage in the Severn Trent Water resource area (which serves the majority of South Derbyshire) is notably lower than the England average being 130 litres per person per day (England average is 147 litres). However, Severn Trent's most recent Water Resource Management Plan (WRMP) indicates that in order to ensure adequate water resources are available by the end of the period covered by the WRMP some demand management measures will be required.
- 3.3.28 Gas and electricity consumption are similar to national averages, although carbon dioxide emissions per person remain significantly higher than the England average. Annual rainfall within the District is slightly lower than the regional and national averages being 870mm in 2012.

3.3.29 There are large scale low carbon and renewable energy installations located at Toyota, Bretby Landfill, Hartshorne, Coton Park and Drakelow. Combined these have capacity to generate 18.35MW of electricity.

3.3.30 New development over the Plan period, together with landscape scale green infrastructure provision planned along the Trent Valley (following a sensitivity study undertaken by Derbyshire County Council and a commitment to deliver landscape scale change in this area by the Local Nature Partnership) and in the National Forest could provide opportunities to manage the effects of climate change, through ensuring that flood risk is managed effectively (for example through the provision of sustainable drainage systems, reconnecting rivers to the floodplains and improved land management) by helping to offset carbon emissions (tree planting in new developments and within the National Forest) and through the provision of green spaces to influence local (micro) climates (urban cooling).

### CULTURAL HERITAGE

3.3.31 In total there are 22 Scheduled Ancient Monuments, 5 historic parks and gardens and 22 Conservation Areas within the District. There are 712 listed building within South Derbyshire, of which 48 are grade 1 listed, 48 are grade 2\* and 616 are grade 2. The number of Heritage at Risk entries in the District totals 18:

- 8 are buildings or structures,
- 6 are places of worship,
- 2 are archaeological sites,
- 1 is a registered park and garden (Elvaston) and
- 1 a conservation area (Swarkestone).

3.3.32 The County Council has, as part of its landscape characterisation work for the District identified Areas of Multiple Environmental Sensitivity in South Derbyshire. This work includes consideration of areas of historic significance and identifies areas of historic sensitivity at a landscape scale. The areas identified as having the greatest value are concentrated around the Trent and Dove Valleys and the southern and central parts of the District. More information on Derbyshire County Council’s Landscape Character of Derbyshire and Areas of Multiple Environment Sensitivity (AMES) is available to view [www.derbyshire.gov.uk/environment/conservation/landscapecharacter](http://www.derbyshire.gov.uk/environment/conservation/landscapecharacter). In respect of Heritage Environment Records they are spread across the District but there are concentrations of records located along the River Valleys (Trent, Dove and Derwent) and around Swadlincote and to the south of the District. The Council has not presently assembled a local list of heritage assets, although the Council has committed within its Part 1 Plan (Policy BNE2) to preparing such a list covering the same categories as designated assets in the national list in accordance with best practice.

### LANDSCAPE

3.3.33 There are 5 National Character Areas (NCAs) which fall within South Derbyshire; Melbourne Parklands, Mease and Sense Lowlands; the South Derbyshire Coalfield; the Trent Valley Washlands and the Needwood and South Derbyshire Claylands. The broad locations of these are set out at Appendix 21.3. The various landscape types within South Derbyshire were subject to a systemic assessment of how they are changed. The last assessment was undertaken in 2003, but whilst dated, this information provides some context regarding the quality of landscapes within the District. The broad effects of this study are as follows:

Joint Character Area	Condition
68 Needwood and South Derbyshire Claylands	Maintained
69 Trent Valley Washlands	Diverging
70 Melbourne Parklands	Enhancing

71 Leicestershire and South Derbyshire Coalfield	Enhancing
72 Mease and Sense Lowlands	Maintained

3.3.34 With the exceptions of the Trent Valley Washlands this assessment work identified that landscape character areas in South Derbyshire were stable (maintained) or showed changes that were generally consistent with existing character area descriptions or improving the overall quality of landscape (enhancing). The Trent Valley Washlands, has and continues to be affected by ongoing pressure from development and agricultural change, although the Part 1 Local Plan is seeking to support proposals from the Local Nature Partnership and other bodies to develop a clear landscape vision and strategy to guide landscape change within this area. Further information on the assessments undertaken by Countryside Quality Counts can be found at: <http://webarchive.nationalarchives.gov.uk/20101219012433/http://countryside-quality-counts.org.uk/index.html>

3.3.35 The National Character Areas are further subdivided by the County landscape character assessment into more twelve detailed landscape character types, all of which are diverse landscapes with distinct characteristics. A list of the landscape character types is available to view below and a map illustrating the area covered by these distinct landscapes set out in appendix 2 (23.1).

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

3.3.36 The main land use within the District is agriculture which occupies 24,095ha or 71% of the District and reflects the Districts predominantly rural nature. However, there is significant pressure for new development, particularly on the fringes of Derby City and Swadlincote reflecting South Derbyshire's status as the fastest growing District in Derbyshire.

### INTERACTIONS BETWEEN THE ABOVE ISSUES

3.3.37 The natural environment provides many services that are valued by people. Sometimes referred to as ecosystem services these are often split into four broad categories: *provisioning*, such as the production of food and water; *regulating*, such as the control of climate and disease; *supporting*, such as the recycling of nutrient and crop pollination; and *cultural*, such as the delivery of recreational benefits. In reality the natural environment is complex and in seeking to deliver one Plan objective wider impacts, either positive or negative, could occur in respect of other plan objectives. For example, the delivery of floodplain improvements through re-connecting a watercourse within a floodplain could reduce flood risk to local communities, improve water quality, improve biodiversity, create new recreation opportunities and improve local soil resources.

3.3.38 Whilst for the purposes of describing the baseline characteristics of the District the information is presented under the defined sub headings, it is proposed that within the SA any interactions between individual topic headings will be considered.

3.3.39 The information included in the above description of the evidence base is considered in further detail at Appendix 2 of the Part 2 Local Plan Scoping Report. This is available on the Council's [website](#).

#### **DATA LIMITATIONS**

- South Derbyshire District was subject to a boundary review of its ward areas in 2009. This review led to changes in a number of ward boundaries in the District which makes comparing historical time series data less reliable for those areas which have been subject to boundary changes.
- The Council holds detailed environmental and social information on a number of areas around some potential LP2 development locations due to historic environmental assessment work, undertaken in those areas – often to support local planning applications. In particular we hold information on many of the Key Service villages where allocations have already been made including Hilton, Hatton, Repton, Etwall and Aston on Trent as well as parts of the wider Swadlincote Area. In order to try and address this issue we have commissioned numerous studies to allow a broad scale understanding of social, environmental and economic issues across the whole District.
- It is likely that development applications will require further detailed studies, for example in respect of biodiversity, landscape effects, flood risk and drainage and transport effects to provide a more fine grained analysis of likely effects. In some cases such data is already available as allocations in LP2 have already been subject to consideration through the Development Management process. This additional information will help ensure that development effects are appropriately addressed through the design and implementation of new development sites.

3.3.40 Further information on the current state of the environment and the likely effects of the plan are considered at sections 5 and 6 of this report and at Appendix 3 (Key Issues of the LP2 Update Scoping Report which can be found on the Council's [website](#)). The following section explains the key issues identified by the Council and sets out the SA objectives to address these.

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

3.4.1 Following a review of the baseline data collected to inform the preparation of both the Adopted Part 1 Local Plan and LP2 the key environmental, social and economic issues currently affecting the District are summarised in table 3.1. Additional information explaining the nature of potential impacts and the likely evolution of key sustainability issues affecting the Plan area without the implementation of the Local Plan are summarised at Appendix 3 of the Local Plan Part 1 Scoping Report Update . The issues and likely future trends identified in this table were initially drawn up, and published during the 'scoping' stage. However, they have subsequently been amended to reflect comments received back during the scoping consultations.

3.4.2 The following Table indicates the Key Issues identified at Appendix 2 and the sustainability appraisal objectives identified by the Council to address those issues.

**Table 3.1 Key Issues and SA Objectives**

<b>Biodiversity, Geodiversity, Fauna and Flora</b>	
<b>1</b>	New development may affect specific nationally, or internationally designated wildlife sites
<b>2</b>	New development could lead to the loss or deterioration of local habitats
A single SA objective has been identified to tackle the above key issues	
- <b>To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District</b>	
<b>Population and Human Health</b>	
<b>3</b>	South Derbyshire has the fastest growing population in Derbyshire
<b>4</b>	The District has an ageing population
<b>5</b>	The cost of housing within the District is unaffordable for many within the local community.
<b>6</b>	The District has a significant population of gypsies and travellers whose needs differ to the wider population.
<b>7</b>	Levels of deprivation vary throughout the District with particular pockets of deprivation within the Swadlincote urban area.
<b>8</b>	Skill levels vary significantly across the District.
<b>9</b>	Crime rates within the District are low but fear of crime remains a significant issue
<b>10</b>	Many rural communities are becoming increasingly dormitory in nature due to the loss of existing community facilities and services
<b>11</b>	Less than a quarter of District's adults frequently participate in physical activity
Six SA objectives have been identified to tackle the above key issues	
- <b>To provide decent and affordable homes that meet local needs</b>	
- <b>To improve the health and wellbeing of the population</b>	
- <b>To improve community safety and reduce crime and fear of crime</b>	
- <b>To improve educational achievement and improve the Districts skills base</b>	
- <b>To promote social inclusion and reduce inequalities associated with deprivation across the District.</b>	
- <b>To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.</b>	



### Material Assets

12	The District has a relatively small workplace workforce and is reliant on manufacturing for many of its jobs
13	There is pressure on existing employment sites to be developed for housing.
14	Around 70% of the District is in agricultural use, but farmers and those in related businesses are facing increasing pressure to diversify.
15	Unemployment rates are on average low but vary significantly across the District.
16	The District is well served by the strategic road network although many routes suffer frequent congestion.
17	Local transport routes are relatively poor and suffer congestion, particularly during peak travel times.
18	Public transport provision across the District is variable
19	There are high levels of car usage and ownership within the District
20	The quality and range of retail and leisure services offered in Swadlincote and villages needs conserving and enhancing to prevent the loss of customers to nearby regional or local centres.

- Five SA objectives have been identified to tackle the above key issues
- **To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)**
  - **To achieve stable and sustainable levels of economic growth and maintain economic competitiveness**
  - **To diversify and strengthen local urban and rural economies and create high quality employment opportunities**
  - **To enhance the vitality and viability of existing town and village centres**
  - **To improve the quality of new development and the existing built environment**

### Soil, Water and Air

22	The majority of household waste is still disposed of to landfill.
23	There will be a continued need for the sand and gravel workings within the Trent, Lower Derwent and Dove Valleys.
24	New development will generate the need for additional water supply but existing water supplies in many parts of the region are fully committed.
25	There is a lack of capacity in both the sewerage system and receiving environment in some areas to receive additional wastewater flows.
26	Much of the District lies within areas known to be at significant flood risk
27	New development could give rise to increased air, water or light pollution or could reduce local tranquillity
28	There is a significant amount of previously developed (brownfield) land within the District

- Five SA objectives have been identified to tackle the above key issues
- **To minimise waste and increase the reuse and recycling of materials**
  - **To promote sustainable forms of construction and sustainable use of natural resources**
  - **To reduce, water, light, air and noise pollution**
  - **To minimise the irreversible loss of undeveloped (greenfield) land**
  - **To reduce and manage flood risk and surface water runoff**

### Climatic Factors

29	There is virtually no existing renewable energy generation capacity within the District
----	---

A single SA objective has been identified to tackle the above key issue

- **To reduce and manage the impacts of climate change and the District's contribution towards the causes**

<b>Cultural Heritage</b>	
<b>30</b>	The archaeological or cultural heritage of the District (including the setting of heritage assets) is threatened by new development which can erode the quality of heritage features or sterilise or lead to the loss of existing resources
<b>31</b>	The District benefits from a wealth of designated and undesignated heritage features, but a significant proportion of heritage assets are identified as being at risk.
Two SA objectives have been identified to tackle the above key issues	
<ul style="list-style-type: none"> <li>- <b>To conserve and enhance the historic environment, heritage assets and their settings</b></li> <li>- <b>To improve access to the cultural heritage of the District for enjoyment and educational purposes</b></li> </ul>	
<b>Landscape</b>	
<b>31</b>	Uncontrolled or unsympathetic development could harm local landscape or townscape character
<b>32</b>	New development could lead to the loss of existing open space which has recreational value or benefits the character of the area
A single SA objective has been identified to tackle the above key issue	
<ul style="list-style-type: none"> <li>- <b>To conserve and enhance the District's landscape and townscape character</b></li> </ul>	

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

4.0.1 Following on from the review of other plans, policies and programmes, the review of baseline data and the identification of key sustainability issues considered earlier in this report the Council developed a Sustainability Appraisal Framework against which the Local Plan broad options can be tested. The 'framework' sets out a number of sustainability appraisal objectives, key questions and assessment criteria that the District Council has used to identify and predict the effects of implementing the LP2.

### **4.1 SUSTAINABILITY OBJECTIVES**

4.1.1 The sustainability objectives were largely developed for the Part 1 Local Plan following a detailed review of relevant plans and strategies established at international, European community, national, regional and local levels. In developing the proposed objectives, the key documents have been used develop our own locally relevant sustainability objectives. These are:

- National Planning Policy Framework
- The Derbyshire Sustainable Community Strategy
- The South Derbyshire Sustainable Community Strategy

4.1.2 The sustainability objectives used to inform the appraisal of the Local Plan Part 1 have, wherever possible been used to inform the LP2 as clearly this will also form part of the overall Development Plan for the District. However a number of minor amendments have been made to the appraisal framework to reflect comments made to the Authority during the 'scoping' work. The most notable of these was an amendment to sustainability objective 19 (cultural heritage). The updated sustainability objective now reads '**To conserve and enhance the historic environment, heritage assets and their settings**', previously the objective against which options were tested was to 'protect and enhance the cultural, architectural and archaeological heritage of the District'.

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

4.2.1 Detailed decision-making criteria or sub-objectives are also included within the SA Framework. The purpose of these sub-objectives is to provide prompts which allow the council to identify whether detailed objectives are being met. In total 53 detailed decision making criteria are included within the SA Framework. No changes were made to these criteria despite the identified change to SA objective 19, as outlined above.

### **4.3 INDICATORS**

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

### **4.4 THE SUSTAINABILITY APPRAISAL FRAMEWORK**

4.4.1 The SA framework is set out in Table 4.1 below.

**Table 4.1: The Sustainability Appraisal Work**

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Biodiversity, Geodiversity, Flora and Fauna*	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	Will it conserve and enhance natural semi natural habitats including internationally nationally and locally designated wildlife sites, or create new wildlife habitats?	<b>Proportion of local sites where positive conservation management has been or is being implemented</b> <i>Annual Monitoring Report updated annually.</i> <b>Quality of SAC/SSSIs within South Derbyshire</b> <i>(Natural England Website-updated annually)</i> <b>Number of County Wildlife Sites and Local Nature Reserves in South Derbyshire</b> <i>Annual Monitoring Report updated annually.</i>	By 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced
		Will it conserve protected species and habitats, UK and local BAP Priority Species and Habitats and enhance diversity?	<b>Performance against Lowland Derbyshire Biodiversity Action Plan Targets</b> <i>LDBAP Partnership</i>	Full list of targets available to view at: <a href="http://derbyshirebiodiversity.org.uk/">http://derbyshirebiodiversity.org.uk/</a>
		Will it increase National Forest tree coverage in the District?	<b>National Forest coverage within the District</b> <i>(SDDC/National Forest Company)</i> <i>Annual Monitoring Report updated annually.</i>	Achieve 33% woodland planting and habitat creation across the National Forest Area
		Will it integrate new development within the setting of the National Forest?	<b>Total area of national forest tree planting secured within District (Annually) as a result of new development</b> <i>(AMR Local Indicator Data supplied by National Forest)</i>	National Forest planting Requirements 20% forest creation on dev. sites between 0.5ha and 10ha. 30% planting on sites over 10ha
		Will it protect sites of geological importance?	<b>Number and area of RIGS within District</b> <i>(South Derbyshire District Council)</i>	--
Population and Human Health	To provide decent and affordable homes that meet local needs	Will it reduce the number of households waiting for accommodation or accepted as homeless?	<b>Number of households on the household register</b> <i>South Derbyshire District Council</i> <b>Number of people accepted as homeless (annually)</b> <i>NHS South Derbyshire Health Profile/SDDC</i>	--
		Will it increase the range and affordability of housing for all social groups?	<b>Net Additional Dwellings</b> <i>(AMR Core Indicator H2)</i>	Deliver 12,618 between 2011-2028
		Will it improve the suitability of new homes for older and disabled people?	<b>Number of extra care homes delivered in the District annually.</b> <i>(South Derbyshire District Council)</i>	
		Will it provide sufficient housing to meet existing and future housing need?	<b>Net Affordable housing completions</b> <i>(AMR Core Indicator)</i> <b>Housing mix (new housing types)</b> <i>(AMR Local Indicator)</i>	25% of all housing between 2011-28 to be affordable.
		Will it reduce the number of unfit and empty homes?	<b>Number of non-decent homes in District</b> <i>South Derbyshire Private Sector Housing Condition Survey (South Derbyshire District Council)</i> <b>Long term vacant dwellings</b> <i>NOMIS</i>	
		Will it meet the needs of the travelling community and show people?	<b>Net Additional Pitches</b> <i>South Derbyshire District Council AMR Core Indicator (H4)</i>	GTAA suggests a need for a further 27 pitches between 2014-2029.

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Population and Human Health	To improve the health and well-being of the population	Will it improve people's health?	<b>Life expectancy at birth (male and female)</b> <i>(NHS South Derbyshire Health Profile-updated annually)</i>	--
		Will it improve accessibility to health care for existing residents (including older and disabled residents) and provide additional facilities for new residents?	<b>Number of new or improved healthcare facilities delivered annually through development</b> <i>(South Derbyshire District Council)</i>	--
		Will it promote healthy lifestyles?	<b>Number of new sports pitches or other leisure facilities delivered annually through development</b> <i>(South Derbyshire District Council)</i> <b>Physically Active Adults</b> <i>APHO Health Profile South Derbyshire updated annually</i>	By 2016 achieve a 1% point increase in adult participation of 3 x 30 minutes, (from 2005 baseline of 20.9%).
Population and Human Health	To improve community safety and reduce crime and fear of crime	Will it reduce crime and fear of crime	<b>Community Safety: Crime rates within South Derbyshire</b> <i>Police Crime Map</i>	--
		Will it reduce the number people involved in accidents?	<b>Road Safety Road injuries and deaths in South Derbyshire</b> <i>APHO Health Profile South Derbyshire updated annually</i>	--
Population and Human Health	To improve educational achievement and improve the District's skills base	Will it increase educational attainment amongst young people?	<b>Key stage 4: Percentage of school leavers achieving 5 or more grades A*-C at GCSE including maths and English</b> <i>APHO Health Profile South Derbyshire updated annually</i>	--
		Will it reduce the number of working age residents who have no, or lower level qualifications?	<b>Proportion of working age population with no, or lower level qualifications</b> <i>Nomis updated annually</i>	--
Population and Human Health	To promote social inclusion and reduce inequalities associated with deprivation across the District	Will it narrow the inequality gap between richest and poorest in the District?	<b>Index of Multiple Deprivation SOA and District level data (IMD)</b> <i>(DCLG updated periodically at irregular intervals) Next update 2015?</i>	--
Material Assets	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	Will it make access easier for those households who do not have a car?	<b>Settlements in District served by hourly bus and/or train services</b> <i>South Derbyshire District Council Area Profile</i>	--
		Will it help deliver new or protect existing local services and facilities and encourage the creation of new facilities and public transport provision?	<b>Loss of local community, leisure and shopping facilities to other uses</b> <i>South Derbyshire District Council AMR Contextual Indicator.</i>	--

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Material Assets	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	Will it minimise the impact of traffic congestion on the strategic and local road network?	<b>Traffic Counts on selected strategic roads in the District</b> <i>DFT updated annually</i> <a href="http://www.dft.gov.uk/traffic-counts/download.php">http://www.dft.gov.uk/traffic-counts/download.php</a>	
		Will it increase the proportion of journeys using modes other than the car?	<b>Journey to work by mode</b> <i>ONS Census Data - updated decennially</i>	--
		Will it make the best use of other infrastructure which serves new development	<b>Capacity at Waste Water Treatment Works</b> <i>Updated periodically (annually in Mease Catchment) by STW and SDDC</i> <b>Superfast Broadband Roll Out</b> <i>Digital Derbyshire Website</i>	--
Material Assets	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	Will it encourage the creation of new businesses and existing businesses to grow?	<b>Business Births</b> <i>ONS updated annually.</i>	--
		Will it reduce unemployment rates overall and reduce disparities which exist across different parts of the District?	<b>Unemployment by ward</b> <i>Derbyshire County Council Monthly unemployment bulletin</i>	--
		Will it encourage economic diversification?	<b>Proportion of the District Employed in key sectors</b> <i>(NOMIS, Labour Market Profile for South Derbyshire – updated annually)</i>	--
Material Assets	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	Will it improve average incomes within the District?	<b>Average income within the District by place of work</b> <i>(ONS Annual Survey of Hours and Earnings (ASHE – updated annually)</i>	--
		Will it ensure the provision of an adequate supply of employment land and protect existing viable employment land sites?	<b>Total additional land and floor space developed by type</b> <i>SDDC AMR Core Indicator (BD1) - updated annually</i> <b>Total available employment land and floor space by type</b> <i>SDDC AMR Core Indicator (BD3) - updated annually</i> <b>Losses of employment land</b> <i>SDDC AMR Local Indicator (BD3) - updated annually</i>	Provision of 53ha of new employment land between 2011-2028
		Will it help support and encourage the growth of the rural economy?	<b>Total additional floor space and land developed</b> <i>(South Derbyshire District Council)</i>	--
Material Assets	To enhance the vitality and viability of existing town and village centres	Will it improve existing shopping facilities within Swadlincote, Melbourne and larger villages?	<b>Total amount of retail floor space (by type) in Swadlincote Town Centre</b> <i>South Derbyshire District Council AMR Core Indicator (BD3)- updated annually</i> <b>New retail space developed within villages</b> <i>South Derbyshire District Council to be collected as part of Annual Monitoring</i> <b>Loss of shops and other retail businesses to other uses</b> <i>South Derbyshire District Council</i> <b>Vacancy rates in Swadlincote Town Centre</b> <i>South Derbyshire District Council</i>	--

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Material Assets	To improve the quality of new development and the existing built environment.	Will it improve the quality of new development?	<b>Number of homes completed annually meeting BfL12 Diamond Standard</b> <i>To be established as a South Derbyshire District Council AMR local Indicator</i>	--
		Will it provide opportunity to use locally available natural resources or materials?	<b>Locally available aggregate resources</b> <i>Derbyshire County Council Local Aggregate Assessment (updated annually)</i>	--
Soil, Water and Air	To minimise waste and increase the reuse and recycling of waste materials	Will it lead to the reduced consumption of materials?	<b>Residual Household waste per household</b> <i>South Derbyshire District Council AMR local Indicator</i>	--
		Will it increase waste recovery and recycling?	<b>Percentage of household waste sent for reuse, recycling or composting</b> <i>South Derbyshire District Council AMR local Indicator</i>	Recycling and composting of household waste to reach 40% by 2010, 45% by 2015 and 50% by 2020 (national target)
		Will it reduce the proportion of waste sent to landfill?	<b>Municipal waste landfilled</b> <i>South Derbyshire District Council AMR local Indicator</i>	By 2013 to reduce the amount of biodegradable waste land filled to 80% of what it was in 1995. (National target)
Soil, Water and Air	To promote sustainable forms of construction and sustainable use of natural resources	Will it promote the implementation of sustainable construction techniques?	<b>Proportion of Homes built to meet 110lp/d usage in accordance with Policy SD3 of the Pt 1 Local Plan</b> Part 1 Local Plan.	--
		Will it help reduce the need for land won primary minerals including sand and gravel?	<b>Annual Aggregate usage</b> <i>Derbyshire County Council Local Aggregate Assessment (updated annually)</i>	Target to be established through Minerals Local Development Framework
		Will it help ensure that water resources are used efficiently?	<b>Water Usage per capita within Severn Trent and South Staffordshire Water Resource Areas</b> <i>STW and SS websites</i>	125 l/p/d (Based on target included within building regulations)
Soil, Water and Air	To reduce water, light, air and noise pollution	Will it reduce water pollution?	<b>Number of planning applications granted contrary to Environment Agency advice on water quality</b> <i>South Derbyshire District Council AMR local Indicator</i> <b>Annual average (mg/l) Orthophosphate in Selected watercourses in District</b> <i>Environment Agency updated annually</i>	<b>Target</b> 0.05mg/l on River Mease 0.12 mg/l on other watercourses
		Will it reduce light pollution?	<b>Number of light pollution complaints received per 1000 residents</b> <i>(South Derbyshire District Council to be collected as part of Annual Monitoring)</i>	--
		Will it improve air quality?	<b>Population living within Air Quality Management Areas within the District</b> <i>South Derbyshire District Council AMR local Indicator</i>	--
		Will it reduce noise pollution?	<b>Number of noise pollution complaints received per 1000 residents</b> <i>(South Derbyshire District Council to be collected as part of Annual Monitoring)</i>	--
Soil, Water and Air	To minimise the irreversible loss of undeveloped (greenfield) land	Will it reduce the loss of agricultural land to new development?	<b>Proportion of homes built on Greenfield land</b> <i>South Derbyshire District Council AMR Core Indicator (H3)- updated annually</i> <b>No of redundant building bought back into use</b> <i>South Derbyshire District Council</i> <b>Proportion of long term vacant dwellings in the District</b> <i>Neighbourhood Statistics</i>	--

Sustainability Topic	Sustainability Objective	Detailed decision making criteria	Detailed indicator	Specific Targets (where relevant)
Soil, Water and Air	To reduce and manage flood risk and surface water runoff	Will it reduce the impacts of flood risk?	<b>Number of Planning Permissions granted contrary to Environment Agency advice on fluvial flooding.</b> <i>SDDC AMR updated annually</i> <b>Number of Planning Permissions granted contrary to Lead Local Flood Authority advice on surface water flooding.</b> <i>(South Derbyshire District Council)</i> <b>Number of existing properties within the Environment Agency's flood risk areas</b> <i>(South Derbyshire District Council)</i>	No applications to be granted contrary to EA advice.
		Will it reduce surface water run off within the District?	<b>Proportion of new development/dwellings incorporating Sustainable urban drainage techniques</b> <i>(SDDC collected as part of Annual Monitoring Report)</i>	--
Climatic Factors	To reduce and manage the impacts of climate change and the District's contribution towards the causes	Will it reduce the causes of climate change?	<b>Carbon dioxide emissions within Authority Area</b> <i>DECC – updated annually</i>	20% of energy from renewable sources by 2020 80% reduction in CO2 emissions by 2050.
		Will it provide opportunity for additional renewable energy generation capacity within the District?	<b>Renewable Energy Capacity within the District</b> <i>SDDC AMR local Indicator- updated annually</i>	To achieve 15% of energy consumed by 2020 (national target)
Cultural Heritage (including architectural and Archaeological Heritage)	To conserve and enhance the historic environment, heritage assets and their settings	Will it protect and enhance the setting of historic, cultural, architectural and archaeological features in the District?	<b>Number of listed buildings or structures in South Derbyshire</b> <i>SDDC AMR Local Indicator – updated annually</i> <b>Heritage at risk and number of assets removed from Register</b> <i>(based on EH HAR register)</i> <i>SDDC AMR Local Indicator – updated annually</i> <b>Proportion of Conservation Areas with an up to date character appraisal and management plan</b> <i>SDDC AMR local indicator – updated annually</i>	Target 100% of Conservation Areas to have an up to date character appraisal and management Plan.
Cultural Heritage (including architectural and Archaeological Heritage)	To improve access to the cultural heritage of the District for enjoyment and educational purposes	Will it improve access to the public and the understanding of the District's historic and cultural facilities?	<b>Visits to Sharpes Pottery</b> <i>Visit England website</i> <b>Number and Proportion of major planning proposals which improve access to heritage features as part of the scheme.</b> <i>SDDC AMR local indicator – updated annually</i>	100% of conservation areas to have an up to date character appraisal
Landscape	To conserve and enhance the District's landscape and townscape character	Will it reduce the amount of derelict degraded and underused land within the District?	<b>Proportion of new development on Brownfield Land database</b> <i>SDDC AMR Local Indicator – update frequency tbc</i>	--
		Does it respect and protect existing landscape character?	<b>The proportion of housing completions on sites of 10 or more) which have been supported, at the planning application stage by an appropriate and effective landscape character and visual assessment with appropriate landscape proposals.</b> <i>(SDDC to be collected as part of Annual Monitoring)</i>	--
		Will it protect and create open spaces, landscape features, woodlands, hedges and ponds?	<b>Number of planning application leading to a loss of open spaces</b> <i>SDDC AMR local Indicator - updated annually</i>	--



## SECTION 5: LOCAL PLAN BROAD OPTIONS APPRAISAL

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

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

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

The environmental characteristics likely to be significantly affected

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

The environmental [Sustainability Appraisal] report... shall be prepared in which the likely significant effects on the environment<sup>10</sup> of implementing the plan or programme and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme are identified, described and evaluated (Article 5)

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

### 5.1 COMPATIBILITY OF THE LOCAL PLAN OBJECTIVES AGAINST THE SUSTAINABILITY OBJECTIVES.

- 5.1.1 Government guidance on SA emphasises the importance of compatibility analysis as part of the appraisal process. By comparing the Plan Objectives set out in LP2 with the Sustainability Appraisal Objectives the Council can ensure that wherever possible the Plan will deliver 'sustainable development' and will not have unforeseen negative impacts on the people, economy or environment of South Derbyshire. This is because conflicts between the SA objectives and the plan objectives can be identified, and appropriate changes to the plan objectives or to the way the Plan is to be implemented can help resolve these.
- 5.1.2 It should be noted, however, that the plan objectives set out in the LP2 are distinct from the sustainability objectives (set out in the SA Framework) although in some cases there may be significant overlap between them.
- 5.1.3 Table 5.1 sets out the findings of the appraisal of the Local Plan objectives against the SA objectives. Information regarding identified conflicts is set out in table 5.2 together with consideration of how any conflicts can be best resolved.

<sup>10</sup> including issues such as biodiversity, population, human health, fauna, flora, water, soil, water, air, climatic factors, material assets, cultural heritage, including architectural and archaeological heritage, landscape and the interaction between the above factors; (these effects should include secondary, cumulative, synergistic, short medium and long-term, permanent and temporary, positive and negative effects. (SEA Directive Annex 1)

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

	To ensure future development is locally distinctive and environmentally, socially and economically sustainable through the achievement of design excellence, addressing the causes and effects of climate change and reducing waste and pollution.	To ensure the needs of an ageing population, and a higher than average proportion of younger people, are recognised in shaping all aspects of our communities	To enable, support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	To ensure our communities can be safe, clean, vibrant, active and healthy	To ensure sustainable, living and working urban and rural communities	To reduce the need to travel and to encourage travel by sustainable modes of transport, providing access to jobs, shopping, leisure, services and facilities from all parts of the District.	To ensure the social, physical and green infrastructure needed to support strong growth levels is provided at an appropriate time and accessible to our communities	To respect and enhance the varied character, landscape, cultural, heritage and natural environment of our fast growing District	To make the most of the economic, social and environmental opportunities presented by the District's central location within the National Forest and promote the continued growth of local tourism and leisure offer across the whole of the District.	To make optimum use of previously developed and under-used land and bring empty and derelict buildings into reuse subject to wider sustainability considerations	To enhance and develop the role of Swadincote town centre and its wider urban area as a focus for living, working, shopping and leisure	To ensure growth in South Derbyshire is co-ordinated with development in adjoining areas both within and outside the Derby HMA
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	✓	--	?	?	✓	?	?	✓	✓	✓	?	--	?
to provide decent and affordable homes that meet local needs	✓	✓	✓	✓	✓	✓	X	✓	?	✓	✓	✓	✓
to improve the health and well-being of the population	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	--	✓	✓
to improve community safety and reduce crime and fear of crime	✓	✓	--	--	✓	✓	✓	✓	--	--	✓	✓	✓
to improve educational achievement and improve the District's skills base	--	✓	✓	--	✓	--	--	✓	--	✓	--	✓	✓
to promote social inclusion and reduce inequalities associated with deprivation across the District	✓	✓	✓	✓	✓	✓	✓	✓	--	?	--	✓	--
To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	✓	✓	✓	✓	✓	?	✓	✓	--	✓	?	✓	✓
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	✓	✓	?	✓	✓	?	✓	✓	--	?	✓	✓	✓
To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	✓	✓	✓	✓	--	✓	✓	✓	X	✓	✓	✓	✓

to diversify and strengthen local urban and rural economies and create high quality employment opportunities	✓	--	✓	✓	--	✓	?	✓	X	✓	?	✓	✓
to enhance the vitality and viability of existing town and village centres	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	--
to improve the quality of new development and the existing built environment	✓	✓	--	✓	✓	--	✓	✓	✓	✓	✓	✓	✓
to minimise waste and increase the reuse and recycling of waste materials	✓	--	--	✓	--	--	--	✓	✓	✓	✓	--	--
to promote sustainable forms of construction and sustainable use of natural resources	✓	--	✓	✓	--	?	✓	--	?	✓	✓	--	--
to reduce water, light, air and noise pollution	✓	--	X	X	--	?	✓	✓	✓	✓	?	X	✓
to minimise the irreversible loss of undeveloped (greenfield) land	✓	--	--	?	✓	?	--	--	?	--	✓	?	✓
to reduce and manage flood risk and surface water run-off	✓	--	--	✓	✓	--	--	✓	✓	✓	?	--	✓
to reduce and manage the impacts of climate change and the District's contribution towards the causes	✓	--	?	?	✓	?	✓	✓	✓	✓	--	✓	✓
To conserve and enhance the historic environment, heritage assets and their settings	✓	--	X	X	✓	?	--	--	✓	✓	?	?	✓
to improve access to the cultural heritage of the District for enjoyment and educational purposes	✓	✓	?	?	✓	?	--	--	✓	✓	?	?	✓
to conserve and enhance the District's landscape and townscape character	✓	--	X	X	--	--	--	✓	✓	✓	?	?	✓

## Compatibility of the Plan Objectives and the Sustainability Objectives

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

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

Sustainability Objective	Plan Objective	Comment
to provide decent and affordable homes that meet local needs	To reduce the need to travel and to encourage travel by sustainable modes of transport, providing access to jobs, shopping, leisure, services and facilities from all parts of the District.	Directing new housing to more accessible rural locations, or to villages with a good level of local service provision through the settlement hierarchy policy could help reduce transport trips to access employment schools or retail provision and reduce the significance of any potential conflict.
to achieve sustainable and stable levels of economic growth and maintain economic competitiveness	To respect and enhance the varied character, landscape, cultural, heritage and natural environment of our fast growing District	Economic development including agricultural development may not be wholly compatible with the Plan Objective to respect local landscape character, culture and heritage asset and their settings. However, the likely effects of supporting small scale economic development associated with agricultural uses could be reduced through the requirements set out in policies such as BNE5 (Development in the Countryside), BNE6 (Agricultural Development), as well as BNE10 (Heritage) ensure any which will ensure that development is of an appropriate scale, sited close to existing buildings where possible and appropriate landscape mitigation is required and does not harm the setting of nearby heritage assets.
To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To respect and enhance the varied character, landscape, cultural, heritage and natural environment of our fast growing District	The diversification of existing urban and rural communities could conflict with objectives to respect local landscape character, culture and heritage. A Policy to balance these competing issues was added to the Part 1 Local Plan through the examination process (E7 Rural Development). Further policies concerning development in the countryside BNE5 (Development in the Countryside), BNE6 (Agricultural Development), as well as BNE10 (Heritage) will help ensure any conflicts are appropriately addressed.
to reduce water, light, air and noise pollution	To enable and support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources	The Part 1 Local Plan includes a policy to ensure that amenity, environmental quality and water quality is not unduly affected by new development. However further negative effects could arise from a policy to strengthen and expand Swadlincote town centre boundary in the LP2. Effects would be around conflicting uses of retail and leisure (such as public houses, bars and takeaways) and residential areas. A further policy (or criteria to RTL1) could be included in the LP2 to address amenity conflicts arising from potentially conflicting uses in the town centre.
to reduce water, light, air and noise pollution	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The Council has reviewed the wider sustainability of all sites to ensure that those preferred for development will not give rise to unacceptable effects in respect of pollution related impacts. Moreover policies are included in the Part 1 Local Plan in respect of Amenity and Environmental Quality (SD1) and Sustainable Water Supply, Drainage and Sewerage Infrastructure (SD3) to ensure that where windfall development comes forward schemes do not give rise to undue effects.
to reduce water, light, air and noise pollution	To enhance and develop the role of Swadlincote town centre and its wider urban area as a focus for living, working, shopping and leisure	These objectives could conflict where new development in Swadlincote town centre is supported through the local plan (including the identification of potential redevelopment locations). However, a policy is included in the Part 1 Local Plan in respect of Amenity and Environmental Quality (SD1). A further policy (or criteria to RTL1) could be included in the LP2 to address amenity conflicts arising from potentially conflicting neighbouring uses in the town centre.
To conserve and enhance the historic environment, heritage assets and their settings	To enable and support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable growth which respects environmental limits and safeguards natural resources	The Plan objective to deliver economic growth could erode the architectural and archaeological heritage of the District. In this case the Plan objective may not be wholly compatible with the sustainability objective. However strategic policies to protect heritage assets are included in the Part 1 Local Plan (Policy BNE2 - Heritage). In addition a further detailed policy is to be included in the LP2 that protects heritage assets (BNE10). These will provide protection to heritage assets including listed buildings, conservation areas, scheduled ancient monuments (as well as areas of potential archaeological importance) and Historic Parks and Gardens. In addition a policy to protect the key retail areas a shopfronts policy is also proposed (BNE11) which will ensure that new economic development does not unduly erode the character of existing towns and villages.
To conserve and enhance the historic environment, heritage assets and their settings	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	The Council has reviewed the wider sustainability of all sites to ensure that those preferred for development will not give rise to unacceptable effects in respect of heritage related impacts. In respect of windfall developments that come forward in the period to 2028 strategic policies to protect heritage assets are included in the Part 1 Local Plan (Policy BNE2 Heritage). In addition a further detailed policy is to be included in the LP2 that protects heritage assets (BNE10 and BNE11). Together these will provide protection to heritage assets including listed buildings, conservation areas, scheduled ancient monuments (as well as areas of potential archaeological importance) and Historic Parks and Gardens. The proposed designation of local green spaces (BNE7) could also provide additional protections to locally valued areas of heritage interest within many of South Derbyshire's settlements.
to conserve and enhance the District's landscape and townscape character	To enable and support and promote a robust and diverse economy, resistant to downturns and providing a strong base for sustainable	The Plan objective to deliver economic growth could have a negative effect on some landscapes, as well as local townscape. In this case the Plan objective may not be wholly compatible with the sustainability objective. However objectives to encourage economic growth are central to the plan. The Plan will therefore need to balance these competing issues. In order to ensure this a

	growth which respects environmental limits and safeguards natural resources	further policy was added in the Part 1 Local Plan through the examination process (E7 Rural Development). Further policy concerning development in the countryside in respect of forestry, agriculture and outdoor leisure will also be included in the LP2. These include policies BNE5, BNE6, BNE7. Together these policies will help ensure any conflicts are appropriately addressed.
to conserve and enhance the District's landscape and townscape character	To ensure the District's housing stock is decent, suitable and affordable, meets community need and balanced with access to employment opportunities	Key issues which need to be tackled through the Local Plan include the need to deal with a growing and ageing population and the high cost of housing in the District. These objectives could conflict where new housing development is brought forward in areas most sensitive to development in landscape and townscape terms. No changes to the Plan objective are proposed as it already stipulates the need for 'sustainable' growth. However the LP2 should steer growth to low sensitivity areas and include requirements to minimise the environmental impacts of new housing development through the inclusion of appropriate landscaping and design policies. Policies exist within the Local Plan Part 1 to help address this - BNE1 (Design Excellence) and BNE4 (Landscape Character and Local Distinctiveness). Additional policies have also been proposed for inclusion in the LP2 in respect of Trees, Hedgerows and Woodland (BNE7), the designation of local greenspaces (BNE8) together these measures will reduce the conflict between the Plan and sustainability objectives.

5.1.5 Overall it was concluded that the plan objectives and sustainability objectives were broadly compatible, although a small number of conflicts were identified. The conflicts tended to be between objectives to deliver housing and employment growth and objectives to safeguard the natural and built environment. In most cases the likely effects of development can be largely mitigated through careful site selection and through the inclusion of appropriate policies in the Plan. In some cases policies have already been included in the Part 1 Local Plan which will help ameliorate the effects of the LP2. However further policies are proposed for inclusion in the LP2 which could also help address potential conflicts. The policies proposed for inclusion in LP2 and their performance against the SA Framework is set out at section 6 of this report.

## 5.2 THE LOCAL PLAN PART 2

5.2.1 The South Derbyshire Local Plan is being prepared in two parts. The Part 1 Local Plan deals with strategic allocations and key policies, whilst the LP2 is concerned with

- Proposed Settlement Boundaries
- Non-Strategic Housing Site Options
- Non-strategic thematic and Development Management policies

5.2.2 The SEA Regulations (Section 1.8) are not prescriptive, stating only that the SA Report should present an appraisal of the 'plan and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme'.

## 5.3 RELATIONSHIP WITH THE LOCAL PLAN PART 1

5.3.1 The LP2, once adopted, will sit alongside the Local Plan Part 1 and help deliver the vision and objectives articulated in that strategy. As a result much of the content of the LP2 will consist of development management policies that will help deliver the Council's preferred approach to growth tested through the SA for the Local Plan Part 1 or reflect national policy and guidance (i.e. the National Planning Policy Framework and National Planning Policy Guidance).

5.3.2 That said, having reviewed the content and scope of the LP2, it is clear that some aspects of the strategy have not been tested through earlier appraisal work (due to new topic areas being considered in some cases) and the outcomes the Council is seeking to achieve could be achieved through a number of different approaches which could be described as reasonable options or alternatives. Having reviewed the content of the LP2 as proposed in the first consultation on the Plan and revised through the plan making process, the Council considers that the following issues will need to be subject to appraisal:

- Approach to proposed settlements boundaries
- Approach to distributing non-strategic housing need
- The need to allocate Local Green Spaces
- The approach to defining the town centre boundary for Swadlincote (although the scope of the town centre policy itself is substantially set out in national guidance)

- The approach taken to supporting the delivery of new secondary education provision in the District.

5.3.3 Table 5.3 sets out those issues considered in the LP2 for which reasonable options have been identified and those where no testing of options are proposed.

<b>Table 5.3: Broad Options (by Plan Policy) and Justification</b>		
<b>Policy Number and Name</b>	<b>Reasonable Alternative identified</b>	<b>Justification</b>
<b>SDT1:</b> Settlement Boundaries and Development	<b>Yes</b>	There are a number of potential approaches to defining urban areas and settlement boundaries could be applied to different scale settlements or not at all. Options identified at Section 5. Policy appraisal at Section 6.
<b>H23:</b> Non-Strategic Housing Allocations	<b>Yes</b>	Housing could be apportioned strictly based on settlement hierarchy with most growth targeted to larger villages, or could be largely based on settlement hierarchy but having regard to wider sustainability merits of sites. Broad Options identified at Section 5. Policy appraisal in respect of specific site policies (a – n) at Section 6.
<b>H24</b> Replacement Dwellings in the Countryside	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>H25</b> Rural Workers Dwellings	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>H26</b> Residential Gardens within the Countryside	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>H27</b> Residential Extensions and other Householder Development	No	Development Management Policy which reflects NPPF guidance to set out policies to manage inappropriate development within residential gardens. Policy appraisal at Section 6.
<b>H28</b> Residential Conversions	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>BNE5</b> Development in the Countryside	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>BNE6</b> Agricultural Development	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>BNE7</b> Trees, Woodland and Hedgerows	No	Development Management policy which sets criteria to protect trees and woodland which could be affected by development. Policy appraisal at Section 6.
<b>BNE8</b> Local Green Spaces	<b>Yes</b>	There is no requirement for the LPA to allocate green spaces, although sites could be allocated either through the local plan or through neighbourhood plans. Options identified at Section 5. Policy appraisal at Section 6
<b>BNE9</b> Advertisements and Visual Pollution	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>BNE10</b> Heritage	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>BNE11</b> Shopfronts	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
<b>BNE12</b> Former Power Station Land	No	Development management Policy which encourages the reuse of a large previously developed site consistent with NPPF requirements. Policy appraisal at Section 6.
<b>RTL1</b> Retail Hierarchy	<b>Yes</b>	Options concerning the extent of the Town centre boundary identified at Section 5. Policy appraisal at Section 6.
<b>RTL2</b> Swadlincote Town Centre Potential	No	Development Management Policy which reflects NPPF guidance for planning policies to be positive, promote competitive town centre environments and

Redevelopment Sites		set out policies for the management and growth of centres over the plan period. The NPPF also requires that allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. Policy appraisal at Section 6.
INF11 Telecommunications	No	Development Management Policy which reflects NPPF guidance. Policy appraisal at Section 6.
INF12 Provision of Education Facilities	Yes	This issue of where to locate a new school is outside of the control of the planning authority and will be determined by the Local Education Authority. However, the Council can nonetheless allocate sites for future schools provision (although clearly is not able to control whether such sites are utilised).
INF13 Southern Derby Area and Infinity Garden Village	No	Policy will set out how development on this Area (which is already subject to a number of allocated housing and employment sites through the Part 1 Local Plan) and identified as a garden village will be supported. The policy outlines the Council's commitment to working with development partners and other agencies rather than establishes the principle of development in this location.

5.3.4 The options identified relating to these policies are considered in turn below. No additional broad options were put forward through the consultation on the Draft and Presubmission Plan and associated environmental reports.

#### 5.4 UNDERTAKING THE SUSTAINABILITY APPRAISAL OF THE BROAD STRATEGIC OPTIONS

5.4.1 During the SA, the broad options identified by the Authority to date have been considered against the sustainability objectives and decision-making criteria set out in the updated SA Framework (Table 4.1 of this document). The impacts of the options are scored against the sustainability appraisal objectives having regard to the detailed decision making criteria. A full list of detailed decision making criteria can be viewed in the SA Framework.

Figure 5.1: An example of a completed Sustainability Appraisal table.

Surface Water		
Issue 18 – Waste and Surface Water		
<b>Local Plan Approaches:</b> <b>Surface Water Option 1: Business as Usual</b> Seek sustainable urban drainage systems wherever practicable in accordance with the National policy (BUA)		
<b>Surface Water Option 2: Higher Standards:</b> Specification of high environmental standards relating to surface water management		
<b>Summary of initial appraisal work:</b> See commentary at end of this schedule		
SA Objective	Option 1	Option 2
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	New development would increase surface water generation and foul water generation and could contribute towards diffuse and point source pollution in the districts rivers. The provision of SUDS in accordance with best practice could also improve biodiversity on site. Impacts would be <b>positive</b> and of <b>minor to moderate</b> significance.	New development would increase surface water generation and foul water generation and could contribute towards diffuse and point source pollution in the districts rivers. The provision of SUDS, which policy would require to <b>mitigate</b> natural systems could improve biodiversity on site and would apply to all sites rather than just the largest developments. Impacts would be <b>positive</b> and of <b>minor to moderate</b> significance.
to provide decent and affordable homes that meet local needs	No significant impact identified	X The cost of developing complex SUDS systems beyond requirements set out in national policy and guidance and the cost of managing these could reduce developer contributions available to deliver affordable housing. The extent of any impact is <b>uncertain</b> but the direction of impact is likely to be <b>negative</b> .

- 5.4.2 In appraising the broad options for each of the issues identified the likely performance of the options have been recorded in terms of:
- The direction of impact (whether impacts are positive or negative)
  - The significance of impacts (whether impacts will have a minor, moderate or major impact)
  - The duration of impact (whether impacts are likely to be short medium or long term, temporary or permanent)

5.4.3 An assessment of secondary, cumulative or synergistic impacts are set out in Section 8 of this report.

5.4.4 Detailed appraisals relating to each broad option are set out in the technical appendices to this report (See Appendix 2). The broad options appraisals are summarised within section 5 of this report together with additional information such as indicative mitigation measures which could be adopted to increase the benefits of the option and avoid or reduce any adverse effects.

In order to allow a quick comparison of the performance of each broad option they are 'scored' as follows:

✓✓	Major beneficial effect
✓	Minor / Moderate beneficial effect
--	Neutral/no effect
X	Minor / Moderate undesirable effect
XX	Major undesirable effect
?	Uncertain effect

5.4.5 Where individual broad options or specific development sites are appraised there have been no weightings applied and no rank of option performance. Instead the Council has sought to assess each option or site on its merits and used the professional judgement of officers or other stakeholders to select preferred options.

5.4.6 It should be noted, however that whilst the SA informs decision making it is one on many considerations that can influence the scope and detail of a plan. For example other considerations could include consultation responses received during Plan preparation as well as national guidance, policy and legislation. As such SA does not direct decisions about whether a specific policy approach should be pursued but should help inform the decision making process. For example, inclusion of an SA objective or sub-objective (e.g. on reducing car usage) does not rule out certain types of development (e.g. development in areas where there is no public transport provision) instead, it ensures that decisions on the options or policies to be included in the LP2 are fully considered and decisions made in full knowledge of their likely consequences. This in turn allows for appropriate mitigation to be delivered to help reduce the effects of such a policy approach.

5.4.7 This section includes a summary of consultation responses received, whether or not options could affect areas of particular environmental sensitivity and a justification of which broad option is 'preferred' by the Authority. It also documents any technical issues or uncertainties associated with the appraisal work where these exist as well as measures to mitigate the likely effects of implementing the preferred option.

5.4.8 Section 6 includes the result of the appraisal of policies against the SA Framework. The Council has subjected the policies to appraisal to help us understand how the policies perform in respect of the identified sustainability objectives and guide the refinement of



policies where necessary. However in reviewing the likely performance of policies regard has been had to policies and requirements included in the Adopted Part 1 Local Plan.

5.4.9 Section 7 then considers the preferred and non preferred sites explaining the reasons for selecting or not selecting sites identified through the plan process. Section 8 then considers the Plan wide effects of the sites in combination with each other. Section 9 sets out proposals for implementation and monitoring the Plan and Section 10 explains the next stages of the Plan making process.

## 5.5 ISSUE 1 SETTLEMENT BOUNDARIES

5.5.1 Settlement Boundaries have historically been used by South Derbyshire District Council to define built up areas and the wider countryside. Since the previous South Derbyshire Local Plan was adopted in 1998 significant growth has taken place across the District and many settlements have experienced major change, whilst others have seen very little change. Acknowledging this fact, the Council committed to review settlement boundaries through the LP2 whilst preparing the Part 1 Local Plan which would allow for the boundaries to take account of any allocations made where appropriate.

