



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

South Derbyshire Local Plan

PART 2



Adopted 02 11 2017

South Derbyshire Changing for the better

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The background features abstract, overlapping organic shapes in various shades of green and purple. A large, light green shape dominates the upper right, while a darker green shape is on the left. A purple shape is at the bottom, and a white shape is on the far left. The shapes overlap to create a layered, modern aesthetic.

Introduction

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INTRODUCTION

- 1.1 The Local Plan was prepared in two parts and sets the spatial strategy for the District up to 2028. It identifies development sites and contains policies for dealing with planning applications for a range of different types of development.
- 1.2 The Part 1 Local Plan, adopted on 13 June 2016, identifies strategic allocations and key policies. Part 2 is concerned with non-strategic allocations and more detailed Development Management policies.
- 1.3 Part 1 and Part 2 of the Plan should be read as a whole, as more than one policy may apply. Furthermore, Part 1 and Part 2 of the Plan supersede the saved policies from the 1998 Local Plan.
- 1.4 Where the same policy chapter headings exist within both parts of the Plan, the policy numbers within Part 2 continue on from those within Part 1. For example, the last policy within the Built and Natural Environment chapter of Part 1 Plan is BNE4, so the next policy within the Built and Natural Environment chapter within Part 2 is BNE5.
- 1.5 The national and local policy background that provides the framework for the production of the Local Plan Parts 1 and 2 is explained in the Local Plan Part 1, section 1.

How has the Draft Local Plan Part 2 been drawn up?

- 1.6 Like the Local Plan Part 1, Part 2 has been prepared following extensive consultation and participation from a wide range of individuals, interest groups, public service providers, infrastructure providers, investors, land owners and developers. Consultation has been undertaken in accordance with our published Statement of Community Involvement and, additionally, embedded the localism agenda being encouraged by the Government. A fuller explanation of how we have involved people in drawing up the Local Plan Part 2 can be viewed within the Consultation Statement at:

www.south-derbys.gov.uk

The Evidence Base

- 1.7 The Local Plan Part 2 is supported by a robust and wide ranging technical evidence base. This includes a 'Sustainability Appraisal' of the likely significant social, economic and environmental effects of all the reasonable options considered, including the preferred strategy and policies. A Habitats Regulation Assessment (HRA) Screening Statement has also been prepared, which concludes that the Local Plan Part 2 will not result in any significant harm to the River Mease Special Area of Conservation (SAC), or any other Natura 2000 site.

Supplementary Planning Documents

- 1.8 Documents will be written that provide additional guidance for policies in both the Part 1 and Part 2 in the form of Supplementary Planning Documents (SPDs). Details of the SPDs are set out in the Local Development Scheme along with the timetable for consultation and implementation.

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Settlement Development

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SETTLEMENT DEVELOPMENT

- 2.1 Settlement boundaries define the built limits of a settlement and distinguish between the main built form of a settlement and the countryside. Areas outside of settlement boundaries and allocated sites comprise the Rural Areas of the District as defined in Policy H1. In principle, development will be supported within settlement boundaries. Outside of settlement boundaries in the Rural Areas other policies will apply, in particular Policy BNE5 which defines the more limited range of development that will be acceptable within the Rural Areas.

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 in 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	

Explanation

- 2.2 The Settlement Boundary Topic Paper reviewed and updated the existing settlement boundaries from the 1998 Local Plan and establishes a new settlement boundary. Using a set of criteria, the settlement boundaries were examined and updated or created to ensure that the boundaries are logical and reflect what is on the ground. Those settlements defined as Key Service Villages, Local Service Villages and Rural Villages (as defined by Policy H1) where a compact group of dwellings exists will have a settlement boundary.
- 2.3 Inclusion of land within a settlement boundary would normally imply development would be acceptable in principle, though other technical considerations will still be assessed. Development will need to comply with other development management policies and relevant supplementary planning documents.
- 2.4 Land outside of settlement boundaries and allocated sites will be considered as part of the Rural Areas, where other policies apply. Other than in the circumstances permitted by policy BNE5 and other relevant policies, development will not normally be permitted within the Rural Areas.
- 2.5 The defined settlement boundaries can be seen at Appendix A and further detail regarding the revision process is within the Settlement Boundary Topic Paper.

The background features a series of overlapping, organic shapes in shades of light green and lavender. A large, light green shape occupies the upper right, while a lavender shape is prominent in the lower left. These shapes overlap to create various tones of green and purple. The word 'Housing' is printed in a bold, dark purple font in the upper right area.

Housing

South Derbyshire Local Plan • **PART 2**

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HOUSING

- 3.1 Policy S4 in Part 1 of the Plan requires 600 dwellings to be allocated as non-strategic sites as part of the overall housing target of at least 12,618 dwellings.
- 3.2 As these non-strategic sites will be less than 100 dwellings it is not anticipated that any of the sites will be required to provide significant infrastructure to enable development to proceed. However, contributions will be sought towards healthcare, education, open space, affordable housing and any other requirements where appropriate.