### **Why have alternatives been considered for this issue?**

5.5.2 Defining where development is acceptable in principle is an important mechanism for providing some certainty about where housing and other growth will be supported (subject to wider amenity considerations). It will be used to inform development management decisions for the life of the Plan and is a key part of the Plan-led system. Hence, it is important that the Council's preferred approach is justified through a robust evidence-base and subject to appropriate consultation. In light of this, it was considered important to identify alternative approaches to managing growth and subject these to SA. Having considered the possible ways in which development can be managed in the future the Council has identified a number of broad options which it considers represent reasonable alternatives. These are as follows:

**Option 1: Define settlement boundaries for all nucleated settlements regardless of size and only allow development within the boundary subject to exceptions in line with the NPPF**

**Option 2: Apply Settlement boundaries to Urban Areas and Key Service Villages and use criteria based policies to determine the acceptability of development elsewhere**

**Option 3: Don't define settlement boundaries and consider all new developments on its merits according to criteria based policies in the Plan**

### **Summary of Responses**

5.5.3 A total of 31 responses were received regarding this policy. No consultation comments were received regarding alternative ways of controlling development in the Countryside that should be subject to sustainability appraisal. Generally there was support for the policy, although a number of responses considered that the exact wording to be included in BNE5 required amending to provide either a greater or a lesser degree of protection in the countryside. This issue was further discussed during the Examination in Public held in April 2017 and policy SDT1 has been subject to a number of revisions to address comments during the presubmission consultation. An updated appraisal of this Policy can be seen in section 6 of this report.

### **How Have the Options Been Identified?**

5.5.4 These options have been identified by the Planning Policy team following a review of approaches to defining settlements based on previous approaches used by the South Derbyshire District Council as well as a consideration of alternatives used by other planning authorities. An option

to not define settlement boundaries (highlighted at Section 4 of Appendix A of December 2015 LP2 Consultation) but instead control development through the use of criteria based policy has also been identified as Option 3. Option 2 is a combination of option 1 and 3, with settlement boundaries only being applied to larger settlements such as urban areas or key service villages.

#### **What May Happen if the Local Plan is not prepared**

- 5.5.5 In the absence of the LP2 being adopted, the Council will continue to rely on the settlement boundaries set out in the 1998 Adopted Local Plan when making development management decisions. As previously noted there has been significant growth in some locations in the past 18 years. Relying on settlement boundaries, which are not up to date and in some locations do not accurately represent the extent of built development adds uncertainty to the development management process. Clearly the review of settlement boundaries would allow settlements to be more accurately defined through the Local Plan and would allow greater clarity and certainty over the types of development which can be permitted inside and outside of settlements.

#### **The Characteristics of the District Likely to Be Affected by the Local Plan Part 2**

- 5.5.6 The review of settlement boundaries (including to reflect recent allocations made through the Part 1 Local Plan and proposed in the LP2) will lead to further loss of areas defined as countryside in the Adopted 1998 Local Plan.
- 5.5.7 The amendment of settlements boundaries could also have ecology and landscape effects on the edges of settlements and could increase water, noise and light pollution around settlements, by increasing the extent of the settlements and setting a policy which in principle supports development within that updated settlement boundary. It could also lead to the loss of agricultural land, (for example where boundaries are extended to facilitate small scale growth not large enough to be allocated as a housing sites). The extension of development boundaries could also support the growth of many communities which in turn could support the delivery of new infrastructure and services, or the retention of existing services. The extension of settlement boundaries could also support the delivery of limited housing growth, including in appropriate smaller scale communities (where small scale provision for housing is made through any settlement boundary review).

#### **The Likely Significant Effects of the Environment of the Local Plan Part 2 Including on Areas of Known Environmental Importance**

- 5.5.8 The review of settlement boundaries is unlikely to lead to any significant changes to the settlement boundaries of Netherseal, Smisby and Lullington. In respect of Overseal a number of alterations to the settlement boundary of the village are proposed, although these are to extend the boundary around sites which already benefit from planning consent including at Lullington Road, Acresford Road and Valley Road. The effects these development schemes will have on the River Mease SAC have been fully considered through the Development Management process and the Habitat Regulations Assessments that support LP2 and the planning applications. These have concluded that the identified schemes will not have any significant effects on the SAC, either alone or in combination subject to the collection of appropriate developer contributions under the River Mease Developer Contribution Scheme (DCS) and the inclusion of appropriate sustainable drainage on sites to manage surface water. Outside of the Mease Catchment the review of settlement boundaries is unlikely to give rise to any significant levels of growth (beyond those allocated through the Plan) owing to the limited scale of additional growth and given the requirements in Policy SD3 in the Part 1 Local Plan for new development to include sustainable drainage. As a result it is unlikely that water quality would deteriorate appreciably across the District as a whole as a result of the review of settlement boundaries irrespective of the preferred option selected.

5.5.9 The review of settlement boundaries will have no effect in respect of air quality management areas (AQMAs) and air quality limit levels which need to be met to satisfy EU requirements. It would also have no effect in respect of sites protected pursuant to the Birds Directive given the scale of growth which could come forward as a result of the review and the distance of most sites from the nearest Special Protection Area.

5.5.10 It is unlikely that this policy would have any significant effects in respect of EU and national objectives to halt biodiversity decline by 2020. It would have negligible effects in respect of securing a 20% reduction in greenhouse gas emissions by 2020 (as large scale growth is controlled through other policies in the plan). In respect of waste the EU requirement is that waste should be in absolute decline and that landfilling of waste should be near zero by 2020. This policy will not have any effect in respect of delivering this requirement. This policy could however help ensure that housing delivery is achieved within the District and could make a minor contribution towards the delivery of new homes to fully meet the Districts housing delivery requirement to 2028.

### Summary of Settlement Boundary Options Appraisal

Settlement Boundaries Options	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
<b>Option 1:</b> Define settlement boundaries for all nucleated settlements	?	✓✓	--	--	--	?	✓	✓	--	--	✓	?	--	--	X	X	?	X	?	--	X
<b>Option 2:</b> Apply Settlement boundaries to larger settlements such as urban areas and larger villages	?	✓	--	--	--	?	✓✓	✓✓	--	--	✓	?	--	--	X	X	?	X	?	--	X
<b>Option 3:</b> Don't define settlement boundaries	?	✓	--	--	--	?	✓	✓	--	--	✓	?	--	--	X	X	?	X	?	--	X

- 5.5.11 Options 1 and 2 perform similarly against most objectives with negative effects likely against sustainability objectives to reduce water, light, noise and air pollution, minimise the loss of greenfield land, reduce and manage the effects of climate change and conserve and enhance landscape and townscape character. This is because both options will lead to increased growth albeit the spatial distribution of growth could be different. However it is likely that option 1 would facilitate greater levels of growth to all scale of settlements and on this basis would perform better than option two in respect providing decent and affordable homes that meets local needs. This is because the principle of housing growth in smaller rural settlements would be clearly defined by option 1, whilst option 2 could support the principle of development in larger settlements, with growth in smaller settlements controlled through wider local plan policies. Similarly Option 1 would perform more positively against objectives to support the vitality and viability of existing town and village centres as option 1 would be likely to disperse growth more widely including to smaller villages. In contrast Option 2 could perform more positively in respect of objectives to improve accessibility and make best use of infrastructure as this option could focus future development proposals to urban areas or key service villages which are likely to have greater levels of services and facilities than smaller local service villages or rural areas. Both options 1 and 2 are likely to have an uncertain effect on objectives to avoid damage to designated sites, promote social inclusion, improve the quality of development, reduce and manage flood risk and conserve and enhance the historic environment (performance is likely to be based on the characteristics of individual sites rather than the approach to settlement boundaries). No notable effects have been identified in respect of objectives to improve health and wellbeing, improve community safety and reduce crime, improve educational achievement, achieve sustainable and stable levels of economic growth, diversify and strengthen local urban and rural economies, minimise waste, promote sustainable construction and sustainable use of natural resources and improve access to cultural heritage.
- 5.5.12 In undertaking the appraisal, it should be noted that significant uncertainty exists over the likely performance of option 3, although the general direction of impacts can be assumed. This is because the wording and the scope of any potential criteria based policy to guide development will determine the likely performance of this option against many sustainability objectives. However in respect of environmental objectives it is likely that in making the best use of existing infrastructure any policy would need to make provision for some development adjacent to existing villages and towns (even if the extent of settlements is not defined) and on this basis negative effects are likely in respect of objectives to reduce water, light, noise and air pollution, minimise the loss of greenfield land, reduce and manage the effects of climate change and conserve and enhance landscape and townscape character. Uncertain effects have been identified in respect of environmental objectives avoid damage to ecological designations and conserve and enhance biodiversity and geodiversity and, provide decent and affordable homes (homes would be delivered so a positive effect is likely although the distribution of homes is uncertain and therefore the magnitude of impact is uncertain). Similarly positive effects are likely in respect of social objectives to improve accessibility to local facilities and services. No notable effects have been identified in respect of objectives to improve health and wellbeing, improve community safety and reduce crime, improve educational achievement, achieve sustainable and stable levels of economic growth, diversify and strengthen local urban and rural economies, minimise waste, promote sustainable construction and sustainable use of natural resources and improve access to cultural heritage.

## Identification of the Preferred Settlement Boundary Option

- 5.5.13 **Option 1 is the Councils preferred approach to defining the extent of the District’s settlements.** This option effectively represents the business as usual case and would see most settlements in the District continuing to be defined through the use of settlements boundaries consistent with the 1998 Adopted Local Plan. However boundaries will be updated to reflect development that has taken place since the adoption of the 1998 Local Plan. This option provides certainty about where the principle of development is likely to be supported by the Authority, can be understood by developers and local communities, allow for smaller scale development in sites too small to be allocated for development and can help direct development to village locations with a view to supporting existing facilities and services where these are present. It can also provide clear protections to the countryside subject to a number of exceptions where development (outside of a settlement boundary can be accommodated). As such it is considered that allowing modest growth, potentially even in rural villages will deliver wider community benefits sufficient to justify the selection of this approach to managing growth within settlements.
- 5.5.14 Restricting development boundaries to larger settlements or relying solely on a criteria based policy could increase uncertainty regarding the acceptability of development in smaller villages which in turn could restrict the delivery of new development including housing in local service and rural villages.
- 5.5.15 It is worth noting, however, that option two could perform better than the preferred option (option 1) in respect of sustainability objectives to improve accessibility to local facilities and services and make best use of infrastructure as it is likely that this option would focus further growth towards those areas where the principle of development is already established (i.e. larger villages and urban areas) where existing infrastructure and services exist to meet local needs. However, existing requirements in the NPPF and within the Local Plan would ensure that development is resisted in wholly unsustainable locations.

## Effects of the Preferred Option and Opportunities for Mitigation

Table 5.4: Settlement Boundaries		
Sustainability Objective	Impacts	Commentary and Potential Mitigation Measures
<b>Biodiversity, Fauna and Flora</b>		
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	Uncertain	The likely level of impact would be determined by the nature of sites that come forward within established settlement boundaries and the overall importance of sites in biodiversity or geodiversity terms and their sensitivity to development. On this basis the defining of settlement boundaries, which could increase the likelihood of development impacts could be <b>negative</b> in the <b>short-term</b> but of <b>uncertain</b> magnitude. In the longer-term however requirements in the NPPF and within Policy BNE3 (Biodiversity) of the Local Plan Part 1 would require development to deliver a net gain in biodiversity wherever possible and could therefore lead to a <b>neutral</b> or <b>slight positive</b> impact in the <b>long term</b> .

		<p><b>Mitigation</b></p> <p>It is considered that Policy BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness) and INF8 (the National Forest) included in the Part 1 Local Plan provide significant requirements in respect of mitigation which will ensure that the allocation of settlement boundaries across most of the District's villages will not have significant effects in respect of this SA objective. Further effects of supporting the delivery of new development in villages (i.e. within settlement boundaries) could be further mitigated through the inclusion of additional policy in the LP2. In particular a policy to support the protections of trees and hedgerows (BNE7 Trees, Woodland and Hedgerows), and Local Green Spaces (BNE8 Local Green Spaces) which are valued locally on ecological grounds and will provide for further protection of locally important trees, hedgerows or other habitats.</p> <p>A further criterion to consider biodiversity of proposed housing sites is also proposed in Policy H23 of LP2.</p>
<b>Population and Human Health</b>		
to provide decent and affordable homes that meet local needs	<b>Moderate to Major Positive effect</b>	<p>Under this option all settlements which have a nucleated settlement pattern (i.e. do not consist of only a limited number of isolated developments with gaps between them) will have a settlement boundary, within which the principle of development will be supported subject to other policies in the Plan. On this basis this approach to managing growth within the Local Plan will support further development, including housing provision across the District's main town, Key Service Villages, Local Service Villages and Rural Villages subject to wider amenity considerations and subject to conforming with the conditions set out in Policy H1 (Settlement Hierarchy). Given that defining settlement boundaries as specified in Option 1 could support housing across most rural villages, local service villages and key service villages it is considered that this option would have a positive impact of moderate to major significance over the life of the Plan as it would support appropriate levels of growth across many villages in the District.</p> <p><b>Mitigation</b></p> <p>The effect of this policy will be largely mitigated through the criteria included in Policy H1 (Settlement Hierarchy) which sets out the scale of development in the smallest villages and rural areas. In addition, this policy also seeks to make provision for cross subsidy housing or exceptions site provision (for affordable housing) immediately adjacent to settlement boundaries – again with scale restrictions on such developments. In addition policy H20 (Housing Balance) and H21 (Affordable Housing) both of which are set out in the Part 1 Local Plan will provide further requirements in respect of housing mix and tenure, with 30% affordable housing being sought on sites of greater than 15 homes.</p> <p>Additional requirements to secure specific types of housing (such as bungalows) are included in a number of site allocations (for example sites as Derby Road (H23c), Hilton, Milton Road Repton (H23g). In addition an affordable housing SPD (a draft of which is currently being prepared) could help clarify affordable housing requirements associated with new development, this could also help ensure affordable housing delivery reflects local need.</p>
to improve the health and well-being of the population	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve community safety and reduce crime and fear of crime	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve educational achievement and improve the District's skills base	<b>No effects</b>	<b>No Significant Effects Identified</b>
to promote social inclusion and reduce inequalities associated with	<b>Minor to Moderate Positive effect</b>	This option would help deliver housing provision across a range of settlements with the requirements set out in Policy H21 (Affordable Housing) likely to trigger affordable housing provision on all sites with the exception of H23I (Land north of Scropton Road). A <b>minor</b> to <b>moderate</b> positive effect is identified. Overall the sites allocated in LP2 could deliver

deprivation across the District		<p>between 220 – 270 affordable homes based on existing policy having.</p> <p><b>Mitigation</b> Policy H1 (Settlement Hierarchy) seeks to make provision for the delivery of exception and cross subsidy sites to deliver affordable homes in smaller villages. This could help ensure the delivery of low cost housing and tackle housing inequalities in smaller villages where affordable homes may not be delivered as part of market schemes.</p> <p>No additional mitigation measures beyond those already considered above have not been identified</p>
<b>Material Assets</b>		
To improve local accessibility to healthcare, education, employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	<b>Minor to Moderate Positive Effect</b>	<p>This option would see the delivery of most new homes in the District's main town as well as Key Service Villages which have relatively high levels of service and facilities provision. As most homes are likely to be focussed on larger villages a <b>minor to moderate positive</b> effect is identified in respect of this policy. However, it could also provide for some growth in less well served villages which could have fewer facilities including public transport provision and as such could lead to reliance on private transport. Policy INF2 (Sustainable Transport) highlights that in more remote rural areas there is often less scope to minimise journey lengths and for the use of non-car modes.</p> <p><b>Mitigation</b> Ensure that a review of settlement boundaries is undertaken and that these are drawn tightly around settlements to minimise the amount of 'white land' (areas which are undeveloped that fall within the boundary) whilst still leaving growth opportunities but ensuring that growth in less sustainable locations is of limited scale. The inclusion of a criteria in policy H1 (Settlement Hierarchy) included in the Part 1 Local Plan to restrict the scale of cross subsidy and exception sites adjacent to existing settlement boundaries of smaller villages will help mitigate the effects of the preferred policy approach.</p>
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	<b>Minor to Moderate Positive effect</b>	<p>As previously noted, this option would see the delivery of new homes in the District's main town as well as Key Service Villages which have relatively high levels of service and facilities provision. As most homes are likely to be focussed on larger villages a <b>minor to moderate positive</b> effect is identified in respect of this policy. However, it would also provide for some growth in local and rural villages which may be less well served by public transport provision and existing infrastructure. However, given the scale of growth likely in smaller villages it is unlikely that development would have a significant effect on local infrastructure such as utilities, roads or built facilities. However, it is likely that growth would lead to increased reliance on private car use.</p> <p><b>Mitigation</b> Ensure that a review of settlement boundaries is undertaken and that these are drawn tightly around settlements to minimise the amount of 'white land' (areas which are undeveloped that fall within the boundary) and hence ensure that the amount of growth in less sustainable locations is of limited scale.</p> <p>The inclusion of a criteria in policy H1 (Settlement Hierarchy) in the Part 1 Local Plan will also restrict the scale of cross subsidy and exception sites adjacent to existing settlement boundaries of smaller villages will help mitigate the effects of the preferred policy approach.</p>
to achieve stable and sustainable levels of economic growth and maintain economic competitiveness	<b>No effects</b>	<b>No Significant Effects Identified</b>



to diversify and strengthen local urban and rural economies and create high quality employment opportunities	No effects	No Significant Effects Identified
to enhance the vitality and viability of existing town and village centres	Minor to Moderate Positive Effect	<p>This option would ensure that growth is delivered across the Districts main town and Key Service Villages as well as smaller villages that have a settlement boundary. Whilst the level of effect is identified as being of <b>minor</b> or <b>moderate</b> significance, it is considered on balance to perform slightly better than option 2 which would only designate settlement boundaries to larger villages.</p> <p><b>Mitigation</b>  Policy RTL1 promotes the development of new retail development in local centres and villages where it is consistent with the scale and function of the settlement.  Policy E7 (Rural Development) in the Local Plan Part 1 supports farm and rural diversification, including outside of settlement boundaries.</p>
to improve the quality of new development and the existing built environment	Uncertain	<p>The likely level of impact is likely to be determined by the nature of sites that come forward within established settlement boundaries and the overall quality of development proposed and its appropriateness to the location in which it is located. It would also be influenced by the design and layout of allocated sites. Overall an uncertain effect is identified.</p> <p><b>Mitigation</b>  Within the Local Plan Part 1 the following policies will help to mitigate the impact of new development:  Policy S1 (Sustainable Growth Strategy) supports the reuse of previously developed land and could contribute towards the regeneration of brownfield sites. Allocations at H23k (Midland Road), H23l (land north of Scropton Road) and H23M (Montracon) are previously developed sites.  H20 (Housing Balance) includes guidance on reflecting the local built and natural environment in determining housing density.  Policy BNE1 Design Excellence sets out guidance on issues such as local character and pride, street design, movement and legibility and visual attractiveness of new development.  BNE2 (Heritage Assets) sets out strategic policy to protect the Districts heritage assets and their settings.  INF8 (The National Forest) includes guidance on National Forest requirements and achieving appropriate planting schemes on development sites  In the Local Plan Part 2 the following policies are proposed to add further mitigation measures:  Policy BNE7 (Trees Woodland and Hedgerows) will help protect these features where they are present on development site  BNE8 (Local Green Spaces) will protect sensitive green spaces within settlements  BN10 (Heritage) will protect the historic character of the districts settlements  BNE11 (Shopfronts) will protect the architectural contribution of existing historic shopfronts</p> <p>Further Mitigation including through a proposed Design SPD (which is currently being prepared) and Advertisement Consent SPD could help to ensure that the essential character of the District's town and villages are not eroded by inappropriate development.</p>
<b>Soil, Water and Air</b>		
to minimise waste and increase the	No effects	No Significant Effects Identified

reuse and recycling of waste materials		
to promote sustainable forms of construction and sustainable use of natural resources	<b>No effects</b>	<b>No Significant Effects Identified</b>
to reduce water, light, air and noise pollution	<b>Minor Negative Impact</b>	<p>Irrespective of location it is likely that further growth including within settlement boundaries of Key and Local Service Villages and some Rural Villages will lead to increased level of noise, light and air pollution, although given the likely scale of developments that could come forward in settlements as LP2 deals with non-strategic sites of less than 100 dwellings it is unlikely that negative effects on the environment will be significant. Impacts are likely to be <b>negative</b> and of <b>minor</b> significance.</p> <p><b>Mitigation</b>  Within the Local Plan Part 1 the following policies will help to reduce the impact of water, light, air and noise pollution:  Policy SD1 (Amenity and Environmental Quality) will help ensure that new development does not have adverse effects on the environment or amenity of existing and future occupiers in respect of noise, light, air and water quality.  Policy SD2 (Flood Risk) seeks to ensure the delivery of Sustainable Urban Drainage Systems which could help improve water quality locally  Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) seeks to ensure that new infrastructure is delivered in tandem with growth ensure SUDS contribute towards improvements in water quality and ensure that non mains drainage solutions are required that minimise risks to the environment.</p>
to minimise the irreversible loss of undeveloped (greenfield) land	<b>Minor Negative Impact</b>	<p>In many cases further development within settlement boundaries will lead to the loss of greenfield land. However given that settlement boundaries are drawn tightly around existing settlements it is unlikely that significant effects will arise as a result of developments outside of allocations which are already identified though clearly the NPPF states a presumption in favour of sustainable development and the Council needs to maintain a five year rolling supply of housing sites which may impact. Impacts attributable to this policy approach will be <b>negative</b> and of <b>minor</b> significance with losses being permanent.</p> <p><b>Mitigation</b>  Settlement Boundaries have been reviewed with boundaries drawn tightly around villages. This will reduce the potential for large scale greenfield losses as a result of this policy approach and could help ensure that brownfield or underused sites within settlement boundaries contribute to further development.  Policy S1 (Sustainable Growth Strategy) supports the reuse of previously developed land and could contribute towards the regeneration of brownfield sites in settlements  BNE5 (Development in the Countryside) in the LP2 seeks to strictly control the types of development that will be permitted in the countryside (i.e. that land falling outside of settlement boundaries).  Policy H23 includes 14 non strategic allocations 3 of which are on previously developed sites. These will deliver around one quarter of the housing proposed in LP2.</p>
to reduce and manage flood risk and surface water run-off	<b>Uncertain</b>	<p>The likely level of impact on sites allocated through LP2 is low. All sites have been sequentially tested and non are subject to fluvial flooding, although some are in locations where surface water flooding is possible. There remains some uncertainty regarding windfall sites that will remain to come forward to 2028. On these sites potential effects would be determined by the nature of windfall sites within established settlement boundaries, the level of flood risk within those sites and the design of any individual development Scheme. Overall an <b>uncertain</b> effect is therefore</p>

		<p>identified.</p> <p><b>Mitigation</b>  Policy SD2 (Flood Risk) seeks to ensure that development is sequentially located, does not increase flood risk elsewhere and is resilient to flooding through design and layout. It also requires the provisions of Sustainable Urban Drainage on new development sites of all scale.  Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) seeks to ensure that new infrastructure is delivered in tandem with growth ensure SUDS contribute to the management of surface water on site.  Settlement Boundaries have been reviewed with boundaries drawn tightly around villages which will help reduce the likely number of potential windfall sites by restricting them to locations within identified settlements.</p>
<b>Climatic Factors</b>		
to reduce and manage the impacts of climate change and the District's contribution towards the causes	Minor Negative Effect	<p>It is likely that this option will facilitate some growth in lower tier settlements which are less well served by local services and facilities than the District's larger villages and town and may therefore lead to more trips being generated. However the scale of growth will be limited and as such effects are likely to be <b>negative</b> and of slight or potentially <b>minor</b> significance.</p> <p><b>Mitigation</b>  Settlement Boundaries have been reviewed with boundaries drawn tightly around villages. This will reduce the potential for large scale housing growth or other development as a result of this policy approach.  All strategic sites (housing sites of 100 homes or more) allocated through the Part 1 Local Plan are adjacent or within urban areas, or adjacent to Key Service Villages (Policies H2-H19)  Policy H23 (a-n) in LP2 seeks to minimise the number of non-strategic allocations or housing delivery proposed in Rural Villages to minimise the number of settlements planned for in the District's least sustainable locations.</p>
<b>Cultural Heritage (including Architectural and Archaeological Heritage)</b>		
To conserve and enhance the historic environment, heritage assets and their settings	Uncertain	<p>Most of the Districts Conservation areas and many of the listed buildings and other heritage assets are located within settlement boundaries therefore the likely level of impact would be determined by the nature of sites that come forward within established settlement boundaries. Any approach to focus new development within existing villages could have a <b>negative</b> effect but the level of effect would be <b>uncertain</b>. In the longer-term however requirements in the NPPF and Part 1 Local Plan and within Policy BNE2 (Heritage Assets) would require development to protect, conserve and enhance the assets and their settings and could therefore ensure that effects from development are minimised.</p> <p><b>Mitigation</b>  It is considered that Policy BNE2 (Heritage Assets), in the Part 1 Local Plan provides significant requirements in respect of mitigation which will ensure that the designation of settlement boundaries across most of the District's villages will not have significant effects in respect of this SA objective. Further effects of supporting the delivery of new development in villages (i.e. within settlement boundaries) could be further mitigated through the inclusion of a further proposed policy in the LP2. In particular Policies BNE10 (Heritage) and BNE11 (Shopfronts) which provide more detailed policies to inform development management decisions.</p> <p>Further mitigation will also be delivered through the preparation of a Design SPD (currently being prepared).</p>
to improve access to the cultural	No effects	<b>No Significant Effects Identified</b>

heritage of the district for enjoyment and educational purposes		
<b>Landscape</b>		
to conserve and enhance the District's landscape and townscape character.	<b>Uncertain</b>	<p>The likely level of impact would be determined by the nature, scale and location of sites that come forward within established settlement boundaries (including as allocations) and the quality of built development and wider site design. On this basis there remains some uncertainty how a policy to target new development into the Districts Key and Local Service and nucleated Rural Villages would perform against this objective. In respect of landscape, the preferred option of defining settlement boundaries including around rural villages would largely protect them from further housing delivery in the countryside (and could therefore have a <b>positive</b> effect), although small scale infill, or development close to settlement boundaries could still have a <b>negative</b> effect on the local landscape. Overall an <b>uncertain</b> effect is therefore identified.</p> <p><b>Mitigation</b> In the Local Plan Part 1, Policy BNE4 (Landscape Character and Local Distinctiveness), BNE2 (Heritage Assets) and BNE1 (Design Excellence) all seek to protect local townscape and landscape from inappropriate development. In addition Policy H1 seeks to restrict the scale of development that can come forward in different tiers of settlement.</p> <p>The LP2 also seeks to ensure development protects local townscape and townscape character. Relevant policies include policies (H23 which allocates non strategic sites and seeks to control effects on landscape and townscape); H24 (Replacement Dwellings in the Countryside), H28 (Residential Conversions). BNE5 (Development in the Countryside), BNE7 (Trees, Woodland and Hedgerows), BNE8 (Local Green Spaces), BNE9 (Advertisements and Visual Pollution), BNE10 (Heritage) and BNE11 (Shopfronts).</p> <p>Further mitigation may also be delivered through the preparation of a Design SPD which is currently being prepared by the Authority.</p>

### How the Assessment was Undertaken and Difficulties Encountered

5.5.16 This assessment was undertaken by the Planning Policy Team. The impacts identified are based on qualitative predictions supported by relevant studies and evidence. With respect to this issue key data which informed the assessment included the Settlement Boundary topic paper and monitoring reports which give an indication of the likely scale of growth which comes forward on an annual basis.

5.5.17 The Council remains confident that once settlement boundaries have been adjusted to reflect allocations made through the Local Plan Part 1 and LP2 the amount of development which comes forward within settlement boundaries as windfalls will be sufficient to meet the housing targets set out for the District in policy S4 of Part 1. However during the appraisal it was clear that for many issues the direction and magnitude of effects would be largely determined by the scale, nature and location of potential development sites which in many cases would come forward as windfalls and without detailed information on these sites it is not possible to fully understand the likely direction and magnitude of effects.

### Potential Mitigation Measures Identified During the Review

5.5.18 Details of the wider policies proposed through the Part 1 and LP2s to ameliorate the likely effects of developments within and outside of Settlement boundaries are documented in Table 5.4 above. In addition further proposals for Supplementary Planning Documents are also proposed.

Together, these policies should help ensure that where growth (albeit of limited scale) not allocated in the Local Plans comes forwards within existing settlements the character of local townscapes and landscapes are protected.

## **5.6 ISSUE 2: PART 2 HOUSING APPORTIONMENT OPTIONS**

5.6.1 The Settlement Hierarchy policy proposed through the Local Plan Part 1 states that the level of development for each settlement will be of a scale appropriate to the size and role of that settlement. This policy then goes on to give an indication of the scale of developments that may be appropriate to different tier settlements such as Key Service Villages or Local Service Village. In addition to this, Policy S4 (Housing Strategy) indicates that the LP2 will allocate 600 homes as non-strategic sites (i.e. sites of less than 100 homes).

### **Why have alternatives been considered for this issue?**

5.6.2 The Part 1 Local Plan set out a need to allocate a minimum of 600 homes through LP2 on non-strategic sites.

5.6.3 Three reasonable alternatives for apportioning non-strategic housing across the District's settlements are as follows:

**Option 1: Apportion according to the Settlement Hierarchy with Urban Areas and Key Service Areas accommodating the highest levels of growth (to reflect the greater sustainability of larger settlements) and smaller Local villages and Rural Areas taking lower levels of growth to reflect the relative lack of services and facilities in those villages**

**Option 2: base housing apportionment in respect of non-strategic sites on the wider merits of the sites available for development including specific issues which may need addressing at the site and local level (such as reuse of brownfield sites, or need for affordable housing)**

**Option 3 (Hybrid) focus growth towards more sustainable settlements in accordance with the Settlement Hierarchy and allocate smaller scale development planned for in Local Service Villages and Rural Villages to ensure site level issues are addressed.**

### **How Have the Options Been Identified?**

5.6.4 These options have been identified by the Planning Policy team following a review of approaches to apportioning housing need. There was limited debate over whether Option 2 represented a realistic option given the settlement hierarchy policy (H1) proposed through the Local Plan Part 1 to focus growth towards larger settlements. However it was considered that the scale of growth proposed through the LP2 is relatively limited and on this basis should a significant part of the 600 homes being apportioned through the LP2 be in lower tier settlements on aggregate the Council's Housing Strategy would still fully reflect the Council's preferred option of concentrating growth in urban areas set out in Issue 3 (Housing

Distribution Options) of the Part 1 Sustainability Appraisal. Option 3 represents a combined approach to apportioning need which would see broad housing requirements identified for different tiers of settlement, with the actual sites earmarked for growth taking into account site based issues but still reflecting the need to apportion less growth towards smaller settlements. The Authority would welcome any comments on the options identified and whether additional reasonable options to apportion housing need should be appraised.

### **Summary of Responses**

- 5.6.5 The Draft Local Plan identified 18 housing sites to meet the LP2 housing requirement. These were mainly located in Urban Areas and Key Service Villages, although limited growth was also proposed in Local Service Villages. However subsequent to this consultation a number of sites in Rosliston (a local service village) have been removed from the Plan due to wider sustainability considerations including local character and access to local services and facilities. A total of 36 responses were received back regarding the Council's approach to allocating Part 2 Housing sites and a number of responses considered that a greater level of housing should be provided in smaller settlements and a number of additional small scale sites were proposed to the Council.

### **What May Happen if the Local Plan is not prepared**

- 5.6.6 In the absence of the LP2 being adopted the overall housing requirement for South Derbyshire (12,618 homes between 2011-28) would still be defined through the Local Plan Part 1 as an overall total to be met. The element that wouldn't be addressed would be sites of less than 100 dwellings not being included in any Local Plan allocations (with the exception of the Local Plan Part 1 allocation of Aston Hall Hospital where the application is for less than 100 dwellings). This is significant as these sites are required to firstly offer a variety of sites across the Local Plan and secondly to help maintain a five year supply of housing sites. These smaller sites should be delivered in a shorter period of time than some of the larger Part 1 allocations. That said, it is likely that any shortfall in housing delivery would be modest given that a minimum of 600 homes would be delivered through the LP2 and given the 'presumption in favour of Sustainable Development' and therefore even if the LP2 were not adopted it is likely that new homes to plug any shortfall would still come forward, though the Authority would not have significant control over the location of potential growth.

### **The Characteristics of the District Likely to Be Affected by the Local Plan Part 2**

- 5.6.7 The allocation of new sites would lead to the loss of greenfield land on the edge of existing settlements and could have a negative effect in respect of townscape and landscape, especially where growth is located in historic villages, although effects would be partially moderated given the scale of growth and the extended period over which development could come forward.
- 5.6.8 Growth could also increase light and noise pollution and could lead to increases in urban and diffuse water pollution as it is likely to increase foul and surface water generation. Development could also increase the pressure on local services and facilities such as schools, doctors surgeries and social care facilities, although given the dispersed nature of the District's villages and the small scale of growth likely to come forward effects would be limited.

5.6.9 In respect of housing the LP2 could make a notable contribution towards supporting housing provision in smaller communities.

**The Likely Significant Effects of the Environment of the Local Plan Part 2 Including on Areas of Known Environmental Importance**

- 5.6.10 Whilst there is potential for housing growth proposed through the LP2 to have a negative effect on the River Mease Special Area of Conservation (for example if notable levels of growth are proposed for Overseal, Netherseal, Smisby or Lullington) it is unlikely that growth in these settlements will be at a scale sufficient for development to undermine the integrity of the SAC. Currently both Overseal and Netherseal Waste Water Treatment Works (which serve the four villages identified) have capacity to accommodate around 200 homes each within their existing consent licence. As such where further housing growth is proposed in the Mease and where it remains within the consent limit of the treatment works (and subject to a financial contribution to undertake mitigation in the SAC in accordance with the River Mease Developer Contribution Scheme) the effects of further foul flows could be fully mitigated. In practice however it is unlikely that all of the headroom at local treatment works in the Mease will be used up by development allocations made through the LP2 (over 60% of LP2 sites would need to be allocated in the Mease Catchment to exceed the treatment works consents limits). It is therefore unlikely that the LP2 would have any significant effect on the integrity of the SAC in respect of foul water.
- 5.6.11 Given the nature and scale of development to be proposed in the LP2 and given the protection in place through existing policies included in the Local Plan Part 1 to ensure sites include sustainable drainage which mimic natural processes, it is unlikely that significant effects on the River Mease SAC would arise as a result of increased surface water flows.
- 5.6.12 For the reason identified above it is also unlikely that the plan would have a significant effect on water quality objectives as defined through the Water Framework Directive.
- 5.6.13 The small scale of housing planned through the LP2 will mean that the plan has no discernible effect on designated air quality management areas (AQMAs) and air quality limit levels which need to be met to satisfy EU requirements. It would also have no effect in respect of sites protected pursuant to the Birds Directive given the scale of growth which could come forward as a result of the review and the distance of most sites from the nearest Special Protection Area.
- 5.6.14 It is unlikely that this policy would have any significant effects in respect of EU and national objectives to halt biodiversity decline by 2020. It would have negligible effects in respect of securing a 20% reduction in greenhouse gas emissions by 2020 (as large scale growth is controlled through other policies in the plan). In respect of waste, EU requirements are that waste should be in absolute decline and that landfilling of waste should be near zero by 2020. This policy will not have any effect in respect of delivering this requirement. This policy could however help ensure that housing delivery is achieved within the District and could make a minor contribution towards the delivery of new homes to fully meet the Districts housing delivery requirement to 2028.

## Summary of Housing Apportionment Options

Housing Apportionment Options	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Option 1: Apportion according to the Settlement Hierarchy	?	?	--	--	--	✓	✓	✓	--	✓	✓	✓	--	--	X	?	?	X	?	--	X
Option 2: Base Apportionment on site merits	?	✓	--	--	--	✓	?	?	--	?	✓	?	--	--	X	✓	?	X	?	--	X
Option 3: Hybrid Approach	?	?	--	--	--	✓	✓	✓	--	✓	✓	✓	--	--	X	✓	?	X	?	--	X

5.6.15 Options 1 and 3 perform very similarly. Both options would see growth focused on larger settlements such as the District's main town or key service villages. This approach to apportioning growth would ensure that growth is delivered in locations where local facilities and infrastructure already exist and where local services and jobs can be supported. However Options 1 and 3 may perform less well than option 2 in respect of providing decent and affordable homes (where it restricts the delivery of market and affordable homes in smaller communities. Options 1 and 3 could have an uncertain effect in respect improving the quality of new development where it makes inadequate provision for growth that supports regeneration of the redevelopment of underused sites, (although in reality the reuse of these site may occur in some locations should option 1 be preferred particularly where these are located within settlement boundaries or growth is supported by other Policies in the Local Plan).

5.6.16 Option 2 would have a positive impact in respect of providing decent and affordable housing (as this would make greater provision for development outside of those areas where significant growth has already taken place through the Part 1 Local Plan, although housing provision levels are likely



to be modest in scale). However uncertain effects have been identified in respect of SA objectives to promote social inclusion (new housing in smaller villages could deliver new homes – but in locations where people may be less able to access local services or facilities if they don't have access to a car), make best use of existing infrastructure, diversify and strengthen local rural economies and enhance the vitality of local village centres (many settlements would be of a scale where growth would not support any local service provision due to its absence).

- 5.6.17 Uncertain effects have been identified across all options in respect of biodiversity, reducing and managing flood risk, conserving and enhancing the historic environment and landscape.
- 5.6.18 All options were considered likely to help address social inclusion through the provision of new affordable housing (notwithstanding the fact that this may not be located where need arises) and supporting the local economy and viability of town and local centres as growth could support the economies of the communities in which it is located.
- 5.6.19 Negative effects are likely across all options in respect of reducing pollution, reducing climate change effects and conserving and enhancing the landscape and townscape character of settlements.
- 5.6.20 No significant effects are likely in respect of objectives to improve health and wellbeing, improve community safety, improve educational achievement, achieve stable and sustainable levels of growth, minimise waste, promote sustainable forms of construction and improve access to cultural heritage.

#### **Identification of the Council's Preferred Housing Apportionment Option**

- 5.6.21 **The Council's preferred approach to apportioning homes in the LP2 is based on Option 1.** This will see the bulk of housing focussed on smaller sites in urban areas and the Key Service Villages and limited growth proposed for smaller settlements such as Local Service Villages only where there is a clear benefit in allowing some growth or where sites are considered sustainable. Clearly restricting the allocations in this way could on the face of it lead to a reduction in the number of dwellings allocated in smaller settlements, although it is likely that a significant number of windfalls will continue to come forward in smaller villages which will augment any allocations made through the LP2.
- 5.6.22 The Council's preferred approach has been previously recorded as Option 3 (which as previously noted performs similarly to Option 1). However, the Council's position has shifted since early iterations of the Plan owing to the lack of sustainable sites in more rural parts of the District. The Council considers that larger settlements continue to represent the most sustainable development locations and give residents the greatest opportunities to access facilities and services locally. In contrast many local service villages or rural villages do not offer access to employment, education, health care provision and retail provision and development in these locations would lead to increased reliance on the car. However in some locations specific requirements for affordable housing or the need for regeneration could support the delivery of homes and the Council will need to weigh general sustainability considerations against any wider community benefits.

5.6.23 In selecting Option 1 as the Council's preferred option the Council acknowledges that issues such as the need for affordable homes or regenerating underused sites may arise throughout the plan period, although such issues may not exist presently. Furthermore, growth in smaller settlements may therefore need to be considered on a case by case basis against the policies set out in the Adopted LP1 and LP2. It is therefore essential that development management policies are included in the plan that allow for appropriate development in smaller villages where clear community benefits exist.

### Effects of the Preferred Option and Opportunities for Mitigation

<b>Table 5.5: Housing Apportionment</b>		
<b>Sustainability Objective</b>	<b>Impacts</b>	<b>Commentary and Potential Mitigation Measures</b>
<b>Biodiversity, Fauna and Flora</b>		
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	Uncertain	<p>The likely level of impact would be determined by the nature of sites that come forward and their sensitivity to development rather than whether they are located in higher or lower order settlements. On this basis, overall an <b>uncertain</b> impact is assigned, although in practice development could have a <b>negative</b> effect in the <b>short term</b> but in the <b>longer-term</b> could have a <b>neutral</b> or a net <b>positive</b> effect in respect of biodiversity where biodiversity gain is delivered on site in accordance with the NPPF and Local Plan Part 1.</p> <p><b>Mitigation</b> Policies BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness) and INF8 (the National Forest) included in the Part 1 Local Plan provide requirements in respect of mitigation which will ensure that development will not have significant effects in respect of this SA objective. The delivery of new development in villages could be further mitigated through the inclusion of a further policy in the LP2. In particular a policy to minimise the loss of trees and hedgerows (BNE7), and Local Green Spaces (BNE8) which are valued locally on ecological grounds will provide for further protection of locally important trees, hedgerows or other habitats. In addition general requirements in Policy H23 (Non Strategic housing allocations) requires that consideration of biodiversity effects informs site delivery.</p> <p>A further criterion to ensure biodiversity issues inform non-strategic allocations is also included in Policy H23 (Non-Strategic site allocations).</p>
<b>Population and Human Health</b>		
to provide decent and affordable homes that meet local needs	Uncertain	<p>Under this option an <b>uncertain</b> effect has been identified. This is because whilst market and affordable homes could be delivered in larger settlements this would not necessarily meet the market and affordable housing needs in smaller settlements given the limited provision which will be made for these areas, although growth in some larger villages could meet wider needs.</p> <p><b>Mitigation</b> Policy H1 (Settlement Hierarchy) makes provision for cross subsidy housing or exceptions site provision (for affordable housing) immediately adjacent to settlement boundaries – including for local service and rural villages. In addition policy H20 (Housing Balance) and H21 (Affordable Housing) both of which are set out in the Local Plan Part 1 will</p>

		<p>provide further requirements in respect of housing mix and tenure, with up to 30% affordable housing being sought on sites of greater than 15 homes.</p> <p>An affordable housing SPD currently being prepared will help clarify affordable housing requirements associated with new development, this would also help ensure affordable housing delivery reflects local need.</p>
to improve the health and well-being of the population	No effects	No Significant Effects Identified
to improve community safety and reduce crime and fear of crime	No effects	No Significant Effects Identified
to improve educational achievement and improve the District's skills base	No effects	No Significant Effects Identified
to promote social inclusion and reduce inequalities associated with deprivation across the District	Minor Positive Effect	<p>This option would contribute towards the delivery of new homes (including affordable homes) mainly within large settlements. The level of new housing provision focused on smaller settlements would be limited under this option and many settlements may not see any growth even where there may be a housing need. However affordable housing would still be delivered within this option and would be more likely to be in locations well related to existing facilities and services. On balance impacts would be <b>positive</b> and of potentially <b>minor</b> significance.</p> <p><b>Mitigation</b>  Policy S1 (Settlement Hierarchy) makes provision for small scale development including through exceptions or rural cross subsidy housing in lower tier villages.  Policy H23 (Non-Strategic Housing Allocations) seeks to ensure that growth can be permitted in smaller settlements where the need for new and/or affordable homes are required  Policy BNE5 (Development in the Countryside) makes limited provision for small scale growth in rural areas outside of settlement boundaries</p> <p>It may also be possible to seek developer contributions to provide offsite affordable housing which could be targeted to nearby rural areas where there is an identified need.</p>
<b>Material Assets</b>		
To improve local accessibility to healthcare, education, employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	Minor Positive Effect	<p>This option would see the delivery of new homes focussed on urban areas and key service villages. New development focussed in these areas would be likely to allow residents to access a higher level of local services and facilities (such as social and community services, employment and retail). However limited provision would still be made for some growth in less sustainable locations such as local service villages and rural villages which may provide limited support to the services that do exist. Overall, this option is likely to have a slight or <b>minor positive</b> effect in respect of options to improve accessibility.</p> <p><b>Mitigation</b>  Policy RTL1 promotes the development of new retail development where it is consistent with the scale and function of the settlement.</p>
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport	Minor to Moderate Positive effect	<p>Locating non-strategic growth mainly in urban areas and Key Service Villages through the LP2 will allow new developments to make use of existing infrastructure where capacity remains to serve growth. These areas also tend to have the best public transport provision within the District, although the frequency of provision does vary even across Key Service Villages. However small scale growth would still be accommodated in some local service villages and rural villages, although given the likely scale of development in these locations it is unlikely that significant demands would</p>

walking and cycling)		<p>be made on local infrastructure. Overall this option is likely to have a <b>minor positive</b> effect against this SA objective.</p> <p><b>Mitigation</b> Policies in the Local Plan Part 1 that will help with mitigation are: Policy INF1 that sets out requirements in respect of developer contributions and infrastructure requirements to support growth. Policy INF2 sets out policy to deliver new, and enhance existing walking, cycling and public transport provision where appropriate Policy INF11 sets out policy concerning the provision of telecoms and broadband. Policy SD3 requires that water supply and sewerage infrastructure is delivered in tandem with new development</p>
to achieve stable and sustainable levels of economic growth and maintain economic competitiveness	No effects	No Significant Effects Identified
to diversify and strengthen local urban and rural economies and create high quality employment opportunities	No effects	No Significant Effects Identified
to enhance the vitality and viability of existing town and village centres	Minor to Moderate Positive Effect	<p>This option would ensure that growth is focussed on Swadlincote and Key Service Villages, with limited growth within Local Service Villages as well as Rural Villages. Overall this option is likely to have a <b>minor to moderate positive</b> effect in respect of enhancing the vitality and viability of existing town and village centres by supporting appropriate levels of growth in different tier settlements which could help sustain existing services and in limited circumstances could potentially support the delivery of new shops or other retail services.</p> <p><b>Mitigation</b> Policies in the LP2 that will help enhance the vitality and viability of the existing town and village centres are Policy RTL (Retail Hierarchy) promotes the development of new retail development where it is consistent with the scale and function of the settlement and Policy E7 (Rural Development) supports farm and rural diversification, including outside of settlement boundaries.</p>
to improve the quality of new development and the existing built environment	Minor Positive Effect	<p>Focussing growth towards larger settlements, but making provision for limited development in rural locations in accordance with the settlement hierarchy could have a <b>positive</b> effect of slight or <b>minor</b> significance against this objective given requirements in LP1 included in BNE1 (Design Excellence).</p> <p><b>Mitigation</b> Policies in the Local Plan Part 1 that will help improve the quality of new development and the existing built environment are: Policy S1 (Sustainable Growth Strategy) supports the reuse of previously developed land and could contribute towards the regeneration of brownfield sites. Policy H20 (Housing Balance) includes guidance on reflecting the local built and natural environment in determining housing density. Policy BNE1 (Design Excellence) sets out guidance on issues such as local character and pride, street design, movement and legibility and visual attractiveness of new development. BNE2 (Heritage Assets) sets out strategic policy to protect the Districts heritage assets and their settings. INF8 (The National Forest) includes guidance on National Forest requirements and achieving appropriate planting schemes on development sites.</p> <p>Policies within the LP2 could also help mitigate the effects of further development. Including policy BNE7 (Trees Woodland and Hedgerows) which will help protect these features where they are present on development sites. BNE8 (Local Green Spaces) will protect sensitive green spaces within settlements. BNE10 (Heritage) will protect the historic character of the districts settlements and BNE11 (Shopfronts) will protect the architectural contribution of existing</p>

		<p>historic shopfronts.</p> <p>Further Mitigation including through a Design SPD currently being prepared by the Authority could help to ensure that the essential character of the District's town and villages are not eroded by inappropriate development.</p>
<b>Soil, Water and Air</b>		
to minimise waste and increase the reuse and recycling of waste materials	<b>No effects</b>	<b>No Significant Effects Identified</b>
to promote sustainable forms of construction and sustainable use of natural resources	<b>No effects</b>	<b>No Significant Effects Identified</b>
to reduce water, light, air and noise pollution	<b>Minor Negative Impact</b>	<p>Further growth proposed through the Local Plan (irrespective of the apportionment option chosen) will lead to an increased level of noise, light and air pollution associated with further development, although given the likely scale of developments that would come forward and their dispersed nature, it is unlikely that negative effects on the environment will be significant. Impacts are likely to be <b>negative</b> and of slight or <b>minor</b> significance.</p> <p><b>Mitigation</b>  Policy SD1 (Amenity and Environmental Quality) will help ensure that new development does not have adverse effects on the environment or amenity of existing and future occupiers in respect of noise, light, air and water quality.  Policy SD2 (Flood Risk) seeks to ensure the delivery of Sustainable Urban Drainage Systems which could help improve water quality locally  Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) seeks to ensure that new infrastructure is delivered in tandem with growth ensure SUDS contribute towards improvements in water quality and ensure that non mains drainage solutions are required that minimise risks to the environment.</p>
to minimise the irreversible loss of undeveloped (greenfield) land	<b>Uncertain</b>	<p>The preferred option to apportion sites to Swadlincote and Key Service Villages whilst allowing for limited development in lower order settlements (presently only one site is proposed in a local service village and one is proposed in a Rural village). This approach may restrict opportunities to deliver the regeneration of brownfield sites in more rural areas.</p> <p><b>Mitigation</b>  Policy S1 (Sustainable Growth Strategy) supports the reuse of previously developed land and could contribute towards the regeneration of brownfield sites in settlements</p>
to reduce and manage flood risk and surface water run-off	<b>Uncertain</b>	<p>The likely level of impact would be determined by the nature of sites that come forward, the level of flood risk within those sites and the design of any individual development scheme. An <b>uncertain</b> effect is therefore identified.</p> <p><b>Mitigation</b>  Policy SD2 (Flood Risk) seeks to ensure that development is sequentially located, does not increase flood risk elsewhere and is resilient to flooding through design and layout. It also requires the provisions of Sustainable Urban Drainage on site  Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) seeks to ensure that new infrastructure is delivered in tandem with growth ensure SUDS contribute to the management of surface water on site.</p>

<b>Climatic Factors</b>		
to reduce and manage the impacts of climate change and the District's contribution towards the causes	<b>Minor Negative Effect</b>	<p>It is likely that this option will facilitate some growth in lower tier settlements which are less well served by local services and facilities than the District's larger villages and Town. However, even in Key Service Villages it is unlikely residents would be able to access secondary school provision and employment locally and as such growth will lead to increased need to travel. However the scale of growth will be limited in the villages (as indeed it is in the Part 1 Local Plan). As such effects are likely to be <b>negative</b> and of <b>minor</b> significance.</p> <p><b>Mitigation</b>  Apportionment which supports higher levels of growth in the District's main town and Key Service Villages.  All strategic sites (housing sites of 100 homes or more) allocated through the Part 1 Local Plan are adjacent or within urban areas, or adjacent to Key Service Villages (Policies H2-H19)  Policy H23 seeks to minimise the number of non-strategic allocations located in less sustainable locations.  Policy INF2 requires that development is supported by safe and convenient access to walking, cycling and public transport provision (but acknowledges opportunities in remote areas may be limited).</p>
<b>Cultural Heritage (including Architectural and Archaeological Heritage)</b>		
To conserve and enhance the historic environment, heritage assets and their settings	<b>Uncertain</b>	<p>The likely level of impact would be determined by the nature of sites that come forward within established settlement boundaries and the overall importance in terms of heritage and their sensitivity to development. Effects are therefore identified as <b>uncertain</b> and dependent on the scale, nature and location of development</p> <p><b>Mitigation</b>  It is considered that Policy BNE2 (Heritage Assets), in the Part 1 Local Plan provides significant requirements in respect of mitigation which will ensure that the allocation of settlement boundaries across most of the District's villages will not have significant effects in respect of this SA objective. Effects could also be mitigated through the inclusion of further mitigation in the LP2, including, in particular, Policies BNE10 (Heritage) and BNE11 (Shop Fronts) which provide more detailed policies to inform development management decisions.</p> <p>Further mitigation will also be delivered through the Councils Design SPD (which includes the Historic South Derbyshire which includes design guidance for historic buildings and heritage assets).</p>
to improve access to the cultural heritage of the district for enjoyment and educational purposes	<b>No effects</b>	<b>No Significant Effects Identified</b>

Landscape		
<p>to conserve and enhance the District's landscape and townscape character.</p>	<p><b>Minor to Moderate Negative Effect</b></p>	<p>The likely level of impact would be determined by the nature, scale and location of sites that come forward and the quality of built development and wider site design. Given the green field nature of most of the sites to be allocated these would mainly on the urban edge and could likely effect landscape character, particularly during the construction and early stages of occupation whilst any likely landscaping matures. Impact would be <b>negative</b> and of <b>minor</b> or <b>moderate</b> significance although would likely <b>reduce</b> over time.</p> <p><b>Mitigation</b>  Policy BNE4 (Landscape Character and Local Distinctiveness), BNE2 (Heritage Assets) and BNE1 (Design Excellence) all seek to protect local townscape and landscape from inappropriate development.</p> <p>The LP2 also seeks to ensure development protects local townscape and townscape character. Relevant policies include policies H24 (Replacement Dwellings in the Countryside), H28 (Residential Conversions). BNE5 (Development in the Countryside), BNE7 (Trees, Woodland and Hedgerows), BNE8 (Local Greenspaces), BNE9 (Advertisements and Visual Pollution, BNE10 (Heritage) and BNE11 (Shopfronts).</p> <p>Further mitigation will also be delivered through the preparation of a Design SPD, which includes guidance in respect of of historic buildings and heritage assets and more general design guidance.</p>

### How the Assessment was Undertaken and Difficulties Encountered

- 5.6.24 This assessment was undertaken by the Planning Policy Team. The impacts identified are based on qualitative predictions supported by relevant studies and evidence. With respect to this issue key data which informed the assessment is included the Part 1 Local Plan and associated SA which set out consideration of broad distributional strategies for growth, the rural housing need assessments, the strategic housing market assessment, and strategic housing land availability assessment.
- 5.6.25 During this appraisal it was clear that for many issues the direction and magnitude of effects would be largely determined by the scale, nature and location of potential development sites which in many cases would come forward as windfalls and without detailed information on these sites it is not possible to fully understand the likely direction and magnitude of effects. As specific sites come forward they are likely to be considered through the development management process and appropriate mitigation, informed through plan policy should be secured.