Policy H23 Non-Strategic Housing Allocations

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

- A Moor Lane, Aston (S/0271) - around 42 dwellings**
- B Jacksons Lane, Etwall (S/0284) - around 50 dwellings**
- C Derby Road, Hilton (S/0299) - around 43 dwellings**
- D Station Road, Melbourne (S/0109 & S/0256) - 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/0088) - 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**

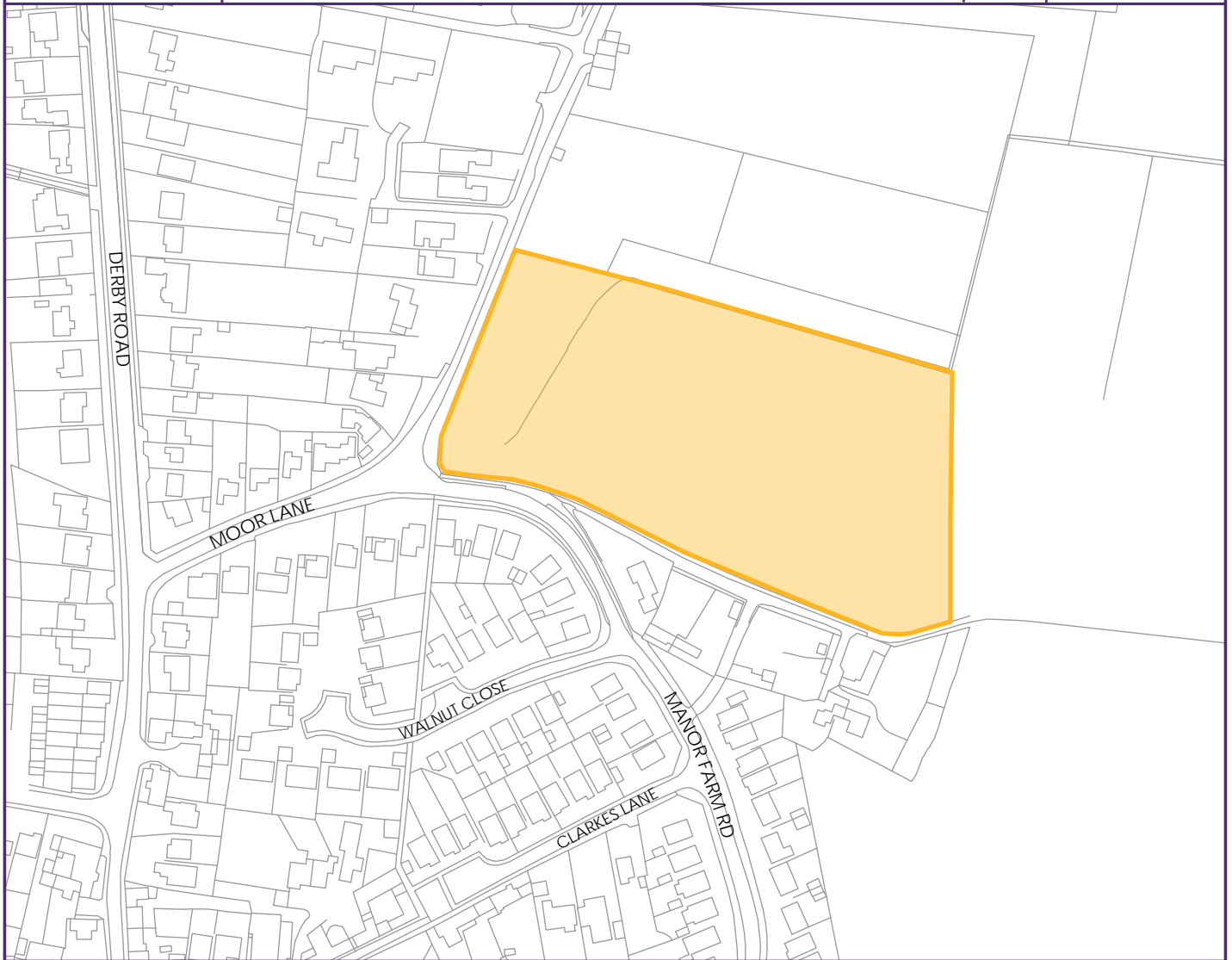
The key considerations for each of the sites are:

- 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.

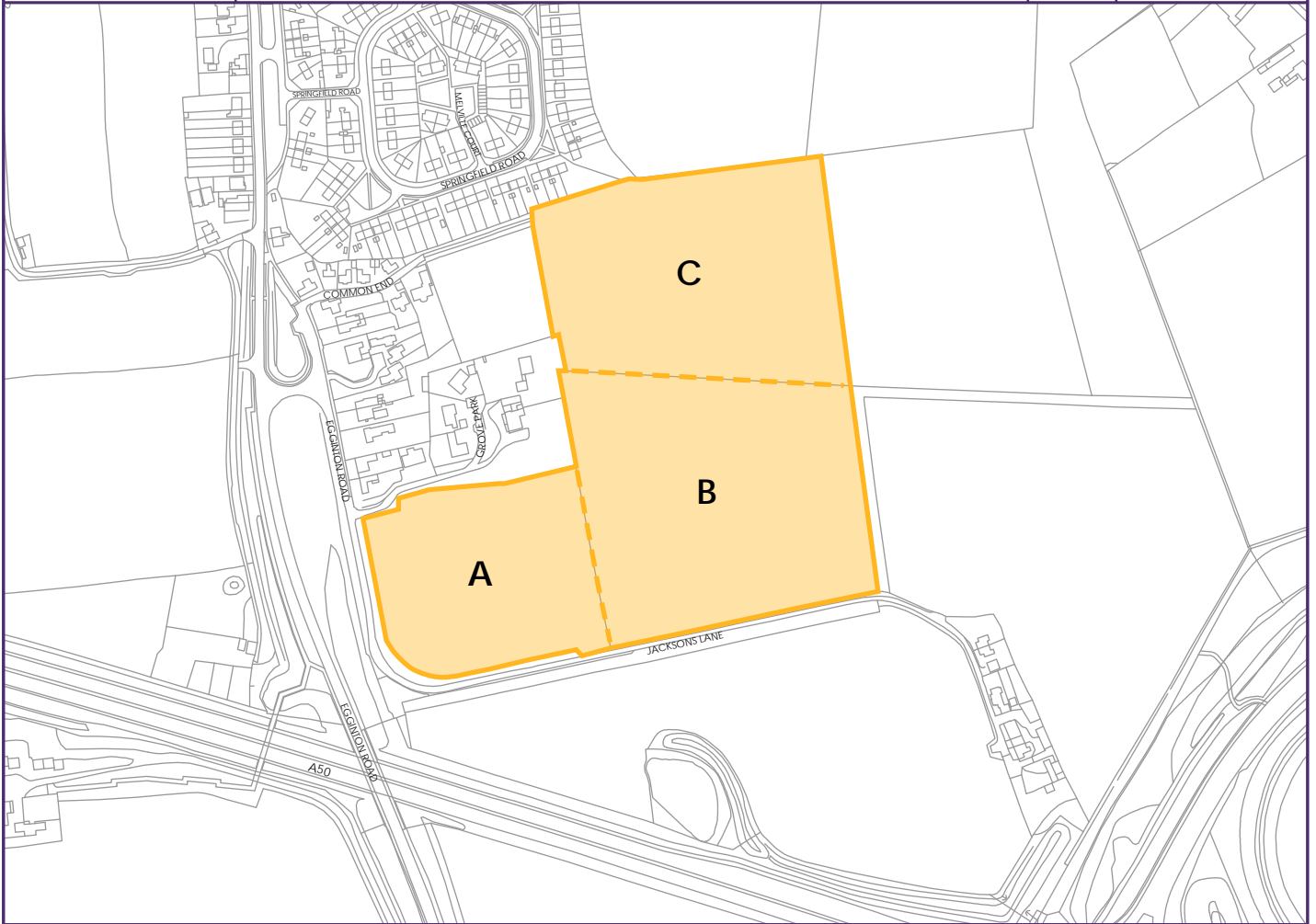
Explanation

- 3.3 This policy will ensure that allocations are designed to reduce the effects of development on local communities and the natural and built environment.



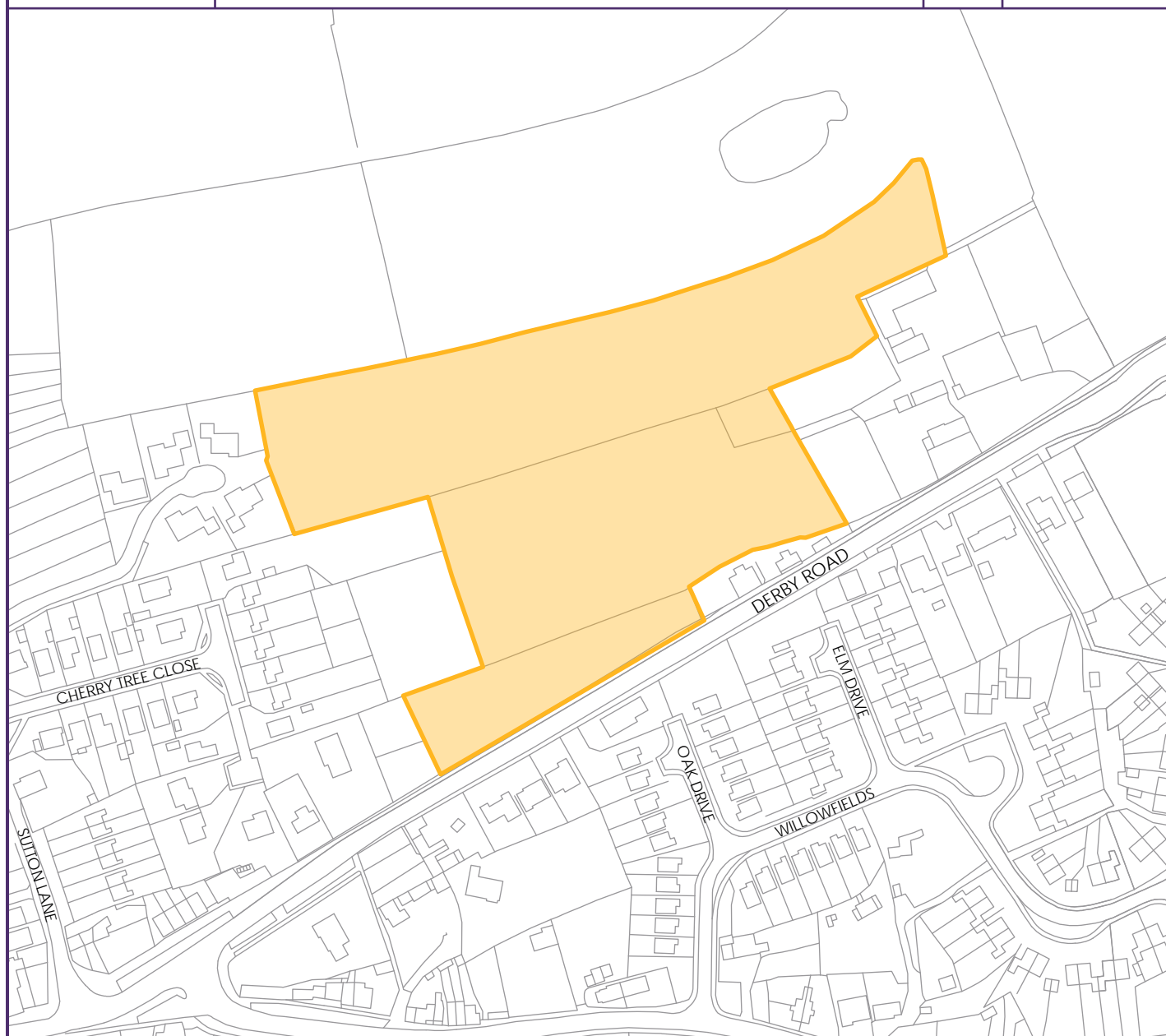
SITE SPECIFICS

- Around 42 dwellings
- Access to be from Manor Farm Road
- Pedestrian access points to be made to south of site to join existing Public Rights of Way
- A landscape buffer to the east and west to be implemented and enhancement made to the south
- 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 western part of the site
- Use of 1.5 storey dwellings in close proximity to the southern boundary