### Potential Mitigation Measures Identified During the Review

- 5.6.26 The likely effects of allocating further housing through the LP2 are partially addressed through the approach to development, the growth proposed within this plan being mainly directed to larger villages where facilities and services exist to serve new development.
- 5.6.27 Details of the wider policies proposed through the Part 1 and LP2 to ameliorate the likely effects of developments proposed through the LP2 are set out in Table 5.6 above. In addition further proposals for SPD's are also documented. Together, these policies should help ensure that where growth (albeit of limited scale) not allocated in the Local Plans comes forwards within existing settlements the character of local townscapes and landscapes are protected.

## **5.7 ISSUE 3: LOCAL GREEN SPACE OPTIONS**

5.7.1 Local Green Spaces are supported through national planning guidance with the NPPF stating that “Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances”.

### **Why have alternatives been considered for this issue?**

5.7.2 The Council does not have a statutory requirement to identify and designate greenspaces. Moreover should the designation of green spaces be pursued these could be through either the Local Plan or through any Neighbourhood Plans which may come forward in South Derbyshire. As such three alternative options have been identified in respect of local green spaces.

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

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

**Option 3: Designate appropriate green spaces through the LP2 or subsequent Development Plan Document**

### **How Have the Options Been Identified?**

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

### **Summary of Responses**

5.7.4 A total of 25 responses were received in respect of Local Green Spaces during the Draft Plan Consultation. These responses large focussed on potential sites which should or should not be included in any future policy rather than the principle of designating or not designating green spaces through the South Derbyshire Local Plan.

### **What May Happen is the Local Plan is not prepared**

5.7.5 In the absence of the LP2 being prepared it is possible that some areas which could potentially be designated as green spaces could be lost to development. However any losses would be likely to be limited given that the Part 1 Local Plan designates the bulk of the housing requirement to 2028. In addition sites that are likely to be suitable for Local Green Space designation will often have a special character (which justifies designation against the Local Green Space criteria included in the NPPF) and other policies included in the National Planning Policy Framework and the Part 1 Local Plan would likely afford these sites some protection from inappropriate development.

### **The Characteristics of the District Likely to Be Affected by the LP2**

5.7.6 A Local Green Space policy could help preserve local landscape and townscape character including areas valued for their tranquillity. The designation of green spaces could also offer protection to sites of, ecological importance, as well as to areas where spaces are valued recreation facilities. Local Green Spaces could also help preserve the setting of heritage assets or sites with other ‘historic significance’. Overall however, it is unlikely that this policy will have any noteworthy effects in respect of housing delivery, loss of greenfield sites or impact on social and community



infrastructure as the designation of green spaces would not lead to reduction of the overall amount of housing delivered through the Local Plan, but would rather protect any sites from future development.

### The Likely Significant Effects of the Environment of the LP2 Including on Areas of Known Environmental Importance

5.7.7 It is unlikely that this policy would have any significant effects in respect of sites protected pursuant to the Habitat or Birds Directive. This policy would also have no discernible impact on water quality of local watercourses or waterbodies and hence the provisions of the Water Framework Directive. Designating green spaces would also not have any tangible effect in respect of air quality within air quality management areas. Designation could make a slight contribution in respect of EU and national objectives to halt biodiversity decline by 2020 by providing long term protection to areas of green infrastructure). It would have negligible effects in respect of securing a 20% reduction in greenhouse gas emissions by 2020 (as large scale growth is controlled through other policies in the plan). In respect of waste, the EU requirements are that waste should be in absolute decline and that landfilling of waste should be near zero by 2020. Again the designation of green spaces would be unlikely to effect waste generation or treatment.

### Summary of Local Green Space Options

Local Green Space Options	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Option 1: Do not designate Local Green Spaces	?	--	--	--	--	--	--	--	--	--	--	--	--	--	?	--	--	--	?	--	?
Option 2: Support the designation of appropriate green space through the Neighbourhood Planning process	✓	--	--	--	--	--	✓	--	--	--	--	✓	--	--	✓	--	--	--	✓	✓	✓
Option 3: Designate appropriate green spaces through the LP2	✓	--	--	--	--	--	✓	--	--	--	--	✓	--	--	✓	--	--	--	✓	✓	✓

- 5.7.8 Option 1, in the main has no effects. The designation of local green spaces will outline those areas of importance to local communities and in limited circumstances it may be that sites of biodiversity, landscape or heritage value could trigger existing policy protections in the Local Plan Part 1. For this reason uncertain effects are identified against a limited number of SA objectives. Whilst the non-designation of green spaces may not confer added protection to sites of local or community importance. In the absence of designation it is unlikely that sites would be of significant risk of development given the allocation of housing and employment sites to meet identified need over the Plan period and the protections already included in national policy and the Part 1 Local Plan in respect of sites of landscape, ecology, heritage and recreational importance for the most valued sites. That said, there remains a limited risk that sites potentially capable of being designated a green space could be subject to speculative development proposals over the life of the Plan.
- 5.7.9 Options 2 and 3 would perform similarly, albeit Option 3 could ensure the designation of green spaces comprehensively across the whole District compared to Option 2 which would only allow the designation of green spaces in those locations where neighbourhood plans are 'made'. On this basis positive effects will be slightly greater for Option 3.
- 5.7.10 In particular options 2 and 3 could help ensure:
- sites of ecology importance to local communities are retained for the benefit of local biodiversity,
  - recreation areas accessible to local communities are preserved as such,
  - the essential quality and character of local townscape is protected from inappropriate development,
  - that the tranquillity of designated sites is protected,
  - that areas of local historic significance are protected and access to these preserved,
  - local landscape character is protected.
- 5.7.11 Overall the likely benefit that designation of local green spaces could have is moderated by the fact that Local Plan Part 1 policies exist to protect the most sensitive sites from development. However a local green space designation may allow the protection of sites which may not ordinarily be protected through existing policy as the basis for designation is not based solely on the value of the site in its own right, but also how it is valued by the local community. For example a local green space may be of ecological value to the local community, but it is not sufficient to warrant designation as a Local Wildlife Site but due to its importance and value to the community this designation would ensure that the site is preserved.

#### **Identification of the Council's Preferred Options**

- 5.7.12 **The Council's preferred option is Option 3 which is to make provision for the designation of Local Green Spaces through the Local Plan** with sites to be designated in a subsequent Local Green Spaces Development Plan Document. A policy is therefore proposed for inclusion supporting the principle of designating Local Green Spaces in LP2. Specific Local Green Space sites will then be designated within a Local Green Space DPD. This approach is identified as the preferred option as the Council considers that local green space designations could have a notable positive impact on many of the District's settlements including in respect of biodiversity, townscape, tranquillity, heritage and landscape. Option 2, was also identified as potentially being able to deliver similar positive benefits, through designation through neighbourhood plans. However at the time of writing there are only two communities in South Derbyshire preparing a neighbourhood plan, so the positive effects of this option would be limited to relatively few areas. Option 1, whilst not having any negative effects, is likely to fail to offer further opportunities to protect small scale spaces which are valued by local communities.

## Effects of the Preferred Option and Opportunities for Mitigation

<b>Table 5.6: Local Green Space</b>		
<b>Sustainability Objective</b>	<b>Impacts</b>	<b>Commentary and Potential Mitigation Measures</b>
<b>Biodiversity, Fauna and Flora</b>		
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	<b>Minor Positive Impact</b>	The likely level of impact would be determined by the nature of sites that come forward and their value/sensitivity in biodiversity terms. However this policy could allow protection of sites which would not meet the necessary requirements to justify designation of a local wildlife site or Local Nature Reserve. On this basis positive effects are likely to be moderated but nonetheless would be <b>positive</b> and of slight or <b>minor</b> significance.  <b>Mitigation</b> Policies BNE3 (Biodiversity), supports the protection and delivery of priority habitats and species including through stepping stone sites.
<b>Population and Human Health</b>		
to provide decent and affordable homes that meet local needs	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve the health and well-being of the population	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve community safety and reduce crime and fear of crime	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve educational achievement and improve the District's skills base	<b>No effects</b>	<b>No Significant Effects Identified</b>
to promote social inclusion and reduce inequalities associated with deprivation across the District	<b>No effects</b>	<b>No Significant Effects Identified</b>
<b>Material Assets</b>		
To improve local accessibility to healthcare, education, employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable	<b>Minor Positive Effect</b>	This option would see the designation of areas of local green space, including valued recreational spaces which may not receive any protections included elsewhere in the Local Plan such as policies INF6 (Community Facilities) and INF9 (Open Space, Sport and Recreation). This designation could help preserve many areas that may not be protected through these policies, but nonetheless are valued community spaces which meet some local formal and informal recreation needs.  <b>Mitigation</b> The performance of this policy could be further enhanced by ensuring that local green space policy wording includes appropriate clauses to support the enhancement of sites, including those valued for recreation.

travel or non-travel choices.		
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	No effects	No Significant Effects Identified
to achieve stable and sustainable levels of economic growth and maintain economic competitiveness	No effects	No Significant Effects Identified
to diversify and strengthen local urban and rural economies and create high quality employment opportunities	No effects	No Significant Effects Identified
to enhance the vitality and viability of existing town and village centres	No effects	No Significant Effects Identified
to improve the quality of new development and the existing built environment	Minor Positive Effect	<p>Protecting and identifying Local Green Spaces through the Plan could help ensure that local gaps or spaces in existing settlements which are of historical significance to the settlement or add to local beauty could be protected from inappropriate development. However, impacts could be limited given that the Local Green Space designation does not specifically set out to protect townscape, although, clearly in protecting important areas of green space within existing settlements it is likely that these will make a slight or minor contribution to the quality of the existing built environment.</p> <p><b>Mitigation</b>  Policy BNE1 (Design Excellence) sets out guidance on issues such as local character and pride, street design, movement and legibility and visual attractiveness of new development.  BNE2 (Heritage Assets) sets out strategic policy to protect the Districts heritage assets and their settings.  Policy BNE7 (Trees Woodland and Hedgerows) will help protect these features where they are present on development site  BN10 (Heritage) will help conserve the historic character of the Districts settlements  BNE11 (Shopfronts) will protect the architectural contribution of existing historic shopfronts  INF8 (The National Forest) includes guidance on National Forest requirements and achieving appropriate planting schemes on development sites</p>
<b>Soil, Water and Air</b>		
to minimise waste and increase the reuse and recycling of waste materials	No effects	No Significant Effects Identified
to promote sustainable forms of construction and sustainable use of natural resources	No effects	No Significant Effects Identified

to reduce water, light, air and noise pollution	<b>Minor Negative Impact</b>	<p>This option would allow for the protection of areas valued for their tranquillity. As such designation could help ensure that sites of importance in respect of tranquillity can be offered further protections from development that may have inappropriate effects in respect of noise and light pollution as well as visual clutter. Potential effects would be <b>positive</b> and of slight or perhaps <b>minor</b> significance.</p> <p><b>Mitigation</b> Policy SD1 (Amenity and Environmental Quality) will help ensure that new development does not have adverse effects on the environment or amenity of existing and future occupiers in respect of noise, light, air and water quality.</p>
to minimise the irreversible loss of undeveloped (greenfield) land	<b>No effects</b>	<b>No Significant Effects Identified</b>
to reduce and manage flood risk and surface water run-off	<b>No effects</b>	<b>No Significant Effects Identified</b>
<b>Climatic Factors</b>		
to reduce and manage the impacts of climate change and the District's contribution towards the causes	<b>No effects</b>	<b>No Significant Effects Identified</b>
<b>Cultural Heritage (including Architectural and Archaeological Heritage)</b>		
To conserve and enhance the historic environment, heritage assets and their settings	<b>Minor Positive Effect</b>	<p>The likely level of impact would be determined by the nature of sites that come forward within established settlement boundaries and the overall importance of in terms of heritage and their sensitivity to development. However the designation of local green spaces would offer potential, in principle, to support the protection of historic areas, which would not be of sufficient value to be designated as heritage assets. It is likely therefore that this approach would provide positive effects against this SA objective with effects of potentially <b>minor</b> significance depending on the number and nature of designation of local green spaces.</p> <p><b>Mitigation</b> It is considered that Policy BNE2 (Heritage Assets), in the Local Plan Part 1 provides significant requirements in respect of mitigation which will ensure that the allocation of settlement boundaries across most of the District's villages will not have significant effects in respect of this SA objective. Effects could also be mitigated through the inclusion of further mitigation in the LP2, including, in particular, Policies BNE10 (Heritage) which includes a clause for non-designated heritage assets.</p> <p>Changes to the policy wording to ensure that adjacent development does not compromise the historic value of local green spaces protected for heritage reasons could further strengthen the council's preferred approach.</p>
to improve access to the cultural heritage of the district for enjoyment and educational purposes	<b>Minor Positive Effect</b>	<p>Local Green Spaces designated for historic reasons could in some instances be accessible to local communities and designations could help ensure accessibility to such resources. Impacts could be <b>positive</b> and of slight or potentially <b>minor</b> significance depending on the nature of sites designated.</p> <p><b>Mitigation</b> Possibly include guidance in the Local Green Space policy or wider commentary to support enhancements to public access to local green spaces where appropriate.</p>

Landscape		
To conserve and enhance the District's landscape and townscape character.	<b>Minor Positive Effect</b>	<p>The inclusion of Local Green Spaces could help ensure that local landscape and townscape value is protected, especially in more rural locations where local green spaces may form an important part of the urban/rural interface. However, impacts could be limited given that the Local Green Space designation does not specifically set out to protect and enhance local townscape and landscape value. Although in protecting important areas of green space within existing settlements it is likely that these will make a slight or <b>minor positive</b> contribution to local landscape and townscape quality</p> <p><b>Mitigation</b> Policy BNE4 (Landscape Character and Local Distinctiveness), BNE2 (Heritage Assets) and BNE1 (Design Excellence) all seek to protect local townscape and landscape from inappropriate development.</p> <p>The LP2 also seeks to ensure development protects local townscape and townscape character. Relevant key policies include BNE7 (Trees, Woodland and Hedgerows), BNE10 (Heritage) and BNE11 (Shopfronts).</p>

### How the Assessment was Undertaken and Difficulties Encountered

- 5.7.13 This assessment was undertaken by the Planning Policy Team. The impacts identified are based on qualitative predictions supported by relevant studies and evidence including the Local Green Spaces Topic Paper (Appendix D to December 2015 LP2 Consultation) and the Draft Local Green Spaces Options Consultation considered by the Council's Environmental and Development Services Committee in April 2017).
- 5.7.14 At this early stage of the appraisal it is clear that the designation of Local Green Spaces could have limited positive effects as it would allow locally valued areas of historic, recreation and biodiversity value and spaces which are of importance in respect of beauty or tranquillity to be protected. The Council has identified a number of Local Green Spaces and will look to designate relevant sites through a Local Green Spaces Development Plan Document in due course. Having reviewed the nature and general location of sites already outlined it is considered the local green space designation could have a range of minor positive effects.

### Potential Mitigation Measures Identified During the Review

- 5.7.15 In many respects policies included in the South Derbyshire Local Plan Part 1, will not offer significant potential to mitigate the effects of development on areas of value to local communities. This is because many areas valued by communities are often afforded limited protection, unless there are specific features or designations that would be protected through existing policies. Areas which are valued by local communities, but not afforded protection could therefore be vulnerable to development. The designation of local green spaces could therefore extend the protection to areas of biodiversity, heritage or recreation value not ordinarily protected from development and as such could help further improve the environmental and social performance of the Local Plan. The likely performance of the preferred approach could be further enhanced through specific requirements being added to either the policy or explanation of any policy supporting joint working with landowners and local communities to improve/enhance the quality of greenspaces in respect of biodiversity, heritage, recreation and tranquillity and supporting improvements to access where appropriate following designation.

## **5.8 ISSUE 4: SWADLINCOTE TOWN CENTRE**

5.8.1 The policy surrounding town centre development is largely set out in the NPPF and the scope and content of the District Council's retail policy for the town is likely to largely reiterate the requirements of national guidance covering the sequential approach to locating town centre developments. In addition, previous SA work in respect of retail issues indicated that the Council's preferred approach to managing change in retail centres would consist of a more flexible approach to allow a range of retail based uses in the Town Centre (rather than just A1 retail shops) in order to tackle the relatively high levels of unused premises and the wider structural changes facing the retail industry. This approach will allow the District Council to plan positively for the future.

5.8.2 However, whilst some aspects of the Council's retail policy for Swadlincote town centre are predetermined by NPPF policy or guided by previous SA work included in the Part 1 Local Plan, the Council considers that it is appropriate to consider the likely extent of the Town Centre boundary and the likely performance of a range of spatial options as follows:

### **Why have alternatives been considered for this issue?**

5.8.3 A number of town centre boundaries have been identified through a number of documents. The Council considers it appropriate to consider the likely performance of different boundaries proposed against the SA. The options considered are as follows:

**Option 1      Define the Town Centre based on the primary shopping area**

**Option 2      Define the Town Centre boundary based on Swadlincote Town Centre Vision and Strategy**

**Option 3      Define the Town Centre Boundary to that recommended in the Swadlincote Town Centre Retail and Leisure Study**

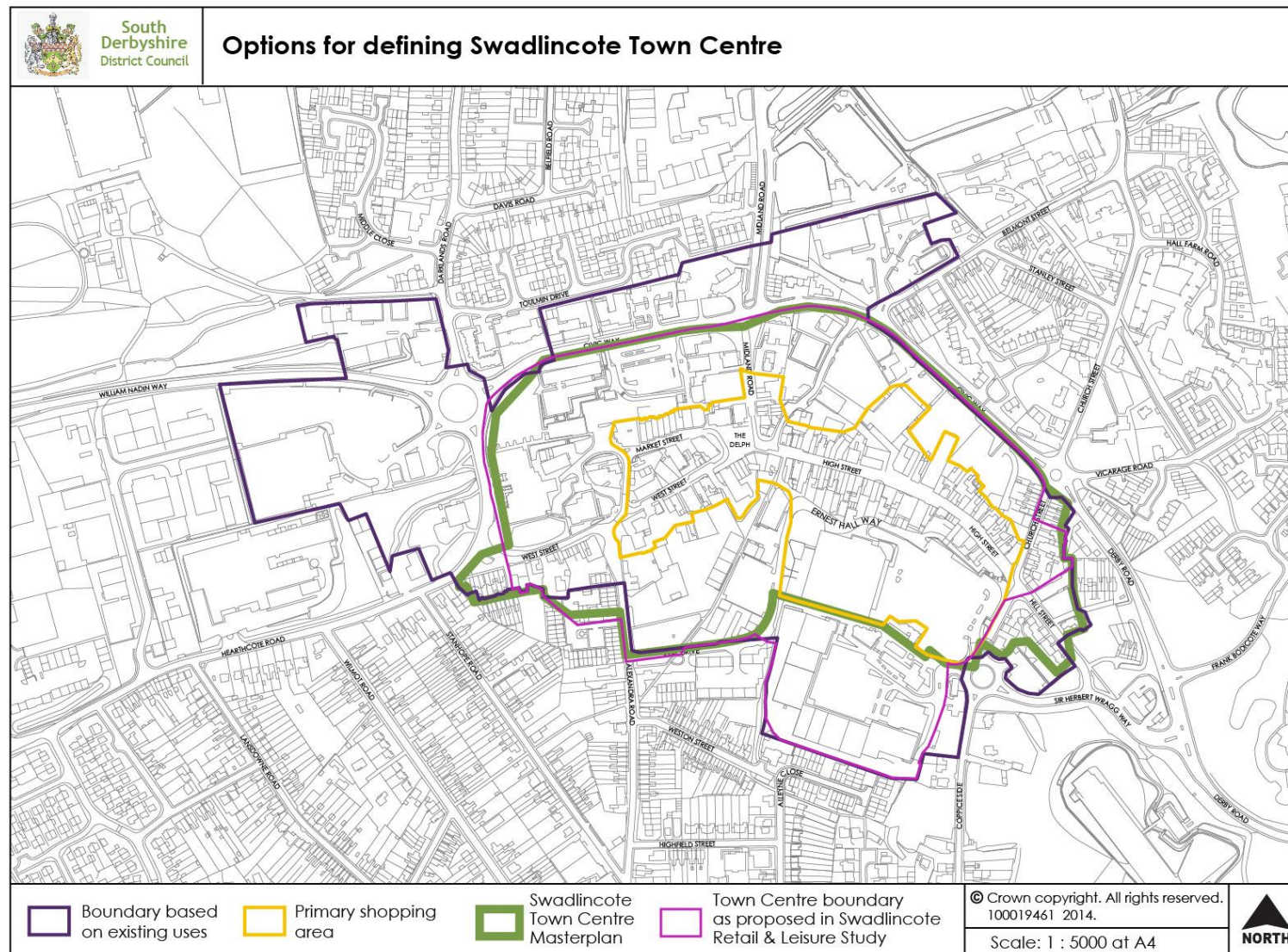
**Option 4      Define the Town Centre boundary based on existing uses and planning permissions as they exist now**

### **How Have the Options Been Identified?**

5.8.4 These options have been identified by the Planning Policy team following a review of previous town centre boundaries identified by the Authority (for example within the Swadlincote Town Centre Vision and Strategy), as well as boundaries identified in the Swadlincote Retail and Leisure

Study (2015), which identified the primary shopping area and recommended a boundary for the Town Centre. A further option based on actual town centre uses which are built or consented has also been identified by the Council and included for appraisal as Option 4.

Figure 5.2 Map of Town Centre Boundary Options





### **Summary of Responses**

- 5.8.5 A total of 11 responses were received regarding Swadlincote Town Centres. These were generally supportive of the Council's approach to controlling development. No alternative town centre boundaries have been proposed through the Draft Plan Consultation.

### **What May Happen if the Local Plan is not prepared**

- 5.8.6 In the absence of the LP2 being prepared it is unlikely that significant new retail and leisure uses will come forward in the foreseeable future according to the recently produced Swadlincote Retail and Leisure Study which notes that Swadlincote faces pressure from 'higher order centres which are located in proximity to the centre, such as Burton-upon-Trent and Derby. The opportunities to attract investment from national multiples to the town centre are limited. Most of the major high street retailers are already represented in the nearby towns of Burton-upon-Trent and Derby, and as result are unlikely to seek representation in Swadlincote in the short term'. On this basis, the absence of defining a town centre boundary is unlikely to significantly affect development given the potential lack of major investment into the town. Moreover, the Council has not previously adopted a Town Centre Boundary, for example through the Adopted 1998 Local Plan, and has successfully managed to support the delivery of a number of retail developments around the town such as Morrisons and the adjacent Pipeworks site. On this basis, guided by national policy the Council may still be able to react to potential retail and leisure developments where these come forward within the Town. Nonetheless the Council considers that a proactive approach to retail and leisure management could provide the greatest potential to continue delivering improvements to the quality of the retail provision in the town centre as well as support continued public realm improvements.

### **The Characteristics of the District Likely to Be Affected by the Local Plan Part 2**

- 5.8.7 In respect of this issue the LP2 could help deliver improvements to local retail, leisure and employment offer in the town and hence have a positive effect in respect of accessibility. It could also have positive effects in respect of delivering public realm improvements and could potentially help deliver enhancements to Swadlincote Town Centre Conservation Area, including through supporting improvements to the frontages of existing retail premises and delivering the regeneration of sites around the edge of the centre.

### **The Likely Significant Effects of the Environment of the Part 2 Local Plan Including on Areas of Known Environmental Importance**

- 5.8.8 This policy would have no significant effects in respect of sites protected pursuant to the Habitat or Birds Directive. This policy would also have no discernible impact on water quality of local watercourses or waterbodies and hence the provisions of the Water Framework Directive. Designating a town centre boundary would also be unlikely to have any tangible effect in respect of air quality and given there is no air quality management areas around the town and that amenity policies to ensure air quality and odour considerations are adequately addressed through future development already exist. The designation of a town centre boundary would also have no effect in respect of EU and national objectives to halt biodiversity decline by 2020. It would have negligible effects in respect of securing a 20% reduction in greenhouse gas emissions by 2020.

## Summary of Town Centre Boundary Options

Town Centre Boundary Options	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Option 1: primary shopping area	--	✓	--	--	--	--	--	--	--	?	?	✓	--	--	--	--	--	--	--	--	✓
Option 2: based on Swadlincote Town Centre Vision and Strategy	--	✓	--	?	?	--	✓	✓	✓	✓	✓	✓	--	--	✗	--	--	--	✓	✓	✓
Option 3: based on Swadlincote Town Centre Retail and Leisure Study	--	✓	--	?	?	--	✓	✓	✓	✓	✓	✓	--	--	✗	--	--	--	✓	✓	✓
Option 4: based on existing uses and planning permissions as they exist now	--	✓	--	?	?	--	✓	✓	✓	✓	✓	✓	--	--	✗	--	--	--	✓	✓	✓

- 5.8.9 All options were identified as unlikely to give rise to any effects in respect of avoiding damage to designated habitats and species, improve the health and wellbeing of local residents, promote social inclusion and reduce inequalities, minimise waste and increase recycling, promote sustainable forms of construction, minimise the loss of greenfield land, reduce and manage flood risk, and reduce and manage the effects of climate change.
- 5.8.10 Option 1 was also considered likely to have no effect in respect of objectives to improve community safety, improve educational achievement, improve local accessibility, make best use of existing infrastructure, achieve stable and sustainable levels of economic growth, reduce pollution, conserve and enhance the historic environment and access to it and conserve and enhance local townscape. This is because this option would restrict new retail development to the primary frontage area and would do little to support the delivery of additional retail development outside of this area (including on sites close to the primary retail area many of which are underused, or would benefit from regeneration). It could also restrict opportunities to deliver enhancements and improve access to heritage assets, given that significant improvements to existing areas within the primary shopping area have already been delivered through works to the Delph, West Street, Sharpes Pottery and other buildings in the town centre through works to shop fronts. Defining a larger town centre could improve opportunities to deliver townscape improvements and wider improvements to the Conservation Area that lies within the Town Centre Boundary defined in Option 1. Uncertain effects were identified in respect of sustainability objectives to diversify and strengthen local economies and enhance the vitality of town and village centres. This was because whilst defining a tightly drawn town centre boundary could potentially focus new development into a smaller area and could improve potential to secure improvements to the town (and hence attractiveness to shoppers), it could also restrict opportunities for retail operators who's needs may not be supported by the nature or size of shops within the retail core, which could restrict opportunities for investment into the town.
- 5.8.11 Option 1 was identified as likely to have a minor positive effect in respect of housing delivery, as any policy, irrespective of the town centre boundary would support the change of use of upper floors to residential use, as well as a positive effect in respect of improving the quality of built development as this option could provide opportunity to regenerate parts of the town centre (located within the Option 1 boundary). A minor effect has been identified against the objective to enhance the vitality and viability of the town centre. This is because whilst there may be advantages to drawing a larger boundary to ensure there are opportunities for continued growth and inward investment into the town,
- 5.8.12 Options 2-4 perform similarly, although this is unsurprising as defining a larger town centre boundary could secure opportunities, to improve community safety, for example by delivering higher levels of town centre usage in the evening which in turn could increase natural surveillance and help reduce crime and antisocial behaviour. Set against this, however, greater evening use could also lead to greater incidents of antisocial behaviour. All the options are therefore considered to have a similarly uncertain effect. A uncertain effect has also been identified in respect of the objective to improve educational achievement. This is because whilst the designation of a larger centre could potentially support greater use of buildings in the centre of Swadlincote for education purposes such as those used by the County Council for adult learning along Rink Passage, it is unclear whether there is likely to be demand for further facilities in the town.
- 5.8.13 A negative effect against Options 2-4 has been identified in respect of the SA objective to reduce water, light, air and noise pollution. This is because the drawing of a larger boundary could deliver new retail uses into a wider area of the town (where retail development has historically

been more strictly controlled). Uses such as public houses, restaurants and bars and hot food take-aways could potentially lead to increased noise and odour complaints and create potentially conflictual neighbouring land uses.

- 5.8.14 A minor positive effect has been identified in respect of the SA Objective to provide decent and affordable homes that meet local needs. This is because all options would support the delivery of residential uses above shops as required by national policy (note the size of town centre boundary is unlikely to have any discernible impact of the magnitude of effects, as housing would be supported within the town centre and will also be acceptable outside of the defined centre as it would fall within the settlement boundary for Swadlincote). Positive effects are also identified in respect of improving local access to facilities and reducing the need to travel as a larger town centre would offer enhanced retail, leisure and community facilities provision in the town centre which is well served by a range of transport options and help reduce the need for local communities to travel outside of Swadlincote to access retail and leisure provision. Growth in the town centre could also strengthen the local economy and create stable and sustainable growth in the local economy including through clawing back expenditure currently leaking to Burton on Trent or Derby City. The allocation of a larger town centre could also support the regeneration through retail, leisure or mixed use developments of a number of under used sites or sites in need of redevelopment, including those located within or adjacent to the Town's conservation area. On this basis the drawing of a larger town centre boundary could have a minor positive effect in respect of Sustainability objectives to conserve and enhance the historic environment, heritage assets and their settings; to improve access to the cultural heritage of the District for enjoyment and educational purposes and to conserve and enhance the District's landscape and townscape character.

#### **Identification of the Council's Preferred Options**

- 5.8.15 The Council's preferred option is option 4. This would base the town centre boundary on retail, service and civic uses which presently exist in the town or have consent. This option would therefore have the largest town centre boundary of the four options identified, although in practice increasing the size of the town centre is unlikely to perform significantly different to option 3 (boundary proposed in the Swadlincote Retail and Leisure Study) as the additional area included in Option 4 lies to the north and west of Civic Way and comprises of retail and civic uses including supermarkets, large format retail outlets, a health centre, police station, fire station and a drive-thru restaurant. Option 2, which is the town centre boundary based on the Swadlincote Town Centre Vision and Strategy no longer reflects the extent of retail uses in the town. Option 1 would see the town centre restricted to a relatively small area along West Street, High Street and covering Morrisons Supermarket which is defined as the primary shopping area in the Swadlincote Retail and Leisure Study. Whilst drawing such a tight boundary could help the Authority focus retail uses in a specific location and help ensure investment into these areas, on balance, it was considered that such a tightly drawn town centre could deter further investment into the town and reduce opportunities for strengthening local retail and leisure offer by restricting opportunity for larger format shops which are not present along the High Street as well as restrict opportunities for securing retail led regeneration across much of the centre of Swadlincote.

## Effects of the Preferred Option and Opportunities for Mitigation

Table 5.7: RTL1 Swadlincote Town Centre		
Sustainability Objective	Impacts	Commentary and Potential Mitigation Measures
<b>Biodiversity, Fauna and Flora</b>		
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	No effects	No Significant Effects Identified
<b>Population and Human Health</b>		
to provide decent and affordable homes that meet local needs	Minor Positive Effect	<p>The designation of a larger town centre boundary would not stymie the development of housing at the expense of retail and leisure uses as it is clear from Policy RTL1 that mixed use development will be supported in the town centre, (these could include a component of residential development). As such irrespective of the scale of town centre boundary selected it is likely that all options will perform similarly as housing would be supported both within and outside the town centre boundary. However it was considered that this option (like options 1-3) would have a <b>minor positive</b> effect as the conversion of the upper story of shops to residential use would be facilitated in any locally defined policy to reflect national policy guidance.</p> <p><b>Mitigation</b> Ensure policy RTL1 supports the appropriate conversion of upper stories of shops in the town centre and elsewhere to residential use as required by National Policy. Ensure policy RTL2 or commentary reflect the need to accommodate appropriate uses within the town centre</p>
to improve the health and well-being of the population	No effects	No Significant Effects Identified
to improve community safety and reduce crime and fear of crime	Uncertain	<p>Option 4 (like options 2 and 3) could increase natural surveillance by increasing town centre usage during the day and extending usage into the evening. However, a larger boundary increase the number of public houses, bars or night clubs and could therefore increase incidents of antisocial behaviour. Overall an <b>uncertain</b> effect is identified.</p> <p><b>Mitigation</b> Policy BNE1 (Design Excellence) in the Local Plan Part 1 will help ensure that new development is delivered in a way which addresses community safety</p>
to improve educational achievement and improve the District's skills base	Uncertain	<p>Option 4 would define a larger town centre and could help provide opportunities to accommodate learning and skills providers in the town centre. However a number of existing skills and adult learning centres are already located in the town and it is unclear whether there is any realistic prospect of further sites coming forward within the plan period. Impacts are <b>uncertain</b>.</p>
to promote social inclusion and reduce inequalities associated with	No effects	No Significant Effects Identified

deprivation across the District		
<b>Material Assets</b>		
To improve local accessibility to healthcare, education, employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	<b>Minor to Moderate Positive Effect</b>	<p>Option 4 would provide for a larger town centre boundary which could support the delivery of additional, shopping facilities, sports and leisure provision as well as appropriate education and employment provision where appropriate by ensuring a range of potential development sites can be located within the town centre boundary. Clearly the provision of such services in an area already well served by public transport provision could improve accessibility. Overall option 4 was considered to have a <b>minor</b> or potentially <b>moderate positive</b> impact against this SA objective.</p> <p><b>Mitigation</b> Policy RTL2 will include potential redevelopment locations which could accommodate further appropriate development and Policy INF2 (Sustainable Transport) in the Local plan Part 1 requires that appropriate provision is made for safe and convenient access to and within development for pedestrians, cyclists, public transport users.</p>
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	<b>No effects</b>	<p>Option 4 would provide for a larger town centre boundary which could support the delivery of additional, shopping facilities, sports and leisure provision as well as appropriate education and employment provision. Clearly increased retail and leisure offer could help reduce trips to neighbouring towns and city centres and hence reduce the need for local residents to travel. However, given that both Derby and Burton are higher order settlements, and are likely to offer a greater range of retail and service offer, clearly any improvements in the town would only make a limited contribution against this objective. Nonetheless a minor positive effect is recorded against this objective.</p> <p><b>Mitigation</b> Policy INF2 (Sustainable Transport) in the Local Plan Part 1 requires that appropriate provision is made for safe and convenient access to and within development for pedestrians, cyclists, public transport users.</p>
to achieve stable and sustainable levels of economic growth and maintain economic competitiveness	<b>Minor Positive Effect</b>	<p>Defining a larger town centre boundary could help attract further investment into Swadlincote and support the vitality and viability of the town centre. However, given the lack of investor interest for retail uses, both in Swadlincote and nationally (identified in the Swadlincote Retail and Leisure Study) it is likely positive effects would be moderated. A <b>minor positive</b> effect is identified in respect of this objective</p> <p><b>Mitigation</b> Ensure policy RTL2 or explanation for the policy reflects the need to accommodate mixed use developments within the town centre and supports delivery of appropriate town centre uses as well as appropriate residential or employment development.</p>
to diversify and strengthen local urban and rural economies and create high quality employment opportunities	<b>Minor to moderate Positive Effect</b>	<p>Defining a larger town centre boundary could help attract further appropriate investment into Swadlincote and strengthen retail and leisure offer as well as support the delivery of other appropriate uses such of employment developments such as new offices. Overall option 4 was considered to have a minor or potentially moderate positive impact against this SA objective.</p> <p><b>Mitigation</b> Ensure policy RTL2 or its explanation (Swadlincote Town Centre Potential Redevelopment Locations) reflects the need to accommodate mixed use developments within the town centre and supports delivery of appropriate town centre uses as well as appropriate residential or employment development. Policy E2 (Other Industrial and Business Development) included in the Part 1 Local Plan supports the delivery of appropriate employment land within Swadlincote urban area</p>
to enhance the vitality and viability of existing town and village centres	<b>Uncertain</b>	<p>Defining a larger town centre boundary would maximise opportunities to enhance the vitality and viability of the town centre. However given that interest amongst retail companies in the town is limited and having regard to the fact that defining a large boundary could effectively stretch out the town centre (and thus create large gaps between retail uses) which could undermine the attractiveness of the town as a retail. An uncertain impact as therefore been assigned.</p>

		<p><b>Mitigation</b> Policy RTL 1 (Retail Hierarchy ) proposes specific protections for primary shopping frontages to resist loss to none retail uses Policy RTL2 commentary (Swadlincote Town Centre Redevelopment Locations) identifies that outside of primary areas non retail uses such as employment or housing could be accommodated. Such uses could help support the wider health of the town centre.</p>
to improve the quality of new development and the existing built environment	<b>Minor to moderate Positive Effect</b>	<p>The definition of a larger town centre boundary could help ensure that potential redevelopment to retail led or mixed use sites in the core of Swadlincote, but outside of the primary shopping area can be supported. This could therefore include the whole of Swadlincote Conservation Area, as well potential redevelopment locations identified by the Authority. However, as previously noted, opportunities would be limited in the foreseeable future to deliver retail led schemes in the core as indicated in the Swadlincote Retail and Leisure Study. Accordingly this option could have a <b>minor</b> or potentially <b>moderate positive</b> effect in the longer term.</p> <p><b>Mitigation</b> Policy RTL2 (Swadlincote Town Centre Potential Redevelopment Locations) identifies potential redevelopment locations on the edge of the Primary Shopping Area in the town where regeneration could provide further retail offer and deliver wider townscape enhancements Policy BNE11 (Shop fronts) includes policies to ensure that shop front within the conservation area, or in other areas where shops make a positive contribution to the Character of the area.</p>
<b>Soil, Water and Air</b>		
to minimise waste and increase the reuse and recycling of waste materials	<b>No effects</b>	<b>No Significant Effects Identified</b>
to promote sustainable forms of construction and sustainable use of natural resources	<b>No effects</b>	<b>No Significant Effects Identified</b>
to reduce water, light, air and noise pollution	<b>Minor Negative Impact</b>	<p>Defining a larger town centre could encourage the development of addition retail and leisure uses into areas which are mainly residential in nature. Should this occur there is potential for increased numbers of noise complaints, as well as increased light and odour complaints, for example from pubs, bars, restaurants and takeaways.</p> <p><b>Mitigation</b> Policy SD1 (Amenity and Environmental Quality) will help ensure that new development does not have adverse effects on the environment or amenity of existing and future occupiers in respect of noise, light, air and water quality.</p>
to minimise the irreversible loss of undeveloped (greenfield) land	<b>No effects</b>	<b>No Significant Effects Identified</b>
to reduce and manage flood risk and surface water run-off	<b>No effects</b>	<b>No Significant Effects Identified</b>
<b>Climatic Factors</b>		
to reduce and manage the impacts of climate change and the District's	<b>No effects</b>	<b>No Significant Effects Identified</b>

contribution towards the causes		
<b>Cultural Heritage (including Architectural and Archaeological Heritage)</b>		
To conserve and enhance the historic environment, heritage assets and their settings	<b>Minor to Moderate Positive Effect</b>	<p>The designation of a larger town centre boundary will ensure that Swadlincote Conservation Area falls almost fully within the town centre. This would offer greater potential to regenerate many sites which are located within or adjacent to the Primary Shopping Area and could increase flexibility to safeguard and/or improve the setting and heritage assets within the boundary, including around Sharpes Pottery, West Street and Belmont Street. A <b>minor</b> to potentially <b>moderate positive</b> effect is identified.</p> <p><b>Mitigation</b>  Policy BNE10 (Heritage) will provide a development management policy to ensure that new development responds to local character and heritage assets  Policy BNE11 (Shopfronts) provides policy to ensure new shops that come forward which have influence on heritage assets are appropriately designed.  Policy RTL2 (Swadlincote Town Centre Potential Redevelopment Locations) identifies potential redevelopment locations on the edge of the Primary Shopping Area in the town where regeneration could provide further retail offer and deliver wider townscape enhancements.</p>
to improve access to the cultural heritage of the district for enjoyment and educational purposes	<b>Minor Positive Effect</b>	<p>Defining a larger town centre could help promote the redevelopment of many sites that are in private or partly in private ownership around the town. Where redevelopment is for retail uses this could potentially open up public access to local building of historic or cultural heritage as was the case with the Pipeworks development which has improved access to, and secured the retention and reuse a number of important non designated heritage assets in the town. However opportunities would be moderated by the lack of 'foreseeable' investment into the town in the short-term. Accordingly a slight or potentially <b>minor positive</b> effect over the plan period is identified.</p> <p><b>Mitigation</b>  Policy BNE2 (Heritage Assets) Criteria D of the Part 1 Local Plan states that the Authority will work with private owners and developers to bring forward opportunities to secure the long term future, sensitive use and reuse of underutilised buildings and the development of gap sites in Conservation Areas where development would be beneficial to the character of the area. The Council will seek opportunities to improve public access to existing heritage assets associated with new development schemes.</p>
<b>Landscape</b>		
to conserve and enhance the District's landscape and townscape character.	<b>Minor to Moderate Positive Effect</b>	<p>The definition of a larger town centre boundary could help ensure that potential redevelopment to retail led or mixed use sites in the core of Swadlincote, but also outside of the primary shopping area. This could help support the regeneration of a number of sites around the town and could provide greater certainty to developers wishing to bring forward site redevelopment up to 2028.</p> <p><b>Mitigation</b>  Policy RTL2 (Swadlincote Town Centre Potential Redevelopment Locations) identifies potential redevelopment locations on the edge of the Primary Shopping Area in the town where regeneration could provide further retail offer and deliver wider townscape enhancements  BNE1 (Design Excellence) BNE2 (Heritage Assets), BNE10 (Heritage) and BNE11 (Shopfronts), all provide policy guidance to ensure that new development in conservation areas, or elsewhere reflects the need to enhance the wider area and improve access and connectivity between and within developments.</p>



### **How the Assessment was Undertaken and Difficulties Encountered**

- 5.8.16 This assessment was undertaken by the Planning Policy Team. The impacts identified are based on qualitative predictions supported by relevant studies and evidence including the Swadlincote Retail and Leisure Study, Swadlincote Vision and Strategy, Swadlincote Conservation Area Character Statement, Swadlincote Townscape Activity Plan and the South Derbyshire Part 1 Local Plan and associated Sustainability Appraisal. The Council has an up to date understanding of the quality of retail offer and the state of Swadlincote Town Centre, owing to the recent completion of the Swadlincote Retail and Leisure Study which is clear that opportunities for large scale private sector investment into the town in the near future will remain constrained. In order to reflect this the Authority has adjusted its likely consideration of the magnitude of effects of defining a larger town centre boundary to reflect the fact that largescale growth opportunities within the town, such as that experienced since 2006 (with the completion of Morrisons, Sainsbury's supermarket extension, and development of the Pipeworks site) may not be repeated, in the short-term at least. However works in respect of heritage are ongoing (grant funding for townscape works was secured in 2015 and will be ongoing until 2018) and will help lever in additional private sector funding. In addition, the Council will continue to seek to access funds in the future for further townscape and heritage projects in the town, or deliver minor townscape improvement projects out of its own funds.

### **Potential Mitigation Measures Identified During the Review**

- 5.8.17 The policies included in the South Derbyshire Local Plan Part 1 will provide much of the mitigation necessary to reduce the likely negative effects associated with defining a larger town centre boundary. In particular the Local Plan Part 1 includes policies on the following; SD1 (Amenity and Environmental Quality) which sets out protections to ensure that new retail-led developments into residential areas will not negatively affect existing or future occupiers; Policy BNE2 (Heritage Assets) includes criteria to protect the character and setting of Heritage Assets and improve access to these where appropriate. In addition, BNE1 (Design Excellence) will help ensure any new development reflects its location and addresses issues such as movement and access. In addition through the planning process a number of further policies were considered through the initial LP2 consultation which have been revised through the Plan-making process which include BNE10 (Heritage) which requires new development affecting heritage assets to respect local character, BNE11 (Shopfronts), which requires that shopfronts respect the quality and architectural contribution of any historic shopfront and RTL2 which identifies potential regeneration areas within the town centre. Together these policies will help to ensure that in defining a larger town centre adequate control can be exerted over future development and the negative effects of future growth will be reduced and positive effects enhanced.

## ISSUE 5: SECONDARY SCHOOL PROVISION

5.9.1 In 2015 Derbyshire County Council consulted on a strategy for secondary school growth in South Derbyshire. This proposed the expansion of an existing school in the District as well as possible locations for a new secondary school. This consultation considered a range of issue but in essence sought to identify the potential locations for new schools provision and rank (score) these according to an assessment methodology identified by the County Council. In total 7 broad areas for location a new secondary school have been considered by the County Council. These are:

- Aston on Trent, Weston on Trent and Shardlow
- Boulton Moor (Thulston Fields)
- Findern
- Newhouse Farm
- Wragley Way
- Melbourne
- Chellaston - Lowes Farm

5.9.2 Through their assessment which is available to view on Derbyshire County's [website](#), the County have identified that two of these site be notified. These were sites at Thulston Fields and Lowes Farm. Sites elsewhere have been ruled out by the County Council as locations potentially suitable to accommodate a secondary school as a result of accessibility/transport considerations, land ownership, flood risk and land value/acquisitions issues. Clearly the identification of preferred locations for growth remains a matter for the County Council as the Local Education Authority although given that the County Council has sought to notify a number of potential sites the following options are available to this Authority:

### **Why have alternatives been considered for this issue?**

5.9.3 Three reasonable alternatives for supporting the delivery of secondary school provision have been identified are as follows:

**Option 1: Allocate both sites for schools provision in line with the notification from the Education Authority**

**Option 2: Notify Lowes Farm only**

**Option 3 Do not notify any potential sites**

Previously through the Local Plan process the District Council has sought to allocate both sites notified by the County. Indeed it has historically been the view that alternative options would not be realistic or reasonable since the County Council has outlined a desire to notify both potential schools sites (at Lowes Farm and Thulston Fields) and as the body seeking to deliver new education provision, the District had a requirement to provide certainty to the County that both or either of the sites could deliver a new school. As such both sites were proposed for allocation in the

emerging LP2. However through the Local Plan process it has become clear that allocating land at Thulston Fields outside of a strategic review of Green Belt would be problematic. This is reflected in the Inspectors letter dated 8<sup>th</sup> May 2017 which states:

*“If land at Thulston Fields needs to be allocated for a secondary education facility, then the Green Belt boundary would need to be altered, which paragraph 83 of the Framework makes clear should only be done in ‘exceptional circumstances’. Both the District and County Council appear to acknowledge this would need to take place as part of a wider review of Green Belt boundaries around Thulston Fields and Boulton Moor, which would be better considered in a future review of the Local Plan”.*

- 5.9.4 Considering this Inspectors letter, it is clear that the Council’s preferred (only) previously identified spatial option (to allocate both notified school sites) is not deliverable in advance of a Green Belt review which falls outside of the scope of this LP2. Given the Green Belt issues identified above, notifying only the site at Lowes Farm, or indeed not allocating any sites (and allowing sites to be determined on their merits through the development management process) may be considered alternative ways of dealing with future secondary school provision.

#### **How Have the Options Been Identified?**

- 5.9.5 These options have been identified by the Planning Policy team. As previously stated, it was considered that the allocation of sites at Thulston Fields and Lowes Farm represented the only reasonable option for the Council given that both sites had been notified. However through the Plan making process it has become clear that proposals for a new school in the Derby and Nottingham Green Belt around Thulston Fields could only take place where exceptional circumstances exist to justify this development. Whilst it is recognised that at this time this site remains the County Council’s preferred location for a school it is not possible to review the boundaries of the Green Belt (this is outside of the scope of LP2) or demonstrate that exceptional circumstances exist as detailed work towards planning a new school is still to be undertaken. As such, despite historically favouring an approach to allocate both sites, this approach is no longer considered as a reasonable option given the Inspectors guidance. As such the District Council has sought to review two further options. These are to allocate the site at Lowes Farm only, or to not allocate any site notified.

#### **What May Happen is the Local Plan is not prepared**

- 5.9.6 In the absence of the LP2 being adopted, housing to meet the District’ housing requirement will still be delivered up to 2028. Around half of this delivery will be as urban extensions to the southern edge of Derby City as outlined in the Adopted Local Plan Part 1. This delivery will include provision around Boulton Moor, Chellaston, Sinfin, Stenson, Littleover and Mickleover. The scale of growth already committed will require that one, or possibly two new secondary schools within the northern part of South Derbyshire, although expansion of existing schools in South Derbyshire or Derby City could accommodate some of the additional pupils living in the District. Clearly in the absence of LP2 this need will still arise and there will be a need to accommodate additional pupil numbers. It would therefore be likely that schools delivery would come forward as planning applications supported by existing national and local policies, although the timing and location of future schools delivery may be less certain.