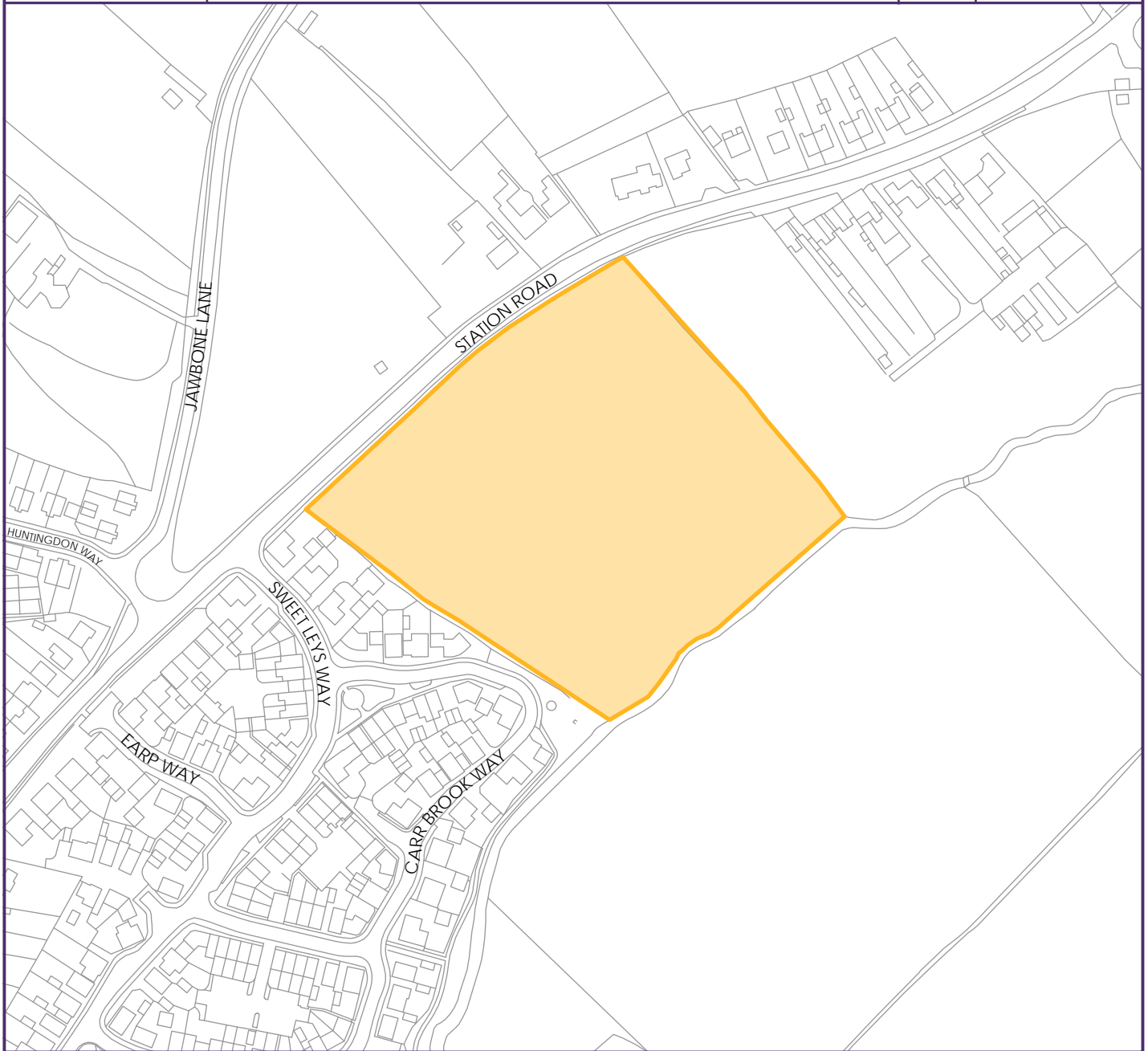
SITE SPECIFICS

- 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 and B the consideration of separated footpaths/cycleways.
- Consideration of future noise impact on the site
- Character area A – no more than 4 dwellings per hectare (gross)
- Character area B – no more than 6 dwellings per hectare (gross)
- Character area C – no more than 8 dwellings per hectare (gross)
- A landscape buffer implemented along the eastern boundary of the site
- No more than 3 dwellings on the frontage of site to Egginton Road
- No buildings to be in the area directly south of Etwall Grove
- An off-site affordable housing contribution to be made