### **The Characteristics of the District Likely to Be Affected by the Local Plan Part 2**

- 5.9.7 The allocation of a new school would lead to the loss of greenfield land on the edge of Derby City and could have a negative effect in respect of townscape and landscape, although effects would be partially moderated by the fact that any new schools provision, would include significant open space provision such as playing fields or amenity space which could help mitigate potential effects.
- 5.9.8 Growth could also increase light and noise pollution and could lead to increases in urban and diffuse water pollution as it is likely to increase foul and surface water generation. Development could also increase the pressure on local services and facilities including the local highways networks and could increase the need to travel where schools are located away from existing public transport provision or existing communities that they are likely to serve, for example because of the normal area for any school is large such that pupils are required to travel a significant distance to access the schools
- 5.9.9 However, the provision of new schools, where supported by public transport and active travel options, could improve access to local facilities especially secondary education facilities, but potentially post 16 facilities and open space and leisure provision (particularly where it claws back pupils who may be travelling significant distances elsewhere to access education).

### **The Likely Significant Effects of the Environment of the Local Plan Part 2 Including on Areas of Known Environmental Importance**

- 5.9.10 The provision of a school/schools on the edge of Derby City would have no effect on sites protected pursuant to the Habitat or Birds Directives.
- 5.9.11 Given the nature and scale of any future schools development and given the protection in place through existing policies included in the Local Plan Part 1 to ensure sites include sustainable drainage which mimic natural processes, it is unlikely that significant water quality effects would arise as a result of increased surface water flows. There may however be potential for increased foul sewerage generation. Given the identified capacity issues in some parts of Derby City, as outlined in the Derby HMA water cycle study, significantly increased flows could have a harmful effect on water quality where it results in sewer overflows occurring more frequently. Local sewer capacity enhancements or other measures could be required to support the provision of a new secondary school in this area.
- 5.9.12 It is unlikely that new schools provision on the southern edge of Derby will have any notable effects on Air Quality Management Areas (AQMAs) in the City. This is because any new schools will be meeting the needs of communities on the edge of Derby City. Currently AQMAs in Derby are located on the inner and outer ring road and it would be unlikely that significant number of pupils for new schools in South Derbyshire would be drawn from within the city (the normal area for the school is more likely to be drawn around proposed developments in South Derbyshire), or that pupils would be travelling into the city along the ring road to come back out again. Where no new schools are allocated, it would still be likely that the sites notified by the County Council would be the most likely location for new education provision given the Options already identified by the Local Education Authority and its initial site analysis work. As such the proposed South Derby Integrated Link route and/or A50 and A6 would provide the most likely route to potential schools locations required in the Plan period. Nonetheless any future proposals would be required to

conform to existing policies in the Part 1 Local Plan which require that a Travel Plan support new development schemes and the Council's emerging Design Guidance which requires that measures to address air quality are considered within planning proposals.

5.9.13 It is unlikely that this policy would have any significant effects in respect of EU and national objectives to halt biodiversity decline by 2020. It would have a negligible, but uncertain effect in respect of securing a 20% reduction in greenhouse gas emissions by 2020 (depending on where the provision of a new school reduces the distances travelled to access secondary education in the District or leads to further long distance travelling). In respect of waste, EU requirements are that waste should be in absolute decline and that landfilling of waste should be near zero by 2020. However new education provision would be required irrespective of whether sites are allocated and as such setting out the location of potential new schools is unlikely to have any effect in respect of delivering this requirement.

### Summary of Secondary School Provision Options

Secondary School Provision	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Option 1: Allocate sites at Thulson Fields and Lowes Farm	X	--	✓	--	✓✓	✓	✓✓	?	✓✓	✓	--	?	--	?	X	XX	?	?	--	--	X
Option 2: Allocate the site at Lowes Farm Only	X	--	✓	--	✓/1 ?	✓	✓	?	✓✓	✓	--	?	--	?	X	XX	X/?	?	--	--	X
Option 3: Don't allocate any sites notified	?	--	✓	--	✓/1 ?	✓	✓	?	✓/1?	✓	--	?	--	?	X/ ?	XX /?	?	?	--	--	X/?

- 5.9.14 There is a high degree of uncertainty concerning all of the options given that effects would be largely dependent on where potential schools sites could be (exact locations are not known) and their relationship to existing planned development, their design and other measures implemented to support their delivery (for example the provision of green infrastructure).
- 5.9.15 Options 1 and 2 would perform similarly given that both sites are greenfield urban extensions and would deliver a new school close to significant new development. They would perform well in respect of improving educational achievement, achieving stable and sustainable economic growth, improving health and well-being and improving access to local facilities. However both options would result in greenfield land losses and could have a number of wider environmental effects for example in respect of loss of local habitats and species, local pollution effects (including in respect of water pollution given identified capacity constraints in the foul sewer to the south of the City) as well as potential negative landscape effects.
- 5.9.16 Option 3 would be likely to have more uncertain consequences than options 1 and 2. This is because this option would effectively leave the provision of new schools to meet identified needs to the development management process (although as previously noted it could still well be the case that future schools provision would still come forward in the same locations giving work undertaken by the LEA to date). As such an assumption is made that where a need is identified it will be met through the development management process, although clearly delivery may not be as orderly or as controlled as any approach underpinned by a development plan document. Nonetheless it is likely that the provision of a new school could still have beneficial effects in respect of educational achievement, achieving stable and sustainable economic growth, improving health and well-being and improving access to local facilities. In contrast this option is likely to have negative effects in respect of objectives to minimise greenfield land losses, conserve and enhance local habitats and species, reduce local pollution as well as conserve and enhance local landscapes.
- 5.9.17 No significant effects are likely in respect of objectives to provide decent and affordable homes, improve community safety, enhance the vitality of existing town and village centres and conserve and enhance heritage assets and access to these.

#### **Identification of the Council's Preferred Secondary School Option**

- 5.9.18 **The Council's preferred approach to secondary school provision is based on Option 2.** This would see an allocation made at Lowes Farm only. This was not the Council's initial preferred option. Previously the Council considered that the allocation of both notified sites was the preferred and indeed only option for meeting secondary school needs in the District. This was because the County Council, in notifying both sites clearly considers that both sites could potentially be suitable for locating a new school. The provision of new education facilities is something that lies outside of the scope of the District Council's responsibilities (being a function of the County Council as the Local Education Authority (LEA)) so given the potential suitability of both sites, as illustrated by their notification (and given the fact that both sites could be required) it was previously considered by the District Council that the only reasonable option would be to allocate both sites in line with Option 1 to provide the LEA the flexibility it requires to deliver new schools provision in a way that meets its need.

5.9.19 However during the examination in public the Inspector wrote to the Council. In his letter dated 8<sup>th</sup> May 2017 he noted that:

*“whilst I acknowledge the case put forward to justify the need for both [secondary school] sites, the land at Thulston Fields lies within the Green Belt, where a new school would constitute ‘inappropriate development’ under paragraph 89 of the National Planning Policy Framework (the Framework). Paragraph 87 of the Framework makes clear that ‘inappropriate development’ is, by definition, harmful to the Green Belt and should not be approved except in ‘very special circumstances’. I note Council feels that ‘very special circumstances’ exist. However, this can only be tested by means of a planning application, when all of the evidence would be available to allow for the harm to the Green Belt to be weighed against other considerations, as required by paragraph 88 of the Framework. If land at Thulston Fields needs to be allocated for a secondary education facility, then the Green Belt boundary would need to be altered, which paragraph 83 of the Framework makes clear should only be done in ‘exceptional circumstances’. Both the District and County Council appear to acknowledge this would need to take place as part of a wider review of Green Belt boundaries around Thulston Fields and Boulton Moor, which would be better considered in a future review of the Local Plan. I agree with this view. In the meantime, the existence or otherwise of ‘very special circumstances to justify a secondary school at Thulston Fields as ‘inappropriate development’ in the Green Belt would be a consideration for the District Council via a planning application process, in the light of all of the necessary evidence. Accordingly, in order for the Plan to be consistent with national policy and therefore sound, Policy INF12 will need to be modified to remove the proposed allocation at Thulston Fields”.*

5.9.20 In light of the above guidance clearly the Council’s preferred approach to designate both sites for a secondary school would be unsound. And whilst it may be the case that Thulston Fields remains the County Council’s preferred location for delivering a new secondary school, the allocation of a single school site, at Lowes Farm, would provide some certainty by ensuring that land is at least allocated in one location to meet future secondary education needs if other sites prove unsuitable or undeliverable. On this basis option 2 is seen as preferable to Option 3 (not allocating any sites). However in allocating the site at Lowes Farm it is not the intention of the Council to restrict proposals for secondary school provision at Thulston Fields, or indeed any other location, although clearly where proposals do come forward for such facilities the case to support any proposals (including in respect of ‘very special circumstances’ where sites are in the Green Belt) will need to be made through the development management process.

### **Effects of the Preferred Option and Opportunities for Mitigation**

**Table 5.8: Secondary School Provision**

Sustainability Objective	Impacts	Commentary and Potential Mitigation Measures
<b>Biodiversity, Fauna and Flora</b>		
To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	<b>Minor to Moderate Negative Effect</b>	<p>The likely level of impact would be determined by the exact location of the site, as well as the design and implementation of any future development. However there is likely to some potential for harmful effects at Lowes Farm that could, dependent on location, effect the Derby – Sandiacre Canal Local Wildlife Site (SD134) which includes wet woodland and areas of lowland swamp), Sinfin Moor Regionally Important Geological Site as well as protected species. On this basis, a potential <b>minor to moderate negative</b> impact is assigned, although in practice effects could be substantially reduced through the careful design and siting of any school. In the <b>longer-term</b> could have a <b>neutral</b> or a net <b>positive</b> effect in respect of biodiversity where biodiversity gain is delivered on site in accordance with the NPPF and Local Plan Part 1.</p> <p><b>Mitigation</b> Policies BNE3 (Biodiversity), and BNE4 (Landscape Character and Local Distinctiveness) provide requirements in respect of mitigation which will ensure that development will not have significant effects in respect of this SA objective. The delivery of a new secondary school could be further mitigated through the inclusion of Policy BNE7 of LP2 which seeks to minimise the loss of trees and hedgerows (BNE7). In addition a requirement incorporated into INF12 (provision of secondary education facilities) requires that any new school be designed and laid out so as to minimise any undue impacts on surrounding land uses and the wider environment.</p>
<b>Population and Human Health</b>		
to provide decent and affordable homes that meet local needs	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve the health and well-being of the population	<b>Minor to Moderate Positive Effect</b>	<p>The delivery of new schools provision would strengthen opportunities to access a range of secondary school provision across the urban area and northern part of Derby City irrespective of location. It would also potentially support the provision of new accessible open space and leisure facilities in an area of significant housing growth in locations well related to proposed new communities (depending on how normal areas are drawn). Impacts would be <b>positive</b> and of <b>minor</b> or <b>moderate</b> significance.</p> <p><b>Mitigation</b> Policy BNE1 (Design Excellence) requires that new development addresses social sustainability issues, by supporting healthy lifestyles, including through the promotion of active travel, the provision of public open space, sports and other leisure provision Policy INF6 (Community Facilities) states that the Council will facilitate the efficient use of community facilities and the provision and up keep of multipurpose community facilities that can provide a range of services to the community at a single accessible location.</p>
to improve community safety and reduce crime and fear of crime	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve educational achievement	<b>Major Positive</b>	The delivery of new secondary provision will support objectives to improve educational attainment and will support



and improve the District's skills base	<b>Effect</b>	<p>greater education choice to those living in the District and wider Derby urban area and would be likely to have a <b>major positive</b> effect in respect of this SA objective</p> <p><b>Mitigation</b> Policy INF12 (Provision of secondary education facilities) requires minimum of 10ha be set aside for a new school and that this is capable of creating at least 800 pupil places to ensure that local education needs can be meaningfully addressed.</p>
to promote social inclusion and reduce inequalities associated with deprivation across the District	<b>Minor Positive Effect</b>	<p>This option would ensure the delivery of further education facilities in a location well related to future housing growth. This could help ensure that access to education facilities in the northern part of South Derbyshire are generally improved and that new communities are able to access education opportunities in a location likely to be well served by a range of potential transport modes. On balance impacts would be <b>positive</b> and of potentially <b>minor</b> significance.</p> <p><b>Mitigation</b> Policy S6 (Sustainable Access) seeks to support development that minimise the need to travel and supports measures to address accessibility, amenity, health, social and environmental and economic needs. Policy INF6 (Community Facilities) states that the Council will facilitate the efficient use of community facilities and the provision and up keep of multipurpose community facilities that can provide a range of services to the community at a single accessible location. Policy INF12 (Provision of secondary education facilities) requires mitigation to reduce effects on the highways network including provision of pedestrian and cycle links.</p>
<b>Material Assets</b>		
To improve local accessibility to healthcare, education, employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	<b>Moderate Positive Effect</b>	<p>This option would ensure the delivery of further education facilities in a location well related to future housing growth. This could help ensure that access to education facilities in the northern part of South Derbyshire are generally improved and that new communities are able to access education opportunities in a location likely to be well served by a range of potential transport modes. Impacts would be <b>positive</b> and of <b>moderate</b> significance.</p> <p><b>Mitigation</b> Policy S6 (Sustainable Access) seeks to support development that minimise the need to travel and supports measures to address accessibility, amenity, health social and environmental and economic needs. Policy INF6 (Community Facilities) states that the Council will facilitate the efficient use of community facilities and the provision and up keep of multipurpose community facilities that can provide a range of services to the community at a single accessible location. Policy INF12 (Provision of secondary education facilities) requires mitigation to reduce effects on the highways network including provision of pedestrian and cycle links.</p>
to make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	<b>Uncertain effect</b>	<p>Development in this location would contribute to the requirement to deliver new highways infrastructure, although this is already allocated to meet the future housing and employment needs of the area within Policy INF4 of the LP1. It is unclear ahead of any detailed transport assessment work whether the provision of a new school could affect the design capacity of any future transport link. In addition the delivery of a new secondary school could potentially increase flows to the local sewerage network which is under pressure in this location. However it is unclear whether, given the nature of the use and the likely timing of additional flows generated, that this could be accommodated by the existing infrastructure. <b>Uncertain</b> effects are identified</p> <p><b>Mitigation</b> Policies in the Local Plan Part 1 that will help with mitigation are: Policy INF1 that sets out requirements in respect of developer contributions and infrastructure requirements to support growth. Policy INF2 sets out policy to deliver new,</p>

		and enhance existing walking, cycling and public transport provision where appropriate, whilst Policy INF4 (LP1) supports the delivery of the South Derby Integrated Link. Policy INF12 (Provision of secondary education facilities) requires mitigation to reduce effects on the highways network including provision of pedestrian and cycle links, Whilst Policy INF13 further supports the provision of the South Derby Integrated Link. Policy SD3 requires that water supply and sewerage infrastructure is delivered in tandem with new development.
to achieve stable and sustainable levels of economic growth and maintain economic competitiveness	<b>Moderate to Major Positive Effect</b>	The provision of a new secondary school could support economic growth and maintain competitiveness within the local economy by ensuring that local pupils have access to a wide range of local educational opportunities to meet local needs. New schools provision in the vicinity of Infinity Park could potentially support nearby planned commercial and industrial development on Infinity Park, although clearly the extent of any potential benefits would need to be driven by an future school/academy organisation. Nonetheless a potential positive impact of moderate or potentially major significance is identified.  <b>Mitigation</b> LP2 includes a policy (Policy INF13) to ensure a collaborate approach between private sector developers and local government agencies through a development framework. Such an approach could help ensure the timely delivery of a new school but could also identify opportunities to maximise the beneficial economic effects of any future provision.
to diversify and strengthen local urban and rural economies and create high quality employment opportunities	<b>Minor Positive Effect</b>	The provision of a new secondary school in this location will help create further teaching, and administrative roles within South Derbyshire although exact numbers are not available it is likely that a secondary school of the size proposed could create around 70 -90 fte jobs (although exact number could vary significantly from this indicative figure. Roles including teaching, management and administrative roles. A <b>minor positive</b> effect is identified.
to enhance the vitality and viability of existing town and village centres	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve the quality of new development and the existing built environment	<b>Uncertain Effect</b>	In the absence of any detailed information concerning the likely design or exact location of the school site it is <b>uncertain</b> how the delivery of a school could perform in respect of this objective.  <b>Mitigation</b> The Local Plan Part 1, Policy BNE1 (Design Excellence) seeks to help improve the quality of new development and the existing built environment by setting out guidance on issues such as local character and pride, street design, movement and legibility and visual attractiveness of new development. The LP2 could also help mitigate the effects of further development, including through provisions in policy BNE7 (Trees Woodland and Hedgerows) which will help protect these features where they are present on site. Further mitigation including through the councils emerging Design SPD and through the provisions of Policy INF13 (Southern Derby Area and Infinity Garden Village) which requires the preparation of a development framework on this site would help to ensure that the essential character of the District's town and villages are not eroded by inappropriate development.
<b>Soil, Water and Air</b>		
to minimise waste and increase the reuse and recycling of waste materials	<b>No effects</b>	<b>No Significant Effects Identified</b>
to promote sustainable forms of construction and sustainable use of	<b>Uncertain Effect</b>	It is unclear how the delivery of a new school in this location would perform in respect of this objective. This is because whilst the delivery of a school could provide new facilities well related to future housing delivery planned in South Derbyshire and Derby City, and could reduce the distance travelled by existing pupils to access education opportunities,

natural resources		<p>the provision of a new school could also attract pupils from further afield where capacity is not freed up in schools elsewhere on the Southern edge of the City – (put simply the location from where pupils come to access education would be determined by the normal area for any new school and changes to the normal areas of surrounding schools – all of which is outside of the District Councils control and is currently <b>uncertain</b>.</p> <p><b>Mitigation</b>  Policy S6 (Sustainable Access) seeks to support development that minimise the need to travel and supports measures to address accessibility, amenity, health social and environmental and economic needs.  Policy INF6 (Community Facilities) states that the Council will facilitate the efficient use of community facilities and the provision and up keep of multipurpose community facilities that can provide a range of services to the community at a single accessible location.  Policy INF12 (Provision of secondary education facilities) requires the submission of a Transport Assessment to support any new schools proposals and mitigation to reduce effects on the highways network including provision of pedestrian and cycle links.</p>
to reduce water, light, air and noise pollution	Minor to Moderate Negative Impact	<p>Further growth proposed within this area will lead to an increased level of noise, light and air pollution associated with schools development, although given the nature of the proposed development and the location of any future development within a planned urban extension impacts are likely to be moderated. Growth on the edge of the City could lead to increased pressure on the foul sewer network which could lead to increased incidences of combined sewer overflows in the area. However, it is unclear whether greater capacity exists in the network at times where schools operate and there may be a need for further consideration of this issue through the development management process. Effects would be <b>negative</b> and of <b>minor</b> or potential <b>moderate</b> significance.</p> <p><b>Mitigation</b>  Policy SD1 (Amenity and Environmental Quality) will help ensure that new development does not have adverse effects on the environment or amenity of existing and future occupiers or local environment in respect of noise, light, air and water quality.  Policy SD2 (Flood Risk) seeks to ensure the delivery of Sustainable Urban Drainage Systems which could help improve water quality locally  Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) seeks to ensure that new infrastructure is delivered in tandem with growth ensure SUDS contribute towards improvements in water quality and ensure that non mains drainage solutions are required that minimise risks to the environment.  Policy INF12 requires that any school be designed and laid out so as to minimise any undue impacts on the surrounding land uses and wider environment.</p>
to minimise the irreversible loss of undeveloped (greenfield) land	Major Negative Impact	<p>Development in this location would be likely to lead to the loss of undeveloped greenfield land and would have a <b>major negative</b> effect against this objective.</p> <p><b>Mitigation</b>  Policy BNE4 (Landscape Character and Local Distinctiveness) (LP1) requires that best and most versatile soils are protected wherever possible.  Policy INF12(Provision of Secondary School Education Provision) (LP2) stipulates the quantum of land to be set aside for new development</p>
to reduce and manage flood risk and surface water run-off	Slight or Minor Negative Effect	<p>The likely level of impact would be determined by, the level of flood risk within the site and the design of any individual development scheme. However there are areas within the Lowes Farm site that could be potentially susceptible to flooding and on balance a potentially <b>slight</b> or <b>minor negative</b> effect is identified although it is recognised that development could potentially be delivered in a way where built development or open space provision could be located</p>

		<p>away from areas at risk and in effect potential negative effects mitigated.</p> <p><b>Mitigation</b>  Policy SD2 (Flood Risk) seeks to ensure that development is sequentially located, does not increase flood risk elsewhere and is resilient to flooding through design and layout. It also requires the provisions of Sustainable Urban Drainage on site.  Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) seeks to ensure that new infrastructure is delivered in tandem with growth ensure SUDS contribute to the management of surface water on site.</p>
<b>Climatic Factors</b>		
to reduce and manage the impacts of climate change and the District's contribution towards the causes	<b>Uncertain Effect</b>	<p>It is likely that this option could alter travel patterns of pupils in the northern part of South Derbyshire and southern Part of Derby City, although these could be largely influenced by how the normal areas for any new school is defined and whether changes to the normal areas of surrounding schools are made. As such it is unclear if such changes would reduce or increase the distances travelled to access education facilities. An <b>uncertain</b> effect is identified.</p> <p><b>Mitigation</b>  Policy INF2 requires that development is supported by safe and convenient access to walking, cycling and public transport provision (but acknowledges opportunities in remote areas may be limited).  Policy INF4 (Transport Infrastructure Improvement Schemes) supports the delivery of the South Derbyshire Integrated Link.  Policy INF12 (Provision of secondary education facilities) requires the submission of a Transport Assessment to support any new schools proposals and mitigation to reduce effects on the highways network including provision of pedestrian and cycle links.</p>
<b>Cultural Heritage (including Architectural and Archaeological Heritage)</b>		
To conserve and enhance the historic environment, heritage assets and their settings	<b>No effects</b>	<b>No Significant Effects Identified</b>
to improve access to the cultural heritage of the district for enjoyment and educational purposes	<b>No effects</b>	<b>No Significant Effects Identified</b>

Landscape		
to conserve and enhance the District's landscape and townscape character.	<b>Minor to Moderate Negative Effect</b>	<p>The likely level of impact would be determined by the design and implementation of the scheme that comes forward and the quality of built development and wider site layout. Given the green field nature of the site to be allocated and the potential of any schools provision to include relatively tall buildings and other structures (including lighting) it is likely that any development would have a negative effect landscape character including during the construction stage. Impacts would be likely to be <b>negative</b> and of <b>minor</b> or potentially <b>moderate</b> significance although effects would likely <b>reduce</b> over time as wider development and peripheral/strategic planting reduces landscape effects.</p> <p><b>Mitigation</b> Policy BNE4 (Landscape Character and Local Distinctiveness), and BNE1 (Design Excellence) all seek to protect local townscape and landscape from inappropriate development.</p> <p>The LP2 also seeks to ensure development protects local townscape and townscape character. Relevant policies include policies, BNE7 (Trees, Woodland and Hedgerows). Further mitigation will also be delivered through the preparation of a Design SPD, which includes guidance in respect of general design considerations.</p>

### How the Assessment was Undertaken and Difficulties Encountered

- 5.9.24 This assessment was undertaken by the Planning Policy Team. The impacts identified are based on qualitative predictions supported by relevant studies and evidence including the Council's GIS Constraints map which sets out spatial constraints such as flood risk, heritage and wildlife sites and landscape information for the District. Consideration was given to Map 5 included in the Part 2 Local Plan which provides a broad steer on the potential for a new school in the Southern Derby Area. However, it is worth noting that at the time of writing the allocation of this site will not necessarily mean that this site will be utilised for future schools provision as the County Council will, in the end, be responsible to determining where local education facilities are best located. However the allocation of this site does provide a backstop to ensure at least one site is capable of meeting future education needs in the District.
- 5.9.25 During this appraisal it was clear that for many issues the direction and magnitude of effects would be largely determined by the nature and precise location of any school as well as the detailed design and implantation of any proposal. Given that detailed proposals for a new school have yet to be drawn up, it is not possible to fully understand the likely direction and magnitude of all effects and in some instances effects have been predicted. As a specific site comes forward it likely to be considered through the development management process and appropriate mitigation, informed through plan policy should be secured.

### Potential Mitigation Measures Identified During the Review

- 5.9.26 Details of the wider policies proposed through the Part 1 and LP2 to ameliorate the likely effects of any proposed new secondary school are set out in Table 5.8 above. In addition further guidance included in the Council's emerging Design SPD's and proposed Development Framework supported through policy INF13 are also documented. Together, these policies/provisions should help ensure that where development does come forward the effects or any development are moderated.

## Section 6.0: Appraisal of Plan Policies

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

- The likely significant effects on the environment including issues such as biodiversity, population, human health, fauna, flora, soil, water air, climatic factors, material assets, cultural heritage, including architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the Plan
- A description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know how) in compiling the required information

- 6.0.1 Following on from the appraisal of the broad, strategic options (as set out in the previous section of this report), the Council has reapplied the sustainability appraisal process to the Plan policies. The merit in undertaking this further stage of work is that the detail of individual policies can be tested against the SA framework. This allows policies to be refined as the Plan is prepared (and hence improve the environmental, social or economic performance of the Plan). However in undertaking the appraisal the Council has also considered relevant policies included in the Adopted Part 1 Local Plan where these could inform the likely performance of policy or the site proposed.
- 6.0.2 Every effort is made to predict effects accurately; however, this is inherently challenging given the high level nature of the policy measures under consideration. The ability to predict effects accurately is also limited by understanding of the baseline and (in particular) the future baseline. In light of this, where likely significant effects are predicted this is done with an accompanying explanation of the assumptions made. In many instances it is not possible to predict likely significant effects, but it is possible to comment on the merits of the Plan approach in more general terms.
- 6.0.3 It is important to note that effects are predicted taking into account the criteria presented within regulations. So, for example, in appraising each policy a description of policy evolution has been provided together with any recommendations concerning how policy performance could be enhanced. In addition consideration has been given to the risks and uncertainties surrounding the policy, the short, medium and long-term effects of the policy and any cumulative or synergistic impacts that could arise.

### 6.1 APPRAISAL FINDINGS

- 6.1.1 The appraisal of the is set out below within a series of tables – one for each of the policies included in the Plan. The appraisal is ‘scored’ using the same methodology used in Section 5 (Broad Options Appraisal). For the avoidance of doubt this is as follows

✓✓	Major beneficial effect
✓	Minor / Moderate beneficial effect
--	Neutral/no effect
X	Minor / Moderate undesirable effect
XX	Major undesirable effect
?	Uncertain effect

## 6.2 Policy SDT1 Settlement Boundaries and Development

Settlement boundaries define the built limits of a settlement.

Within settlement boundaries as defined on the policies map and in Appendix A, development will be permitted where it accords with the development plan.

Outside of settlement boundaries and allocated sites, within the Rural Areas as defined by policy H1; development will be limited to that considered acceptable inter alia by Policy BNE5

Settlement boundaries will be applied in the following settlements:

### Urban Area:

Swadlincote including Woodville

### Key Service Villages:

Aston on Trent	Etwall
Hatton	Hilton
Linton	Melbourne
Overseal	Repton
Shardlow	Willington

### Local Service Villages:

Coton in the Elms	Findern
Hartshorne	Mount Pleasant (Castle Gresley)
Netherseal	Newton Solney
Rosliston	Ticknall
Weston on Trent	

### Rural Villages:

Barrow upon Trent	Burnaston	Caldwell
Church Broughton	Coton Park	Egginton
Kings Newton	Lees	Long Lane
Lullington	Milton	Scropton
Smisby	Stanton by Bridge	Sutton on the Hill
Swarkestone	Walton on Trent	

<b>Policy SDT1</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Settlement Boundaries and Development	?	✓✓	--	✓	--	✓	✓	✓	?	?	✓	?	--	--	?	✓✓	?	✓	?	--	?

### Commentary

- 6.2.1 This is a thematic policy that seeks to distinguish between settlements and rural areas (Countryside). The policy will seek to establish those settlements that will be covered by a settlement boundary and hence where the principle of development is likely to be supported, subject to conforming to other relevant policies included in the Local Plan. Outside of settlement boundaries more restrictive controls over development will be applied. This policy was first proposed through the South Derbyshire LP2 consultation in December 2015.

### Policy Performance

- 6.2.2 This policy would have major beneficial effects in respect of objectives to provide decent and affordable homes (Settlement Boundaries would include all proposed allocated sites and future windfall sites that together with Part 1 housing allocations will fully meet the District's objectively assessed housing need). It would also have a major beneficial effect in respect of the SA objective to minimise the loss of greenfield land by strictly controlling greenfield losses outside of settlements for the remainder of the plan period, (although it is worth noting that many sites which will be included within updated settlements boundaries are greenfield sites).
- 6.2.3 Minor positive effects are predicted in respect of SA objectives to improve community safety (designating settlement boundaries could support the regeneration of brownfield sites). It would also focus future housing delivery (as windfalls) to areas within existing settlement boundaries and would therefore be likely to be relatively accessible in terms of service provision. Similarly focussing growth to within existing settlements would also help ensure that development takes place in areas within existing settlements (where access to local facilities is likely to be better). The designation of settlement boundaries would promote development within existing settlements which could have a minor beneficial effect in respect of objectives to reduce climate change effects of development by ensuring that



developments are located within existing communities and hence reduce the need to travel. It would also allow for small scale development in existing villages which could help improve social inclusion where affordable homes come forward.

- 6.2.4 No discernible effects have been identified in respect of SA objectives to improve the health and well-being of the local population, improved educational achievement, minimise waste and increase reuse and recycling, promoting sustainable forms of construction and improving access to heritage assets.
- 6.2.5 Uncertain effects have been identified in respect of objectives to avoid damage to designated sites and species of biodiversity interest, reducing pollution, managing flood risk, conserving and enhancing the historic environment and conserving and enhancing the district's landscape and townscape character. In respect of all of these issues focussing growth within existing settlements could have a negative effect where developments impacts on heritage assets, the local landscape or townscape or biodiversity sites. Similarly some settlement boundaries could fall within areas at flood risk or where unacceptable levels noise, water, odour or light pollution could occur. The extent of any effects would be dependent on the sensitivity of development sites included in the Plan to meet development needs and the location of windfall developments that come forward up to 2028. Set against this, however, the designation of settlement boundaries would protect the majority of the District (i.e. countryside) from development (including those areas of value in respect of biodiversity, landscape and heritage value). On this basis an uncertain effect is identified. The careful selection of sites for allocation to be included within settlement boundaries through the Plan making process, together with the inclusion of policies to reduce flood risk in development (SD2 Flood Risk), prevent pollution related impacts (SD1 Amenity and Environmental Quality), protect Heritage Assets (BNE2) Heritage and BNE10 (Heritage Assets), protect wildlife (BNE3) Biodiversity and protect local landscape and townscape character (BNE4) Landscape Character and Local Distinctiveness and (BNE7) Trees, Hedgerows and Woodland would help reduce the likely negative effects of growth within settlement boundaries from allocated and future windfall development.
- 6.2.6 Other uncertain effects have been identified in respect of SA objectives to achieve stable and sustainable economic growth and diversify and strengthen local urban and rural economies. This is because the drawing of settlement boundaries could restrict economic development in the countryside, however, the inclusion of policies to support rural diversification (policy E7 of the Part 1 Local Plan) and proposed policies BNE5 (Development in the Countryside) and BNE6 (Agricultural Development) could allow greater flexibility to accommodate appropriate forms of economic development in the countryside.
- 6.2.7 An uncertain effect has been identified in respect of SA objectives to improve the quality of new development and reduce and manage the impacts of climate change. However Policy BNE1 (Design Excellence) could help ensure where development does take place it better reflects local character and distinctiveness.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.2.8 A number of changes to proposed settlement boundaries have been made during the various stages of the Plan preparation process. Prior to consultation on the Draft Plan in June 2016 the settlement boundary for the village of Foston had been deleted given the dispersed nature of the village. Further changes have been proposed to settlements boundaries to reflect the removal of a number of sites previously included as housing allocation in the draft version of the Plan issued in June 2016. In particular the removal of two sites in Rosliston has led to notable changes in the settlement boundary of Rosliston being proposed. In addition a number of minor settlement boundary changes have been made across a number of villages, typically in response to comments made by members of the public and other stakeholders during the Draft Plan consultation. In addition there were notable changes mde to this policy through the Examination. These changes have not changed the substance or purpose of the Policy but help improve its consistency with the spatial policy in the Local Plan Part 1. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.2.9 The overall effectiveness of this policy will be significantly influenced by other policies included in the LP1 and LP2 including the housing provision made through allocations in those plans. Where the allocations fail to come forward as forecast, the District Council may need to allocate, or allow further housing provision including in countryside locations contrary to this policy in order to ensure a five year supply of deliverable housing land is maintained.

#### **Short, Medium and Long Term Effects**

- 6.2.10 This policy could influence development control decisions through the whole of the plan period.

#### **Cumulative or Synergistic Impacts**

- 6.2.11 This policy will act in combination with policies in the LP2 including housing policies in respect of H24 (Replacement Dwellings in the Countryside), H25 (Rural Workers Dwellings), H28 (Residential Conversions) and the Built and Natural Environment policies including BNE5 (Development in the Countryside), BNE7 (Trees, Hedgerows and Woodland) and BNE10 (Heritage). It will also act in combination with policies in the Part 1 Local Plan including Policy H1 (Settlement Hierarchy); H21 (Affordable Housing); E2 (Other Industrial and Business Development); E7 (Rural Development) and Policy INF 10 (Tourism Development).
- 6.2.12 In undertaking appraisal regard has been had to the policies set out in the Adopted LP1. These would inform site layout and delivery and whilst specifically the site specific policies would not duplicate the requirements of the Part 1 Local Plan Policies (instead focussing in on site specific issues). The general part of Policy H23 indicates issues covered by policies in the Part 1 Local Plan which are reflected in the following policy appraisals.

### **6.3 Policy H23 Non-Strategic Housing Allocations**

The following sites are allocated for housing development as shown on the Policies Map and the site specific maps under Policies 23 A-N:

- |   |  |
|---|--|
| A | Moor Lane, Aston (S/0271) – around 42 dwellings                      |
| B | Jacksons Lane, Etwall (S/0284) – around 50 dwellings                 |
| C | Derby Road, Hilton (S/0023) – around 43 dwellings                    |
| D | Station Road, Melbourne (S/0109 & S0256) – around 46 dwellings       |
| E | Acresford Road, Overseal (S/0250) – around 70 dwellings              |
| F | Valley Road, Overseal (S/0022) – around 64 dwellings                 |
| G | Milton Road, Repton (S/0101) –around 25 dwellings                    |
| H | Mount Pleasant Road, Repton (S/088) – around 24 dwellings            |
| I | Off Kingfisher Way, Willington (S/0266) – around 50 dwellings        |
| J | Oak Close, Castle Gresley (S/0239) – around 55 dwellings             |
| K | Midland Road, Swadlincote (S/0133) – around 57 dwellings             |
| L | Land north of Scropton Road, Scropton (S/0291) – around 10 dwellings |
| M | Montracon Site, Woodville (S/0292) –around 95 dwellings              |
| N | Stenson Fields (S/0206) –around 70 dwellings                         |

The key considerations for each of the sites are:

- i) Transport impacts – including vehicular access points, visibility, pedestrian and cycle links and impact on the existing road network.
- ii) Impact on the surrounding landscape and/or townscape
- iii) Management of flood risk and drainage
- iv) Impact on designated and non-designated heritage assets and settings
- v) Biodiversity impacts
- vi) The design and layout to take account of site characteristics

Site specific requirements are set out below each site map on the following pages.

### **6.3.1 H23a Land at Moor Lane, Aston on Trent**

- Around 42 dwellings
- Access to be from Manor Farm Road
- Pedestrian access points to be made to south of site to join existing PROWs
- A Landscape buffer to the north, east and south to be implemented and enhanced
- An appropriate easement to be provided that is free of obstruction along the existing watercourse for maintenance
- Public open space to be provided to the eastern part of the site
- Use of 1.5 storey dwellings along the eastern and southern edges of the site
- An off-site affordable housing contribution to be made

Policy H23a:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Moor Lane	✓	✓✓	✓	✓	--	✓✓	✓	✓✓	✓	✓	✓	✓	X	X	X	XX	✓	X	?	--	?

### Commentary

6.3.1.1 This is a spatial policy that that seeks to identify the location of proposed development within Aston on Trent. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### Policy Performance

6.3.1.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver affordable homes (13 are proposed on site) and promoting social inclusion through the delivery of affordable homes in an area where homes are comparatively unaffordable. Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate, improve health and wellbeing through the provision of new open space to the east of the site (and financial contributions to existing open space, built leisure provision), and connectivity to the local public footpath network. Sites would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing development that respects local character. The site is relatively well related to existing facilities in Aston and the requirement to connect to existing rights of way would help improve connectivity to local facilities. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. Proposals included in this policy to deliver an appropriate easement along the watercourse on the site and requirements to deliver SUDS and minimise flood risk set out in policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at a greenfield rate.

6.3.1.3 Minor negative effects are however predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk, development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise, water or light pollution although the scale of likely effects would be moderated by proposed suds on site and requirements in policy SD1 to reduce the amenity impacts of development. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and whilst it only extends 1.8ha the site will be built out at a density of around 22 homes per hectare which is relatively low and in the context of other sites may not represent the efficient use of land. However this level of growth is set in order that appropriate landscaping, open space provision and site design to reflect local townscape character is delivered.

6.3.1.4 Uncertain impacts are identified regarding the need to protect heritage assets and their setting (the site has potential to affect archaeology on site, should this be present) although the requirement for a strategic buffer to the east of the site should help mitigate any negative effects of development on the setting of the scheduled ancient monument to the east. Policies to deliver increased landscape buffers in specified locations within the site coupled with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in the long-term effects in respect of landscape are minimised. However an uncertain effect is also assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.3.1.5 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site were added to the Plan at the Presubmission stage and will inform site delivery alongside policies already set out in the Adopted Part 1 Local Plan. This should help improve the environmental performance of the Plan. Further amendments have also been made to this policy during the Local Plan Examination to allow for the delivery of around 42 dwellings rather than up to 42. This could allow a slight variation in the number of homes delivered on this site. The site has planning outline planning permission, this was granted in March 2016. In addition a number of minor corrections to the policy including removing a requirement for a contribution for affordable housing and the need for strategic planting to the east and west (previously north east and south) and for public open space to be located on the south were also made as minor modifications although this would not change the effects identified in this report. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.3.1.6 None identified

#### **Short, Medium and Long Term Effects**

6.3.1.7 This policy is likely to influence development management decisions on the proposed site during the early part of the Plan period given their relative small nature and having regard to the fact that an application for 42 homes on this site has recently been granted outline planning consent.

#### **Cumulative or Synergistic Impacts**

6.3.1.8 This policy will act in combination with the housing allocations already included in the Part 1 Local Plan, specifically the existing strategic site located in the village (policy H8 Former Hospital Site, Aston on Trent), although given the scale of both schemes, their nature and the distance between both proposals it is unlikely that development would give rise to any significant cumulative effects.

6.3.2

**H23b Land at Jacksons Lane, Etwall**

- Around 50 Dwellings
- Footpaths to be included that offer access to the allotments, Part 1 allocation to north and onto Jacksons Lane. In areas A & B the consideration of separated footpaths/cycleways.
- Consideration of future noise impact on the site
- A – no more than 4 dwellings per hectare (gross)
- B – no more than 6 dwellings per hectare (gross)
- C – no more than 8 dwellings per hectare (gross)
- A Landscape buffer along eastern and western boundary of the site implemented and enhanced
- No more than 3 dwellings on the frontage of site to Jacksons Lane
- No buildings to be in the area directly south of Etwall Grove
- An off-site affordable housing contribution to be made

Policy H23b:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Jacksons Lane, Etwall	✓	✓✓	✓	✓	--	✓	✓	✓✓	✓	✓	✓	✓✓	X	X	X	XX	✓	X	X	?	?

### **Commentary**

- 6.3.2.1 This is a spatial policy that seeks to identify the location of proposed non-strategic development within Etwall. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### **Policy Performance**

- 6.3.2.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver a mix of housing as this site would deliver a type of housing not usually delivered in the District and unlikely to be delivered through any strategic sites included in the Part 1 Local Plan. Positive impacts are also likely in respect of objectives to improve social inclusion, as development would make a contribution towards affordable housing delivery off site.
- 6.3.2.3 Given the existing nature of the site and requirements in this policy and elsewhere in the Part 1 Local Plan to safeguard biodiversity and deliver net gains where appropriate and having regard to the amount of public and private green space on site it is likely that development could deliver long-term biodiversity gain. Development could also contribute towards improving health and wellbeing through the provision of new open space on site (and through financial contributions to existing open space and built leisure provision) within the village and provide connectivity to the local public footpath network. The site would also perform positively in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing at low densities in keeping with local character. The site is located in a key service village with a good level of service provision in Etwall itself and in the neighbouring settlement of Hilton and would perform positively in respect of improving accessibility to local services and facilities and supporting the vitality of the village centre. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. Proposals included in this policy to deliver SUDS as required by policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at a greenfield rate.
- 6.3.2.4 Minor negative effects are predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise (owing to the proximity of the site from the A50), and light pollution due to the development of homes in an area currently undeveloped and used for agriculture. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and homes will be built out at a density of between 4 and 8 dwellings per hectare. This is significantly lower than many housing sites that come forward in the District and may not represent the efficient use of greenfield land. However this level of growth is set in order that appropriate landscaping, open space provision and site design to reflect local townscape character as well as help deliver a mix of housing types not ordinarily delivered within the District.
- 6.3.2.5 Negative impacts are also identified regarding the need to protect heritage assets and their setting (the site has potential to affect archaeology on site specifically a probable Iron Age Enclosure. However this has been subject to archaeological appraisal and will be preserved in record with findings of the field work being deposited in Derby Museum. Clearly such measures will reduce the significance of likely effects of development and could improve access to and understanding of archaeology within the site. Development could also affect the wider setting of Etwall Grove (non designated heritage asset). Policies to deliver increased landscape buffers in specified locations within the site coupled with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in

the long-term effects in respect of landscape are minimised. However an uncertain effect is also assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.3.2.6 The site proposed remains as previously outlined in the Draft Local Plan consultation. In addition, policy requirements specific to this site have been added to the Plan at the Presubmission stage. This should help improve the environmental performance of the Plan. A further minor amendment regarding the number of homes that can be delivered on site was also made during the Local Plan Examination, this would allow around 50 dwellings on site to be built, rather than specifying upto 50 homes being acceptable. This revision could allow for a small reduction or a slight increase in homes to be delivered on site, however this would be at a scale that would be unlikely to effect the overall effects of site development. In addition a number of minor modifications have been made to this policy including amending the reference to Jacksons Lane to Egginton Road for accuracy and removing the need for a landscape buffer on the western side of the site adjacent to Egginton Road. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.3.2.7 None identified.

#### **Short, Medium and Long Term Effects**

6.3.2.8 This policy is likely to influence development management decisions on the proposed site in the short to medium term given the scale and nature of the scheme.

#### **Cumulative or Synergistic Impacts**

6.3.2.9 This policy will act in combination with the housing allocations already included in the Part 1 Local Plan, specifically the existing strategic site located in the village (policy H10, Land South of Willington Road, Etwall which is allocated for 199 dwellings), although given the scale of both schemes and their nature it is unlikely that developments would give rise to any significant environmental effects, although could give rise to local impacts including on nearby social infrastructure such as schools and doctors surgeries as well as existing infrastructure such as the highways network.

### **6.3.3 H23c Land at Derby Road, Hilton**

- Around 43 dwellings
- Access to be made to the existing PROW
- Consideration of a pedestrian crossing on Derby Road nearby the site entrance
- A landscape buffer will be implemented and enhanced to the north and east of the site
- The housing mix of the site will include at least four bungalows
- An off-site affordable housing contribution to be made
- Consideration and mitigation, as necessary, of the impact of the housing development upon the notified interest features of the Hilton Gravel Pits Site of Special Scientific Interest



Policy H23c:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Derby Road, Hilton	✓	✓✓	✓	✓	--	✓	✓✓	✓✓	✓	✓	✓	✓✓	✗	✗	--	✗	✓	✗	?	?	?

### Commentary

6.3.3.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within Hilton . The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### Policy Performance

6.3.3.2 Having reviewed the nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver affordable homes (based on the requirements included in the Part 1 Local Plan this site could deliver around 13 affordable homes, (although for this site provision would be off site). In addition the policy also specifies the delivery of a number of bungalows within the site. The delivery of affordable homes would also help promote social inclusion. This site was also assessed as performing strongly in respect of accessibility, which is expected given that it is located relatively centrally within the District's second largest settlement. Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and in Policy BNE3 of LP1 to safeguard biodiversity and deliver net gains where appropriate and the specific requirements included in Policy H23C to protect the interest features of the SSSI to the north of the site. Positive effects are also considered likely in respect of objectives to improve health and wellbeing through the provision of new open space and financial contributions to existing open space and built leisure provision locally. The policy also requires connectivity to the local public footpath network as well as requiring consideration of a new pedestrian crossing on Derby Road and as such the site would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime. Similarly Policy BNE1 (Design Excellence) which is set out in LP1 will also ensure the delivery of high quality housing development that respects local character. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and

through increasing the local population post development. Additional homes could also support local services and facilities within the village. Development would be expected to include sustainable drainage inline with policies SD2 and SD3 of the Part 1 Local Plan which will ensure that the site is positively drained and runoff rates are retained at greenfield rates.

- 6.3.3.3 Minor negative effects are however identified in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and whilst it only extends 3.0ha the site will be built out at a density of around 13 homes per hectare which is significantly below the District average and in the context of other sites may not represent the efficient use of land. However this level of growth is set in order that appropriate landscaping, open space provision and site design to reflect local townscape character which generally comprises of larger properties in relatively large plots along Derby Road.
- 6.3.3.4 Uncertain impacts are identified regarding the need to protect heritage assets and their setting (the site has potential to affect archaeology on site, should this be present). Policies to deliver increased landscape buffers in specified locations within the site coupled with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in the long-term effects in respect of landscape are minimised. However an uncertain effect is also assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.
- 6.3.3.5 No impacts are identified in respect of objectives to improve educational achievement or reduce water, light and noise pollution. This is because this site is well contained by existing development and the A50(T) to the north and development would be unlikely to lead to any discernible increase in noise levels or any notable increase in light pollution in this area.

Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal

- 6.3.3.6 A limited amendment to the site area to include a small area of additional land was proposed during the Local Plan Examination. In addition policy requirements specific to this site were added to the policy at the Presubmission stage and the ceiling on the number of homes deliverable on this site removed and replaced by a policy to allow for around 43 dwellings. Given the slight increase in site area proposed during examination this site therefore may deliver slightly above the 43 dwellings initially proposed, although such increases would be unlikely to give rise to effects materially different to those previously identified in earlier iteration of the SA given the likely modest scale. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.3.3.7 None identified.

#### **Short, Medium and Long Term Effects**

- 6.3.3.8 Give the scale of the site it is likely that delivery of the site will be in the short to medium -term.

#### **Cumulative or Synergistic Impacts**

- 6.3.3.9 This policy will act in combination with the housing allocations already included in the Part 1 Local Plan, specifically the existing strategic site located in the village (policy H7, Land at Hilton Depot, Hilton, which is allocated for 485 dwellings and Policy E1b which allocated 7ha of employment land within the village), although the nature and scale of Part 1 proposals and the proposed non-strategic housing site and the distance between these it is unlikely that additional small scale

growth would give rise to any significant environmental effects, although could give rise to local impacts including on nearby social infrastructure such as schools and doctors surgeries as well as existing infrastructure such as the local highways network.

### 6.3.4 23d Land at Station Road, Melbourne

- Around 46 dwellings
- Pedestrian access to be made to the adjacent Sweet Leys Estate
- Enhance the existing hedgerow boundaries except for access requirements
- A landscape buffer will be implemented and enhanced to the northern and eastern boundaries of the site
- No development within the part of the site subject to flood risk from the Carr Brook

Policy H23d:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Station Road, Melbourne	✓	✓✓	✓	✓	--	✓✓	✓	✓	✓	✓	✓	✓✓	X	X	XX	X	✓	X	✓	?	?

#### Commentary

6.3.4.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within the village of Melbourne. Two adjacent sites were previously identified as potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. A detailed policy has been developed to guide development across both previously identified sites to take account of consultation responses and ongoing evidence collected by the Authority.

#### Policy Performance

6.3.4.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver affordable homes (it will deliver 14 affordable homes) and promote social inclusion through the delivery of affordable homes in an area where homes are comparatively unaffordable. Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate; improve health and wellbeing through the provision of new open space and financial contributions to existing open space and built leisure provision, and connectivity to Sweet Leys estate and village centre to the north. The allocation would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of LP1. Similarly, this policy would also support the delivery of high quality housing development that respects local character. The site is relatively well related to existing facilities in Melbourne. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. Proposals included in this policy to deliver an appropriate easement along Carr Brook and requirements to deliver SUDS and minimise flood risk set out in policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at a greenfield rate. There is also a requirement that no development takes place within the floodplain of Carr Brook. The allocation will have no effect on any known heritage assets (designated and non-designated) or their settings. A minor positive effect has been assigned objectives to make best use of infrastructure as there are known issues regarding the local sewerage network and schools capacity in the village, however given that both parcels of land have planning consent and appropriate mitigation is identified to accommodate the small scale growth proposed impacts have been identified as insignificant.

6.3.4.3 Minor negative effects are however predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise, water or light pollution given the location of the site within a flightpath of East Midlands Airport (although noise levels within the property can be mitigated through the design and construction of homes). A minor to moderate negative impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield and extends 2.2ha and will accommodate 46 dwellings and as such will be built out at a density of around 21 homes per hectare which is slightly lower than most housing sites of this scale within South Derbyshire and is therefore considered to be the relatively efficient use of land.

6.3.4.4 Uncertain impacts are identified regarding objectives to protect landscape. Policies to deliver increased landscape buffers in specified locations within the site coupled with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in the long-term effects in respect of landscape are minimised. However an uncertain effect is assigned given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.3.4.5 This site formally comprised of two separate allocations for 22 and 24 homes respectively. However given that the sites are immediately adjacent to each other and SHLAA site S/0256 is contingent on the delivery of site S/0109 the decision has been taken to amalgamate both SHLAA sites into a single local plan allocation. Cumulatively these schemes would be expected to yield 46 dwellings. In addition requirements specific to this site have been added to the Plan and will inform site delivery alongside policies already set out in the Adopted Part 1 Local Plan. This should help improve the environmental performance of the Plan. A minor amendment to the policy wording supporting this allocation was proposed through the Local Plan Examination. This would allow for around 46 dwellings rather than up to 46 dwellings. However, as both sites already have planning consent it is unlikely that housing numbers will change on site, however even where changes were to happen given the change in wording proposed any uplift in homes would be modest and unlikely to lead to effects materially different to those identified in previous iterations of the SA.

#### **Risks and Uncertainties**

6.3.4.6 None identified

**Short, Medium and Long Term Effects**

6.3.4.7 Given the scale of the site, and having regard to the fact that the site already benefits from outline planning consent, it is likely that development and hence construction related effects would take place in the short-term, with operational effects taking place subsequently.

**Cumulative or Synergistic Impacts**

6.3.4.8 None identified.

**6.3.5 H23e Land at Acresford Road, Overseal**

- Around 70 dwellings
- A landscape buffer will be implemented and enhanced to the east, west and north edges of the site whilst public open space and drainage shall be provided to the south of the access road
- Access to be made to the existing PROWs
- Contributions towards mitigating the impact on the River Mease SAC and SSSI

Policy H23e	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Acresford Road, Overseal	✓	✓✓	✓	✓	--	✓✓	✓✓	✓	✓	✓	✓	✓	✗	✗	✗	✗✗	✓	✗	✗	✓	?

### **Commentary**

- 6.3.5.1 This is a spatial policy that seeks to identify the location of proposed non-strategic development within the village of Overseal. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority. The site benefits from outline planning consent and has been included in the plan to control the future delivery of the site in the event that any planning consent lapses.

### **Policy Performance**

- 6.3.5.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver affordable homes (21 homes are proposed on site) and promoting social inclusion through the delivery of affordable homes in an area where there is an identified need. Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to deliver National Forest planting, safeguard biodiversity and deliver net gains where appropriate. In particular the development would be required to make a financial contribution to the River Mease Developer Contribution Scheme to ensure that development does not lead to any further deterioration in water quality and in turn affect the integrity of the site. Any development would also need to include a minimum of 20% tree planting or other appropriate habitat creation on site (policy INF8). The site is reasonably related to existing facilities in Overseal and the requirement to connect to existing rights of way would further help improve connectivity to local facilities.
- 6.3.5.3 The development would also improve health and wellbeing through the provision of new open space to the north and south of the site (and financial contributions to existing open space, built leisure provision, as well as connectivity to the local public footpath network (footpath 20). Sites would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing development that respects local character. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village.
- 6.3.5.4 Proposals included in this policy to minimise flood risk set out in policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at a greenfield rate. In addition policy BNE3 will help ensure that water quality from runoff leaving the site is suitably treated prior to discharge in the interests protecting water quality in the River Mease SAC. Given the requirement for National Forest planting on site, it is considered that this site would ensure that a positive effect against the objective to improve access to cultural heritage assets is achieved. A minor positive effect is also considered likely in respect of making best use of existing infrastructure. This is because whilst local schools are at, or near capacity, most infrastructure locally can accommodate growth whilst mitigation has been identified through the planning application process to accommodate additional pupils.
- 6.3.5.5 Minor negative effects are however predicted in respect of minimising waste. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise, water and light pollution although the scale of likely effects would be controlled by proposed SUDS on site in respect of water quality effects and requirements in policy SD1 to reduce the amenity impacts of development in respect of noise and light. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and whilst it only extends 4.7ha the site will be built out at a density of around 14 homes per hectare which is relatively low and in the context of other sites and may not represent the efficient use of land. However, it is worth noting that a significant proportion of the site will be passed over to National Forest Planting, open space provision and other habitat creation. Clearly therefore whilst greater levels of development could be accommodated on site, the removal of green infrastructure proposed would potentially undermine the sustainability of the site and could negatively affect local landscape and townscape character. There is also potential for a negative effect in respect of heritage features (and their settings) as a number of designated heritage assets including

Overseal House Grade II\*), are located in the vicinity of the site, although the extent of likely effects should be mitigated in accordance with Policy BNE2 included in the Part 1 Local Plan and emerging Policy BNE10 included in LP2.

- 6.3.5.6 Policies to deliver increased landscape buffers in specified locations within the site coupled with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in the long term effects in respect of landscape are minimised. However an uncertain effect is also assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.5.7 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site were added to the Plan during the Presubmission Stage in order to improve the environmental performance of the Plan. A further minor amendment was made to the policy during the Local Plan Examination. This would allow for around 70 dwellings rather than upto 70 dwellings on site. However, as the site already benefits from outline planning consent it is unlikely that housing numbers will change notably on site. Where modest changes were to happen given the change in wording any likely uplift in the number of homes would be modest and unlikely to lead to effects materially different to those identified in previous iterations of the SA. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.3.5.8 The site would need to contribute towards mitigation measures to reduce phosphate in the River Mease Special Area of Conservation via the River Mease Developer Contribution Scheme 2 (DCS2). This site does however have planning consent and a signed section106 agreement which commits to a contribution towards mitigating the effects of development on the SAC which helps derisk the potential for the site to have harmful effects on the SAC in respect of water quality.

#### **Short, Medium and Long Term Effects**

- 6.3.5.9 Notwithstanding the above, this policy is likely to control the delivery of the site early within the Plan period, given the scale of the site and the fact that the site already benefits from outline planning consent. Construction phase effects would therefore be likely to occur in the short-term with operational effects likely thereafter.

#### **Cumulative or Synergistic Impacts**

- 6.3.5.10 This policy will act in combination with site H23f (Valley Road, Overseal) also allocated through the Part 2 Local Plan, although given the nature and scale of both proposals it is unlikely that both schemes together would give rise to any significant environmental effects, particularly as potential impacts on the River Mease SAC can be mitigated via the River Mease Developer Contribution Scheme. Nonetheless specific policy requirements have been included in the policy to ensure that the likely environmental effects of development in this location are controlled. The likely effects of LP2 in combination with development proposals included in the Adopted Part 1 Local Plan and neighbouring Plans are considered in further detail with the Council's Habitat Regulations (Screening) Assessment which is available to view on the Council's website. <http://www.south-derbys.gov.uk/localplanpart2>.

### 6.3.6

## H23f Land at Valley Road, Overseal

- Around 64 dwellings
- Alignment of the footpath to be retained through the site
- A landscaping buffer will be implemented and enhanced to the western part of the site
- Contributions towards mitigating the impact on the River Mease SAC and SSSI
- An appropriate contribution towards the management of a grassland habitat to be agreed with the Council to compensate for the loss of locally significant grassland onsite.

Policy H23f:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Valley Road, Overseal	✓	✓✓	✓	✓	--	✓✓	✓✓	✓	✓	✓	✓	✓	✗	✗	✗	✗	✓	✗	✓	✓	?

### Commentary

- 6.3.6.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within the village of Overseal. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy, has however, been developed to take account of consultation responses and ongoing evidence collection by the Authority. The site benefits from planning consent and is now under construction.



### **Policy Performance**

- 6.3.6.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver affordable homes(19 homes are proposed on site) and promoting social inclusion through the delivery of affordable homes in an area where there is an identified need. Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to deliver National Forest planting, safeguard biodiversity and deliver net gains where appropriate. In particular the development will make a financial contribution to the River Mease Developer Contribution Scheme to ensure that development does not lead to any further deterioration in water quality and in turn affect the integrity of the site. Any development would also need to include a minimum of 20% tree planting or other appropriate habitat creation on site (policy INF8) as well as make a financial contribution to offset grassland losses on site by allowing for management of other grassland sites within the District. The site is reasonably related to existing facilities in Overseal and can provide a direct connection to the existing footpath network.
- 6.3.6.3 The development would also improve health and wellbeing by supporting improvements to existing open space and built facilities within the village (as well as connectivity to the local public footpath network as previously noted. Sites would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing development that respects local character. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. The site incorporate SUDS and minimise flood risk as required in policies SD2 and SD3 in the Adopted Part 1 Local Plan, the provision of these will ensure that surface water is managed positively on site and discharged at a greenfield rate. In addition policy BNE3 will ensure that water quality from runoff leaving the site is suitably treated prior to discharge in the interests of the River Mease SAC. Given the requirement for National Forest planting on site, it is considered that this site would ensure that a positive effect against the object to improve access to cultural heritage assets is achieved. A minor positive effect is also likely in respect of making best use of existing infrastructure. This is because whilst most infrastructure locally can accommodate growth, local schools are at or near capacity. Nonetheless mitigation has been identified through the planning application process to accommodate additional pupils.
- 6.3.6.4 Minor negative effects are predicted in respect of minimising waste. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise, water and light pollution although the scale of likely effects would be controlled by proposed SUDS on site in respect of water and requirements in policy SD1 to reduce the amenity impacts of development in respect of noise and light. A negative impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, the site extends 2.05ha the site will be built out at a density of around 31 homes per hectare which is typical for South Derbyshire.
- 6.3.6.5 Policies to deliver increased landscape buffers (currently proposed to the west and to a lesser extent the south of the site) coupled with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in the long-term effects in respect of landscape are minimised. However an uncertain effect is also assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.6.6 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the environmental performance of the Plan. A change to the policy during the Local Plan Examination process to allow around, rather than up to 64 dwellings on site is unlikely to have any effect given that the site has planning consent and is under construction.

Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.3.6.7 None identified

#### **Short, Medium and Long Term Effects**

6.3.6.8 Notwithstanding the above, this policy is likely to control the delivery of the site early within the Plan period, given the scale of the site and the fact that the site already benefits from planning consent. Construction phase effects would therefore be likely in the short term with operational phase effects thereafter.

#### **Cumulative or Synergistic Impacts**

6.3.6.9 This policy will act in combination with site H23e (Acresford Road, Overseal) also allocated through the Part 2 Local Plan, although given the nature and scale of both proposals it is unlikely that both schemes together would give rise to any significant environmental effects, particularly as potential impacts on the River Mease SAC can be easily mitigated via an established scheme of mitigation. Nonetheless specific development requirements have been included in the policy to ensure that the likely environmental effects of development in this location are controlled. The likely effects of LP2 in combination with development proposals included in the Adopted Part 1 Local Plan and neighbouring Plans are considered in further detail with the Council's Habitat Regulations (Screening) Assessment which is available to view on the Council's website. <http://www.south-derbys.gov.uk/localplanpart2>.

### **6.3.7 H23g Land at Milton Road, Repton**

- Around 25 dwellings
- Access to be made to the existing PROW across the site and pedestrian access to Milton Road
- Minimise the loss of hedgerow to front of the site
- Enhancement of existing hedgerows and trees across the site
- No built development to the north of the existing PROW (running east –west) on the site
- Open space to be provided north of the PROW
- The housing mix of the site will include at least two bungalows

Policy H23g:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Milton Road, Repton	✓	✓✓	✓	✓	--	✓✓	✓	✓	✓	✓	✓	✓	X	X	X	XX	✓	X	✓	--	?

### Commentary

6.3.7.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within the village of Repton. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy was however developed to take account of consultation responses and ongoing evidence collection by the Authority.

### Policy Performance

6.3.7.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver a mix of housing. This is because the policy supports the delivery of bungalows on site – a type of housing not usually delivered in the District. The site could also support the delivery of affordable homes. Positive impacts are also likely in respect of objectives to improve social inclusion, as development would make a contribution towards affordable housing provision in an area of identified need elsewhere in the district through an offsite contribution.

6.3.7.3 Given the existing nature of the site and requirements in this policy and elsewhere in the Part 1 Local Plan to safeguard biodiversity and deliver net gains where appropriate and having regard to the amount of public and private green space (located to the north of the existing public right of way) on site it is likely that development could deliver long term biodiversity gain. Development could also contribute towards improving health and wellbeing through the provision of new open space on site (and through financial contributions to existing open space and built leisure provision) within the village and provide connectivity to the local public footpath network. The site would also perform positively in respect of objectives to improve community safety and reduce fear of through requirements to address design principles relating to community safety set out in Policy BNE1 LP1. Similarly, this policy would also support the delivery of high quality housing at low densities in keeping with local character. The site is located in a key service village with a reasonable level of service provision in Repton itself (the site is within 800m of bus stops, primary school and village centre) with further services such as a small supermarket, train station and GP surgery in the neighbouring settlement of Willington and would perform positively in respect of improving accessibility to local services and facilities and supporting local shops and services.

Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. Proposals would be expected to deliver SUDS as required by policies SD2 and SD3 in the Adopted Part 1 Local Plan, this will ensure that surface water is managed positively on site and discharged at a greenfield rate. A positive effect is considered likely in respect of protecting cultural heritage as the site is located in excess of 300m from the village conservation area and is located away from any designated and non-designated heritage assets.

6.3.7.4 Minor negative effects are however predicted in respect of minimising waste, and objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk, development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise and light pollution due to the development of homes in an area currently undeveloped. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and homes will be built out at a density of around 13 homes per hectare, although this would be closer to 22 dwellings per hectare if land to the north of the footpath is omitted). This is significantly lower than many housing sites that come forward in the District and may not represent the efficient use of greenfield land. However this level of growth is set in order that appropriate landscaping, open space provision and site design to reflect local townscape character and landform can be delivered.

6.3.7.5 Policies to deliver increased landscape buffers in specified locations within the site, retain and reinforce existing hedgerows within the site (other than that to be removed to accommodate site access) and to restrict development to lower parts of the site to the south of the public right of way, together with the policy requirements set out in BNE4 of the Adopted Part 1 Local Plan will ensure that in the long-term effects in respect of landscape are minimised. However an uncertain effect is also assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.3.7.6 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the Plan's environmental performance. A further minor amendment was made to the policy during the Local Plan Examination. This would allow for around 25 dwellings rather than up to 25 dwellings on site. However, as the site already benefits from outline planning consent it is unlikely that housing numbers will change notably. Where modest changes were to happen given the change in wording any likely uplift in the number of homes would be limited – especially given restrictions on built development to the north of the public right of way, and would therefore be unlikely to lead to effects materially different to those identified in previous iterations of the SA. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.3.7.7 None identified .

#### **Short, Medium and Long Term Effects**

6.3.7.8 This policy is likely to control the delivery of the site early within the Plan period, given its scale. Construction phase effects would therefore likely occur in the short-term with operational effects likely thereafter.

#### **Cumulative or Synergistic Impacts**

6.3.7.9 This policy will act in combination with site H9 (Land at Longlands, Repton) allocated in the Part 1 Local Plan and Policy 23h (Land at Mount Pleasant Road, Repton), although given the nature and scale of other proposals it is unlikely that cumulatively the schemes would give rise to any significant environmental effects. Nonetheless specific development requirements have been included in the policy to ensure that the likely environmental effects of development in this location are controlled and where appropriate mitigated.

### 6.3.8 H23h Land at Mount Pleasant Road, Repton

- Around 24 dwellings
- retention or translocation of the hedgerow along Mount Pleasant Road;
- re-prioritisation of Mount Pleasant Road with the new estate road;
- connection to Part 1 (H9) allocation through pedestrian and vehicular access;
- stand off to protected woodland to the south-east;

Policy H23h:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Mount Pleasant Road, Repton	✓	✓✓	✓	✓	--	✓✓	✓	✓✓	✓	✓	✓	✓	X	X	X	XX	✓	X	✓	-	?

#### Commentary

6.3.8.1 This is a spatial policy that seeks to identify the location of proposed non-strategic development within the village of Repton. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority. The site benefits from planning consent and is under construction.

### **Policy Performance**

- 6.3.8.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to deliver a mix of housing and will contribute towards the delivery of 30% affordable housing on site in line with Local Plan Part 1 requirements. Positive impacts are also likely in respect of objectives to improve social inclusion given that affordable housing will be delivered through the development. The development would also perform strongly in respect of making best use of infrastructure with the development capable of being accommodated without any significant improvements to local infrastructure including utilities, (gas, electric, sewerage) the highways network (although some widening of existing highways is required) and local education and health facilities although contributions in respect of secondary and post 16 education were sought to ensure appropriate capacity to accommodate pupils.
- 6.3.8.3 Given the existing nature of the site and requirements in this policy and elsewhere in the Part 1 Local Plan to safeguard biodiversity and deliver net gains where appropriate and having regard to the amount of public and private green space proposed on site it is likely that development could deliver long term biodiversity gain. Development could also contribute towards improving health and wellbeing through the provision of new open space on site (and through financial contributions to existing open space and built leisure provision, within the village. The site would also perform positively in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing at low densities in keeping with local character. The site is located in a key service village with a reasonable level of service provision in Repton itself (the site is just over 800m from bus stops and village centre, but within 800m from the nearest primary school. There are further services such as a small supermarket, train station and GP surgery in the neighbouring settlement of Willington. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. Proposals included in this policy to deliver SUDS as required by policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at a greenfield rate. A positive effect is considered likely in respect of protecting cultural heritage as the site is not well related to the Conservation Area or any designated or non-designated heritage assets.
- 6.3.8.4 Minor negative effects are however predicted in respect of minimising waste, and objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise and light pollution due to the development of homes in an area currently undeveloped. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and homes will be built out at a density of around 14 homes per hectare. This is significantly lower than many housing sites that come forward in the District and may not represent the efficient use of greenfield land. However this level of growth is set in order that appropriate landscaping, open space provision and site design to reflect local townscape character and landform.
- 6.3.8.5 Policies to promote the retention of key landscape elements and trees and hedgerows on site included in BNE4 of the Part 1 Local Plan and BNE7 of the Draft Part 2 Local Plan should ensure that in the long term effects in respect of landscape are minimised. However an uncertain effect is assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.3.8.6 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the Plan's environmental performance. A further minor amendment has also been made to the policy during the Local Plan Examination. This would allow for around 24 dwellings rather than upto 24 dwellings on site. However, as the site already benefits from outline planning consent it is unlikely that housing numbers will change in this location. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

6.3.8.7 None identified.

### **Short, Medium and Long Term Effects**

6.3.8.8 This policy is likely to control the delivery of the site early within the Plan period, given its scale and having regard to the fact it forms part of a development site which is already under construction and has outline planning consent. Construction phase events would be likely to occur in the short term given the scale of the site, with operational effects occurring thereafter.

### **Cumulative or Synergistic Impacts**

6.3.8.9 This policy will act in combination with site H9 (Land at Longlands, Repton) allocated in the Part 1 Local Plan and Policy 23g (Land at Milton Road, Repton), although given the nature and scale of other proposals it is unlikely that cumulatively the schemes would give rise to any significant environmental effects. Nonetheless specific development requirements have been included in the policy to ensure that the likely environmental effects of development in this location are controlled and where appropriate mitigated.

## **6.3.9 H23i Off Kingfisher Way, Willington**

- Around 50 dwellings
- The provision of a dry access route to the north of the site onto Ivy Close should vehicular access be via Kingfisher Way
- Connection to be made to the PROW on the sites northern boundary
- A landscaping buffer to be introduced to the western boundary of the site

Policy H23i:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Off Kingfisher Way, Willington.	✓	✓✓	✓	✓	--	✓✓	✓	✓	✓	✓	✓	✓	✗	✗	✗	✗	✓	✗	✗	-	?

### Commentary

6.3.9.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within the village of Willington. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### Policy Performance

6.3.9.2 This site is considered to perform strongly in respect of objectives to deliver affordable homes (it would be expected to deliver 30% affordable housing on site or 18 homes as set out in Policy H21 of the Adopted Part 1 Local Plan). It would also promote social inclusion through the delivery of affordable homes in an area where homes are comparatively unaffordable.

6.3.9.3 A minor positive impact is also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate. Similarly site delivery could help improve health and wellbeing through the provision of new open space and financial contributions to existing open space and built leisure provision. Any development would also be likely to have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan, as well as require the provision of a dry means of access in the event of Kingfisher Way flooding in the vicinity of the tributary of Egginton Brook to the east. Similarly, this policy would also support the delivery of high quality housing development that respects local character in accordance with Policy BNE1 of the Adopted Plan. The site is relatively well related to existing facilities in Willington with a doctors, bus stops served by an hourly route and



supermarket within 400m of the site and village centre and train station within 800m. The local primary school and playing pitches are however more than 800m from the site. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the village. Proposals included in policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at a greenfield rate.

- 6.3.9.4 A minor positive effect has been assigned objectives to make best use of infrastructure as there are known constraints in respect of the local primary schools, John Port Secondary school as well as Milton Waste Water Treatment Works. However, given the small scale of the site it is likely that existing infrastructure could be improved to accommodate development. There are no identified issues in respect of highways capacity, sewerage, broadband or electricity infrastructure.
- 6.3.9.5 Minor negative effects are however predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would also be likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing the effects of flood risk offsite development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect noise or light pollution given the location of the site adjacent to a railway line and existing homes. A minor to moderate negative impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield and extends 1.5ha and will accommodate 50 dwellings and as such will be built out at a density of around 33 homes per hectare which is slightly above average for smaller development sites within South Derbyshire and is therefore considered to be the relatively efficient use of land. A negative effect is also likely in respect of non-designated heritage assets on the site (there is a heritage environment record on the site).
- 6.3.9.6 An uncertain effect has been identified in respect of landscape and additional planting is proposed to the west of the site. This should help mitigate any negative effects. Planting will ensure that in the long term effects in respect of landscape are minimised. However an uncertain effect is assigned this objective given that effects will vary over the course of the plan period with the most notable (negative) effect likely prior to landscape mitigation becoming established with effects reducing overtime as planting matures.
- 6.3.9.7 No notable impacts in respect of improving educational achievement and access to cultural heritage are identified.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.9.8 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the environmental performance of the Plan. A further minor amendment was also made to the policy during the Local Plan Examination. This would allow for around 50 dwellings rather than up to 50 dwellings on site as previously set out. However, given the comparatively high density of this site as proposed it is unlikely that this change will lead to any noteworthy increase in the number of homes and hence material change in likely environmental, economic or social impacts. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.3.9.9 Part of access to the site has been subject to flooding which could restrict vehicular access into and out of the site during flood events. However, the site has been subject to the sequential test and flood zones would not extend into the site itself. Investigations into this site, including through liaison with the Environment Agency and Derbyshire County Council's emergency planning function have confirmed that a dry access exists to the north east of the proposal site. On this basis the Council considers any residual risk to local residents can be appropriately mitigated and this does not pose a risk to the delivery of this site.

### Short, Medium and Long Term Effects

6.3.9.10 This policy is likely to control the delivery of the site early within the Plan period, given the scale of the site and given that development on an adjacent site is already underway. Construction effects would therefore be likely to occur in the short term with operational effects thereafter.

### Cumulative or Synergistic Impacts

6.3.9.11 The site is unlikely to act in cumulation with other development proposals set out in the Part 1 or Part 2 Local Plans.

## 6.3.10 H23j Land at Oak Close, Castle Gresley

- Around 55 dwellings
- Introduction of a landscaping buffer to all boundaries (where appropriate) of the site with an enhanced buffer required along the southern and eastern boundary
- No built development to the south-west of the existing tree belt
- Consideration of detailed drainage issues
- An appropriate easement to be provided that is free of obstruction along the existing watercourse for maintenance
- Use of 1.5 storey dwellings in prominent parts of the site

Policy H23j:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Oak Close, Castle Gresley	✓	✓✓	✓	✓	--	✓✓	✓	✓	✓	✓	✓	✓	✗	✗	✗	✗	?	✗	✓	✓	?

### **Commentary**

- 6.3.10.1 This is a spatial policy that seeks to identify the location of proposed non-strategic development within the village of Castle Gresley. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### **Policy Performance**

- 6.3.10.2 Like all housing sites the provision of new homes would perform strongly against objectives to deliver affordable homes and promote social inclusion (17 affordable homes would be required on site in accordance with Policy H21 of the Adopted Local Plan). Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate. Development could also contribute to the provision of new open space, through 20% National Forest Planting required by Policy INF8 of the Adopted Local Plan as well as financial contributions to existing open space and/or built leisure provision. Sites would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing development that respects local character. The site is relatively well related to existing facilities in Castle Gresley. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes could also support local services and facilities within the settlement. No identified heritage assets are identified on site or within its immediate vicinity so development is considered to contribute to conserving such assets. The development would also have a minor positive effect in respect of improving access to cultural heritage as it would support National Forest Planting as previously noted.
- 6.3.10.3 Minor negative effects are however predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures would be required in respect of managing flood risk onsite development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. Development could also have a negative effect in respect of pollution including noise and light pollution although the scale of likely effects would be moderated by proposed SUDS on site and requirements in policy SD1 to reduce the amenity impacts of development. A significant impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield in nature, and whilst it only extends 2.5ha the site will be built out at a density of around 22 homes per hectare which is relatively low and in the context of other sites may not represent the efficient use of land. However this level of growth is set in order that appropriate landscaping and habitat creation, open space provision and site design to reflect local townscape character can be achieved.
- 6.3.10.4 Uncertain effects are identified in respect of objectives to reduce flood risk. This uncertainty arises as whilst it is likely runoff from the site could be retained at greenfield levels and hence should not contribute to increased risk off site, there may be potential to improve off site flood risk through this development, although at the time of writing hydraulic studies are ongoing and this cannot be confirmed. Landscape impacts are similarly identified as uncertain. However it is likely that all development schemes will have negative effect in the short term, although this can be appropriately addressed through careful site design and effects will lessen over time. To ensure that landscape effects are minimised a number of site specific requirements are included in the policy including that no built development is located to the south of the existing tree belt to the south of the site and that appropriate landscape buffers are located around prominent site edges.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.3.10.5 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the environmental performance of the Plan. A further minor amendment was also made to the policy during the Local Plan Examination. This would allow for around 55 dwellings rather than up to 55 dwellings on site as previously set out. However, given the identified constraints on this site and having regard to the open space and planting requirements set out in the policy, it is unlikely that this change will lead to any notable increase in the number of homes and hence material change in likely environmental, economic or social impacts of this allocation. Further minor amendments to improve the clarity of the policy have also been made in respect of this policy. Information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

6.3.10.6 There remains some uncertainty regarding the potential of the site to address pre-existing flood risk issues in the vicinity of the site, hydraulic studies to ensure that any surface water solution from the site can contribute to reducing flooding locally will be sought through the development management process.

### **Short, Medium and Long Term Effects**

6.3.10.7 This policy is likely to control the delivery of the site in the early to middle part of the Plan period given the scale of the site. However, given that, at the time of writing there is no planning permission or proposal before the Authority. Site delivery is therefore likely in the medium term. Operational effects would therefore be likely to occur within the next five years and operational effects, associated with the use of the site for housing thereafter.

### **Cumulative or Synergistic Impacts**

6.3.10.8 The site is unlikely to act in cumulation with other development proposals set out in the Part 1 or Part 2 Local Plans.

## **6.3.11 H23k: Land at Midland Road, Swadlincote**

- Around 57 dwellings.
- The finished floor levels of the dwellings to be maintained at the current ground level
- The SUDS scheme to provide a betterment to existing drainage conditions
- Consideration of providing pedestrian connections at the boundary of the site with Eureka Park

Policy H23k:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Midland Road, Swadlincote	✓	--/✓	✓	✓	--	--	✓✓	✓✓	✓	✓	✓	✓	✗	✗	--	✓✓	?	✗	✗	--	✓✓

### Commentary

6.3.11.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within Swadlincote. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### Policy Performance

6.3.11.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to improve local accessibility given its proximity to local services and facilities in Swadlincote, make best use of existing infrastructure, minimise the irreversible loss of greenfield land (the site was previously in employment use) and in respect of conserving and enhancing landscape and townscape character as development would allow for the redevelopment of a cleared site which generally detracts from the surrounding street scene and which is visible from Eureka Park. Redevelopment of the site would be in accordance with Policy BNE1 of the Part 1 Local Plan. (Design Excellence).

6.3.11.3 Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate and given that the amount of green space in private and public ownership (i.e. public open space and private gardens) will increase significantly. Sites would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan, it would also bring an unused brownfield site into reuse. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development, set against this however the site would represent an employment land loss, however it has been demonstrated to the Council that there was no demand for the commercial reuse of the site. Additional homes could also support local services and facilities within Swadlincote. Policies SD2 and SD3 in the Adopted Part 1 Local Plan will ensure that surface water is managed positively on site and discharged at rates significantly lower than the pre-existing rate.

- 6.3.11.4 Minor negative effects are however predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. It is likely that site development could also have a minor negative effect on local non-designated heritage assets as there is a Heritage Environment Record covering most of the site although this may have been significantly affected or lost through previous site development.
- 6.3.11.5 No impacts are identified in respect of objectives to provide affordable housing or promote social inclusion as the condition of the site and the remediation required to make redevelopment viable will affect site viability to the extent that no affordable housing will be delivered on site (however arguably the provision of additional homes anywhere in the District will contribute towards meeting local housing need so could have a potential slight beneficial effect). No impacts are also identified in respect of the objective to reduce water, light and noise pollution. This is because the site is substantially surrounded by existing built development and likely effects would be similar in nature to the historic baseline and should be largely mitigated in accordance with Policy SD1 (Amenity and Environmental Quality) included in the Adopted Part 1 Local Plan. No impacts in respect of increasing access to cultural heritage are identified given the lack of National Forest Planting on the site.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.11.6 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the environmental performance of the Plan. A further minor amendment was also made to the policy during the Local Plan Examination. This would allow for around 10 dwellings rather than upto 10 dwellings on site as previously set out in the Presubmission Plan. However, given the limited size of the site and the need for appropriate landscaping required within the policy it is unlikely that this policy change would allow for notably higher levels of growth. On this basis it is unlikely that this change would have a material effect on the likely effects of developing this site. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.3.11.7 None identified.

#### **Short, Medium and Long Term Effects**

- 6.3.11.8 This policy is likely to control the delivery of the site early within the Plan period, given the scale of the site and given that the site already benefits from planning consent and is under construction. Operational effects associated with use of the site for residential purposes will occur thereafter.

#### **Cumulative or Synergistic Impacts**

- 6.3.11.9 The proposal could act in combination with other Swadlincote urban area sites proposed through the Part 2 Local Plan including land at Montracon, Swadlincote (H23m) as well as Part 1 Site allocations including Land North of William Nadin Way (H2); Land at Church Street, Church Gresley (H3); Land at Broomy Farm, Woodville (H4); Council Depot (H5) Strategic Employment Allocations (E1a, E1d and E1g) and the proposed Woodville Regeneration Area (E1c). Given the significance of proposals included in the Part 2 Local Plan it is unlikely that they would in isolation give rise to significant environmental effects. And whilst through the two local plans in excess of 28ha of employment land and in excess of 1,700 homes are allocated many of the sites are already commitments benefiting from planning consent and their potential to give rise to significant environmental effects (and need for Environmental Impact Assessment) being subject to consideration through the development management process. Moreover sites are spread throughout the existing urban area. Given the lack of

sensitive areas within the town, such as statutory wildlife sites, scheduled monuments, protected landscapes etc. it is unlikely that this additional growth would lead to environmental effects significantly different to those considered through the Part 1 Local Plan sustainability appraisal work.

### 6.3.12 H23I Land to the north of Scropton Road, Scropton

- Around 10 dwellings
- A significant landscape buffer to be introduced to all boundaries adjacent to countryside
- No more than 1.5 storey on the outer boundary of the site adjacent to countryside
- An appropriate flood risk assessment to identify appropriate measure to protect the site from residual flood risk in the event of flood defence failure

Policy H23I:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land to the North of Scropton Road, Scropton	✓	✓	✓	✓	--	--	XX	X	✓	✓	✓	✓✓	X	X	?	✓✓	X	X	✓	--	?

#### Commentary

6.3.12.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within the village of Scropton. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### **Policy Performance**

- 6.3.12.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to protect greenfield land and improve the quality of existing development.
- 6.3.12.3 Minor positive effects are likely in respect of objectives to avoid damage to habitats and species and enhance biodiversity given specific requirements deliver a significant landscape buffer to the north of the site, the delivery of homes to meet local needs given the lack of recent housing delivery in the village (only six homes have been built since 2006/07) and in respect of objectives to improve community safety and reduce fear of crime given the requirements set out in Policy BNE1 of LP1. This site could also have minor positive effects in respect of objectives to achieve stable and sustainable levels of economic growth, diversify and strengthen local urban and rural economies and enhance the vitality and viability of existing town and village centres. A minor positive effect is also likely in respect of improving the setting of nearby heritage assets given that site redevelopment would be likely to improve the local townscape (as required by Policy BNE1) and protect the setting of heritage assets as required by Policy BNE2 of the Adopted Local Plan.
- 6.3.12.4 Negative effects have been identified in respect of objectives to make best use of existing infrastructure (a number of infrastructure constraints exist locally - although it is likely these can be mitigated given the scale of the development). Minor negative effects are also predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, not least because of the site's location in the floodplain for the River Dove. However the site does benefit from the recently completed river Dove flood defences which provides a 1:100 year standard of protection for the site. Moreover the policy specifically requires that residual risk from flooding informs site development. The site is located away from many existing services and facilities, although this is not unusual for rural villages within the settlement hierarchy set out in the Part 1 Local Plan.
- 6.3.12.5 Landscape impacts are identified as uncertain. It is likely that this scheme will have a negative effect in the short term, although this can be appropriately addressed through careful site design including the provision of a strategic buffer around those parts of the site facing the countryside. Subject to appropriate mitigation effects would be likely to lessen over time and given the openness of the existing site and the nature of buildings within it there may be potential to secure improvements in the local landscape character through development.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.12.6 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan. This should help improve the Plan's environmental performance. A further minor amendment was also made to the policy during the Local Plan Examination. This would allow for around 10 dwellings rather than up to 10 dwellings on site as previously set out in the Presubmission Plan. However, given the limited size of the site and the need for appropriate landscaping required within the policy it is unlikely that this policy change would allow for notably higher levels of growth. On this basis it is unlikely that this change would have a material effect on the likely effects of developing this site. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.3.12.7 None Identified.

### **Short, Medium and Long Term Effects**

- 6.3.12.8 It is unclear when in the Plan period this site will come forward for development, although given its scale it could come forwards relatively quickly and be built out over a relatively short time frame.



### Cumulative or Synergistic Impacts

6.3.12.9 The site is unlikely to act in cumulation with other development proposals set out in the Part 1 or Part 2 Local Plans.

### 6.3.13 H23m Land at Montracon, Swadlincote

- Around 95 dwellings
- No main vehicular access onto Albion Street
- Improved vehicular access to be provided onto Thorn Street
- Connections to be made to existing pedestrian and cycling routes
- Consideration of providing further land for the local primary school

Policy H23m:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at Montracon, Swadlincote	✓	?	✓	✓	?	?	✓✓	✓✓	✓	✓	✓	✓✓	X	X	-	✓✓	✓	X	✓	✓	✓✓

### Commentary

6.3.13.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development within Swadlincote. The site was first identified as a potential non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. Following a further review of this site it is considered that there is potential for this site to accommodate increased housing provision and the capacity of the site is now identified as being around 95 dwellings. The

detailed policy has, however, been developed to take account of consultation responses and ongoing evidence collection by the Authority and seeks to address identified infrastructure capacity issues in the vicinity of the site.

### **Policy Performance**

- 6.3.13.2 Having regard to the existing nature of the site and requirements set out in policy H23 (including site specific requirements) this site is considered to perform strongly in respect of objectives to improve local accessibility given its proximity to local services and facilities in Woodville and Swadlincote, make best use of existing infrastructure, minimise the irreversible loss of greenfield land (the site was previously in employment use) and in respect of conserving and enhancing landscape and townscape character as development would allow for the redevelopment of an area which generally detracts from the wider area. Redevelopment of the site would be in accordance with Policy BNE1 of the Part 1 Local Plan, (Design Excellence).
- 6.3.13.3 Positive impacts are also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate and given that the amount of undeveloped land in private and public ownership (i.e. public open space and private gardens) will increase significantly. Sites would also have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan, it would also bring a large unused brownfield land into reuse. Like all non-strategic sites housing development, the development of this site would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development, set against this however the site would represent an employment land loss. However the site is largely unused except for the storage of trailers. Additional homes could also support local services and facilities within Woodville. Development of the site would also be likely to reduce surface water runoff from the site into the local sewerage network as surface water would need to be positively managed on site in accordance with Policy SD2 and SD3 of the Part 1 Local Plan. Positive effects are identified in respect of improving access to cultural heritage as 20% of the site will be subject to National Forest Planting requirements.
- 6.3.13.4 Minor negative effects are likely in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would be also likely to have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes due to increased energy usage by residents. A minor negative effect is possible in respect of heritage given that a Heritage Environment Record is located within the site although given the previous development of much of the site, any heritage assets may have been disturbed or lost.
- 6.3.13.5 Uncertain effects are identified in respect of objectives to provide affordable housing or promote social inclusion as the condition of the site and the remediation required to make redevelopment viable could affect site viability. However there is no indication currently that affordable housing will not be included on the site and as previously noted policy H21 of the Local Plan Part 1 requires provision of 30% affordable provision on sites of over 15 dwellings.
- 6.3.13.6 No impacts are also identified in respect of the objective to reduce water, light and noise pollution. This is because the site is substantially surrounding by existing built development and any development will be designed and constructed in accordance with the requirements of Policy SD1 (Amenity and Environmental Quality) included in the Adopted Part 1 Local Plan.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.13.7 The site proposed has remained unaltered to the previous site outlined in the Draft Local Plan consultation. However, policy requirements specific to this site have been added to the Plan and the overall housing to be accommodated on the site has increased to 95 dwellings. A further minor amendment was also made to the policy during the Local Plan Examination. This would allow for around 95 dwellings rather than up to 95 dwellings on site as previously set out in the Presubmission Plan to be accommodated on site. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

6.3.13.8 None identified.

### **Short, Medium and Long Term Effects**

6.3.13.9 . Having regard to the nature and scale of this site it is unlikely that construction will take place in the early part of the plan period. Construction related effects would therefore be likely to occur in the medium to long term with operational effects likely thereafter.

### **Cumulative or Synergistic Impacts**

6.3.13.10 The proposal could act in combination with other Swadlincote urban area sites proposed through the Part 2 Local Plan including land at Midland Road, Swadlincote (H23k) as well as Part 1 Site allocations including Land North of William Nadin Way (H2); Land at Church Street, Church Gresley (H3); Land at Broomy Farm, Woodville (H4); Council Depot (H5) Strategic Employment Allocations (E1a, E1d and E1g) and the proposed Woodville Regeneration Area (E1c). Given the significance of proposals included in the Part 2 Local Plan it is unlikely that they would in isolation give rise to significant environmental effects. And whilst through the two local plans in excess of 28ha of employment land and in excess of 1,700 homes are allocated many of the sites are already commitments benefiting from planning consent and their potential to give rise to significant environmental effects (and need for Environmental Impact Assessment) being subject to consideration through the development management process. Moreover sites are spread throughout the existing urban area. Given the lack of sensitive areas within the town, such as statutory wildlife sites, scheduled monuments, protected landscapes etc. it is unlikely that relatively small scale additional growth would lead to environmental effects significantly different to those considered through the Part 1 Local Plan sustainability appraisal.

## **6.3.14 Policy H23n Land at DUA Central, Stenson Fields**

- Around 70 dwellings on site
- No vehicular access to be from Stenson Road
- Connections to be made to existing pedestrian and cycling routes
- Collaboration with Derby City as an adjacent site to the city boundary

Policy H23n:	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Land at DUA Central, Stenson Fields	✓	✓✓	✓	✓	--	✓✓	✓✓	✓✓	✓	✓	✓	✓	✗	✗	✗	✗✗	✓	✗	✓	--	--

### Commentary

6.3.14.1 This is a spatial policy that that seeks to identify the location of proposed non-strategic development on the edge of Derby City within Stenson Fields. The site was first identified as a potential housing site in the Adopted 1998 Local Plan. It is in the ownership of Derby City Council, who have recently reassessed the number of homes it can accommodate on the site and dialogue is ongoing between South Derbyshire District Council and Derby City Council officers regarding site delivery. The site has therefore been included as a non-strategic housing site in the Draft Part 2 Local Plan consultation which commenced in June 2016. The detailed policy has however been developed to take account of consultation responses and ongoing evidence collection by the Authority.

### Policy Performance

6.3.14.2 This site is considered to perform strongly in respect of objectives to deliver affordable homes (it would be expected to deliver a minimum of 30% affordable housing as set out in Policy H21 of the Adopted Part 1 Local Plan (although given that it will be delivered by the City Council could deliver significantly higher levels of affordable or specialist housing). It would also promote social inclusion through the delivery of affordable homes to meet HMA wide needs.

6.3.14.3 A minor positive impact is also likely in respect of biodiversity, given the existing nature of the site and requirements in this policy and elsewhere to safeguard biodiversity and deliver net gains where appropriate. Similarly site delivery could help improve health and wellbeing through the provision of new open space and financial contributions to existing open space and built leisure provision. Any development would also be likely to have a minor beneficial effect in respect of objectives to improve community safety and reduce fear of crime through requirements to address design principles relating to community safety set out in Policy BNE1 of the Part 1 Local Plan. Similarly, this policy would also support the delivery of high quality housing development that respects local character in accordance with Policy BNE1 of the Adopted Plan. The site is relatively well related to existing facilities in Sinfin with a doctors surgery, local centre and primary school provision within 800m and hourly or better bus service within 400m of the site. Like all non-strategic sites housing development would help support the local economy through the creation of construction jobs on a temporary basis and through increasing the local population post development. Additional homes

could also support local services and facilities within the village. Proposals included in policies SD2 and SD3 in the Adopted Part 1 Local Plan would also ensure that surface water is managed positively on site and discharged at a greenfield rate.

- 6.3.14.4 A minor positive effect has been assigned objectives to make best use of infrastructure as there are known constraints in respect of the local primary schools, however a new primary school is proposed on the Wragley Way site allocated through the Part 1 Local Plan to the south of this site and it is likely that this should create further capacity to accommodate small scale growth locally. Similarly strategic enhancements to local sewerage and other utilities in the vicinity of the site to accommodate Part 1 Local Plan Allocations should be sufficient to accommodate small growth proposed without further works.
- 6.3.14.5 Minor negative effects are however predicted in respect of minimising waste, as development would be likely to increase waste both during construction and operation. Similarly development would also have a minor negative effect in respect of objectives to manage the impacts of climate change and minimise the District's contribution towards the causes, because whilst measures are proposed in respect of managing the effects of flood risk development generally is likely to increase greenhouse gas emissions, although this would be the case in all development locations irrespective of location. A significant negative impact is assigned in respect of the SA objective to minimise the irreversible loss of greenfield land. The site is greenfield and extends 3.5ha and will accommodate 70 dwellings and as such will be built out at a density of around 20 homes per hectare which is below average for sites located elsewhere on the Derby Urban Area.
- 6.3.14.6 No effect has been identified in respect of landscape as the site is substantially surrounded by built development. The site could have potential for air quality impacts in Derby City given the proximity of the site to air quality management areas within the City. However, given the scale of growth and the distance from the inner ring road (the nearest AQMA) it is unlikely that this site would have any discernible effect.
- 6.3.14.7 No impacts in respect of improving educational achievement and access to cultural heritage are identified. Similarly no significant landscape effects are considered likely.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.3.14.8 The site proposed has remained unaltered in terms of its spatial extent to that previously outlined in the Draft Local Plan consultation. However, on the basis of recent discussions with the City Council the capacity of the site has been increased to 70 dwellings. Policy requirements specific to this site have been added to the Plan. This should help improve the Plan's environmental performance. A further minor amendment was also made to the policy during the Local Plan Examination. This would allow for around 70 dwellings rather than upto 70 dwellings on site as previously set out in the Presubmission Plan to be accommodated on site. This change is unlikely to lead to any notable uplift or reduction in housing numbers and hence notable variation in the likely effects associated with site development. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.3.14.9 None identified .

#### **Short, Medium and Long Term Effects**

- 6.3.14.10 This policy is likely to control the delivery of the site early within the Plan period, given the scale of the site, and based on the most recent discussions with the City Council regarding site delivery. Construction phase effects would therefore be likely to occur in the short term and operational effects thereafter.

### **Cumulative or Synergistic Impacts**

6.3.14.11 The proposal could act in combination with other sites in the Derby Urban Area in the vicinity of Stenson and Sinfín. These include sites allocated through the Part 1 Local Plan including Wragley Way, South of Derby (H15), and Primula Way, Sunny Hill (H16) as well as a potential employment site to the east (Infinity Park) which could come forward after 2018, (Policy E4). Cumulatively these sites will deliver around 1,700 homes up to 2028 and a potential extension to the existing Infinity Park Site in the City. Given the significance of the housing proposal included in the Part 2 Local Plan it is unlikely that they would in isolation give rise to significant environmental effects. And whilst through the two local plans in excess of 1,700 homes are allocated, the scale of development is not out of scale with existing homes in the Sinfín and Stenson Area. Given the lack of sensitive areas in the DUA, such as designated wildlifes sites, scheduled monuments, protected landscapes etc, and having regard to infrastructure proposed through the Part 1 Local Plan (to be delivered alongside proposed growth) it is unlikely that the small scale additional growth would lead to environmental effects significantly different to those considered through the Part 1 Local Plan sustainability appraisal work and thus would be unlikely to give rise to significant effects.

## **6.4 Policy H24 Replacement Dwellings in Rural Areas**

The replacement of a dwelling within the Rural Areas will be permitted provided that:

- i) The form and bulk of the new dwelling does not substantially exceed that of the original dwelling\* or that which could be achieved as permitted development; and
- ii) is not more intrusive in the landscape than that which it replaces; and
- iii) the new dwelling has substantially the same siting as the existing; and
- iv) the existing dwelling to be demolished is not of historic merit.

\*The term original dwelling means the house as it was first built or as it stood on 1 July 1948 (if it was constructed before this date).

<b>Policy H24</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Replacement Dwellings in Rural Areas	✓	✓	--	--	--	--	--	?	--	✓	--	✓	--	?	?	✓	?	?	✓	--	✓

### Commentary

- 6.4.1 This is a thematic policy that seeks to control replacement dwellings outside of settlement boundaries to ensure that sites in rural areas are not subject to over development when redeveloped.

### Policy Performance

- 6.4.2 This policy was considered likely to have a minor positive effect in respect of objectives to protect habitats and species (given the protections set out in policy BNE3 in the Local Plan Part 1) and in providing decent and affordable housing as it makes the provision for ensuring that homes in the countryside can be replaced when they no longer meet the occupiers needs or are in a poor condition. This policy would also provide limited support for the rural economy as it makes provision for the delivery of replacement dwellings which could help support local construction related trades although typically the number of replacement dwellings delivered each year is modest (ranging between 4 and 12 homes per annum). Clearly the delivery of replacement dwellings which cannot be more intrusive on the local landscape than the dwelling it replaces as set out in the policy could also provide opportunity for improvements in respect of landscape and heritage character. This policy also provides limited opportunity to improve the quality of new development and minimise the irreversible loss of greenfield sites by ensuring that residential sites can be reused once dwellings past their useful life.

- 6.4.3 Uncertain effects have been identified in respect of objectives to make the best use of existing infrastructure, promote sustainable forms of construction and sustainable use of natural resources, reduce water, light, air and noise pollution, reduce and manage flood risk and the effects of climate change. This uncertainty arises because the effects of this type of development is partially based on the design and implementation of any development scheme which comes forward, for example, whether replacements offer opportunity to deliver homes significantly more energy and water efficient than those they replace and whether existing drainage or new drainage systems are proposed etc. However, given the limited number of homes delivered through this policy it would be unlikely that where positive or negative effects were identified that these would be significant.
- 6.4.4 No effects are identified in respect of sustainability appraisal objectives to improve the health and wellbeing of the local population, improve community safety, improve educational achievement, promote social inclusion, improve local accessibility and reduce the need to travel (the replacement of an existing dwelling was not considered likely to have any discernible positive or negative effect in respect of these objectives), achieve stable and sustainable levels of economic growth, enhance the vitality of town and village centres, reduce waste and improve access to cultural heritage.

**Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.4.5 This policy is largely based on an existing policy contained in the 1998 Adopted Local Plan, this has been used to control replacement dwellings outside of settlements for the past eighteen years and is considered an effective mechanism for controlling the scale and location of replacement dwellings. No changes were made to this policy either as a result of consultation, or its review through the sustainability appraisal during the draft and presubmission plan stages. However a minor amendment was made to replace references 'to the countryside' with 'Rural Areas' to ensure consistency with the Spatial Strategy set out in the Local Plan Part 1 (Policy H1). Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

**Risks and Uncertainties**

- 6.4.6 By its very nature this policy is of a reactive nature. It seeks to restrict development to a scale commensurate with the existing dwellings taking account of permitted development rights. Such permitted development rights are set nationally through the General Permitted Development Order (GPDO) which was last updated in 2015. Clearly this means the restrictions included in the policy could be significantly affected by updates or revisions to Permitted Development Rights within the plan period. In respect of the number of dwellings which may come forward over the course of the Plan Period to 2028, based on existing monitoring would be an average of 6-7 replacement dwellings a year (see Figure 6.1 below). On this basis, it is likely that around 90-100 replacement dwellings could be delivered as a result of this policy between 2011 and 2028 though these would not be a net housing gain in South Derbyshire as they are replacing existing dwellings.

<b>Figure 6.1: Number of replacement dwellings completed annually</b>							
	<b>08/09</b>	<b>09/10</b>	<b>10 /11</b>	<b>11/ 12</b>	<b>12/ 13</b>	<b>13/ 14</b>	<b>14/ 15</b>
Replacement Dwellings Permitted	12	4	11	5	6	4	4

Source: South Derbyshire Annual Monitoring Reports.



### **Short, Medium and Long Term Effects**

6.4.7 This policy would influence development control decisions through the whole of the Plan Period.

### **Cumulative or Synergistic Impacts**

6.4.8 This policy will act in combination with Policy H1 (Settlement Hierarchy) set out in the Adopted Part 1 Local Plan and Policy BNE5 (Development in the Countryside) to control development in Rural Areas (proposed in LP2).

## **6.5 Policy H25 Rural Workers' Dwellings**

### **Permanent Rural Workers' Dwellings**

- A Outside settlement boundaries planning permission will be granted for a new permanent rural worker's dwelling where it can be demonstrated that:
- i) There is an established existing essential need for an additional worker's dwelling to support a rural based activity; and;
  - ii) The rural-based activity has been established, is economically sustainable and has the prospect of remaining so; and
  - iii) The essential need cannot be fulfilled by an existing dwelling within the locality.
- B Where the permanent need is demonstrated, the dwelling should whenever possible be well related to existing farm buildings or other dwellings, being designed as to minimise visual intrusion on the landscape.
- C Where permission is granted under this policy a condition will be imposed which limits occupation of the dwelling to a person solely, mainly or last working in a local rural enterprise, or a widow, widower or resident dependants of such a person.

### **Temporary Rural Workers' Dwellings**

- D Outside settlement boundaries planning permission will be granted for new temporary rural workers' dwellings which normally for the first three years of operation will be provided by a caravan, a wooden structure which can be easily dismantled or other temporary accommodation, where it can be demonstrated that:
- i) There is an essential need for a temporary dwelling for a worker to support a rural based activity; and
  - ii) The essential need cannot be fulfilled by an existing dwelling within the locality; and

iii) The enterprise in question has been planned on a sound financial basis and is capable of being carried on as such.

E Where the temporary need is demonstrated, the dwelling should whenever possible be well related to existing farm buildings or other dwellings.

### Removal of Occupancy Conditions

F The removal of occupancy conditions will be supported where:

- i) The dwelling is genuinely surplus to the current and foreseeable future rural based activity of the holding; and
- ii) There is no evidence of a continuing need for housing for persons employed or last employed in a rural based activity in the locality; and
- iii) The dwelling has been widely marketed on terms reflecting its occupancy condition, normally for at least 12 months or an appropriate period as agreed with the Local Planning Authority, and no interest in occupation has been indicated.