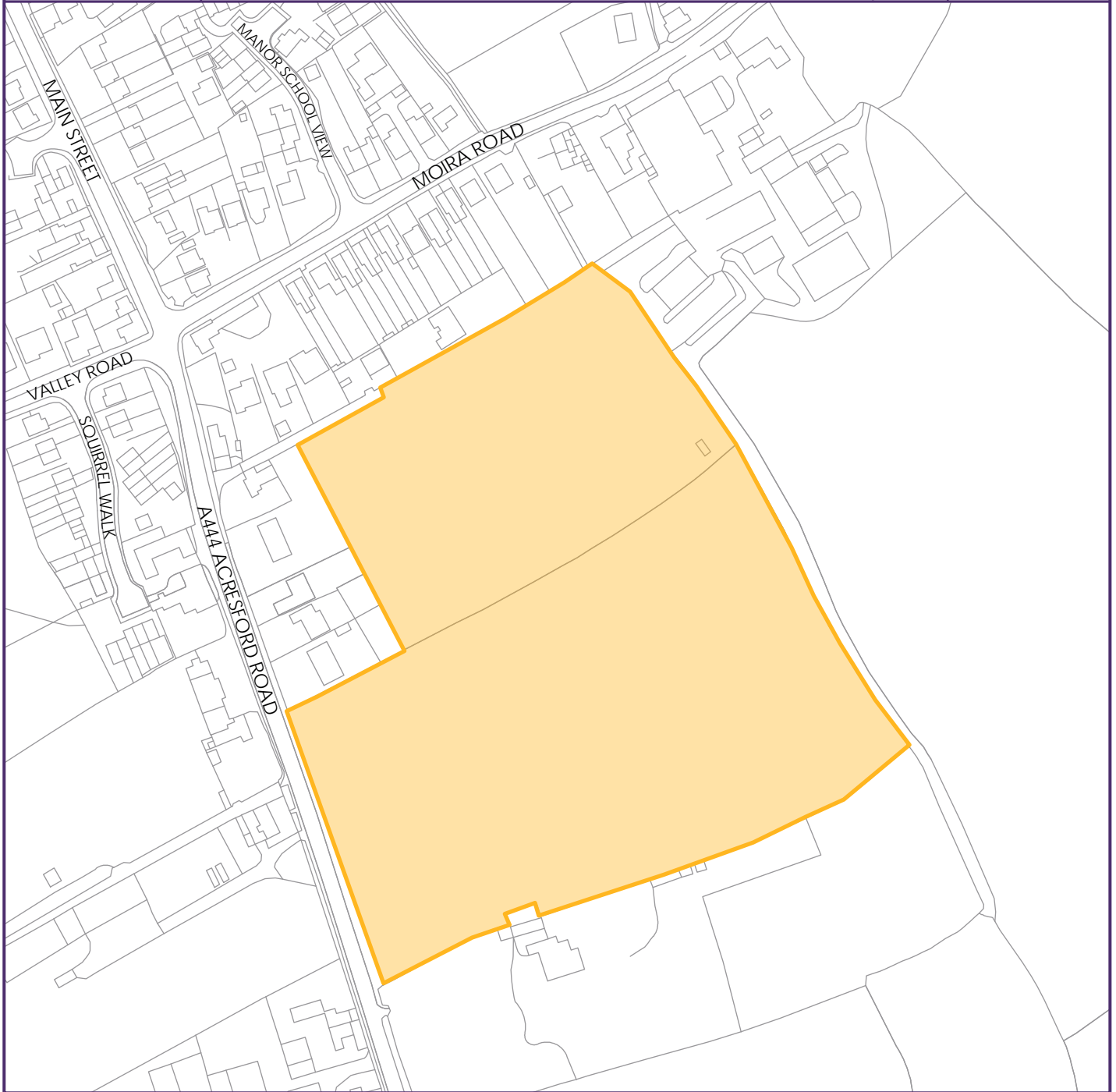
SITE SPECIFICS

- Around 43 dwellings
- Access to be made to the existing Public Right of Way
- Consideration of a pedestrian crossing on Derby Road nearby the site entrance
- 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
- A landscape buffer will be implemented and enhanced to the north and east of the site
- The housing mix of the site will include four bungalows
- An off-site affordable housing contribution to be made