Policy H25	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Rural Workers' Dwellings	?	✓	--	--	--	--	X	X	✓	✓	--	--	--	--	?	X	?	X	?	--	X

### Commentary

- 6.5.1 This is a thematic policy that seeks to control temporary or permanent rural workers dwellings to ensure that where new dwellings are required in rural areas where they are necessary to support a rural business and that need could not be met by an existing dwelling.

**Figure 6.2: Agricultural worker dwellings permitted in South Derbyshire since 2008.**

	08/09	09/10	10 /11	11/ 12	12/ 13	13/ 14	14/ 15
Rural workers Dwellings permitted	1	4	2	2	3	0	3

Source: South Derbyshire Annual Monitoring Reports.

- 6.5.2 As indicated by current council monitoring on average around two rural workers dwellings have been permitted each year since 2008. This means over the course of the Plan Period (15 years) around 30 dwellings could be supported through this Policy. However, clearly the wording of the new policy is slightly different to the existing Adopted Local Plan Policies which refers to agricultural dwellings, this may slightly affect the overall number of dwellings that are permitted.

### Policy Performance

- 6.5.3 This policy performs well in respect of objectives to provide decent and affordable homes, achieve stable and sustainable economic growth and diversifying the rural economy. This is because it would support the development of agricultural, forestry and other rural based businesses in the District and would enable the provision of new housing to support workers to live close to their businesses where there is a clear functional need.
- 6.5.4 Uncertain effects have been identified in respect of objectives to avoid damage to habitats and species, reduce water, light, noise and air pollution, reduce and manage flood risk, conserve and enhance the historic environment. This uncertainty arises as the significance and direction of any effects would be determined by the exact location of development and its design and implementation. For example developing rural workers dwellings in areas at flood risk may have a potentially negative effect against the objective to reduce flood risk, but development outside the flood plain would likely have no effect. Policies included in the Part 1 Local Plan in respect of heritage, pollution, flood risk and biodiversity, and proposed in the LP2 in respect of heritage assets would help ensure where negative effects are possible, mitigation to lessen effects will be secured.
- 6.5.5 No effects are identified in respect of sustainability objectives to improve the health and wellbeing of residents, improve community safety, improve educational achievement, promote social inclusion, enhance the vitality and viability of town and village centres, improve the quality of new development, minimise waste, promote sustainable forms of construction, and improve access to heritage assets.
- 6.5.6 Negative effects are identified in respect of objectives to improve local accessibility, reduce the need to travel, minimise climate change effects, minimise the irreversible loss of green field land and conserve and enhance local landscape character. This is because by their very nature homes to support rural uses are often located in rural locations with little or no public transport provision and in locations where very little built development already exists. Moreover sites are often located on greenfield sites and would lead to the loss of agricultural land. However mitigation is proposed within the policy criteria to require the provision of temporary homes in the first instance, and the use of existing dwellings where these are available. In respect of landscape this policy also requires that new dwellings be located close to existing farm buildings or dwellings and be designed to minimise visual intrusion in the landscape.

Policies in respect of landscape are also included in the Part 1 Local Plan (BNE4 - Landscape Character and Local Distinctiveness) and LP2 (BNE7 - Trees Hedgerows and Woodland). Together these policies will help reduce the likely negative effects of this policy, which in any case will be relatively modest given the limited number of developments which come forward each year.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.5.7 This policy combines a number of requirements included in housing policies 8 and 12 of the 1998 Local Plan (Replacement dwellings in the countryside) and Housing Development in the Countryside). No changes to this policy have been identified as a result of consultation on the Draft Plan or the sustainability appraisal, although references to agricultural development was replaced by 'rural based activities' through the Local Plan Examination process. The change in the terminology used could lead to slightly increased levels of growth compared to that delivered historically as the policy will explicitly allow for forestry and other rural based activities not previously supported. However the policy will continue to set out a range of requirements that will help control the number of schemes that come forward. On this basis it is not considered likely that this policy change would lead to a notable increase in rural workers dwellings in rural areas. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.5.8 This policy is of a reactive nature and seeks to tightly control housing development outside of settlements to that which is necessary to support agricultural, forestry and other rural based uses that are functionally required to take place in the countryside and need to be supported by accommodation located in close proximity to that activity.

#### **Short, Medium and Long Term Effects**

- 6.5.9 This policy would influence development control decisions through the whole of the Plan Period.

#### **Cumulative or Synergistic Impacts**

- 6.5.10 This policy will act in combination with Policy BNE5 (Development in the Countryside) included in the LP2

## **6.6 Policy H26 Residential Gardens within Rural Areas**

Change of use of land to residential garden will be permitted where it would not result in detrimental domestication of the countryside within the Rural Areas.

Policy H26	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Residential Gardens within Rural Areas	?	--	--	--	--	--	--	--	--	--	--	--	--	--	✓	✓	--	--	?	--	✓

### Commentary

6.6.1 This is a thematic policy that seeks to control the loss of agricultural or other greenfield land to residential garden and if agreed the over domestication of the new garden.

### Policy Performance

6.6.2 The policy is unlikely to give rise to any notable effects when considered against the SA objectives. However it was considered likely to have a minor positive effect in respect of objectives to reducing water, light and air pollution (by controlling the domestication of land usually on the edge of settlements), minimising the loss of greenfield land, and conserving the landscape of the District.

6.6.3 An uncertain performance has been identified in respect of the SA objective to avoid damage to habitats and species and conserving and enhancing the setting of historic assets. This is because this policy could, where sites are located in areas of biodiversity or heritage sensitivity, restrict the domestication of the countryside, clearly however policy performance is uncertain given it is unknown what sensitivities exist as this is dependent on the application site.

### Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal

6.6.4 There is no similar policy in the Adopted 1998 Local Plan. No changes have been proposed to this policy as a result of the sustainability appraisal of the draft policy. No changes have been made to the policy itself through either as a result of previous consultations or sustainability appraisal process, however a number of amendments have been made to the explanatory text supporting the policy in response to consultation comments received during the consultation on the Draft Plan. Further changes to the policy and explanatory text were made during the Local Plan Examination (a reference to rural areas, has been added to the policy) although these were to improve the clarity of the policy and would be unlikely to lead to any notable changes in effects. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.6.5 There is no similar policy in the Adopted 1998 Local Plan and as a result there is no indication of how often this policy will be used, or how effective this it will be in respect of controlling development within residential gardens. The policy was suggested by Development Management officers who felt this would be useful addition to the Plan to help control the over domestication of gardens.

### **Short, Medium and Long Term Effects**

- 6.6.6 This policy would influence development control decisions through the whole of the Plan Period.

### **Cumulative or Synergistic Impacts**

- 6.6.7 No cumulative or synergistic impacts are identified.

## **6.7 Policy H27 Residential Extensions and other Householder Development**

Extensions and alterations to dwellings or the erection or alteration of outbuildings, annexes, structures and boundary treatments within residential gardens, will be permitted provided that the proposals:

- i) Are of a scale and character in keeping with the property; and
- ii) Are not unduly detrimental to the living conditions of adjoining properties or the general character and appearance of the area.

Where annexe accommodation is granted permission, a condition will be imposed which prevents the severing of the annexe to a separate dwelling without the requirement of for further planning consent.

<b>Policy H27</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Residential Extensions and Householder Development	-	✓	-	X	-	-	-	-	-	-	-	✓	-	-	-	-	✓	-	-	-	✓

### Commentary

6.7.1 This is a thematic policy that seeks to control the development of buildings and structures within residential gardens.

### Policy Performance

6.7.2 The policy is unlikely to give rise to any notable effects when considered against the SA objectives. However it was considered likely to have a minor positive effect in respect of objectives to improve the quality and appearance of the built environment, by ensuring that gardens are not over developed and negatively impact on local amenity and the character of rural areas and the countryside. Similarly this policy will help ensure that built development within gardens is managed and requirements to protect the amenity of neighbouring land owners to help ensure that surface water runoff from buildings or hardstanding does not impact negatively on surrounding areas. The policy would also support the extension of homes as well as other types of householder development which could allow existing housing stock to be altered to allow for the needs of homeowners to be met by accommodating changes to existing housing stock. However, the policy does confirm that where annexe accommodation is severed from a main residence that this will still need to be subject to planning approval.

6.7.3 A negative performance has been identified in respect of the SA objective to improve community safety and reduce crime and fear of crime. This is because this policy would control boundary treatments and requires that these are designed to fit in with the wider street scene. For some locations therefore this policy could impose restrictions on the nature and design of boundary treatments, or in some cases restrict their use which could increase fear of crime for many residents.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.7.4 This policy is similar to Housing Policy 13 in the Adopted 1998 Local Plan. Having reviewed this policy no changes have been put forward to the policy through the earlier plan consultations or the sustainability appraisal. However minor changes have been made to the policy and explanatory text during the Local Plan Examination process as modifications to the policy. These have seen wording to protect amenity changed to protecting living conditions of occupiers of nearby, added protection of in respect of the appearance of the area subject to development and clarity regarding further permissions required where development involves an annexe to a main residence. The explanatory text has also been updated to signpost further guidance in the Council's emerging Design SPD. These changes are to improve the clarity of the policy and ensure effective decision making. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.7.5 It is unclear how often this policy will be used, or how effective this it will be in respect of controlling development within the curtilage of existing homes.

### **Short, Medium and Long Term Effects**

- 6.7.6 This policy would influence development control decisions through the whole of the Plan Period.

### **Cumulative or Synergistic Impacts**

- 6.7.7 No cumulative or synergistic impacts are identified.

## **6.8 Policy H28 Residential Conversions**

Outside settlement boundaries the conversion of a building to provide residential accommodation will be permitted provided the building

- i) is of a permanent and substantial construction; and
- ii) is suitable for conversion without extensive alteration, rebuilding and/or extension; or
- iii) constitutes the re-use of a suitable redundant or disused building or would secure the future use of a heritage asset.

All conversions should result in the enhancement of the building's immediate setting.



Policy H28	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Residential Conversions	?	✓	--	--	--	--	?	?	--	--	--	✓	✓	✓	?	✓	--	?	?	--	?

### Commentary

6.8.1 This is a thematic policy that seeks to provide clarity concerning where, and in what circumstances residential conversions of buildings located outside of settlement boundaries will be appropriate. Its sets out criteria which will be used in development management in assessing the appropriateness of development proposals.

### Policy Performance

6.8.2 This policy is likely to have beneficial effects in respect of policies to provide decent and affordable homes (as it will make a limited contribution towards housing delivery including within rural areas), improve the quality of the built environment (by bringing derelict building which are often in poor condition back into use), minimise waste, by facilitating the reuse of redundant building which may otherwise be demolished, ensuring the sustainable use of natural resources (by extending the life and usefulness of buildings which may otherwise be demolished), and minimising the loss of greenfield land by reusing existing buildings to meet local housing need.

6.8.3 Uncertain effects are identified in respect of objectives to avoid damage to habitats and species, improve local accessibility, reduce the need to travel, reduce water, light and air pollution, reduce and manage the impacts of climate change, conserve and enhance the historic environment and the District's landscape character. Effects against these objectives would be largely dependent on the specific location of any proposals and the nature of the site itself. For example considerations could be protected species such as bats could be affected where a disused building is converted to a dwelling, or some disused buildings in the countryside could be isolated and located in a visually prominent location, or within the setting of a listed building. In such cases this policy could have negative effects against the identified objectives. However requirements in this policy to require that the building would lead to a positive enhancement of the immediate setting of heritage assets could help reduce potentially negative effects in respect of objectives to protect landscape character and local heritage. Moreover wider Local Plan policies in respect of Landscape Character and Local Distinctiveness (BNE4), Heritage Assets (BNE2),

Heritage (BNE10), Biodiversity (BNE3), Sustainable Transport (INF2) and Amenity and Environmental Quality (SD1) will ensure that where residential conversions are proposed their likely effects on the environment are minimised.

- 6.8.4 No effects have been identified in respect of objectives to improve the health and well-being of residents, improve community safety, improve education, promote social inclusion, achieve stable and sustainable economic growth, diversify and strengthen urban and rural economies, enhance the vitality and viability of existing town and village centres, reduce and manage flood risk and improve access to the cultural heritage.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.8.5 This policy is similar to Policy H7 of the Adopted 1998 Local Plan. Having reviewed this policy and the further protections concerning development in the Part 1 and 2 Local Plans no changes to this policy have been put forward through this sustainability appraisal. Modifications are proposed to the policy as a result of the Local Plan Examination process, although these are mainly regarding the layout of the policy rather than changes to its content and are proposed to ensure consistency with national policy and facilitate effective decision making. As such the amendments proposed would be unlikely to lead to environmental or other effects different to those already identified. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.8.6 Typically around three permissions per year are granted for conversions of non-residential buildings. Whilst this is low, over the plan period this could deliver around 50 dwellings. Since 2011, a total of 11 conversions from non-residential to residential use are recorded in the Authority's Annual Monitoring Reports. Clearly such a policy would make a limited, albeit meaningful contribution to new residential development. This policy is reactionary and on an annual basis the number of conversions submitted could vary significantly. Moreover some types of conversion can be undertaken through permitted development and planning permission would not be required. Further changes to permitted development rights could reduce the effectiveness of this policy.

#### **Short, Medium and Long Term Effects**

- 6.8.7 This policy would influence development control decisions through the whole of the Plan Period.

#### **Cumulative or Synergistic Impacts**

- 6.8.8 This policy is likely to contribute towards the delivery of windfall sites across the Plan period (Policy S4 Housing Strategy) which is estimated at a total of 450 windfalls across the plan period. It will also work in combination with Policy H1 (Settlement Hierarchy) which identifies the appropriate scale of growth for different tier settlements and indicates in some rural villages and areas that conversion of existing dwellings could be appropriate.

## 6.9 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 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 BNE5	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Development in the Countryside	X	✓	-	-	-	-	X	✓	✓	✓	-	-	?	X	X	X	-	X	X	-	X

### **Policy Performance**

- 6.9.1 This policy is likely to have negative effects in respect of environmental criteria. This is because the policy would allow for potential impacts on heritage assets, biodiversity, and local character (including landscape character) so long as effects are minimised. By design this policy makes provision for limited scale growth away from larger settlements as infill, conversions, tourism and leisure development as well as small scale exceptions or cross subsidy housing sites and as a result this policy could have negative effects in respect of objectives to improve access to local services and facilities, minimise green field losses and reduce and manage climate change effects. However this policy would have limited benefits in respect of SA objectives to provide decent and affordable housing, achieve stable and sustainable level of economic growth and diversifying local rural economies by making limited provision for new homes, businesses and leisure development over the plan period.
- 6.9.2 No effects are identified in respect of most social objectives, in respect of reducing flood risk, improving the existing built environment and enhancing town and village centres.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.9.3 This policy as previously drafted was similar to Housing Policy 8 of the Adopted Local Plan. No changes to this policy were as a result of the sustainability appraisal. However a number of modifications to this policy have been proposed through the Local Plan Examination. These, whilst likely to alter the layout of the policy, add greater clarity to how the policy sits alongside wider Local Plan Policies and will allow for more effective decision making. However the changes proposed would be unlikely to lead to any noteworthy changes in the likely effects the policy will have on the environment, economy of local communities. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.9.4 None identified

### **Short, Medium and Long Term Effects**

- 6.9.5 This policy would influence development control decisions through the whole of the Plan Period.

### **Cumulative or Synergistic Impacts**

- 6.9.6 The policy could work in combination with Policies H1, (Settlement Hierarchy) H22 (Sites for Gypsies and Travelling Show People), E7 (Rural Development, INF10 (Tourism Development) , H24 (Replacement Dwellings in Rural Areas), H25 (Agricultural Development), H26 Residential Gardens in Rural Areas), H27 (Residential Extensions and other Householder Development) or H28 (Residential Conversions).

## **6.10 Policy BNE6 Agricultural Development**

Agricultural development will be permitted provided that:

- i) it is suitable for its intended purpose; and

- ii) it is of an appropriate scale and design; and
- iii) it is sited in proximity to existing agricultural buildings, wherever practicable; and
- iv) appropriate landscape mitigation is included where necessary.

<b>Policy BNE6</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
<b>Agricultural Development</b>	?	--	--	--	--	--	✓	--	✓	✓✓	--	?	--	--	?	X	--	--	?	--	X

**Policy Performance**

6.10.1 This policy was considered as likely to perform positively against SA objectives to improve access to local employment (as it would facilitate the growth of existing agricultural businesses and support wider planning policy regarding farm diversification), which in turn could improve access to local employment. This policy would therefore also support objectives to deliver economic growth and diversify and strengthen the rural economy.

- 6.10.2 Uncertain effects are identified in respect of options to avoid damage to local habitats and species, improve the quality of new development and conserve and enhance the historic environment. Potential effects would be determined by the nature of the development proposal, for example its design and whether it is located in an area where development could affect the setting of a listed building or conservation area or where protected habitats or species may be present.
- 6.10.3 Negative effects are identified in respect of objectives to minimise the loss of greenfield land and to conserve and enhance local landscape character as this policy will support the development of further agricultural buildings, often in isolated areas and will inevitably take place on land which has not been previously developed. However, the policy does require that appropriate landscape mitigation is included where necessary.
- 6.10.4 The policy was judged as unlikely to give rise to any discernible effects in respect of objectives to provide decent and affordable homes, improve the health and wellbeing of local residents, improve community safety, improve educational achievement, promote social inclusion, make best use of existing infrastructure, enhance the vitality and viability of existing town and village centres, minimise waste, promote sustainable forms of construction, reduce and manage flood risk and climate change and improve access to cultural heritage assets.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.10.5 There is an identically named policy in the 1998 Adopted South Derbyshire Local Plan. Having reviewed this policy and the further protections concerning development in the Part 1 and 2 Local Plans no changes to this policy have been put forward in response to consultation on the Draft Plan or through the review of the Policy through sustainability appraisal. The policy is not subject to any modifications as a result of the Local Plan Examination.

#### **Risks and Uncertainties**

- 6.10.6 Some agricultural developments do fall outside of planning control and changes to permitted development could alter the need and or effectiveness of this policy in controlling new agricultural development though currently this policy could be effective..

#### **Short, Medium and Long Term Effects**

- 6.10.7 This policy would influence development control decisions throughout the whole of the plan period.

#### **Cumulative or Synergistic Impacts**

- 6.10.8 The policy could work in combination with Policy E7 (Rural Diversification) and H25 Rural Worker Dwellings to deliver new agricultural development within South Derbyshire's rural communities.

**6.11****Policy BNE7      Trees, Woodland and Hedgerows**

- A      Where development is proposed that could affect trees, woodland and/or hedgerows which are important in terms of their amenity, ecological, landscape or historic value, developers will be expected to demonstrate that:
- i)      the layout and form of development have been informed by an appropriate arboricultural and/or hedgerow surveys; and
  - ii)     development would not suffer from undue shading either now or in the future; and
  - iii)    appropriate measures are secured to ensure adequate root protection and buffers around trees, woodland and hedgerows.
- B      The felling of protected trees, groups of trees or woodland and/or removal of important hedgerows, will be considered in accordance with the relevant national guidance and regulations, taking account in particular of their amenity, ecological, landscape and historic value. Where protected trees and/or hedgerows are subject to felling or removal, a replacement of an appropriate number, species, size and in an appropriate location will normally be required.
- C      Development proposals which will have a detrimental effect on important trees, woodland or hedgerows must satisfactorily demonstrate how the impact on biodiversity has been minimised and, wherever possible, a net biodiversity gain delivered through appropriate mitigation, compensation or offsetting, including through new planting or improved management of retained trees and hedgerows. New planting will be expected to be adequately managed to reach full maturity.
- D      Where new planting is proposed on development sites, principal consideration should be given to planting tree species which are in keeping with the urban or rural character of the area. However, where appropriate, wider environmental or amenity benefits including improvements to local air quality, erosion control, land drainage or shading should be considered.

Policy BNE7	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Trees, Woodland and Hedgerows	✓✓	--	✓	--	--	--	?	--	--	--	--	✓✓	--	--	✓	--	✓	✓	✓	--	✓✓

### Policy Performance

- 6.11.1 This policy would perform positively in respect of objectives to protect habitats and species (as it would minimise the loss of woodland and hedges within and adjacent to development sites). It would also help improve the quality of the built environment by safeguarding landscape features such as woodland or hedges within sites. Trees can also contribute towards improvements in air quality and indeed the policy seeks to encourage tree selection which could contribute to local air quality improvements as a secondary consideration. The retention of trees and hedgerows can also have a positive effect in respect of reducing surface water runoff and flood risk. This policy could also perform positively against objectives to conserve and enhance the historic environment and their setting, as well as conserve and enhance local landscape and townscape character. This is because this policy will facilitate the retention of trees and hedgerows on development sites (including those which could affect the setting of listed buildings) and would help integrate new development into the local landscape.
- 6.11.2 This policy was identified as unlikely to have any discernible effect in respect of SA objectives to provide decent and affordable homes, improve the health and well-being of local residents, improve community safety, improve educational achievement, promote social inclusion, make best use of existing infrastructure, enhance the vitality and viability of existing town and village centres, minimise waste and increase reuse of waste materials, promote sustainable forms of construction, minimise the loss of greenfield land and improve access to the cultural heritage of the District.

### Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal

- 6.11.3 There is a similar development management policy in the 1998 Adopted South Derbyshire Local Plan. This policy (Environment Policy 9 Protection of Trees and Woodland) is similar in structure and scope to the proposed policy now included as BNE7. However the scope of the policy consulted on through the Draft Plan was widened to take account of hedgerows. Following the responses received during the Draft Plan further amendments to the policy have been made to



simplify the policy and make it more effective. In particular section D of the policy has been significantly altered to reflect the need for planting to reflect local urban and rural character and recognise and support a range of environmental benefits deliverable through tree planting. In addition the commentary to this policy has been significantly altered to clarify where the burden of responsibility lies in ensuring trees reach full maturity and clarify how trees delivered as part of development schemes will be protected in the long term. Further modifications were also made to the policy during the Local Plan examination process however these do not change the scope of the policy and would be unlikely to lead to environmental, social or economic effects already identified through earlier appraisals. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.11.4 None identified

#### **Short, Medium and Long Term Effects**

6.11.5 This policy would influence development control decisions throughout the whole of the plan period.

#### **Cumulative or Synergistic Impacts**

6.11.6 The policy could work in combination with Policy BNE3 (Biodiversity) to protect existing woodland and tree planting including veteran trees and ancient woodland and INF7 (Green Infrastructure) and INF8 (The National Forest) to secure new woodland, tree and hedgerow planting.

### **6.12 Policy BNE8 Local Green Space**

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

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

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

<b>Policy BNE8</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Local Green Space	✓	--	✓	--	--	?	✓	?	--	--	--	✓	--	--	✓	✓	?	?	✓	✓	✓

### Policy Performance

- 6.12.1 Different parcels of land designated as Local Green Spaces are likely to perform according to their characteristics. For example a site protected for ecology reasons would likely perform positively against this criterion. However not all green spaces will be important in respect of biodiversity. As a whole, however this policy would restrict development generally and would have modest benefits in respect of issues such as landscape and townscape preservation/enhancement, preserving historic significance, protecting recreational facilities such as playing fields, preserving tranquillity and local areas of wildlife value. On this basis minor positive effects are likely in respect of sustainability objectives to enhance biodiversity, improve the health and wellbeing of the population, improving local accessibility to green spaces, improving the quality of new development, reducing local pollution (including in respect of noise/tranquillity and light pollution), minimising the irreversible loss of greenfield land, preserving the historic character of settlements (by safeguarding open areas which add to local character) and contributing towards the protection and enhancement of landscape and townscape character. In undertaking this appraisal it is assumed that development on green spaces would be controlled in much the same way as that within the green belt and so would largely be protected from non-leisure or recreation uses.
- 6.12.2 Uncertain effects have been identified in respect of objectives to promote social inclusion, make best use of existing infrastructure, reducing and managing flood risk and climate change effects. This is because the safeguarding of local green spaces could offer opportunity to retain green areas which could help provide urban cooling and maintain permeable areas in otherwise developed areas which could help ensure that flood risk is controlled locally, although it is unclear how effective this policy would be in delivering such benefits. Protecting green spaces could also help ensure that public open spaces close to existing developments are maintained which may help ensure that local infrastructure (including green infrastructure) is protected and access to green spaces is retained close to the communities they serve.

6.12.3 This policy is not likely to have any notable effects in respect of sustainability objectives to provide decent and affordable homes, improve community safety, improve educational achievement, deliver sustainable and stable levels of economic growth, diversify and strengthen local economies, enhance the vitality and viability of existing town and village centres minimise waste and promote sustainable forms of construction.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.12.4 There is a similar development management policy in the 1998 Adopted South Derbyshire Local Plan - Environment Policy 8 (Open spaces in villages and settlements) seek to retain open spaces, gaps and landscape features that make a valuable contribution to the character and environmental quality of the villages and settlements. This policy has been subject to a number of revisions through the Plan Making process, including deferring the identification of specific sites to be designated to a Local Green Spaces DPD to be prepared following the Adoption of LP2. The Policy has also been subject to a number of modifications following the Local Plan Examination. However the changes made would be unlikely to lead to different environmental, social or economic outcomes as the policy additions articulates a requirement to enhance the biodiversity, heritage, recreation and tranquillity value and public accessibility of sites. Such requirements were previously assumed owing to national and other guidance relating to local green spaces. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.12.6 None identified

#### **Short, Medium and Long Term Effects**

6.12.7 This policy would influence development control decisions throughout the whole of the Plan period to 2028 following the designation of the first Local green Spaces either through the Council's Local Green Spaces DPD or through the emerging Neighbourhood Development Plans for Repton and Melbourne.

#### **Cumulative or Synergistic Impacts**

6.12.8 The policy could work in combination with Policy BNE1 (Design Excellence) which seek to ensure that new development is well designed and reflects local character.

### **6.13 Policy BNE9 Advertisements and Visual Pollution**

Proposals for advertisement consent, street furniture, telecommunications cabinets and other items that could contribute to visual pollution within the public realm, will only be permitted where the following amenity and public safety matters have been addressed, including consideration of their cumulative impact:

- i) That there is no adverse impact on the character or appearance of the area and its setting; and
- ii) That pedestrian and vehicular movements are not inhibited nor highway users' attention distracted; visibility should not be obscured or confused, nor public safety adversely affected; and
- iii) That proposals respect their setting and surroundings in terms of size, design, illumination, materials and colour; and

- iv) That together with existing signs and street furniture in the area, the proposals will not result in visual clutter or excessive advertising.

<b>Policy BNE9</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Advertisements and Visual Pollution.	--	--	--	✓	--	--	--	--	--	--	--	✓	--	--	✓	--	--	--	✓	--	✓

### Policy Performance

- 6.13.1 This policy would have beneficial effects in respect of SA objectives to improve community safety, improving the quality of new development and the existing built environment, reducing pollution (in particular visual pollution including illumination). This policy would also have positive impacts against objectives to protect and conserve the historic environment and the townscape and landscape of the District.
- 6.13.2 This policy is not likely to have any notable effects in respect of sustainability objectives to avoid damage to designated wildlife sites and species, provide decent and affordable homes, improve the health and wellbeing of local communities, improve educational achievement, promote social inclusion, improve accessibility, make the best use of existing infrastructure, delivering sustainable and stable levels of economic growth, diversify and strengthen local economies, enhance the vitality and viability of existing town and village centres, minimise waste and promote sustainable forms of construction, minimise the irreversible loss of undeveloped (greenfield) land, reduce or managing flood risk, reduce and manage climate change effects and improve access to cultural heritage of the district.

### Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal

- 6.13.3 This policy will seek to control street furniture, advertisements, signage and communications cabinets in order to minimise clutter. This policy was first proposed in the December 2015 Part 2 Local Plan consultation. This policy remains substantially unaltered since its first publication, although a commitment to undertake an SPD to support this policy was removed from the policy and inserted into the explanatory text following the December 2015 consultation. No further changes

have been made to the policy as a result of the Draft Plan consultation (June 2016) or sustainability appraisal of the policy. Further modifications in the policy were proposed through the Local Plan Examination although these do not alter the scope or purpose of the policy and would not alter the likely effects identified through earlier sustainability appraisals. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.13.4 None identified.

#### **Short, Medium and Long Term Effects**

6.13.5 This policy would influence development control decisions throughout the whole of the Plan period to 2028.

#### **Cumulative or Synergistic Impacts**

6.13.6 The policy could work in combination with Policy BNE1 (Design Excellence) as well as the proposed Supplementary Planning Document (SPD) on advertisement consents.

### **6.14 Policy BNE10 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 appropriate expertise, to a level of detail proportionate to the assets significance. The assessment should describe an 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 the 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, 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 will result this will be considered against the public benefits of the proposal.
- Effects of Development on the significance of 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 BNE10	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Heritage	--	?	--	--	--	--	--	--	--	--	--	✓	--	--	--	?	--	--	✓✓	✓	✓✓

### Policy Performance

6.14.1 This policy would have a major beneficial effect in respect of conserving and enhancing the historic environment and landscape/townscape of South Derbyshire. It would also have less significant beneficial effects in respect of improving access to cultural heritage (the policy requires preservation of sites in situ, as well as public display and interpretation where appropriate). This policy would also help to improve the quality of new development through securing the use and reuse

of historic buildings heritage asset.

- 6.14.2 Uncertain effects have been identified in respect of objectives to provide decent and affordable homes, and minimise the loss of greenfield land. This is because the requirements of this policy could increase the costs associated with house building in some locations, or even prevent housing delivery in locations where growth could erode the character or setting of heritage assets. An uncertain effect is also recorded in respect of objectives to minimise greenfield losses. This is because this policy could help support the reuse and change of use of some historic buildings, but also supports the delivery of new development in potentially greenfield locations for example by supporting enabling development. On this basis an uncertain effect is assigned.
- 6.14.3 No discernible impacts are likely in respect of the other sustainability objectives included in the SA framework.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.14.4 This policy will provide development management guidelines concerning proposals that could affect heritage assets or their settings. This policy will replace existing heritage orientated development management policies included in the Adopted South Derbyshire Local Plan including Environment Policies 12 (Conservation Areas), 13 (Listed or Other Buildings of Architectural or Historic Importance), 14 (Archaeological and Heritage Features), and 15 (Historic Parks and Gardens). The policy has been subject to a number of noteworthy modifications through the Local Plan Examination process and the likely effects that could arise have been reviewed accordingly. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.14.5 None identified

#### **Short, Medium and Long Term Effects**

- 6.14.6 This policy would influence development control decisions throughout the whole of the plan period to 2028.

#### **Cumulative or Synergistic Impacts**

- 6.14.7 The policy could work in combination with Policy BNE2 (Heritage Assets) and Policy BNE11 (Shopfronts)

### **6.15 Policy BNE11 Shopfronts**

Shopfronts should:

- be well proportioned and reflect the quality and architectural contribution of any existing historic shopfront; and
- have regard to the relationship between the shopfront, its host building and the surrounding context; and
- use high quality and sympathetic materials and detailing; and

- include signage in appropriate locations and in proportion to the shopfront; and
- consider security without the use of external shutters; and
- not include inappropriately illuminated signage

<b>Policy BNE11</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Shopfronts	--	--	--	?	--	--	--	--	--	--	✓	✓✓	--	--	--	--	--	--	✓✓	--	✓

### Policy Performance

6.15.1 This policy is unlikely to have any notable effects in respect of environmental and most economic objectives. It could however have major positive effects in respect of improving the quality of new development and conserving and enhancing the historic environment (particularly in Swadlincote and Melbourne centres). This policy could also have minor positive effects in respect of conserving and enhancing local landscape and townscape and enhancing the vitality and viability of existing town and village centres by making these more attractive shopping destinations.

### Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal

6.15.2 There is a reference to shopfronts in Environment Policy 12 of the Adopted Local Plan. This policy was first proposed in the December 2015 Local Plan Part 2 Consultation and a number of minor amendments made to the detail of the policy ahead of the Draft Local plan consultation in June 2016. No further amendments have been made to the policy following the draft plan consultation or as a result of the sustainability appraisal process. Although a number of modifications have been made to this policy following examination to improve the clarity of the policy. However these changes are of a minor nature and would be unlikely to lead to any notable environmental or other effects different to those identified in earlier appraisals. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.



**Risks and Uncertainties**

6.15.3 None identified

**Short, Medium and Long Term Effects**

6.15.4 This policy would influence development control decisions throughout the whole of the Plan period to 2028.

**Cumulative or Synergistic Impacts**

6.15.5 The policy could work in combination with Policy BNE2 (Heritage Assets) and Policy BNE10 (Heritage)

**6.16 Policy BNE12 Former Power Station Land**

The Council will support development on the former Drakelow and Willington power station sites as shown on the Policies Map in accordance with that set out in Policies E1, H6 and SD6, to include the following:

**Former Drakelow Power Station**

Development for Use Class B1, B2, B8 and for energy purposes to assist in the regeneration of the previously developed land. The existing Drakelow Nature Reserve will be retained to its current extent along with the creation of a buffer zone.

**Former Willington Power Station**

Proposals for energy related development and any other uses considered appropriate to contribute to the regeneration of the previously developed land.

Development Framework Documents will be agreed between the developer(s) and the Council and be submitted with any major planning application made on the sites to guide their future development.

Policy BNE12	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Former Power Station Land	?	--	--	--	--	--	--	--	--	--	--	✓✓	--	--	--	✓✓	--	--	✓	--	?

### Policy Performance

- 6.16.1 This policy is unlikely to have any discernible impacts against most of the SA objectives. However it could improve the quality of the built environment by ensuring that previously developed power generation sites are comprehensively planned where no longer fully required for power generation use. This policy could also help conserve the setting of nearby heritage assets including Walton on Trent Conservation Area and listed buildings in the vicinity of Drakelow and the Trent and Mersey Canal which is located to the north of the Willington Power Station site as any development frameworks bought forward would be subject to an agreed development framework and would need to be consistent with heritage policies in the Plan. The redevelopment of this site could also reduce the need for greenfield land releases elsewhere in South Derbyshire to meet future development needs. Uncertain impacts have been identified in respect of impact in biodiversity (owing to the proximity of the Drakelow site to a nature reserve and in respect of landscape effects).

### Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal

- 6.16.2 This policy was first added into the Draft Plan in June 2016 and was subject a number of changes ahead of the publication of the Presubmission Plan. No changes have been made to this policy as a result of the sustainability appraisal. Further modifications have been made to the policy through the Local Plan Examination. However these are unlikely to lead to any change in the likely environmental, social or economic effects compared to previous appraisal work supporting the Presubmission Plan. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### Risks and Uncertainties

- 6.16.3 Both sites are very large and it is unclear over what period remediation, or reuse of unused areas of sites could take place.

### **Short, Medium and Long Term Effects**

- 6.16.4 This policy could influence development control decisions within the site throughout the whole of the Plan period to 2028, although it is unclear if or when development on former power station land may commence.

### **Cumulative or Synergistic Impacts**

- 6.16.5 This policy could act in combination with Policy H6 (Drakelow Park), E1E (Former Drakelow Power Station) which is immediately to the north of the site and will deliver a new mixed use sustainable urban extension to the north of this site.

## **6.17 Policy RTL1: Retail Hierarchy**

**A** Applications for new main town centre uses outside of the following centres will be subject to the sequential test:

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

The existing and proposed Local Centres are identified on the Policies Map and on Maps 1,2 and 3.

## **B Swadlincote Town Centre**

### **Primary Frontage**

- i) Within the primary frontage of Swadlincote town centre as shown on Map 4, other than those allowed under permitted development rights, changes of use at ground floor level from Use Classes A1, A2, A3 and A4 to other uses will not normally be permitted.
- ii) Planning applications for change of use at first floor level and above to office or residential use will be permitted, provided that a good standard of amenity for existing and prospective occupants would be maintained.

### **Remainder of Town Centre**

- iii) All main town centre uses as defined by national policy will be supported within the remainder of Swadlincote town centre outside of the primary frontages.

## **C Local Centres**

Development within Use Classes A1, A2, A3, A4, and A5 will be permitted provided that:

- i) It is appropriate with the scale and function of the centre; and
- ii) It is well related to existing retail units in the Local Centre

**D Other Centres in Key and Local Service Villages**

Development within Use Classes A1, A2, A3, A4 and A5 will be permitted provided that:

- i) It is appropriate with the scale and function of the Centre; and
- ii) It would not lead to unsustainable trip generation or undermine the vitality and viability of a neighbouring centre; and
- iii) It does not adversely impact on neighbouring properties

**E Outside of Centres**

All Retail proposals over 1,000 square metres gross will be required to submit a detailed retail impact assessment to measure the impact of the proposal on the vitality and viability of nearby centres and on committed and planned investment in those centres.

**F Loss of Retail**

Loss of retail units in centres will be permitted where:

- i) The current use can be demonstrated to be no longer viable; and
- ii) The unit has been sufficiently and actively marketed for a range of retail uses over a 6 month period; and
- iii) The impacts arising from the resulting use do not cause an adverse effect on amenity, parking needs or highway safety.

Policy RTL1	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Retail Hierarchy	--	✓	--	?	--	✓	✓✓	✓✓	✓	✓	✓✓	?	--	--	X	--	--	--	?	--	?

### Policy Performance

- 6.17.1 This policy would perform positively against a number of sustainability appraisal objectives. In particular this policy would support the conversion of upper floors of existing shops in Swadlincote to residential use and would therefore support the delivery of additional homes. It could also promote social inclusion and improve accessibility by strengthening retail and other service provision in the town centre which is accessible by a range of transport modes as well as help restrict losses of retail in all locations to circumstances where that use is no longer viable. An improvement to local offer could also reduce leakage out of the town and reduce transport trips to neighbouring retail centres such as Burton on Trent or Derby City. Clearly a policy to strengthen the town centre would also support objectives to achieve stable and sustainable levels of economic growth and diversify and strengthen the local economy. This objective would have a major positive impact against the objective to enhance the vitality and viability of the town centre.
- 6.17.2 Uncertain effects are identified in respect of objectives to improve community safety and reduce crime and fear of crime. This is because this policy could support the increased use of the town centre including in the evenings which could increase natural surveillance, but could also introduce uses which increase incidences of antisocial behaviour or low level crime. This policy would also have an uncertain effect in respect of objectives to improve existing built development and the local townscape. This is because it could support further investment into the town which may provide opportunity to improve the public realm where investment is forthcoming.
- 6.17.3 A negative effect has been identified in respect of the objective to reduce water, light, air and noise pollution. This is because this policy, would allow retail and leisure developments to come forward in an area where there may be conflicts with existing residents, most notably in respect of noise or air quality and odour (for example where pubs or takeaways are located in areas close to existing homes).
- 6.17.4 No discernible effects have been identified in respect of the remaining objectives.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.17.5 Policy S1 (Existing Shopping Centres) of the 1998 Local Plan includes policy regarding new shopping development within and adjacent to Swadlincote, although this policy is very different in scope and detail and is mainly focussed on the provision of further facilities. This policy has been amended to include key elements of previously proposed policy RTL3 which was deleted prior to consultation on the Presubmission Local Plan. This policy now considers loss or retail facilities as well as development in other key centres and rural villages. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.17.6 There has been significant recent investment into Swadlincote town centre, and it is unclear what potential there is for further large scale retail works and developments in the foreseeable future. Moreover, significant investment into the town centre in recent years has been publically funded (Phase 1 and 2 works of the Swadlincote Town Centre Masterplan) which included works to the Delph, West Street and a number of passages around the town centre) and the ongoing Swadlincote Townscape Heritage Scheme funded by the Heritage Lottery Fund. Clearly such funding and investment is often opportunistic in nature and it is unclear whether or when further large scale opportunities to improve Swadlincote town centre will come forward.

### **Short, Medium and Long Term Effects**

- 6.17.7 In the medium to long-term structural changes affecting high streets across the UK such as the rise of online retail could affect the level of vacant units, or the wider health of Swadlincote town centre. However this policy seeks to mitigate the medium and long-term risks associated with these changes by allowing for the flexible reuse of retail units within a wider range of use classes than historic policies. However such a policy approach could dilute or weaken the core retail offer of the town over the plan period.

### **Cumulative or Synergistic Impacts**

- 6.17.8 This policy will work in combination Policy BNE11 (Shopfronts) and RTL2 (Swadlincote Town Centre Potential Redevelopment Locations).

## **6.18 Policy RTL2 Swadlincote Town Centre Potential Redevelopment Locations**

The Council will promote the redevelopment of the following sites, as identified on Map 4, for uses that would enhance the viability and vitality of Swadlincote town centre:

- 1 Civic Centre, Civic Way
- 2 Land between Midland Road / Belmont Street
- 3 The Delph Block
- 4 Sharpes Estate
- 5 Land between West Street / Market Street

Where appropriate, development briefs will be prepared by the Council to guide the redevelopment of these sites.

Policy RTL2	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Swadlincote Town Centre Potential Redevelopment Locations	-	✓	✓	?	✓	✓	✓✓	✓✓	✓	✓	✓✓	✓✓	-	-	X	✓	-	-	?	-	?

### Policy Performance

- 6.18.1 This policy is likely to have a number of significant beneficial effects. In particular it would help improve accessibility to local retail and leisure facilities, as well as other appropriate town centre uses such as education facilities, employment or healthcare. It could also support the reduction in car use as less people may choose to access retail and leisure services outside of the District in Burton on Trent or Derby City if improvements in local retail and leisure offer were secured. The development of these sites could also boost services and facilities in the town which is accessible by a range of transport modes to the benefit of local residents. In addition the identification of new sites for regeneration would help enhance the vitality of the town centre by encouraging a range of compatible uses (which could include retail, housing, employment and community uses) and in doing so provide for the regeneration and of a number of areas, including a number of underused, or unused sites around the town. This policy could therefore have a significant beneficial effect in respect of improving the existing public realm.
- 6.18.2 Minor positive effects are identified in respect of objectives to avoid damage to habitats and species, improving educational achievement and improving the health and wellbeing of the community as well as contribute to the health of the local economy. This is because the designation or regeneration areas could support the redevelopment of sites to a range of uses including, homes, employment land, healthcare uses and schools or other education centres. The regeneration of underused sites would also ensure that greenfield sites elsewhere in the district could be preserved.
- 6.18.3 Uncertain effects have been identified in respect of objectives to conserve and enhance the historic environment, heritage assets and their settings, improve access to the cultural heritage of the District and conserve and enhance the District's landscape and townscape character. This is because whilst redevelopment of sites could offer potential to enhance the character and setting of heritage assets or the local townscape, it could, if inappropriately designed, have a negative impact or fail to provide opportunities to improve access to heritage assets in the town.



6.18.4 A negative effect has been identified in respect of the objective to reduce water, light, air and noise pollution. This is because this policy, would allow retail and leisure developments to come forward in an area where there may be conflicts with existing residents, most notably in respect of noise or air quality and odour (for example where pubs or takeaways are located in areas close to existing homes).

6.18.5 No discernible effects have been identified in respect of remaining objectives.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

6.18.6 Policy S1 (Existing Shopping Centres) of the 1998 Local Plan includes policy regarding new shopping development within and adjacent to Swadlincote, although this policy is very different in scope and detail and is mainly focussed on identifying the location of potential future development areas to support the continuing growth of the town centre.

6.18.7 No changes were proposed to this policy following the June 2016 Draft Local Plan consultation or as a result of the sustainability appraisal process, although previously the identification of regeneration areas included in this policy formed part of proposed Policy RTL1. The policy has been subject to a slight modification through the Local Plan Examination in order to improve its consistency with National Policy. However in reality this change relates to a slight reordering of words within the final part of the policy and would be unlikely to lead to environmental, or other effects different to those previously identified through the Sustainability Appraisal. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

6.18.8 There has been significant recent investment into Swadlincote town centre, and it is unclear what potential there is for further large scale retail and leisure developments in the foreseeable future. Moreover, significant investment into the town centre in recent years has been publically funded (Phase 1 and 2 works of the Swadlincote Town Centre Masterplan which included works to the Delph, West Street and a number of passages around the Town Centre) and the ongoing Swadlincote Townscape Heritage Scheme funded by the Heritage Lottery Fund. Clearly such funding and investment is often opportunistic in nature and it is unclear whether or when further large-scale opportunities to improve Swadlincote town centre will come forward.

#### **Short, Medium and Long Term Effects**

6.18.9 In the medium to long term structural changes affecting high streets across the UK such as the rise of on-line retail could affect the level of vacant units, or the wider health of Swadlincote Town Centre. However this policy seeks to mitigate the medium and long-term risks associated with changes by allowing for the flexible reuse of retail units within a wider range of use classes than historic policies. However such a policy approach could dilute or weaken the core retail offer of the town over the plan period.

#### **Cumulative or Synergistic Impacts**

6.18.10 This policy will work in combination Policy BNE11 (Shopfronts), and RTL1 (Swadlincote Town Centre).

## 6.19 Policy INF11 Telecommunications

Proposals for telecommunications development will be permitted provided it has been demonstrated with the necessary evidence that:

- i) apparatus is located so as to complete or improve coverage; and
- ii) where a new mast is proposed, there is no opportunity for sharing an existing mast, building or structure; and
- iii) apparatus is located and designed so as to minimise visual intrusion on the landscape or townscape, through sympathetic siting, design, materials, colour and, where appropriate, camouflage; and
- iv) it is not located in, nor will have an unacceptable impact on, any designated heritage asset, Site of Special Scientific Interest or local nature reserve unless it can be demonstrated that no technically acceptable alternative site is available and that the need for the development outweighs the degree of harm caused; and
- v) where feasible, all cables and pipelines are placed underground, having regard to any archaeological or ecological constraints.

<b>Policy INF11</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Telecommunications	✓	-	-	-	-	-	-	✓	✓	-	-	✓	-	-	-	✓	-	-	✓	-	✓

### **Policy Performance**

- 6.19.1 This policy is unlikely to have any significant effects against the identified SA objectives. Annual monitoring data indicates that the number of planning applications for telecoms development has fallen in recent years, with only three applications having been received in the past 5 years, and none in 2010/11, 2013/14 and 2014/15. Nonetheless there remains potential for changes in technology to come forward which could lead to significantly more applications being made. On the basis of current trends however this policy will have limited positive effects in respect of objectives to avoid damage to wildlife sites, make best use of existing infrastructure, achieve stable and sustainable economic growth, improve the quality of the built environment (by ensuring that new development is designed to minimise negative effects on local townscape), minimise the loss of greenfield sites, (by promoting mast sharing), conserving and enhancing the cultural heritage and conserving and enhancing local townscape. In respect of all other objectives no notable effects have been recorded.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.19.2 This policy provides detailed telecommunications and broadband policy. It was previously focussed on telecommunications development within the December 2015 Part 2 Local Plan consultation although its scope was widened to reference broadband prior to the Draft Local Plan consultation in June 2016. No further changes have been made to the policy prior to the Presubmission version of the Plan being published in October 2016, or through the Local Plan Examination process. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.19.3 Recent applications for telecoms developments have been limited. However there remains potential for the number of applications to pick up in the future, for example if new technologies require the roll of new apparatus or masts.

### **Short, Medium and Long Term Effects**

- 6.19.4 This policy is likely to be used to influence decision making for the whole of the plan period, although in the short term it is expected that this policy will only be used occasionally in line with recent trends that have seen only three telecoms developments in South Derbyshire in the past three years.

### **Cumulative or Synergistic Impacts**

- 6.19.5 No cumulative impacts have been identified.

## **6.20 Policy INF12 Provision of Secondary Education Facilities**

Land at Southern Derby Area/Infinity Garden Village (shown on Map 5) is allocated for secondary education provision. The site will be identified through the provisions of policy INF13. The school will provide for:

- i) A minimum 800 pupil place secondary school; and
- ii) Of a minimum of 10 hectares; and
- iii) Served directly from a distributor road access
- iv) Be designed and laid out so as to minimise any undue impacts on surrounding land uses and the wider environment; and
- v) Include assessment and any necessary mitigation of transport impact on the surrounding road network and pedestrian and cycle links

<b>Policy INF12</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Provision of Secondary Education Facilities	X	--	✓	--	✓✓	✓	✓✓	✓✓	✓	✓	--	?	--	?	?	X	?	✓	X	?	X

### Policy Performance

- 6.20.1 This policy is likely to have a minor negative effect in respect of a number of environmental objectives to safeguard biodiversity, heritage, landscape and greenfield land. This is because the majority of the Lowes Farm site is greenfield (although there is an area of previously developed land which is currently used as a shooting club) and flat and development of a school in this location would lead to the loss of countryside close to the urban edge of Derby City. The eastern part of the site is also located close to the Derby Canal local wildlife site (SD136) which runs along the eastern boundary, and the site as a whole is located on Sinfin Moor Regionally Important Geological Site (RIGS) and has potential to affect archeology. However, it is likely that given the scale and nature of the proposed schools (which include a significant area of land for playing fields) negative effects could be largely if not completely mitigated through careful design and layout.
- 6.202 Uncertain effects are likely in respect of objectives to improve access to heritage, reduce flood risk, deliver sustainable forms of construction and improve the quality of development. This is because effects will be largely related to where built development is specifically located and its design and implementation. For example some parts of the Lowes Farm site are at flood risk from the Cuttle Brook, but locating built development away from areas at risk, coupled with the inclusion of sustainable drainage could appropriately mitigate flood risk and could even provide betterment compared to existing conditions.

- 6.20.3 No effects are identified in respect of objectives to provide decent and affordable homes, improve community safety, achieve stable and sustainable economic growth, diversify and strengthen local economies, enhance town and village centres and minimise waste and the reuse of waste materials.
- 6.20.4 Positive effects are identified in respect of sustainability objectives to improve the health and well-being of the District's residents, improving educational achievement, promoting social inclusion and reducing inequalities, improving accessibility and making best use of existing infrastructure (the provision of a further secondary school will ensure unsustainable pressures are not faced by existing schools in the Derby urban area) and will create a new education facility in a location well related to large-scale growth in future years. This policy will also support the local economy as a new secondary school would be likely to employ a significant number of teachers, assistants and administrative staff, and could further support the wider local economy during construction.

#### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.20.5 There is no similar policy in the Adopted Local Plan or the emerging Part 1 Local Plan. The policy has been updated to reflect the current likely location(s) of future schools provision. Further amendments have been made to this policy through the Local Plan Examination process. These changes have removed the allocation of land at Thulston Fields from the Plan and added a number of clauses related to transport and accessibility. (Note: The Thulston Fields site could still come forward as a school site through the development management process where there are very special circumstances to justify development in the Green Belt). The removal of the reference to Thulston Fields does provide clarity on the likely location of a new school supported by Policy INF12. This allows a greater level of certainty regarding likely effects and the appraisal has been updated to reflect this. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

#### **Risks and Uncertainties**

- 6.20.6 It is still not known, precisely where, or when a further secondary school will be provided (or indeed whether there will be a need for one or two schools to meet proposed growth) though work remains ongoing to inform any future development decision.

#### **Short, Medium and Long Term Effects**

- 6.20.7 Given the pressure on existing secondary school places in the Derby Urban Area it is likely that further secondary school provision (away from the expansion of existing facilities) will take place in the early to middle part of the in the plan period. However there may be a need for more than one school and as such this policy could also support the delivery of additional schools in the medium to long-term.

#### **Cumulative or Synergistic Impacts**

- 6.20.8 This policy could act in combination with Policy INF1 (Infrastructure and Developer Contributions) and INF13 (Southern Derby Area and Infinity Garden Village) and would support the need to deliver further infrastructure required to mitigate the effects of large scale development to the South Of Derby City in relation to education facilities.

### **Policy INF 13 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 development 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 Policy H15 ix) 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.

<b>Policy INF13</b>	To avoid damage to designated sites and species (including UK and Local BAP Priority Habitat and Species) and enhance biodiversity and geodiversity across the District	To provide decent and affordable homes that meet local needs	To improve the health and well-being of the population	To improve community safety and reduce crime and fear of crime	To improve educational achievement and improve the District's skills base	To promote social inclusion and reduce inequalities associated with deprivation across the District	To improve local accessibility to healthcare, education employment food shopping facilities and recreational resources (including open spaces and sports facilities) and promote healthy and sustainable travel or non-travel choices.	To make best use of existing infrastructure and reduce the need to travel and increase opportunities for non-car travel (public transport walking and cycling)	To achieve stable and sustainable levels of economic growth and maintain economic competitiveness	To diversify and strengthen local urban and rural economies and create high quality employment opportunities	To enhance the vitality and viability of existing town and village centres	To improve the quality of new development and the existing built environment.	To minimise waste and increase the reuse and recycling of waste materials	To promote sustainable forms of construction and sustainable use of natural resources	To reduce water, light, air and noise pollution	To minimise the irreversible loss of undeveloped (greenfield) land	To reduce and manage flood risk and surface water runoff	To reduce and manage the impacts of climate change and the District's contribution towards the causes	To conserve and enhance the historic environment, heritage assets and their settings	To improve access to the cultural heritage of the District for enjoyment and educational purposes	To conserve and enhance the District's landscape and townscape character
Southern Derby Area and Infinity Garden Village	X	✓	?	?	✓✓	?	✓✓	✓✓	✓✓	✓✓	✓✓	✓	--	?	?	--	X	✓	X	?	X

### Policy Performance

- 6.21.1 This policy will help draw together a number of policies set out within the Part 1 Local Plan and the emerging Part 2 Local Plan and allow the coordinated delivery of a broader development area which has been designated as a Garden Village on the southern edge of Derby City. This policy could help address the likely negative environmental effects of development on a number of development parcels such as Wragley Way, (E15), Infinity Park (employment site) extension and the Lowes Farm (INF12). Unmitigated these site are likely to give rise to broadly negative environmental effects, for example in respect of habitat loss and biodiversity effects, loss of heritage including the partial loss of Sinfin Moor RIGS, landscape effects as well as development in locations of identified flood risk. However this policy could help reduce the magnitude of likely effects by allowing for joint working and masterplanning of development sites and the delivery of green and blue infrastructure across the wider area.
- 6.21.2 Positive effects have been identified in respect of most social and economic objectives. This is because this policy is designed to foster the delivery of necessary infrastructure required to support large scale development proposed on the Southern edge of Derby, in particular related to the provision of a new local centre, secondary school, green and blue infrastructure as well as transport infrastructure.
- 6.21.3 Uncertain effects are identified in respect of health and wellbeing, community safety, social inclusion, sustainable construction, pollution and access to cultural heritage. This is because the proposed development framework document has potential to address such issues although the policy as currently drafted does not suggest these will be within its scope instead focussing on infrastructure issues. However, given the scale of the individual development sites located within the wider 'garden village' location it is likley that any future development projects will be supported by detailed environmental information at the planning application stage to address potential environment and other effects and will include mitigation to address likely effects. Nonetheless currently effects are identified as uncertain.

### **Policy Evolution and Changes resulting from Consultation and the Sustainability Appraisal**

- 6.20.4 Policy INF13 was first suggested as a main modification to the Local Plan Part 2 in January 2017 following consultation on the Presubmission Local Plan. The policy was included to reflect the selection of land to the South of Derby as a Garden Village by the Government. The policy as proposed within the Council's schedule of modifications was considered through the Local Plan Examination process and was subject to a number of minor changes. Its purpose is to set a framework to guide infrastructure delivery throughout and between a number of potential development locations on the southern edge of Derby. Further information on the changes made to all Plan policies made through the examination process (and now proposed as a modification) can be seen in Appendix 5.

### **Risks and Uncertainties**

- 6.20.5 The policy will help guide the early preparation of a framework development document which will help define the infrastructure required, its likely location and when in the development it will come forward. This could help provide greater certainty regarding the phasing of different aspects of development.

### **Short, Medium and Long Term Effects**

- 6.20.7 Given the pressure on existing secondary school places in the Derby Urban Area it is likely that further secondary school provision (away from the expansion of existing facilities) will take place in the early to middle part of the in the plan period. The exact timing of transport related infrastructure and the delivery of a new local centre is less clear although different components could forward at different times (for example the South Derbyshire Link Road may be delivered ahead of any roundabout onto the A50). It is likely that a new local centre will be delivered after the first delivery of housing and so could come forward in the medium to long term.

### **Cumulative or Synergistic Impacts**

- 6.20.8 This policy could act in cumulation with Policy, H15 (Wragley Way), and Policy E4 (Land at Sinfin Moor) and INF1 (Infrastructure and Developer Contributions) included in the Part 1 Local Plan and Policy INF12 and INF12 (Provision of Secondary Education Facilities) and RTL1 (retail Hierachy) in the emrging Part 2 Local Plan.



## SECTION 7: PREFERRED AND NON PREFERRED HOUSING SITES

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

- The likely significant effects on the environment including issues such as biodiversity, population, human health, fauna, flora, soil, water air, climatic factors, material assets, cultural heritage, including architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- Any existing environmental problems which are relevant to the plan and programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC
- An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required
- The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;

### 7.1 SITE APPRAISAL METHODOLOGY

7.1.1 Having identified the broad strategic options for implementing the Plan included in the Part 1 Local Plan, the Council has finalised its preferred LP2 development locations. Site appraisals have been undertaken on non-strategic sites across South Derbyshire and are set out at Appendix 3. Non-strategic sites included in this appraisal include sites of 0.5ha or larger and over and able to accommodate up to 99 homes.

7.1.2 The appraisals have been refined through on-going evidence collection, discussions/representations with infrastructure providers and developers and other stakeholders and this process will continue as new information becomes available. Detailed site based mitigation has also been identified through on-going appraisals.

7.1.3 In identifying the preferred sites the council has not sought to rank or weight sites according to the outcome of the detailed site appraisals, but rather use the information collected in respect of individual sites, coupled with other evidence such as representations from members of the public or key stakeholders to inform site selection. In all case detailed mitigation is included in the site appraisals set out at appendix 3 of this report and this will in turn help inform site mitigation requirements.

7.1.4 Whilst the Council has sought to identify the constraints and issues that apply to all sites based on a comprehensive evidence base, the Authority will continue to review any further data or information made available to us.

### 7.2 SITES WHICH THE AUTHORITY PROPOSED TO RULE OUT AT AN EARLY STAGE.

7.2.1 The Council has previously identified a number of sites of being 'not appropriate' for development in its Local Plan Part 2 Consultation held between December 2015 and February 2016. These sites were identified as being unsuitable because:

- The site is within Flood Zone 3b (the functional floodplain)
- The site is within the Green Belt
- The site is mostly covered by Tree Preservation Orders
- The site is considered by the Authority to form a strategic gap between two settlements
- The site is not well related to the settlement.

7.2.2 A list of non-preferred sites the Council identified as potentially unsuitable for housing delivery and ruled out early in the appraisal process in its December 2015 consultation is set out in Table 7.1 below:

**Table 7.1 List of Sites Identified by the Authority as potentially unsuitable for housing delivery in December 2015**

<b>Settlement</b>	<b>Strategic Housing Land Availability Assessment (SHLAA) reference number</b>	<b>Reason site considered potentially unsuitable for development at Pre Draft Local Plan Stage</b>
Aston On Trent	S/0002, Shardlow Road, Aston on Trent	Not well related to the settlement
	S/0020, Land adjacent to Homestead , Weston Road	Not well related to the settlement
	S/0061, Land between Aston Moor and Moor Lane, Aston on Trent.	Not well related to the settlement, part of the site is located in Green Belt
	S/0073, Land at Glebe Farm, London Road, Shardlow	Not well related to the settlement, site is located in Green Belt
	S/0163 Northern Fringe of Derby Road, Aston on Trent	Not Well related to the settlement in absence of allocation of site S/0272
	S/0164, Northern fringe of Derby Road, Aston on Trent	Not Well related to the settlement
	S/0214, Land at Chellaston Lane, Aston on Trent	Not Well related to the settlement
	S/0230, Field no. 2871, Shardlow Road, Aston on Trent	Not Well related to the settlement
	S/0251, Aston Hall Hospital, Aston on Trent	Part 1 Local Plan Allocation
Barrow on Trent	S/0045, Land off Twyford Road opposite Grange Farm Barrow on Trent	Located within Flood Zone 3b
Church Broughton	S/0043, Maple Dene, Boggy Lane, Church Broughton	Not Well related to the settlement
	S/0263, Land to the north of Tippers Lane, Church Broughton	Not Well related to the settlement
Coton Park	S/0096, Former coal stocking yard, Coton Park, Castle Gresley	Site has consent for a 3.5MW Solar Farm, Not Well related to the settlement
Drakelow and Stanton	S/0246, Land off Station Road-Woodville Road, Stanton	Located within the Green Belt
Derby Urban Area (Central)	S/0070, Land off Stenson Road, Stenson Fields	Not Well related to the settlement
	S/0090, Wragley Way, Sinfin	Part 1 Local Plan Allocation
	S/0090a, Wragley Way, Sinfin	Part 1 Local Plan Allocation
	S/0090b, Wragley Way, Sinfin	Part 1 Local Plan Allocation
	S/0111, Land South East of Stenson Road	Not Well related to the settlement
	S/0121, Land west of Stenson Road, Littleover	Part 1 Local Plan Allocation
	S/0122, Stenson Road, Derby	Not Well related to the settlement
	S/0122a, Stenson Road, Derby	Not Well related to the settlement
	S/0165, Land at Arleston Farm, Arleston, Barrow upon Trent	Not Well related to the settlement
	S/0173, Land off Holmleigh Way, Chellaston	Part 1 Local Plan Allocation
Derby Urban Area (East)	S0231, Land to west of Stenson Road, Derby	Part 1 Local Plan Allocation
	S/0041, Assessment S0041 - Land at Shardlow Road, Alvaston	Part 1 Local Plan Allocation
	S/0072, Snelsmoor Lane, Derby	Part 1 Local Plan Allocation
	S/0162, Land surrounding Thulston Fields Farm, Aston on Trent	Located within the Green Belt
	S/0174, Chellaston Fields	Part 1 Local Plan Allocation
Derby Urban Area (West)	S/0220, Chellaston Fields	Part 1 Local Plan Allocation
	S/0079, Land off Radbourne Lane, Derby	Not Well related to the settlement
	S/0080, Land off Radbourne Lane, Derby	Part 1 Local Plan Allocation
	S/0158, Land adj Laurel Farm, Grassy Lane, Burnaston	Not Well related to the settlement
	S/0172, Staker Flatt Farm, Staker	Not Well related to the settlement

	Lane, Mickleover	
	S/0172a, Staker Flatt Farm, Staker Lane, Mickleover	Not Well related to the settlement
	S/0205, Land adj Grassy Lane, Laurel Farm, Burnaston	Not Well related to the settlement
	S/0212, Land off Etwall Road, A516 & Bannells Lane, Mickleover	Not Well related to the settlement
	S/0269, Land to the west of Staker Lane, Mickleover	Not Well related to the settlement
	S/0270, Land to the west of Rykneld Road, Mickleover	Not Well related to the settlement
Elvaston	S/0069, Land to south of Silver Lane, Elvaston	Located within the Green Belt
Etwall	S/0004, Heage Lane, Etwall	Not Well related to the settlement
	S/0021, Willowpit Lane, Derby, Etwall	Not Well related to the settlement
	S/0033, Land to the south of Willington Road, Etwall	Part 1 Local Plan Allocation
	S/0035, Nether Hayes, Willington Road, Etwall	Not Well related to the settlement
	S/0103, Land adj Friary House, Derby Road, Etwall	Not Well related to the settlement
Findern and DUA West	S/0030, Willington Road, Findern (566KB)	Not Well related to the settlement
	S/0031, Heath Lane, Findern (568KB)	Not Well related to the settlement
	S/0056, Fields Farm, Doles Lane, Findern	Site Covered by TPOs
	S/0060, Doles Lane, Findern	Site Covered by TPOs
	S/0067, Field off Porter Lane, Findern (511KB)	Not Well related to the settlement
	S/0077, Land at Highfields Farm, Bakeacre Lane, Littleover	Not Well related to the settlement
	S/0170, Land adjacent Fourway, Little Derby Hill, Burton	Not Well related to the settlement
	S/0213, Land at Bakeacre Lane, Doles Lane, Findern	Site Covered by TPOs
	S/0216, Wyevale Garden Centre, Burton Road, Findern	Not Well related to the settlement
	S/0219, Land off Bakeacre Lane, Findern	Not Well related to the settlement
	S/0247, S0247, Land at Landown Farm, Findern	Not Well related to the settlement
Hartshorne	S/0245; Land fronting 55 and 67 Woodville Road, Hartshorne	Strategic Gap
Hatton	S/0034, Rear of Salt Box Cafe, Derby Road, Hatton	Part 1 Local Plan Allocation
	S/0171, Land at Breach Lane & Malthouse Lane, Hatton	Not Well related to the settlement
	S/0222, Land of Cherry Cottage, Ryeflatts Lane, Hatton	Part 1 Local Plan Allocation
	S/0234, Salt Box Cafe, Hatton	Part 1 Local Plan Allocation
	S/0235, Land to rear of 186 Station Road, Hatton	Part 1 Local Plan Allocation
	S/0235a, Land to rear of 186 Station Road, Hatton	Part 1 Local Plan Allocation
Hilton	S/0037, Hilton Industrial Estate, Sutton Lane, Hilton	Not Well related to the settlement
	S/0094, Land at Hilton Depot, The Mease, Hilton	Part 1 Local Plan Allocation
Long Lane	S/0240, Land at Long Lane, Nr Dalbury Lees, Ashbourne	Not Well related to the settlement
Netherseal	S/0244, Land at Acresford Road, Acresford	Not Well related to the settlement
Overseal	S/0055, Rear of 21 Gorsey Leys, Overseal	Not Well related to the settlement
	S/0268, Land off Green Lane, Overseal	Not Well related to the settlement
Repton	S/0088, Land off Longlands, Mount Pleasant Road, Repton	Part 1 Local Plan Allocation

	S/0116a, Askew Lodge, Milton Road, Repton	Part 1 Local Plan Allocation
	S/0130, Land east of Milton Road, Repton	Not Well related to the settlement
	S/0131, South and east of Mount Pleasant PH, Mount Pleasant	Not Well related to the settlement
	S/0134, Burton Road, Repton	Not Well related to the settlement
	S/0242, S0242 - Land to the south east side of Burton Road	Not Well related to the settlement
	S/0257, Land off Milton Road, Repton	Not Well related to the settlement, site access is constrained.
	S/0273, Land at Cokhay Farm, Repton	Not Well related to the settlement
Scropton	S/0151, Scropton Sidings, off Mill Lane, Scropton	Not Well related to the settlement
Shardlow	S/0074, Land at London Road, Shardlow	Located within the Green Belt
Stanton By Bridge	S/0204, Rivington Bank behind Hills Lane, Stanton by Bridge	Not Well related to the settlement
Swadlincote	S/0007, Land east side of Midway Road, Swadlincote	Site Covered by TPOs
	S/0016, Land between High Street-Hartshorne Road, Woodville	Site Covered by TPOs
	S/0058, Adjacent Broomy Farm, Woodville Road, Hartshorne	Not Well related to the settlement
	S/0085, Pool, Street & John Street, Church Gresley	Part 1 Local Plan Allocation
	S/0086, Land at Broomy Farm, Burton Road, Woodville	Part 1 Local Plan Allocation
	S/0095, Land north of William Nadin Way, Swadlincote	Part 1 Local Plan Allocation
	S/0099, Land to north of Occupation Lane, Woodville	Part 1 Local Plan Allocation
	S/0105, Land at Cadley Hill, Cadley Lane, Swadlincote	Not Well related to the settlement
	S/0105a, Land at Cadley Hill, Cadley Lane, Swadlincote	Not Well related to the settlement
	S/0115, Pool Street & John Street, Woodville	Part 1 Local Plan Allocation
	S/0143, Land at Main Street, Albert Village	Part 1 Local Plan Allocation
	S/0146a, Land west of Vale Road & Edward Street, Hartshorne	Site Covered by TPOs
	S/0202, Church Street, Church Gresley	Part 1 Local Plan Allocation
	S/0210, Land between Woodville & Vale Road, Hartshorne	Site Covered by TPOs
	S/0254, Castle Fields, Swadlincote	Not well related to the settlement
	S/0255, Land at the Council Depot, Swadlincote	Part 1 Local Plan Allocation
Weston on Trent	S/0232, Adjacent to Rio Vista, Swarkestone Road, Weston on Trent	Not well related to the settlement
Willington	S/0137, Land at Sealey Close, Willington	Located within Flood Zone 3b

### 7.3 PREFERRED AND NON PREFERRED SITES

#### 7.3.1

Whilst the Council had identified significant constraints on the above sites (which rendered the sites potentially unsuitable as indicated in the LP2 Consultation Appendix B document consulted upon in December 2015) the Council has continued to keep under review all sites in order to ensure that where circumstances change, or new information is presented to the Authority sites can be considered on the most up to date information. For this reason a number of the sites ruled out early have been reconsidered where more up to date information or specific consultation comments have been received back. Similarly a number of housing sites previously considered during earlier stages have been removed where these are known to be no longer available for development. The following table sets out the reasons for site allocation or otherwise and includes a number of sites previously

ruled out in December 2015 where further information has been put before the Council for consideration.

<b>Table 7.2 Preferred and Non Preferred Sites</b>		
<b>Settlement</b>	<b>Strategic Housing Land Availability Assessment (SHLAA) reference</b>	<b>Reason for Allocation or Non Allocation of the Site following consideration</b>
Aston on Trent	S/0026, Valerie Road- Chellaston Lane, Aston on Trent	<b>Not Allocated</b> The site is visually prominent, particularly from Weston Road regardless of the area brought forward (site too large for non-strategic allocation) and development would result in significant harm to the character and appearance of the area and the local landscape. . Development would reduce the separation between Aston on Trent and Weston on Trent.
Aston on Trent	S/0062, Land to the east of Weston Road, Aston on Trent	<b>Not Allocated:</b> The site is visually prominent, and development would significantly harm the character and appearance of Weston Road which is a key route into the village. Development would also reduce the gap between the villages of Aston on Trent and Weston on Trent.
Aston on Trent	S/0093, Land to the rear of 51 Chellaston Lane, Aston on Trent	<b>Not Allocated.</b> Site is enclosed from Chellaston Lane, but is visually prominent from the south west with some public views and a partially visible urban edge. Chellaston Lane also exhibits a strong linear nature and back land development would erode the character of the western approach to the village.
Aston on Trent	S/0163 Northern Fringe of Derby Road, Aston on Trent	<b>Not Allocated.</b> Not well related to the settlement in absence of allocation of site S/0272. Site is adjacent to the green belt and is located further out from the village core (which provides local services and facilities) than other assessed sites. The site would intrude into the countryside beyond the current built form and not be in keeping with the local character of mainly linear development in that area of Aston.
Aston on Trent	S/0271, Land off Moor Lane, Aston on Trent	<b>Allocated.</b> Like other sites in Aston this site is visually prominent with a visible urban edge, although it is considered that it is less susceptible to change and than other sites (partly based on the fact that there are few characteristic landscape features). There could be moderate to high scope for mitigation including the provision of a planting buffer to the north and east of the site, which could soften the settlement edge and help preserve the setting of a scheduled ancient monument which is located 350m to the east. The site is located close to existing services and facilities. The site has outline planning consent.
Aston on Trent	S/0272, Land off Moor Lane, Aston on Trent	<b>Not Allocated.</b> This site has a soft and relatively vegetated urban edge. Further development beyond this would be visually prominent. Access is constrained unless through an adjacent SHLAA site (S/0163).
Barrow on Trent	S/0290 Bridge Farm, Sinfin Lane, Barrow on Trent	<b>Not Allocated.</b> Site is within 50m of the Trent and Mersey Canal which is a Conservation Area and development could affect the setting of this heritage asset. The site is poorly related to

		Barrow on Trent and there is no metalled footpath between the site and Barrow along Sinfin Lane. Development would represent an intrusion into the countryside and could harm the character and appearance of the local landscape.
Burnaston	S/0279 Old Hall, Etwall Lane, Burnaston	<b>Not Allocated.</b> Site is in excess of 1200m of key services including school, sports pitch and village centre and within 800m of an hourly bus service. There are no metalled footpaths connecting the site to Burnaston, although pedestrian access from Tinderbox Lane may be possible. Development could alter the character and appearance of the northern edge of Burnaston which is defined by large properties sat within large gardens and not backland development.
Castle Gresley (Mount Pleasant)	S/0017, Linton Road, Castle Gresley, Swadlincote	<b>Not Allocated.</b> Site would encroach into the Countryside which is open and visually prominent owing to the local landform. Development would harm the character and appearance of this key approach into Mount Pleasant.
Castle Gresley (Mount Pleasant)	S/0097, Land at High Cross, Mount Pleasant Road, Castle Gresley	<b>Not Allocated.</b> TPOs 67 and 247 cover a significant part of the site. Development could affect the character and appearance of the area. There is no developer interest in the site beyond submission to the SHLAA.
Castle Gresley (Mount Pleasant)	S/0098, Land on High Cross, Mount Pleasant Road, Castle Gresley	<b>Not Allocated</b> HERS 17810 (Swadlincote Field Boundaries) is located in the site and part of TPO338 and 397 is located within the site. Development on this site would be visually intrusive due to its prominent position. There is no developer interest in the site beyond the submission of the site to the SHLAA.
Castle Gresley (Mount Pleasant)	S/0142, Land at Arthur Street, Castle Gresley	<b>Not Allocated.</b> Site would be an intrusion into the countryside and would alter the character and appearance of this area. It would also be prominent given the rising landform.
Castle Gresley (Mount Pleasant)	S/239, Mount Pleasant, Oak Close, Castle Gresley	<b>Allocated.</b> No HERS or other heritage assets are likely to be affected by development within the site although a TPO borders the western boundary. Site is within 800m of most key services including pharmacy, convenience store and post office although primary and secondary school provision is more than 1200m. An existing tree belt could provide a significant landscape buffer to the south and could be further strengthened across the whole of the site boundary. There are existing flooding issues in the vicinity of the site and appropriate measure would be required to address these.
Church Broughton	S/0054, Church Road, Church Broughton	<b>Not Allocated.</b> There is no village centre and most services/facilities are not available in the village. However this site is within 800m of Church Broughton Primary School but is located more than 1200m from an hourly bus service and other key services. Development would be an intrusion into the countryside and would harm the character and appearance of the village. Development could also affect the setting of the Grade 1 Listed Church of St Michael.

Church Broughton	S/0189, Land at Boggy Lane, Church Broughton	<b>Not Allocated.</b> There is no village centre and most services/facilities are not available in the village. However this site is within 800m of Church Broughton Primary School but is located more than 1200m from an hourly bus service and other key services. Development would be an intrusion into the countryside and would harm the character and appearance of the village. Development could also affect the setting of the Grade II listed Old Hall.
Church Broughton	S/0264, Farmyard and adjacent land at Cromwell House Farm, Church Broughton	<b>Not Allocated.</b> There is no village centre and most services/facilities are not available in the village. However this site is within 800m of Church Broughton Primary School but is located more than 1200m from an hourly bus service and other key services. Development would be an intrusion into the countryside and would harm the character and appearance of the village and could affect the setting of Grade II list Cromwell House which makes part of the site not developable. It is also likely that many of the surrounding buildings of Cromwell House would be curtilage listed.
Coton in the Elms	S/0065, Land off Mill Street, Coton in the Elms	<b>Not Allocated.</b> This would represent a substantial encroachment of development into currently open land and would result in the loss of what is an important area of countryside on a key approach to the village. The village is poorly served by public transport provision (two hourly service). There is no developer interest in the site beyond the submission of the site to the SHLAA.
Coton Park	S/0106, Land at Coton Park, Swadlincote	<b>Not Allocated.</b> The site is poorly related to existing services and facilities being more than 1200m from a local centre, primary school and GP. The closest hourly bus service is 800m from the site. The development would be an intrusion into the countryside and would be at odds with the linear nature of Coton Park. There is no developer interest in the site beyond the submission of the site to the SHLAA..
Dalbury	S/0241, Land adjoining Manor Farm, Dalbury Village, Ashbourne	<b>Not Allocated.</b> Site is poorly related to existing services and facilities being more than 1200m from a local centre, primary school and GP. The closest hourly bus service is 800m from the site. Development may affect the setting of a number of listed buildings including All Saints Church (Grade II*), the Old Rectory (Grade II) and Manor Farmhouse (Grade II).
Drakelow and Stanton	S/0051, Land to the east of Rosliston Road South, Drakelow	<b>Not Allocated</b> Site already has outline consent for 75 dwellings

Drakelow and Stanton	S/0243, Land at Wrekin, Woodland Road, Stanton	<b>Not Allocated:</b> The site is not well related to nearby settlements and access to some local services and facilities is poor although there is a half hourly bus service passing within 400m of the site. The site is also surrounded by the Burton - Swadlincote Green Belt and any development would need to consider impact on this.
DUA Central	S/0100, Land at Lowes Lane, West Chellaston	<b>Not Allocated.</b> The site as proposed is too large for a non-strategic allocation (along with S/100a) Non Strategic Development would lack the scale to deliver new infrastructure necessary to make this a sustainable development Some local facilities are available on Rowallen Way, subject to access. There is a scheduled ancient monument to the South, although given the local landform and existence of the A50 it is likely that mitigation could be delivered to protect the setting of this.
DUA Central	S/100a, Land at Lowes Lane, West Chellaston	<b>Not Allocated.</b> The site as proposed is too large for a non-strategic allocation but it was considered as a strategic allocation. Smaller scale development, would be poorly related to the edge of Derby City given the location of this site and would lack the scale to deliver new infrastructure necessary to make this a sustainable development.
DUA Central	S/0206, Land north of Witton Court, Stenson Fields	<b>Allocated:</b> Site is the remaining 1998 Local Plan Allocation and well related to DUA edge and local services and facilities. The site is substantially surrounded by built development with an existing access point.
DUA West	S/0048; Land at Hospital Lane, Mickleover	<b>Not Allocated.</b> Access to the site is likely to be constrained and would therefore affect the deliverability of this site. Access to local services from the site could also be constrained by the A516. Public transport can be accessed less than 400m from the site.
DUA West	S/0049, Land at A516 & Staker Lane, Mickleover	<b>Not Allocated.</b> Site could close off the green wedge in Derby City to the north east and would urbanise the gap between Mickleover and the Pasture Hospital Development. Site is poorly related to services and facilities including primary school, GP, local centre and bus service (more than 800m on foot to all).
DUA West	S/0113, Land between Hospital Lane & A516, Mickleover	<b>Not Allocated</b> The site is poorly related to many local facilities including primary school, GP and local centre. Public transport can be accessed less than 400m from the site.



Etwall	S/0006, Land at Egginton Road, Etwall	<b>Not Allocated.</b> A planning application was submitted to the Authority in 2015 for 120 homes on this site and has been refused. A further scheme for 120 homes was submitted to the Authority in March 2017 and is currently pending. It is considered that development at this site would erode the rural character and appearance of the countryside along a principal route into and out of the village and development would have a harmful impact on the rural landscape.
Etwall	S/0036, Land at OS part 1547, Derby Road, Etwall	<b>Not Allocated.</b> A planning application on this site has previously been refused by the Council and dismissed at appeal by the Planning Inspectorate. The introduction of development on to this prominent site would expand the extent of Etwall significantly northwards from the current built up limit of the village. This would represent a substantial encroachment of development into currently open land that is defined as countryside and would result in the loss of what is an important area of countryside on the main approach to the village. Site would also harm the setting of the Conservation Area which is located around 60m from the site.
Etwall	S/0063, Land adjacent Sutton Lane- Hill Pasture, Etwall	<b>Not Allocated.</b> A planning application on this site has previously been refused by the Council and dismissed at appeal by the Planning Inspectorate. The site encroaches into the large, open, undeveloped paddock to the west of Hall Pasture, significantly extending the built form of the village into the countryside which would erode the rural character and appearance of the area.
Etwall	S/0253, Land off Willington Road, Etwall	<b>Not Allocated.</b> Site would be an intrusion into the countryside and would harm the setting of Etwall Lodge Grade II listed building as well as 'the lawn' which comprises of an open semi parkland landscape which is an undesignated heritage asset in its own right.
Etwall	S/0265, Land north of Derby Road and east of the A516, Etwall	<b>Not Allocated.</b> Development could urbanise a rural route into the village extending it significantly to the west. There is currently no metalled footpath on the northern edge of Hilton Road and most services are located around 800m from the site, although an hourly bus service would be less than 400m from the site.

Etwall	S/0284, Jacksons Lane, Etwall	<b>Allocated.</b> Site is located away from designated heritage assets and will not affect any wildlife sites. Site could affect archaeology within the site, although this could be preserved in record in accordance with the NPPF, if archaeological important areas cannot be avoided, (this is a comparatively large site for the scale of development). It is located in Flood Zone 1 and is relatively well related to local services and facilities. Site would be a southern extension into the countryside adjacent to a Part 1 allocation which is currently under construction. The site is well contained by landscape features and is unlikely to be as prominent as other sites in the village. TPO present on site will require protection.
Findern and DUA West	S/0010, S0010 - Doles Lane, Findern	<b>Not Allocated.</b> The site is outside of Findern adjacent to the ribbon development and is therefore poorly located in respect of many key services although shops are within 1200m and public transport provision is within 400m. Development would be visually prominent given that the site is crossed by a public right of way and development would harm the character of the local landscape.
Findern and DUA West	S/0056, Fields Farm, Doles Lane, Findern	<b>Not Allocated.</b> The site is outside of Findern adjacent to the ribbon development and is therefore poorly located in respect of many key services although shops are within 1200m and public transport provision is within 400m. TPO70 covers part of the site. A large part of the site to the south is at high and moderate flood risk.
Findern and DUA West	S/0081, Field number 6110 (Heath Farm), Heath Lane, Findern	<b>Not Allocated.</b> Site would significantly extend the village to the south and would be an intrusion into the countryside. It would significantly alter the rural character of this part of the village and is located in an area of secondary sensitivity in respect of the Areas of Multiple Environmental Sensitivity Study.
Findern and DUA West	S/0110, Land off Common Piece Lane, Findern	<b>Not Allocated.</b> Central part of the site is at flood risk (mixture of functional floodplain, high and moderate risk), and covers around half the site. TPO70 runs along much of the sites eastern boundary, whilst land to the west is constrained by existing electricity pylons. There is a HERS site HER19911 – Possible Fishpond in close proximity to the site.
Findern and DUA West	S/0216, Wyevale Garden Centre, Burton Road, Findern	<b>Not Allocated</b> The site is outside of Findern adjacent to the ribbon development and is therefore poorly located in respect of many key services including shops which are in excess of 1200m although public transport provision is within 400m.

Findern and DUA West	S/0228, Oakdene, 82 Burton Road, Findern	<b>Not Allocated.</b> The southern part of the site is covered by TPO70. The site is poorly located in respect of Findern and is more than 1200m from a local centre, schools provision, GP surgery and sports provision, although is within 400m of a bus service. Development would represent an intrusion into the open countryside.
Foremark	S/0260, Chestnut Avenue, Foremark	<b>Not Allocated.</b> Site adjacent to a Local Wildlife Site SD106 (the Grove) and is poorly related to local services including schools, shops, and public transport with no provision within 1200m. Sites lies in an area of secondary sensitivity as defined by the Areas of Multiple Environmental Sensitivity Study and would represent an intrusion into the countryside. Development may affect a non designated heritage asset.
Foston	S/0040, Land at Uttoxeter Road, Foston	<b>Not Allocated.</b> This is a brownfield site with areas of hardstanding although views across the site from Uttoxeter Road give an indication of being open countryside. The site is poorly related to local services, although there is access to an hourly bus service within 400m. Access to schools, shops and healthcare facilities are all located beyond 1200m. TPO 13 is located on site and covers 36 individual trees. Development would represent an intrusion into the countryside
Hartshorne	S/0032, Land west of 124 Repton Road, Hartshorne	<b>Not Allocated.</b> Site has outline planning consent for 5 dwellings and has been included in the settlement boundary. Development on the site has not yet started.
Hartshorne	S/0052, Land off Main Street, A514, Hartshorne	<b>Not Allocated</b> A recent planning application on this site has been refused by the Council and appeal dismissed by the Planning Inspectorate. Development would have a negative effect on the character and appearance of Hartshorne and would similarly have a negative effect on the setting of nearby listed buildings including Manor Farm (Grade II) and St Peter's Church (Grade II). Development would have a harmful effect on the landscape.
Hartshorne	S/0215, Land south of Springhill Cottages, Hartshorne	<b>Not Allocated.</b> Much of the southern portion of the site is at flood risk. Access onto Springhill is constrained. Development would represent an intrusion into the countryside and could affect the setting of the listed Spring Farmhouse (Grade II).
Hartshorne	S/0233, Land off Repton Road, Hartshorne	<b>Not Allocated.</b> Site would significantly extend the village to the east and would alter the character of this part of the village which is linear in nature consisting of a ribbon of development along Repton Road. Development would represent an intrusion into the countryside

Hartshorne	S/0245; Land fronting 55 and 67 Woodville Road, Hartshorne	<b>Not Allocated.</b> Site separates built development between Woodville and Hartshorne and the introduction of built development in this gap is considered to be harmful to the character and appearance of the area. The development would also extend beyond the existing built form and depending on the extent of the development could have detrimental visual impact on Woodville Road and the Countryside to the east. There is a pending appeal on this site.
Hartshorne	S/0280 Land to the rear of 131 Woodville Road, Hartshorne	<b>Not Allocated.</b> Site would be back land development behind a ribbon of development strung out along Woodville Road. It would alter the character of this area and would represent an intrusion into the open countryside.
Hatton	S/0152, Scropton Road, Hatton	<b>Not Allocated,</b> Site is at high and moderate flood risk although would be defended by the recently completed Lower Dove flood management scheme. HER20112 (Crop mark complex, ring ditch, linear feature, boundary and ridge and furrow) is located in the site. Site would be an intrusion into the countryside. Significant growth relative to the size of Hatton has already been allocated in Part 1 of the Plan.
Hatton	S/0203, Land west of Station Road, Hatton	<b>Not Allocated.</b> The site is in Flood Zone 3a (high Risk) although would be defended by the recently completed Lower Dove flood management scheme. There may be potential for flooding in the site associated with a number of culverts which run under Station Road, should these block although risk could be mitigated through site design and reduction in the developable area and/or technical measures to reduce the likelihood of a blockage although this may affect site viability . Significant growth relative to the size of Hatton has already been allocated in Part 1 of the Plan.
Hatton	S/0297 Land at Derby Road, Hatton	<b>Not Allocated.</b> The site is in Flood Zone 3a (high risk) although would be defended by the recently completed Lower Dove flood management scheme. Site would be an intrusion into the countryside and would be less well related to facilities in the village than other sites in Hatton. Significant growth relative to the size of Hatton has already been allocated in Part 1 of the Plan.
Hilton	S/0014, Land to the south the Mease, Hilton	<b>Not Allocated.</b> Site is at high and medium flood risk and would be an intrusion into the countryside.
Hilton	S/0299 Land off Derby Road, Hilton	<b>Allocated (part of)</b> Site is unaffected by any identified heritage, access or flood risk constraints and is well related to the existing built development. Site area amended through examination. Unlikely to affect site performance.

Hilton	S/0300 Land north of Derby Road, Hilton	<b>Not Allocated.</b> Site is unaffected by any identified heritage, access or flood risk constraints. However the Council is only seeking to allocate non-strategic sites through the Part 2 Local Plan and this site could accommodate significantly more than 100 dwellings. Significant further growth relative to the size of Hilton has already been allocated in Part 1 of the Plan.
Hilton	S/0039, Land adj to The Mandarin, Egginton Road, Hilton	<b>Not Allocated.</b> Site has planning consent having been allowed on appeal in February 2017.
Hilton	S/0201, Land off Hilton Common, Lucas Lane, Hilton	<b>Not Allocated.</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape and would significantly extend built development beyond Lucas Lane which retains a rural character. Development of the whole site could affect the setting of Hargate House Farm House (Grade II listed building). There is a HERS site (19804 Etwall Ridge and Furrow) and Local Wildlife site (SD067) to the east.
Hilton	S/0207, Hargate Lodge, Lucas Lane, Hilton	<b>Not Allocated</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape. Development could affect the setting of Hargate House Farm House (Grade II listed building). There is also a potential wildlife site located in the southern part of the site.
Hilton	S/0224, Elm Tree Farm, Lucas Lane, Hilton	<b>Not Allocated.</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape.
Kings Newton	S/0226, Land at Jawbone Lane, Kings Newton	<b>Not Allocated,</b> Development north of Jawbone Lane would reduce the separation between Kings Newton village and Melbourne and would harm the setting and significance of Kings Newton Conservation Area. Development could also affect the setting of listed buildings located along Main Street (Kings Newton).
Lees	S/0229 Land to the East of Dalbury Lees Village.	<b>Not Allocated.</b> The site is poorly related to services and facilities being more than 1200m from a local centre, primary school, GP and hourly bus services. Development on the site identified would harm the character and appearance of the village which is mainly ribbon type development.
Land adjacent to Winshill	S/0084, Land at Newton Road, Burton on Trent	<b>Not Allocated.</b> This site has planning permission for up to 100 homes granted on appeal. It is not yet under construction.
Land adjacent to Winshill	S/0169, Land on Hawfield Lane, Winshill	<b>Not Allocated.</b> Development at this site would be visually intrusive, would be an intrusion into the countryside and would have a significant urbanising effect on the local landscape.
Linton	S/0003 north side of Linton Heath, Swadlincote	<b>Not Allocated.</b> An application for housing on the site was been refused by the Council but was allowed on appeal by the Planning Inspectorate. The development will yield 24 dwellings. It is not yet under construction.

Linton	S/0044, Colliery Lane & Sealwood Lane, Linton	<b>Not Allocated.</b> HER 24107 is located within the site (Overseal Field Boundary). Would be visually intrusive and would have a significant urbanising effect on the local landscape and the character of this part of the settlement.
Linton	S/0044a, Colliery Lane & Sealwood Lane, Linton	<b>Not Allocated.</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape and the character of this part of the settlement. Site was granted permission for 4 holiday lets and landscaping in 2013 and has been implemented.
Linton	S/0050, Off Windsor Road, Linton	<b>Not Allocated.</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape.
Linton	S/0087, Land adjacent Heath Close, Colliery Lane, Linton	<b>Not Allocated.</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape and the rural character of this part of the settlement. Planning permission has been granted for 14 holiday lets in June 2014 as an extension to site S/0044a above.
Linton	S/0107, Land off High Street, Linton	<b>Not Allocated.</b> Site was granted outline planning consent on appeal for 100 homes. The site has reserved matters consent for 87 homes and is under construction.
Linton	S/0252, Land to the rear of 76 Main Street, Linton	<b>Not Allocated.</b> Development at this site would be visually intrusive and would have a significant urbanising effect on the local landscape and the character of this part of the settlement. Access to this site is potentially constrained.
Linton	S/0283, Land South of Caldwell Lane, Linton	<b>Not Allocated.</b> An application for 61 dwellings was refused by the Council and dismissed at appeal by the Planning Inspectorate. The Inspector found that it would lead to a 'highly prominent development [which] would have a significant detrimental impact on the character and appearance of the area.
Lullington	S/0187, Land off Dag Lane, Lullington	<b>Not Allocated.</b> The site is located within Lullington Conservation Area and would affect the setting of this heritage asset. Access to local facilities including public transport is poor within the village. The site lies within the settlement boundary for Lullington. There is presently uncertainty regarding the mitigation necessary to offset further housing proposals in respect of the River Mease.
Lullington	S/0188, Lullington Road, Lullington	<b>Not Allocated.</b> The site is located within Lullington Conservation Area and would affect the setting of this heritage asset. Access to local facilities including public transport is poor within the village. There is presently uncertainty regarding the mitigation necessary to offset further housing proposals in respect of the River Mease.

Melbourne	S/0009, Jawbone Lane, Kings Newton, Melbourne	<b>Not Allocated.</b> A proposal for 60 dwellings on this site was dismissed at appeal in August 2016. Development of site S/0009 is likely to harm the setting of the Kings Newton Conservation Area. As it gains some of its significance from being to a large degree historically, physically and perceptually separate from Melbourne. Development of this site would reduce the physical separation between the two villages.
Melbourne	S/0108, Land fronting Blackwell Lane, Melbourne	<b>Not Allocated:</b> Development would result in harm to the character, appearance, and significance of the Melbourne Conservation Area. An application for the development of 15 homes was refused on this site in September 2015 and an appeal to the Planning Inspectorate is currently outstanding.
Melbourne	S/0109, Field no 294, Station Road, Melbourne	<b>Allocated.</b> Site has planning permission for 22 homes and will form an extension to a recently completed urban extension. Site is located away from designated heritage assets and will not affect any wildlife sites. The site represents one of the limited opportunities for housing development within Melbourne given the constrained nature of the rural boundary of the village and the level of heritage assets in the village.
Melbourne	S/0176, Breach Lane, Melbourne	<b>Not Allocated</b> Part of the site has planning consent and is under construction and has now been removed from the Council's SHLAA. The remainder of the site is not well related to the existing settlement and would be an intrusion in the countryside and would change the character of the entrance into the village which currently has a rural aspect.
Melbourne	S/0225, Bond Elm, Jawbone Lane, Kings Newton	<b>Not Allocated.</b> Site has planning consent for 34 homes having been allowed on appeal in October 2016.
Melbourne	S/0256, Field No.251, Station Road, Melbourne	<b>Allocated:</b> Site has resolution to grant planning permission for 24 homes and will form an urban extension to existing committed development and allocation on site S/0109. Site is located away from designated heritage assets and will not affect any wildlife sites. This site represents one of the limited opportunities for housing development within Melbourne given the constrained nature of the rural boundary of the village and the level of heritage assets in the village.
Melbourne	S/0285, Land at Derby Road, Melbourne	<b>Not Allocated</b> This site is not well related to the settlement and would be an intrusion in the countryside.
Milton	S/0125, South west of Brook Farm, Main Street, Milton	<b>Not Allocated.</b> Site is located around 20m from Milton Conservation Area and could harm its setting. Access to local facilities including public transport is poor within the village and therefore residents would need to use private transport to access most facilities.

Milton	S/0126, North of Old Post Office Farm, Main Street, Milton	<b>Not Allocated.</b> Site is located adjacent to the Milton Conservation Area and could harm its setting. Site is immediately adjacent to Milton Carr North Local Wildlife Site and around a quarter of the site (to the east) is located in an area of moderate and high flood risk. Access to local facilities including public transport is poor within the village and therefore residents would need to use private transport to access most facilities.
Milton	S/0127, West of Mill Farm, Main Street, Milton	<b>Not Allocated.</b> Site is located within Milton Conservation Area. A number of listed buildings are located adjacent to the site including Common Farm House (Grade II) and Mill Farm House (Grade II) a number of further listed buildings are located in close proximity to the site. A small part of HER 24549 (Water Mill) falls within the site and there is a small area at high and moderate flood risk within the eastern part of the site. Development could affect the setting of heritage assets surrounding the site. Access to local facilities including public transport is poor within the village and therefore residents would need to use private transport to access most facilities.
Milton	S/0128, Common Farm, Main Street, Milton	<b>Not Allocated.</b> Part of site has planning permission for 3 dwellings. The site is partly located in the conservation area and Common Farm House (Grade II listed) is located within the site. A number of further listed buildings are located within 50m to the north of the site. Development could harm the setting of heritage assets surrounding the site. Access to local facilities including public transport is poor within the village and therefore residents would need to use private transport to access most facilities.
Milton	S/0129, East of Main Street, Milton	<b>Not Allocated.</b> Site is located within Milton Conservation Area which was extended in 2013 and could affect the character of this area. Development is partly located in an area of high and moderate flood risk and is adjacent to Milton Carr South Local Wildlife Site. Access to local facilities including public transport is poor within the village and therefore residents would need to use private transport to access most facilities.
Netherseal/Acresford	S/0144, Land at Hunts Lane, Netherseal	<b>Not Allocated.</b> There is presently uncertainty regarding the mitigation necessary to offset further housing proposals which generate foul water which is treated at local treatment works and discharges to the River Mease Special Area of Conservation (SAC) given the limited capacity remaining within the developer contribution scheme (DCS2) which includes actions to mitigate further housing. Additional development is currently not proposed due to the lack of clarity regarding the measures needed to make further development acceptable.



Netherseal/ Acresford	S/0286, Land South of Church Street, Netherseal	<b>Not Allocated.</b> The southern part of the site is identified as being of high flood risk. It is located within Netherseal Conservation Area and a number of listed buildings are located within 50m of the site including Mill Farmhouse (Grade II), Pigeoncote (Old Hall Cottage (Grade II*)) and Mill at Mill Farm (Grade II). There is presently uncertainty regarding the mitigation necessary to offset further housing proposals which generate foul water which is treated at local treatment works and discharges to the River Mease Special Area of Conservation (SAC) given the limited capacity remaining within the developer contribution scheme (DCS2) which includes actions to mitigate further housing. Additional development is currently not proposed due to the lack of clarity regarding the measures needed to make further development acceptable.
Newton Solney	S/0223, Land adj to Park Manor, Newton Park, Newton Solney	<b>Not Allocated.</b> Site is located within the Newton Solney Conservation Area and falls within HER23604 (Park and Fishpond). There is a Grade II listed building around 70m to the north (Newton Park Hotel) and further listed buildings in the vicinity. Development is likely to harm the setting of heritage assets in this area. Part of TPO 176 falls within the site. The Area of Multiple Environmental Sensitivity indicates this area is of secondary sensitivity.
Overseal	S/0013, Land leading off Stanleigh Road, Overseal	<b>Not Allocated.</b> Site would be an intrusion into the countryside and could harm the character and appearance of the village. There is no developer interest in the site beyond the submission of the site to the SHLAA. There is presently uncertainty regarding the mitigation necessary to offset further housing proposals which generate foul water which is treated at local treatment works and discharges to the River Mease Special Area of Conservation (SAC) given the limited capacity remaining within the developer contribution scheme (DCS2) which includes actions to mitigate further housing.
Overseal	S/0022, OS 2900, Valley Road, Overseal	<b>Allocated.</b> Site has planning permission for 64 dwellings and will contribute towards measures in the River Mease SAC to mitigate the effects of development (A contribution will be made to mitigate development through DCS1). Site is located away from designated heritage assets and will not affect any designated wildlife sites.
Overseal	S/0046, Adjacent to 37 Valley Road, Overseal	<b>Not Allocated.</b> A number of listed buildings are located within 50m of the site including Overseal House Grade II*, (also HER 24102), Grange Farmhouse (Grade II) and Farm Building North of Grange Farm House (Grade II) and development could harm the setting of these heritage assets. There is presently uncertainty regarding the mitigation necessary to offset further housing proposals in respect of the River Mease.

Overseal	S/0047, Whitehouses site, south of Woodville Road	<b>Not Allocated.</b> Around a quarter of the site is at varying levels of flood risk. Development would create an area of backland development in an area where development consists of a ribbon strung out along Woodville Road. There is no developer interest in the site beyond the submission of the site to the SHLAA. There is presently uncertainty regarding the mitigation necessary to offset further housing proposals which generate foul water which is treated at local treatment works and discharges to the River Mease Special Area of Conservation (SAC) given the limited capacity remaining within the developer contribution scheme (DCS2) which includes actions to mitigate further housing.
Overseal	S/0053, Towpath site, Spring Cottage Road, Overseal	<b>Not Allocated.</b> The site would represent an intrusion into the countryside. Access to the site may be constrained as there is no obvious point of access. There is presently uncertainty regarding the mitigation necessary to offset further housing proposals which generate foul water which is treated at local treatment works and discharges to the River Mease Special Area of Conservation (SAC) given the limited capacity remaining within the developer contribution scheme (DCS2) which includes actions to mitigate further housing. Additional development is currently not proposed due to the lack of clarity regarding the measures needed to make further development acceptable.
Overseal	S/0249, Land off Moira Road, Overseal	<b>Not Allocated.</b> Site is largely within the proposed settlement boundary which has been extended to include built development in this location, however there is currently uncertainty regarding the mitigation necessary to offset further housing proposals in respect of the River Mease. Unmitigated development could also harm the setting of a listed building.
Overseal	S/0250, Land off Acresford Road, Overseal	<b>Allocated,</b> Site has planning permission for up to 70 dwellings and will contribute towards actions in the River Mease to mitigate the effects of development through DCS2.
Overseal	S/0258, Land at Poplars Farm, Overseal	<b>Not Allocated,</b> Site has part planning permission for 10 dwellings.
Repton	S/0088, Land off Longlands, Mount Pleasant Road, Repton	<b>Allocated.</b> Site has planning consent for housing. Site is well related to a range of local services and will not affect local heritage or wildlife sites. There is no flood risk on the site.
Repton	S/0089, Adjacent Mount Pleasant PH, Mount Pleasant Road	<b>Not Allocated.</b> Part of the site adjacent the brook is identified as moderate flood risk. Wildlife Site SD079 (Repton Small Fields) also forms a boundary with the site. The site is adjacent to HER record 24550 (Repton Watermill) and is located within 100m of the Conservation area boundary and could affect the setting of heritage assets.