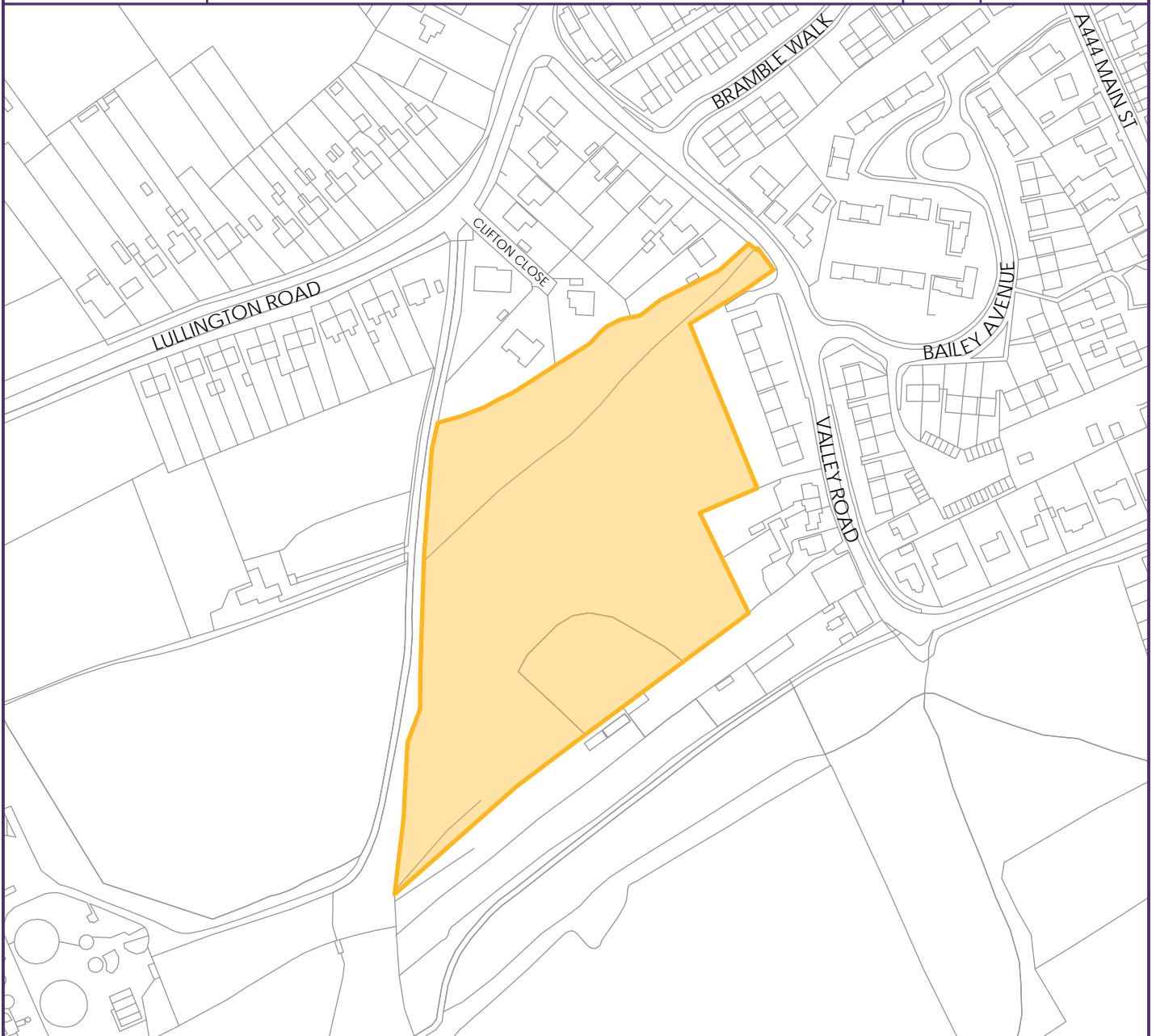
SITE SPECIFICS

- 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



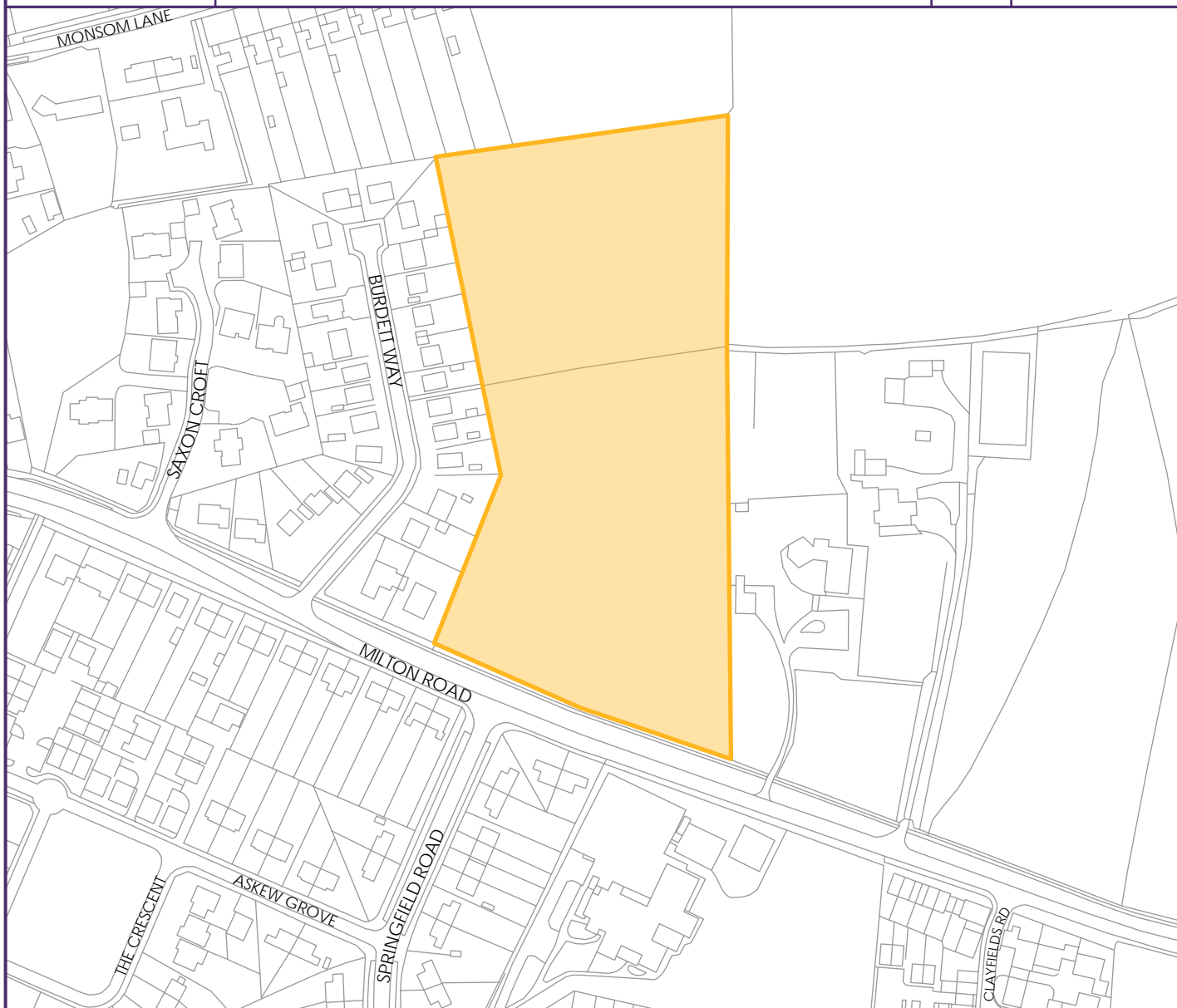
SITE SPECIFICS

- 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 Public Rights of Way
- Contributions towards mitigating the impact on the River Mease SAC and SSSI