Repton	S/0101, Land at Askew Hill, Milton Road, Repton	<b>Allocated.</b> Site is located between Burdett Way and Askew Lodge both of which would help mitigate its likely effect on the local landscape. Moreover, the built development will be limited to the southern part of the site with planting and open space to the north of the footpath. Site is well related to a range of local services and will not affect local heritage or wildlife sites. There is no flood risk on the site.
Repton	S/0116, Askew Lodge, Milton Road, Repton	<b>Not Allocated</b> Development could harm the character and appearance of Milton Road and the settlement edge which currently has a rural aspect where it leads to the intensification of development, particularly along the road frontage. There is a TPO that affects part of the site. There is an application for housing development pending on this site.
Repton	S/0181, Chestnut Way, Repton	<b>Not Allocated.</b> Site is located immediately adjacent to Repton Conservation Area, and Easton House (Grade II listed building) and is likely to affect the setting of heritage assets. Site is classed as secondary sensitivity in the Areas of Multiple Environmental Sensitivity assessment.
Repton	S/0209 The Coach House & Danesgate, Well Lane.	<b>Not Allocated.</b> Site is located within Repton Conservation Area, and Danes Gate (Grade II listed building is located within the site). Additional listed buildings are located within 100m of the site and development would harm the setting of heritage assets. There are protected trees along the site frontage and any access to the site could be constrained by these.
Repton	S/0278, Land at Bower Hill, Well Lane	<b>Not Allocated.</b> Site lies partly in the Conservation area and lies 70m to the west of The Grange II* listed building and development would harm the setting of heritage assets.
Rosliston	S/0015, Land to south west side of Main Street, Coton Lane	<b>Not Allocated.</b> Site has Outline planning permission for up to 24 dwellings but not yet currently under construction.
Rosliston	S/0027, OS field no 1700, Burton Road & Rosliston	<b>Not Allocated.</b> Site has planning consent for 13 dwellings (including four affordable dwellings). The site is not yet under construction but has been included within the revised settlement boundary for Roliston. Concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.
Rosliston	S/0154, Land to corner of Linton Road & Coton Lane	<b>Not Allocated</b> This site was previously proposed for allocation in the Draft Local Plan Part 2. The site is located relatively closely to a range of local services, although footpaths to local services are relatively narrow in places along Main Street. However, following the previous consultation the Council now considers that additional growth in the village could have a harmful impact on landscape character. Moreover concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.

Rosliston	S/0157, Between 63 & 71 Main Street,	<b>Not Allocated</b> , Site would represent an intrusion into the countryside, in an area largely characterised by linear development strung out along Main Street. Concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.
Rosliston	S/0160, Greenacres, Linton Road, Rosliston	<b>Not Allocated</b> This site was previously proposed for allocation in the Draft Local Plan Part 2. The site is located relatively closely to a range of local services, although footpaths to local services are relatively narrow or absent in places along Main Street and the removal of Site S/0154 from the Plan could affect the potential to better connect this site with the facilities in the village. However, following the previous consultation the Council now considers that additional growth in the village could have a harmful impact on landscape character, although in the case of this site would be partially mitigated given that a number of existing buildings are present on site. In addition concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.
Rosliston	S/0175, Burton Road, Rosliston	<b>Not Allocated</b> . Development would harm the setting of the Grade II* listed Church of St. Mary which derives much of its significance from its rural setting to the north of the village, of which this site is an important component. Development of this site would lead to the permanent loss of this setting, leading to the church appearing to sit within the village as opposed to commanding over the agricultural landscape from the edge of the village. Concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.
Rosliston	S/0262, 11 and 14 Holden Croft, Rosliston	<b>Not Allocated</b> . HER25005 is located within the site. Site is poorly contained by urban development and would be a significant intrusion into the countryside. Concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.
Rosliston	S/0274, Land off Strawberry Lane, Rosliston	<b>Not Allocated</b> . Site is a sports field and loss is likely to be contrary to policy INF9 of the Part 1 Local Plan. Access to the site is constrained. Concerns have been raised by the County Council at the capacity issues (pupils and space) in the Local Primary School.
Scropton	S/0291, Land to the North of Scropton Road	<b>Allocated</b> . The site is previously developed and would have no significant effect on biodiversity/geodiversity. It is well related to the remainder of the village, although it is located in an area at flood risk. The completion of the River Dove Flood defences in 2014 offers protection from flooding from up to and including a 1:100 year flood event. There is a listed building in the vicinity of the site and any development would need to be sensitively designed to reflect this, although given the nature of the current site its reuse could help enhance local character and the setting of this heritage asset.

Shardlow	S/0019, Former Nursery, London Road, Shardlow	<b>Not Allocated.</b> An application for housing on this site was withdrawn in October 2016. The site is located in Zone 3a (high flood risk). Development could harm the setting of nearby listed buildings/conservation areas.
Shardlow	S/0075, Land at Cowlshaw Close & Aston Lane, Shardlow	<b>Not Allocated,</b> Site is located in an area of high flood risk.
Shardlow	S/0076, Land at Aston Lane, Shardlow	<b>Not Allocated.</b> Around half of the site is identified as being of high flood risk, a further quarter is at moderate flood risk. Only that part of the site dislocated from the settlement edge is identified as being low flood risk. HER 25201 (Rectilinear Enclosure, Cursus and Ring Ditch) located within the site. This may be a continuation of the Scheduled Ancient Monument located 340m to the south (it is unclear where the north east terminus of this monument lies) and could therefore be of national significance should it extend into this site.
Stanton By Bridge	S/0123, North side of Church Close, Stanton by Bridge	<b>Not Allocated.</b> The site is partly located within Stanton By Bridge conservation area, the site is located in close proximity to Poplars Farm House (Grade II), Hollies Farm House (Grade II) and Swarkestone Causeway Scheduled Ancient Monument and Grade I listed. Development could harm the integrity of heritage assets and their settings. Site is classed as secondary sensitivity in the Areas of Multiple Environmental Sensitivity assessment and is poorly related to local services and facilities.
Stanton By Bridge	S/0124, South side of Church Close, Stanton by Bridge	<b>Not Allocated,</b> Site is located within the Stanton By Bridge Conservation Area. HER26426 (ridge and furrow ) is located within the site. Poplars Farm House is located 25m from the site and is Grade II listed. Development could affect the setting of the farmhouse and conservation area. Site is classed as secondary sensitivity in the Areas of Multiple Environmental Sensitivity assessment.
Swadlincote	S/0005, Goseley Avenue, Hartshorne	<b>Not Allocated.</b> The site is surrounded by countryside to the north and east and would have the impact on extending the urban edge in an uncontained manner significantly into the countryside. This intrusion would be into an area identified as being of secondary sensitivity in the Area of Multiple Environmental Sensitivity work. The site is less well related to local facilities in Woodville compared to other Woodville sites and would be likely to affect HERS site 20236 (Coal workings).
Swadlincote	S/0064, Land east of A511, Burton Road, Midway	<b>Not Allocated.</b> This site lies within an area of sensitive landscape and could harm the setting of Midway Farm House (Grade II listed building).

Swadlincote	S/0092, Off Edward Street, Hartshorne	<b>Not Allocated.</b> Access to the site is constrained and development would be visually prominent due to the local landform and could have a negative effect on the character and appearance of the local landscape. There is no developer interest in the site beyond the submission of the site to the SHLAA.
Swadlincote	S/0102, Butt Farm, High Street, Woodville	<b>Not Allocated.</b> The site is greenfield and includes a Local Wildlife Site to the west of the site. Access arrangements are potentially constrained and depending on scale development could have a negative effect on the A511 and Clock Island prior to delivery of the proposed regeneration route. The landform and topography of the site could make development prominent from high ground to the north. This site is located within an area of primary and secondary sensitivity as identified within the areas of multiple environmental sensitivity work. There are multiple Heritage Environment Records within the site including HER 28129 (probable post medieval drain), 28121 (Earthenware Works/Pottery Works), 28111 (Clay Mine), and 28120 (Mine Shaft and Pumping House).
Swadlincote	S/0112, Land adjacent to 31 Orchard Street, Newhall	<b>Not Allocated.</b> Site could harm the setting of the neighbouring Central Methodist Church (Grade II), which is immediately adjacent to indicated access to site.
Swadlincote	S/0133, H K Wentworth, Midland Road, Swadlincote	<b>Allocated.</b> Site is brownfield and has planning permission for 57 dwellings and is under construction. HER 26886 (Electric Power Station) covers most of the site although it is likely that this has been adversely affected by previous site uses and there is a TPO (163) to which covers part of the southern boundary of the site, although impacts on protected trees is being mitigated through site design. The site is in close proximity to all Swadlincote's services and facilities including the Bus depot.
Swadlincote	S/0135, Land at Bretby View, Goseley Estate, Hartshorne	<b>Not Allocated.</b> The site is visually prominent and could have a negative effect on the character and appearance of the local landscape. There is no developer interest in the site beyond the submission of the site to the SHLAA.
Swadlincote	S/0147, Burton Road, Castle Gresley	<b>Not Allocated.</b> HER17803 (Castle Gresley Brewery/Granary/Factory) is located within the site. HER26831 (Burton and Ashby Light Railway) is located to the east of site. There is a history of fluvial flooding on the site.
Swadlincote	S/0148, Common Road, Church Gresley	<b>Not Allocated.</b> The site is constrained in respect of access and it is understood that there is a 'ransom' strip to the site which could affect deliverability. The site does fall within the Swadlincote boundary. There has been no developer interest in the site beyond the submission of the site to the SHLAA.

Swadlincote	S/0149, Rear of 133-137 Burton Road, Woodville	<b>Not Allocated.</b> Access to the site is in multiple ownership and will require the demolition of number of dwellings. It is unclear whether necessary visibility splays could be accommodated. As such access has been identified as a constraint to development.
Swadlincote	S/0150, OS fields 7100 & 8400, Ashby Road, Blackfordby	<b>Not Allocated.</b> Site is located within an area of ribbon and would be poorly related to the settlement boundary for Woodville/Swadlincote which is located 500m to the west of the site.
Swadlincote	S/0153, Land to the rear of 113 Wood Lane, Newhall	<b>Not Allocated.</b> Site covered by TPOs and therefore there is very limited developable area.
Swadlincote	S/0155, Land to the west of 39_41_43 Rose Tree Lane, Newhall, Swadlincote	<b>Not Allocated.</b> HER site 26899 (post medieval brick yard) located within the site and HERS 17512 (dismantled railway adjacent to northern boundary). TPO246 is located within the site.
Swadlincote	S/0156, Land southwest of 1 Vicarage Road, Woodville	<b>Not Allocated.</b> Access to the site is presently constrained. Site is adjacent to a Part 1 Allocation however this is different land ownership and delivery of the Part 1 site and regeneration route is not contingent on this land parcel. There is no developer interest in the site beyond the submission of the site to the SHLAA.
Swadlincote	S/0161, Land south of Cadley Hill Industrial Estate	<b>Not Allocated.</b> This site was previously proposed as a development site in the Draft Part 2 Local Plan. Whilst the site does not have any technical constraints that have been identified, the deliverability of this site has not been confirmed and therefore the Council is no longer seeking to allocate the site.
Swadlincote	S/0167, Land at Gresley Old Hall, Gresley Wood Road, Swadlincote	<b>Not Allocated.</b> Site has got planning consent for 28 dwellings which are not yet under construction. The site is within settlement Boundary.
Swadlincote	S/0208, Land at Sandcliffe Road, Swadlincote	<b>Not Allocated.</b> An urban extension at this location would extend the built up area in a visually prominent location. Direct access to Swadlincote would be difficult due to the layout of the adjacent cul-de-sac development to the south which effects permeability and accessibility to local services in Swadlincote. Development could also negatively affect the local transport network including the A511 and Clock Island to the north of the site and potentially the traffic-lit road junction between Midway Road and Sandcliffe Road.

Swadlincote	S/0248, Land west of Longlands Lane, Swadlincote	<b>Not Allocated.</b> There is a TPO covering almost all of the site and development is likely to have negative effect on the character and appearance of the local landscape. The site is identified as falling in an area of secondary sensitivity in the County Council's area of multiple environmental sensitivity work. Development is also likely to result in adverse ecological impacts on a variety of semi natural habitats including acid grassland which is a rare habitat in South Derbyshire and is identified as meeting the Local Wildlife selection guidelines for grassland habitat. Site is located in excess of 1200m from a primary school and local centre although would be within 800m from bus stops served by an hourly bus service.
Swadlincote	S/0292, Land at Montracon	<b>Allocated.</b> Site is brownfield. There is a heritage record within the site, although it is likely that this has been adversely affected by previous employment development. The site is well related to local services and facilities though education provision will need to be considered further. It is located in an area of low flood risk. Development would be unlikely to affect any wildlife sites or other heritage assets.
Ticknall	S/0011, Land off Ingleby Lane, Ticknall	<b>Not Allocated.</b> Site is located in an areas of primary and secondary multiple environmental sensitivity and could harm the setting of Grade II listed church, A scheduled ancient monument (Medieval church and cross 45m south of St George's Church List entry Number: 1018355) and Ticknall Conservation Area.
Ticknall	S/0267, Land at Ashby Road, Ticknall	<b>Not Allocated.</b> Site is located mainly in an area of primary and secondary landscape sensitivity and could harm the setting of Grade II listed Fountain and Ticknall Conservation Area.
Weston On Trent	S/0025, Land to the north of Main Street, Weston on Trent	<b>Not Allocated.</b> Site is located 30m from grade II listed 1 Weston Court and 150m from Weston Hall (Grade II*). HER27705 (Weston on Trent Shrunken Village) falls within site and is located in that part closest to the village centre.
Weston On Trent	S/0042, Land on Trent Lane, Weston on Trent	<b>Not Allocated</b> Site is located 50m from the White House, Park Lane (Grade II) and could harm the setting of the building. HER 27725 is located within the site (ridge and furrow), and is adjacent to the Trent & Mersey Canal Conservation Area and therefore could affect the setting of this.
Willington	S/0237, Land at the Castle Way, Willington	<b>Not Allocated.</b> Site is adjacent to the Trent and Mersey Canal Conservation Area and could harm the setting of this heritage asset. Site would extend the settlement boundary significantly to the west to include this site and ribbon development to the north and would breach the Trent & Mersey Canal which forms the limit to the settlement in this location. Development would affect the character of the western approach to the village which is separated from this site by the Canal.



Willington	S/0238, Land at The Castleway, Willington	<b>Not Allocated.</b> Site would extend an area of ribbon development along the Castle Way and would be an intrusion into the countryside being located 330m away from the revised settlement boundary for Willington.
Willington	S/0266, Land at Kingfisher Lane, Willington	<b>Allocated.</b> Site is located adjacent to an existing housing site which is under construction and could contribute towards early housing delivery. Site is in an area of low flood risk. HER site 27928 (Neolithic settlement) is located within the site, although historic gravel extraction that took place between the mid-1970s and 1980's means there will be no or limited archaeological potential left across the site.
Willington	S/0282, Land at Kingfisher Lane, Willington	<b>Not Allocated.</b> Site has consent for holiday homes. The site lies in a combination of functional flood plain, high risk, moderate risk and low risk flood zones.

#### 7.4 NEW SITES NOT PREVIOUSLY PUT FORWARD THROUGH THE SHLAA

7.4.1 The Council also received representations regarding sites during the later stages of the Plan preparation process. These sites are as follows:

- Land at Station Road, Melbourne
- Land off Doles Lane and Barn Close, Findern.
- Land at Jacksons Lane Etwall
- Land at Derby Road and Cockshut Lane Melbourne
- Land to the South of Poplars Farm Stanton By Bridge
- Land North of the Castle Way, Willington.
- Land South of Jawbone Lane

7.4.2 These site have not been assessed by the Council through the Sustainability Appraisal process as they were submitted too late to allow consultation at the Draft Local Plan Stage. No further housing sites have been proposed for allocation following this consultation. However where requested sites have been added to the Council's Strategic Housing Land Assessment and will be considered in any future Local Plan Review.

## SECTION 8: ASSESSMENT OF EFFECTS

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

- The likely significant effects on the environment including issues such as biodiversity, population, human health, fauna, flora, soil, water air, climatic factors, material assets, cultural heritage, including architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- The environmental characteristics of areas likely to be significantly affected
- Any existing environmental problems which are relevant to the plan and programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC

8.0.1 The following section identifies, based on current information, the likely effects of the LP2. Where appropriate, there is also consideration of potential cumulative effects with the Part 1 Local Plan. The assessment of likely effects is undertaken on a village wide basis, although the final part of this section provides an overview of the cumulative effects of all the LP2 site allocations.

### 8.1 Derby Urban Area

8.1.1 There is one allocation included in the LP2 on the edge of Derby City. The site is located at Witton Court, Sinfin and is a green field site that extends some 3.5ha. This allocation makes provision for around 70 dwellings and subject to viability a site of this scale would be expected to deliver up to 21 affordable homes.

8.1.2 The site would not have any effect on local heritage or wildlife sites and is located in Flood Zone 1 (low flood risk).

8.1.3 There is a further Part 1 allocation to the south of this site at Wragley Way. This site is likely to deliver around 1,000 homes within the Plan period and so could generate the need for additional schools places (around 200 primary and 150 secondary school places). However due to the scale of this site primary school provision is likely to be on site within a new two form entry school. The Wragley Way site would also deliver the proposed South Derbyshire Integrated Transport Link which could reduce traffic congestion in the vicinity of Stenson Road.

### 8.2 Swadlincote and Woodville

8.2.1 Two sites have been allocated for housing development in Swadlincote and Woodville in the Part 1 Local Plan These are:

- Midland Road, Swadlincote (HK Wentworth)
- Montracon, Woodville

8.2.2 Cumulatively these sites will deliver around 150 homes, of which 45 would ordinarily be affordable, although given the previously developed nature of the two of the sites and the wider viability of development sites in the Swadlincote Area the number of affordable units is likely be significantly lower than usually expected. The HK Wentworth site at Midland Road is previously developed and is 1.7ha, whilst the Montracon site in Woodville extends 5.1ha. Taken together development on the scale proposed would create the need for 30 primary school places together with 22 secondary school places (should further provision be necessary).

8.2.3 There are a further four housing sites included in the Part 1 Local Plan located at:

Church Street, Church Gresley, Broomy Farm, Land at Council Depot and Land north of William Nadin Way. These cumulatively will deliver around 1500 homes of which 220 are likely to be affordable. In terms of school place planning the Part 1 allocations have made provision for around 50 secondary school places (there is significant capacity at Pingle and Granville school to accommodate additional pupil numbers and developer contributions to increase the capacity of secondary schools is not warranted in these catchments). In contrast around 250 primary school places have been created by part 1 allocations. Therefore by the end of the plan period the Part 1 and Part 2 sites could have generated a need for almost 300 additional primary school places and between 50-80 secondary school places in Swadlincote. In addition to the sites allocated in the Part 1 and 2 Local Plans there will also be an extension to the settlement boundary in Church Gresley. This will encompass the playing field and a number of small fields. These could bring forward additional homes later in the Plan period within Swadlincote, although the scale of growth would be moderated by the fact that a substantial part of the site comprises a playing field which will need to be retained.

- 8.2.4 Based on the site area of the Part 2 schemes allocated and their location in the National Forest the sites would generate around 1ha of National Forest tree planting and other habitat creation.
- 8.2.5 There are no wildlife sites within or adjacent to the allocated sites in Swadlincote included in LP2, although there are protected trees along the southern boundary of the HK Wentworth site. None of the sites are likely to affect the setting or character of listed buildings or a conservation area, although there are HERs within the Swadlincote and Woodville Sites. However given the previously developed nature of the Montracon and HK Wentworth sites these are likely to have been disturbed and as such would be unlikely to have notable archeological effects.
- 8.2.6 All of the sites in Swadlincote and Woodville are located in flood zone 1 and hence are at low flood risk.

### **8.3 Key Service Villages**

#### **Aston**

- 8.3.1 Land at Moor Lane Aston has been allocated for around 42 dwellings. The site is greenfield and would result in the loss of around 1.8ha of previously undeveloped land. At this scale it is likely that the site would deliver 13 affordable homes. Together with the site allocated in Aston on Trent within the Part 1 Local Plan the village would see the delivery of 80 homes (as well as a Care village). Across the two allocations 24 homes would be affordable.
- 8.3.2 The site would need to be supported by appropriate landscape mitigation given the open and flat character of the local landscape and strategic planting to the east of the site would help ensure that the development does not affect the setting of Aston Cursus Complex 350m to the east. There will be no intervisibility between the two allocated sites and cumulative landscape effects from the two sites are unlikely.
- 8.3.3 The land at Moor Lane development will not affect the setting of the village conservation area, listed buildings or wildlife sites. The site does however contain part of HER 16632 – medieval ridge and furrow although this is of local significance only.
- 8.3.4 The proposed site is located in flood zone 1 and is therefore at low risk of flooding. Given the scale of the development it is unlikely that strategic enhancements to local infrastructure or facilities would need to accompany this development, although contributions to support the enhancement of local schools, doctors surgery or open space will be required to ensure that this proposal can be accommodated by existing facilities.

### **Etwall**

- 8.3.5 Land at Jacksons Lane could accommodate around 50 dwellings. No affordable housing is likely to be delivered on site, although offsite contributions will be made. The site submitted to the Councils SHLAA extends 8.6ha in total and is greenfield. Development at this scale could generate the need for 10 primary school places and around 7 secondary school places.
- 8.3.6 There is, however, a Part 1 Local Plan housing allocation in the village for 199 dwellings although there is a current application on this site which could increase housing delivery to 217 units if permitted. This could deliver 65 affordable units, but would also generate additional pressures on the local infrastructure, including schools once built. Cumulatively the delivery of 249 dwellings would increase primary school needs by around 54 places and secondary school needs by around 40 places. This scale of growth in combination with the site allocated through LP1 would lead to growth within the village by 2028 of around 24% compared to present.
- 8.3.7 There are no HER sites located within the proposed site and development would not affect the setting of any listed buildings or the village conservation area. However, the site has been archaeologically evaluated and found to contain a later prehistoric enclosure (regionally important). This could be addressed by planning conditions in line with NPPF para 141, requiring archaeological excavation and recording prior to development taking place.
- 8.3.8 The site is at low flood risk and located away from wildlife sites.

### **Hilton**

- 8.3.9 This site extends 2.7ha and is Greenfield. It has been identified as having capacity to accommodate 43 homes by the Council of which 13 could be affordable. In combination with the Hilton Depot Site to the south the Local Plan as a whole will have made provision for 528 homes in the village which will together deliver growth an increase of around 17% in the number of homes by 2028. However, given that Hilton is the second largest settlement in the District its is likely that further growth will come forward as windfalls within the Plan period.
- 8.3.10 The site is located on the opposite edge of the village to the previous Part 1 allocation and cumulative impacts on the landscape are unlikely, nonetheless appropriate landscape and green infrastructure will be necessary to help reduce landscape and visual impacts of the development. Land at Derby Road is located away from heritage assets and wildlife sites, although there is potential for archaeological finds within the gravels in this area. It is located in an area of low flood risk.
- 8.3.11 Development on the scale proposed could generate a need for an additional 6 secondary school places and 9 primary school places.

### **Melbourne**

- 8.2.12 There is a single site allocated in the LP2 within Melbourne located on Station Road. The Site is greenfield and would form an extension to a recent village extension. It would be likely to deliver 46 dwellings, of which 14 are likely to be affordable. However, given that Melbourne is the third largest settlement in the District its is likely that further growth will come forward as windfalls within the Plan period. In terms of pupil numbers development at this scale is likely to generate only a limited number of pupils (7 secondary and 9 primary age pupils).

8.3.13 The site lies adjacent to Carr Brook, although built development will be located only in areas at low flood risk, with an appropriate easement left to ensure areas close to the Brook and prone to flooding are not subject to development. There are no wildlife sites located within or adjacent to the sites. Development is unlikely to affect any listed buildings. Given the scale of development and intervening landform, appropriate mitigation, such as periphery planting should ensure that local landscape and townscape character can be protected.

#### **Overseal**

- 8.3.14 There are two sites allocated in the LP2 within Overseal. There is also a further site, which whilst not allocated is included within an amended settlement boundary owing to its substantially developed nature. This appraisal assumes that this site would be subject to housing development within the Plan period, as a 'worst case scenario' although clearly the redevelopment of this site for housing may not take place within the Plan period.
- 8.3.15 The two allocated sites are located at Valley Road and Acresford Road respectively. Land at Poplars Farm is included in the amended settlement boundary for the village. Together these sites have an area of 7.5ha. All would be classed as greenfield, although there are agricultural buildings at Poplars Farm. Development across these sites could accommodate around 150 homes in total, with 64 likely on Valley Road and up to 70 on Acresford Road. Of these around 40 would be affordable.
- 8.3.16 It is likely that proposals would deliver around 1.4ha of open space and tree planting provision given the location of the sites in the National Forest. Development would also make financial contributions in respect of primary and secondary schools including contributions to increase the capacity of Overseal Primary school, as well as open space, and health care provision.
- 8.3.17 The consented schemes at Acresford Road and Valley Road will also provide financial contributions towards undertaking mitigation measures to remove phosphates from the River Mease Special Area of Conservation (SAC) in line with the requirements of the River Mease Developer Contribution Scheme given its status as an SAC. These measures will ensure that additional development will have no net effect on the condition of the SAC as a result in the deterioration of water quality within the river. There is sufficient headroom to accommodate the development already consented and that which could come forward at Poplars Farm by the Waste Water Treatment Works (WWTWs) in Overseal (although there remains only limited capacity within the Developer Contribution Scheme at the time of writing).. Detailed Habitat Regulations Screening Assessments have been undertaken for both the Acresford Road site and the Valley Road developments prior to planning permission being granted for new homes in these locations and have confirmed that the proposed developments will not give rise to likely significant effects on the SAC either alone or in combination with other development.
- 8.3.18 There are no other wildlife sites located within or adjacent to the sites being allocated (or included in the village boundary). There is limited potential for sites to affect the setting of nearby listed buildings, although given that both the Valley Road and Acresford Road have planning consent, the significance of these effects is judged to be limited. All sites fall in an area identified as being at low flood risk.

#### **Repton**

- 8.3.19 There are two allocations proposed in Repton. One of which extends 2.41ha and has planning consent for 24 homes. This site is located to the immediate south of an existing Part 1 allocation off Longlands and will see 24 homes developed to meet Part 2 needs. This level of growth would deliver 7 affordable homes (note 23 homes will be secured across the

consented scheme for 75 dwellings – although some of this provision will contribute towards housing provision made through the Part 1 Local Plan).

- 8.3.20 The second housing allocation is located to the north of Milton Lane and extends 2.4 ha. It is greenfield and could accommodate around 24 dwellings and again would be likely to deliver 7 affordable homes.
- 8.3.21 Development of the two sites together would generate a need for around 8 secondary school places and around 10 primary school places, although in combination with the Part 1 Allocation off Longlands for 124 dwellings this would rise to around 26 secondary school places and around 34 primary schools places.
- 8.3.22 The allocation of Part 1 and LP2 sites in the village would lead to an increase in the number of homes in the village of 21% by 2028.
- 8.3.23 Both sites are located away from wildlife sites and unlikely to have any significant heritage effects, although there is some ridge and furrow within the Milton Lane site as well as HER sites to the east around Askew Hill. Both sites are located in an area identified as being at low flood risk.
- 8.3.24 Together the two sites would lead to the loss of around 4.2ha of greenfield land.

#### **Willington**

- 8.3.25 A single site is allocated for housing development in Willington. The site is located at Kingfisher Lane, off Repton Road. The site could accommodate around 50 dwellings, of which 15 would be likely to be affordable. The site extends 1.7ha. The site has previously been subject to sand and gravel extraction, although has been restored and in planning terms is therefore classed as greenfield.
- 8.3.26 The site would generate a need for 8 secondary school places and 10 primary school places.
- 8.3.27 There is a HERS record within the site, although the site is likely to be within a disturbed area associated with Willington Quarry. There are no wildlife sites within or in close proximity to the site. The site is located in an area of low flood risk, although the main access to the site (Kingfisher Lane is subject to flooding). However it is likely that a secondary (dry) access to and from the site could be provided.

### **8.4 Local Service Villages**

#### **Mount Pleasant**

- 8.4.1 This site is 2.55ha and is Greenfield. However given the National Forest planting requirements in the Part 1 Local Plan it is likely that only 2ha would be available for built development with a minimum 0.5ha (20%) being passed over to tree planting and habitat creation, although slightly greater provision is likely to be necessary on this site given its visual prominence and the need to provide strategic planting along a number of boundaries. Notwithstanding this site development would have some landscape impacts, particularly in the short to medium-term as planting matures. It is anticipated that the site could accommodate around 55 dwellings of which 17 would be affordable (subject to viability).
- 8.4.2 The site would not affect any identified wildlife sites, and given National Forest Planting requirements could support the delivery of biodiversity enhancements in the long-term, there is however a Tree Preservation Order (TPO) located along the western boundary of the site. It will not have any impact on the character and setting of any listed buildings or

conservation areas, although the site does contain part of HER 1705, an area of medieval ridge and furrow, though this is now ploughed out.

- 8.4.3 The site is located in an area identified as being at flood risk and is likely to be capable of accommodating sustainable urban drainage on site as required by policies in the Part 1 Local Plan. There are no identified infrastructure or access constraints. Site delivery would need to support the expansion of health, education and open space provision locally and should not have any negative effect on infrastructure subject to appropriate contributions.

#### **Local Service Villages with no Allocations**

- 8.4.4 The Council had previously earmarked two sites for allocation in Roliston although these have been removed from the Plan following a review of consultation comments and other information collected by the Authority. In particular objections were made by Derbyshire County Council in respect of the capacity of the local school to accommodate growth (both in terms of space and the number of pupils on roll). In addition objections from the design and conservation team at Derbyshire County Council advised that proposed growth could negatively affect the character of the village. Access to local facilities in the village could be undermined by the lack of pavements in some locations as well as the narrow width of footways along parts of Main Street.
- 8.4.5 In addition no allocations are currently proposed in Coton in the Elms, Findern, Hartshorne, Netherseal, Newton Solney, Ticknall or Weston on Trent. It is unlikely that the Local Plan will have a significant effect on these villages given the lack of growth assigned to 2028. However there may still be potential for limited housing growth in these areas, for example through the delivery of exception sites in accordance with Policy H1 of the Local Plan.

### **8.5 Rural Villages and Rural Areas**

#### **Scropton**

- 8.5.1 There is a single proposed allocation in this tier of settlement. This is a previously developed site which is located in Scropton and extends 0.6ha. The SHLAA form submitted for this site indicates that the number of dwellings that can be accommodated on this site would range between 16 and 23, although in the view of the Council this would be inappropriate given the density of surrounding development and delivery of around 10 homes is assumed.
- 8.5.2 At this scale of growth the development is unlikely to deliver any affordable housing. It would also ensure that the site can be designed sensitively to reflect local heritage assets and include appropriate planting and green infrastructure provision to minimise landscape effects. The site contains part of HER 20143 – medieval ridge and furrow earthwork. An archaeological desk-based assessment as part of planning application would therefore need to support any proposal. It is unlikely that any infrastructure improvements beyond localised capacity enhancements would be required to support growth at this scale. This site is located in an area at flood risk, although the recently completed Lower Dove Flood Risk Management Scheme provides a standard of protection from the river Dove up to and including a 1:100 year flood event.
- 8.5.3 Although there are no allocations within the rural villages or rural areas outside of Scropton, there may still be limited potential for growth in these areas due to the policies included in the Plan. In particular Policy BNE5 of the LP2 (Development in the Countryside) makes provision for limited infill that is in keeping with the character of the Countryside. However this policy seeks to restrict infill to 'not more than two dwellings' and as such where infill does occur over the plan period it is unlikely to be small scale and in keeping with the wider area. As such it is unlikely that this policy would lead to any notable changes in the scale or character of the District's smaller villages within the Plan period.

## 8.6 Plan - Wide Effects

### **Biodiversity and Geodiversity**

- 8.6.1 In respect of impacts on wildlife, none of the developments will affect local nature reserves or local (county level) wildlife sites. Two sites, both located in Overseal could have potential to affect the River Mease Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). This site receives a high level of protection owing to its ecological significance at a European level. However, both the sites allocated in the Plan already have planning consent and will contribute financially to the River Mease Developer Contribution Scheme (DCS). This scheme allows mitigation measures to be undertaken within the river to reduce phosphate levels. The removal of phosphate allows water quality levels to be improved and ensures that development will not affect the integrity of the site. As both the allocated sites in Overseal already benefit from planning consent a Habitat Regulations Screening Assessment has been undertaken for each confirming that neither will give rise to likely significant effects on the SAC, either alone or in combination with other development in the catchment. No sites would have any effect on regionally important geological sites.
- 8.6.2 In addition to the above issues a number of sites have got tree preservation orders on their boundary, although the inclusion of a policy to protect trees, hedgerows and woodland has been included in the Plan (BNE7) to minimise the likely potential for negative effects on protected trees. Policy BNE3 (Biodiversity) included in the Part 1 Local Plan requires that development sites contribute towards biodiversity gain wherever possible in line with the requirements of the NPPF.
- 8.6.3 Most of the sites identified in the Plan have the potential to affect protected species, although clearly these are protected by existing laws. Nonetheless, development could disturb existing habitats and species both during the construction phase and operational stages of development. The Council has sought to include a number of policies in the Local Plan (Parts 1 and 2) to ensure that new development offers long-term biodiversity gain, as required by the National Planning Policy Framework and offers protection to existing habitats and species affected by development.

### **Population and Human Health**

- 8.6.4 Around 700 homes will be delivered across the sites. This is likely to lead to an increase in the local population of around 1,600 people, with this growth largely focussed on rural areas, although around a fifth of the expected growth would be located in Swadlincote and Woodville.
- 8.6.5 Based on standard requirements and discounting sites which will accommodate 15 or less homes this level of growth could provide around 200 affordable homes. However, it is likely that brownfield sites, particularly those in Swadlincote and Woodville may not be capable of delivering 30% affordable housing on site. As such affordable housing provision in Swadlincote may be constrained compared to village locations which tend to offer greater returns for developers.
- 8.6.6 In respect of schools provision development of all the proposed sites would require the provision of around 140 primary school places. These would be spread across the District and would be required gradually up to 2028. Similarly this level of growth could require the delivery of around 105 secondary school places, although it is possible that sites in Swadlincote and Woodville, could be met within existing capacity at Granville and Pingle schools. Should this be the case actual secondary school places needed to support growth proposed in the LP2 could be around 90 additional spaces. These would need to be met in the existing local schools, including John Port Academy, Chellaston Academy and the three Swadlincote Schools, or in the proposed new secondary school(s) which will come forward in the DUA before 2028. It is likely that primary school places would need to be met by



existing schools. Including those to be delivered by strategic sites included in the Local Plan Part 1.

- 8.6.7 Growth on the scale proposed would also increase demands (albeit not significantly) on existing health and open space provision. However, new development will be required to make financial contributions to support and enhance existing facilities where these have insufficient capacity to support growth in line with the Council's existing developer contributions Supplementary Planning Document.
- 8.6.8 The plan is unlikely to have any significant effects in respect of improving community safety or reducing crime and fear of crime. However the Plan could help secure the reuse of previously developed (and in some cases unused sites) including in Swadlincote and Woodville. Some sites could also offer opportunity to reduce speed limits on roads within the District and enhance pedestrian facilities including crossings (for example Derby Road Hilton).
- 8.6.9 LP2 could have minor benefits in respect of tackling social inclusion within the Plan period by delivering affordable homes across a range of rural locations, many of which have an identified need for social housing and are often relatively unaffordable compared to Swadlincote or sites in the Derby Urban Area.

#### **Material Assets**

- 8.6.10 The Plan is likely to have only minor effects in respect of improving access to local services and facilities. However the Council has sought to locate LP2 sites in the most sustainable locations. However the majority of sites allocated are in rural areas, albeit targeted mainly at Key Service Villages (these are the best served villages in South Derbyshire in respect of services and facilities). Only one Local Service Village is proposed for an allocation. This level of settlement is not as sustainable as Key Service Villages but are served by some local services and facilities. Indeed Mount Pleasant, Castle Gresley, (now defined as a Local Service Village in the Part 1 Local Plan, is relatively well related to the Swadlincote Urban Core (and indeed in the 1998 Adopted Local Plan was included in the Swadlincote Settlement boundary).
- 8.6.11 Given the scale of development sites proposed and the dispersed nature of that growth it is unlikely that strategic infrastructure improvements will be required to accommodate the LP2 sites either in isolation or combined. There may, however be a need for local capacity enhancements to accommodate sites, particularly in combination with other sites proposed within the District (or those which come forward as windfalls within the Plan period).
- 8.6.12 Development on the scale proposed will generate a further need for employment land provision. This issue is dealt with in the Part 1 Local Plan (which includes a requirement for the delivery of a minimum of 53ha to 2028 outside of the DUA). This requirement takes account of the full extent of likely housing growth in the District and wider Derby housing market area, including the strategic sites included in the Local Plan Part 1, the non-strategic sites to be delivered through the LP2 as well as windfalls
- 8.6.13 The inclusion of existing employment land policies in the Part 1 Local Plan, including Policy E7 (Rural Development) which supports the delivery of rural enterprises outside of existing settlements where these support the economic and social needs or rural communities.
- 8.6.14 The Plan would have a notable beneficial impact in respect of supporting the vitality and viability of town and village centres. In particular the Plan includes a number of policies to support the continuing growth and development of Swadlincote Town Centre, both through providing flexibility for accommodating appropriate retail, leisure and business use within the town centre and through the identification of future (regeneration areas) which could support the delivery of new town centre uses to strengthen local retail and leisure offer. The Plan

also includes a policy to support further retail provision within local centres (located within large sustainable urban extensions and other urban areas) and village centres as well as smaller centres and other areas.

- 8.6.15 The scale and distribution of development proposed will help ensure that significant effects on townscape character can be avoided. In particular the relatively low density of allocations proposed (around 19 homes per hectare across all allocations) will help ensure that sites can be designed and built sensitively reflecting the character of the District's villages and adequate provision is made for landscape mitigation, sustainable drainage provision and biodiversity gain. Policies included in the Part 1 Local Plan including BNE1 (Design Excellence) require that LP2 sites will be built out to respect local townscape character. Further policies in the LP2, including in respect of, Trees, Woodland and Hedgerows (BNE7) Local Green Space (BNE8), and BNE10 (Heritage) will ensure that the development schemes reflect local townscape character.

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

- 8.6.16 Individually no specific development site is likely to have any significant effects in respect of waste generation. However growth will increase waste generation by around 360 tonnes per year (based on existing waste generation levels per household). Impacts will be lessened through requirements for developers to minimise waste during construction and through requirements to include adequate storage areas for recycling within new developments). The overall effects of growth within the Plan period will be further mitigated by on-going improvements to waste collection and recycling required by European and UK legislation
- 8.6.17 Development is likely to increase noise and light pollution as a result of new housing development. However effects are unlikely to be significant given the scale of growth proposed and given existing similar uses close to proposed development locations. Development on the scale proposed would be unlikely to have any discernible impact on air quality management areas (the closest of which are located in Derby City and Burton on Trent).
- 8.6.18 In respect of flood risk all of the sites are capable of accommodating development solely in areas located in flood zone 1 (low flood risk) with the exception of the site in Scropton. This site is located in Flood Zone 3a (High Flood Risk), although the recently completed flood defences in Scropton protect the site up to and including a 1:100 year flood event. It is however worth noting that Kingfisher Lane (Willington) which would provide access to the Willington site does fall in an area at high flood risk, although a potential secondary pedestrian access could ensure a dry means of escape should this road become flooded. A detailed section on the flood risk of each site will be included at Appendix 4 of this appraisal.
- 8.6.19 All greenfield sites proposed through the LP2 will be expected to ensure that surface water runoff is managed on site and release from the site at greenfield rates. This will be achieved through the use of Sustainable Drainage Systems (SUDS) in accordance with Policy SD2 (Flood Risk) and SD3 Sustainable Water Supply, Drainage and Sewerage Infrastructure) both of which are set out in the Part 1 Local Plan.
- 8.6.20 As noted previously the sites allocated are unlikely to have any discernible impact on water quality in the River Mease SAC, given that appropriate mitigation, financed by the development to offset any increases in phosphates associated with housing growth will be delivered through the River Mease Developer Contribution Scheme (DCS).
- 8.6.21 In combination the LP2 housing allocations will lead to the loss of around 37.2ha of land. Of this, around 30.7ha will be greenfield and 6.5ha will consist of previously developed sites. Around 700 homes will be delivered across the sites giving a net density of around 19 homes per hectare.

### **Climatic Factors**

- 8.6.22 Greenhouse gas emissions are recognised as being one of the causes of climate change. These are likely to increase as a result of energy use associated with the development and occupation of new homes and rising traffic volumes, although this could be offset by wider Government policy to reduce the emission of climate change gases over the plan period and beyond. The development plan as a whole also promotes the efficient use of resources and includes policies to deliver appropriate new energy infrastructure and district heating and support a modal shift towards more sustainable transport modes.

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

- 8.6.23 The Plan is unlikely to have any significant effect on the architectural and archaeological heritage of the District, but could have a number of locally important effects. A number of the sites allocated could have potential for negative effects on heritage assets. In particular there are heritage records indicating heritage assets within or adjoining sites as Aston, Willington, Milton Road, Repton, Scropton and Mount Pleasant, as well as both Swadlincote/Woodville sites. However it is likely that the records at Willington, HK Wentworth (Swadlincote) Mount Pleasant (Castle Gresley), Scropton and Montracon (Woodville) have been disturbed by previous land uses. Records within sites at Aston on Trent and Milton Road, Repton consist of ridge and furrow and are likely to be of local importance only. However both these sites are located close to sites of archaeological importance (i.e. prehistoric Barrow in Repton and Aston Cursus Complex in Aston on Trent) and any future development would need to take account of the potential for archaeological features within the site. In addition the site at Jacksons Lane, Etwall, whilst not containing a heritage record has been archaeologically evaluated and found to contain a later prehistoric enclosure which is of regional importance. This would need to be addressed by planning conditions in line with NPPF para 141 and would require archaeological excavation and recording prior to commencement of any development.
- 8.6.24 In addition to potential archaeological impacts development in a number of locations could also affect the setting of listed buildings, or conservation areas including sites at Scropton and Melbourne. However given the characteristics of existing sites and the proximity to heritage assets it is likely that impacts on these area could be appropriately mitigated. Policy BNE10 (Heritage) to be included in the LP2 provides policy to ensure that appropriate mitigation is secured through the development management process.
- 8.6.25 Of the sites put forward in the LP2, around 17ha fall within the National Forest area and will be required to deliver at least 20% tree planting and other habitat creation. On this basis the Plan is likely to deliver around 4ha of National Forest tree planting/habitat creation. Sites outside of the National Forest area (extending around 20ha) would also be likely to deliver new planting, and habitat creation although this may not be as focussed on tree planting as that within the 'Forest' area.
- 8.6.26 The plan could make a limited contribution towards improving access to the District's heritage assets. Where sites contain locally or regionally significant heritage assets that will be disturbed by development it is likely that appropriate investigations and appropriate action undertaken to preserve the site in situ or in record as appropriate. Policy BNE10 (Heritage) further requires public display and interpretation of where appropriate and that any investigations and recording of a site as part of any works will be published and archived.

### **Landscape**

- 8.6.27 Given the nature of sites proposed (most are urban or village extensions) it is likely that the Plan will have a detrimental impact on landscape character. However the significance of effects will be moderated, in part by the small scale nature of developments allocated in the Part 1 Local Plan and existing policy requirements to protect landscape character in the Part

1 Local Plan including BNE1 (Design Excellence), BNE4 Landscape Character and Local Distinctiveness) and LP2 including Policy BNE7 (Trees, Woodland and Hedgerows).

- 8.6.28 New planting will be required to help mitigate the effects of development on the local landscape. Further details on the nature of landscape mitigation are likely to come forward as the Plan moves forward and site layouts become available for the proposed allocations. However given the dispersed nature of sites and their scale, and having regard to the relative sensitivity of landscape in the District it is unlikely that growth on the scale proposed would give rise to significant effects on the local landscape, especially once mitigation measures are proposed. Moreover due to the dispersed nature of sites, cumulative effects from multiple developments would be unlikely to occur, although such cumulative effects could occur in Etwall and Repton and Swadlincote where Part 1 and Part 2 developments are located close to each other.
- 8.6.29 Locally new development could have notable visual impacts, especially where residents on the edge of existing settlements have views closed off by new development.

## **SECTION 9: THE DIFFERENCE THE PROCESS HAS MADE TO DATE**

### **The Difference the Process Has Made to Date**

- 9.1.1 The purpose of this section of the environmental report is to explain how environmental considerations have been integrated into the preparation of the Plan.
- 9.1.2 The Scoping Report summarised the key issues relevant to South Derbyshire and allowed the identification of these issues based on local evidence and a review of relevant strategies and Plans which could have direct or indirect influence on the Local Plan. Based on the key issues identified a suite of 21 objectives have been identified against which plan options have been appraised. These Sustainability Objectives were considered against the Plan Objectives. Through this appraisal measures were identified to ensure that where there were potential conflicts could arise these could be mitigated as appropriate. Details of potential conflicts and measures to reconcile these, are set out in Table 5.1 and Table 5.2.
- 9.1.3 The Council identified a number of broad options to deliver its plan objectives early in the sustainability appraisal process and presented these for consultation to allow interested parties to comment on the most appropriate ways to plan for delivering growth given the Plan objectives. In addition the Council presented information on its preferred options (and why these were favoured) and requested that alternative broad options be submitted through the consultation where appropriate. Measures to mitigate the likely effects of implementing the Broad Options are set out in Section and includes consideration of policies already included in the Adopted Part 1 Local Plan as well as through the inclusion of thematic policies which have been included through the Part 2 Local Plan. It also outlines other mechanisms which could help mitigate likely effects, such as the preparation of supplementary planning documents or design briefs to provide further guidance or control regarding the design and implementation of Development.
- 9.1.4 Policies are included in the Plan to ensure the Plan objectives are delivered, and to ensure development seeks to minimise the negative effects of development or improve the beneficial effects of growth. These are included in Section 6. By reviewing Plan policies against the SA framework the Council has sought to optimise the performance of policies included in the Plan. An appraisal of the individual policies included in LP2 is set out in Section 6 of this report.
- 9.1.5 The sustainability appraisal process has also allowed the comparative assessment of sites included in the Council's Strategic Housing Land Availability Assessment (SHLAA) against the sustainability appraisal framework. This has allowed the Authority to consider the likely effects of developing individual sites included in the SHLAA and has helped inform site selection. The site proformas included for individual sites identifies potential measures which could help mitigate the likely effects of development on the environment and local communities. In selecting its preferred sites, the Council has used the evidence it has gathered, including through the SA process to identify site specific actions to reduce the likely effects of development. Consideration of the allocations and measures to mitigate the effects of development are set out in Section 6 of the report and Appendix 3. Section 7 documents which sites are preferred and not preferred by the Council and provides an outline of the reason for selecting the sites allocated.

## SECTION 10: IMPLEMENTATION AND MONITORING

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

- a description of measures envisaged concerning monitoring in accordance with Article 10

### 10.1 Links to Other Tiers of Plans and Programmes and the Project Level.

- 10.1.1 As previously noted in Section 1 the LP2 will provide for non-strategic growth within South Derbyshire to 2028, as well as include a number of Local Plan policies to influence and inform development management decisions within the District to 2028. The LP2 will form the second part of the South Derbyshire Local Plan (2011-28) and together these documents will set out the Council's vision and objectives for development in the District and will include housing and employment allocations to fully meet housing and employment needs within the District, as well as a suite of policies to guide the design and implementation of development projects.
- 10.1.2 Combined the Plan's will seek to ensure that the strategies of other Authorities and Partners can be delivered. For example the Local Plans, together allocate sufficient housing to ensure that a large proportion of Derby City's unmet need is accommodated in South Derbyshire and sufficient and appropriate employment land to meet the Council Economic Strategy as well as that of the Local Economic Partnership D2N2.
- 10.1.3 However, the Plan also includes policies to ensure that coordinated actions can take place across the DUA and across other administrative boundaries where appropriate in respect of environmental issues, for example through joint working with North West Leicestershire and Lichfield District Council and other agencies such as the Environment Agency and Natural England in respect of protecting the integrity of the River Mease SAC, or partnership working and support with Derbyshire County Council or Local Nature Partnership and other agencies in respect of delivering heritage and landscape change and green infrastructure delivery in the Trent Valley, or the requirement to work with appropriate water companies to help reduce water demand.
- 10.1.4 Prior to the LP2 being adopted the Council will continue to rely on a number of policies included in the Adopted Local Plan (1998), together with appropriate strategic policies set out in the Adopted Part 1 Local Plan.
- 10.1.5 The LP2 includes a number of specific housing land proposals which will come forward within the Plan to 2028 as well as a number of development management policies. The purpose of this sustainability appraisal is to identify the potential effects of the plan (and the proposals and policies it contains), but due to the nature of the SA process it rarely considers specific projects in the same level of detail that they are subjected to once they reach project stage (and planning applications are submitted). The Council will keep under review the sites proposed in this document which come forward as planning applications in order to ensure that the effects previously identified are through the appraisal are in line with expectations. Where effects are different to those anticipated then this will need to be picked up through monitoring and will help inform decision making regarding any future review of the Local Plan, or updates to individual policies or proposals included in LP2.

## **10.2 Developing a Monitoring Framework**

- 10.2.1 The SEA Directive requires the significant environmental effects of plans and programmes to be monitored, in order to identify at an early stage unforeseen adverse effects and to be able to take appropriate action where necessary.
- 10.2.2 The monitoring undertaken on the LP2 will help to:
- monitor the significant effects of the plan
  - track whether the plan has had any unforeseen effects
  - ensure that action can be taken to reduce / offset the significant effects of the plan
  - provide baseline data for future sustainability appraisals, and
  - provide evidence of how the environment / sustainability criteria of the area are evolving.
- 10.2.3 The requirements of the SEA Directive focus on monitoring the effects of the plan. This equates to both the plan's significant effects and also unforeseen effects. It may be difficult to implement monitoring mechanisms for unexpected effects, or to attribute such effects to the implementation of the Plan when they occur as often other plans, projects or programmes could all affect the quality of environment, economic performance or the social aspects of the plan.
- 10.2.4 It is good practice for the monitoring of significant sustainability effects to be integrated with other monitoring of the Local Development Framework. For this reason, the Council will report significant sustainability effects as part of its existing monitoring regime. Proposed significant sustainability effects indicators are included in the Sustainability Appraisal Framework. These have been drawn from the baseline information and key sustainability issues identified within the Sustainability Appraisal Scoping Report and are identified to monitor potential significant adverse effects highlighted in the main report
- 10.2.5 A complete monitoring framework will be established prior to the Adoption of the LP2 and the Council's monitoring report updated to reflect the proposed framework.

## **SECTION 11: WHAT HAPPENS NEXT**

### **11.1 What Happens Next**

- 11.1.1 ~~This Sustainability Appraisal Report accompanies the Modifications version of the LP2 and is a key output of the appraisal process, presenting information on the likely effects of the Plan. This SA Report will be available for consultation alongside the Main Modifications to the South Derbyshire Local Plan until 5pm Friday 18<sup>th</sup> August 2017.~~
- 11.1.2 ~~Following this consultation, the responses will be sent to the Inspector, who will consider these ahead of drafting his report. Following receipt of the Inspectors Report, the Council will look to review this and should the Inspector conclude that the Plan is Sound will look to Adopt the Plan. Currently it is expected that subject to the Inspectors Report on the Plan Adoption would be in Autumn 2017.~~
- 11.1.3 This document is the Environmental Report documenting the Council's Sustainability Appraisal of the South Derbyshire Part 2 Local Plan. It forms part of the evidence base for Plan and highlights the significant environmental effects of implementing the Plan. It will be considered by Members ahead of adoption.



If you would like this document in another language, or if you require the services of an interpreter, please contact us. This information is also available in large print Braille or audio format upon request.



**01283 595795**



**[customer.services@south-derbys.gov.uk](mailto:customer.services@south-derbys.gov.uk)**

## **South Derbyshire Sustainability Appraisal Local Plan Part 2**

**Main Report, Nov 2017**

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

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