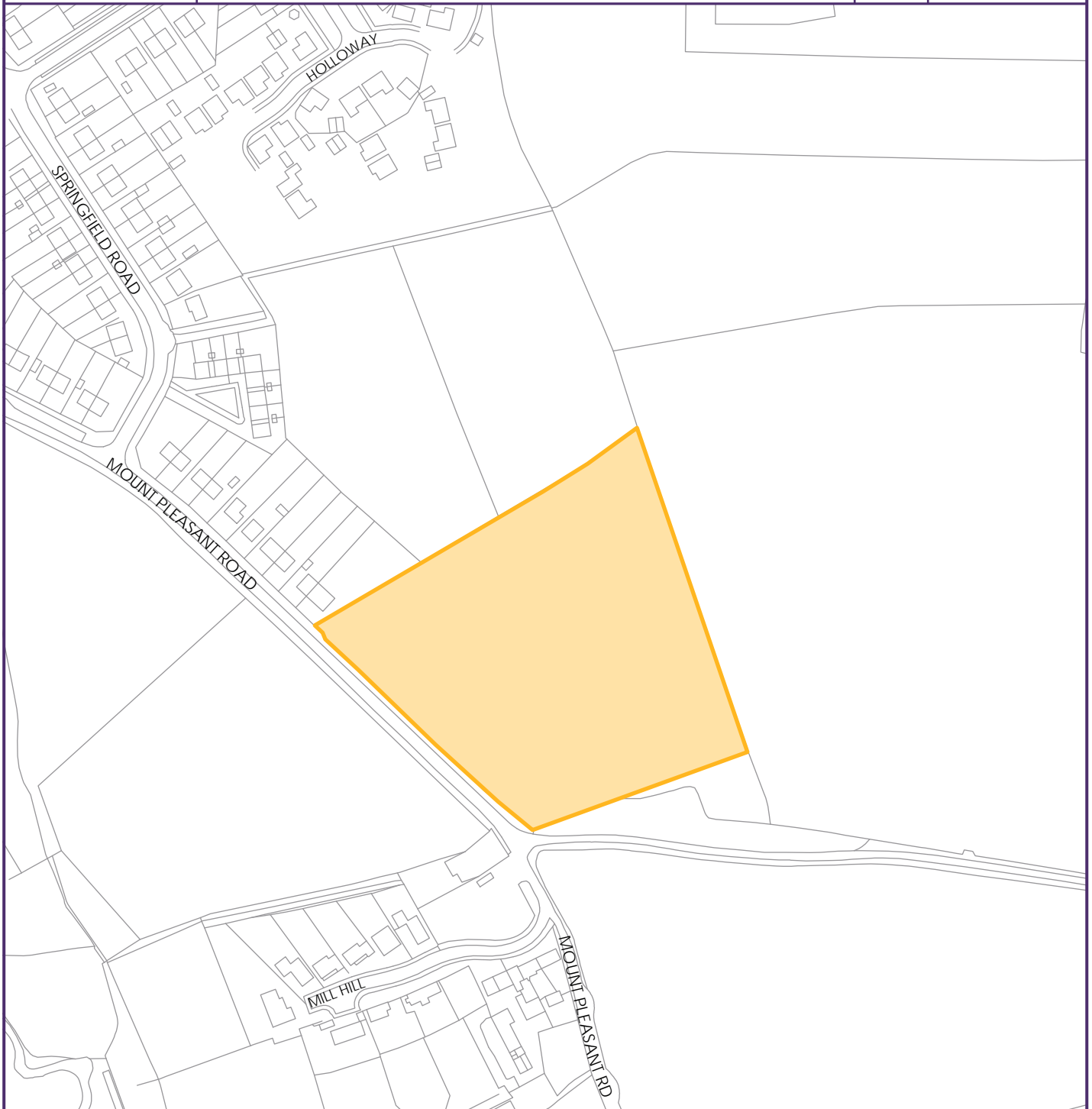
SITE SPECIFICS

- 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 on site



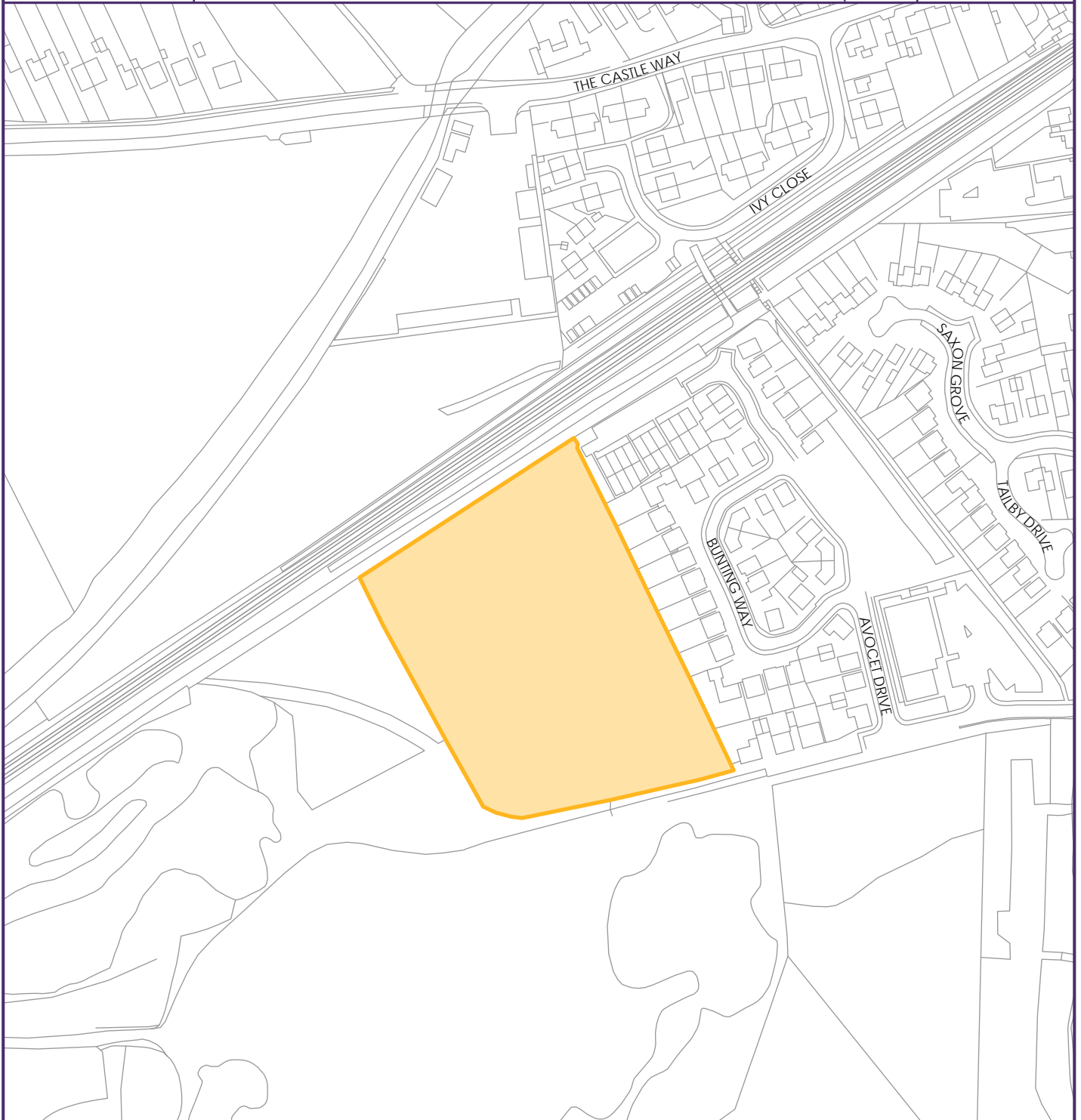
SITE SPECIFICS

- Around 25 dwellings
- Access to be made to the existing Public Right of Way 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 Public Right of Way (running east-west) on the site
- Open space to be provided north of the Public Right of Way
- The housing mix of the site will include at least two bungalows



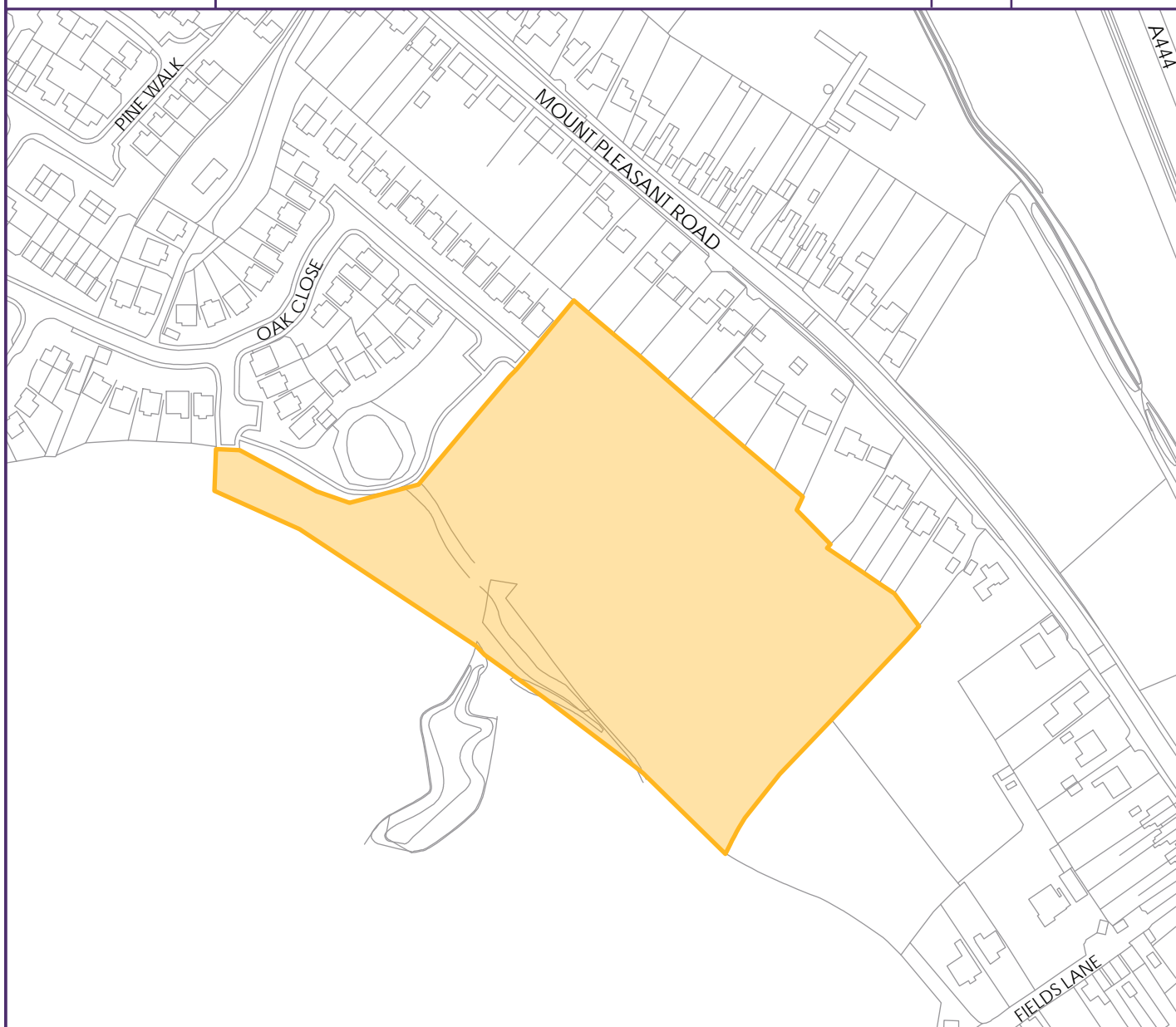
SITE SPECIFICS

- 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



SITE SPECIFICS

- 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 Public Right of Way on the site's northern boundary
- A landscaping buffer to be introduced to the western boundary of the site



SITE SPECIFICS

- Around 55 dwellings
- A landscaping buffer to be implemented and enhanced on the south western area of the site
- No built development to the south-west of the existing tree belt
- A detailed drainage strategy will be required
- An appropriate easement to be provided that is free of obstruction along the existing watercourse for maintenance
- Consideration of topography and use of 1.5 storey dwellings



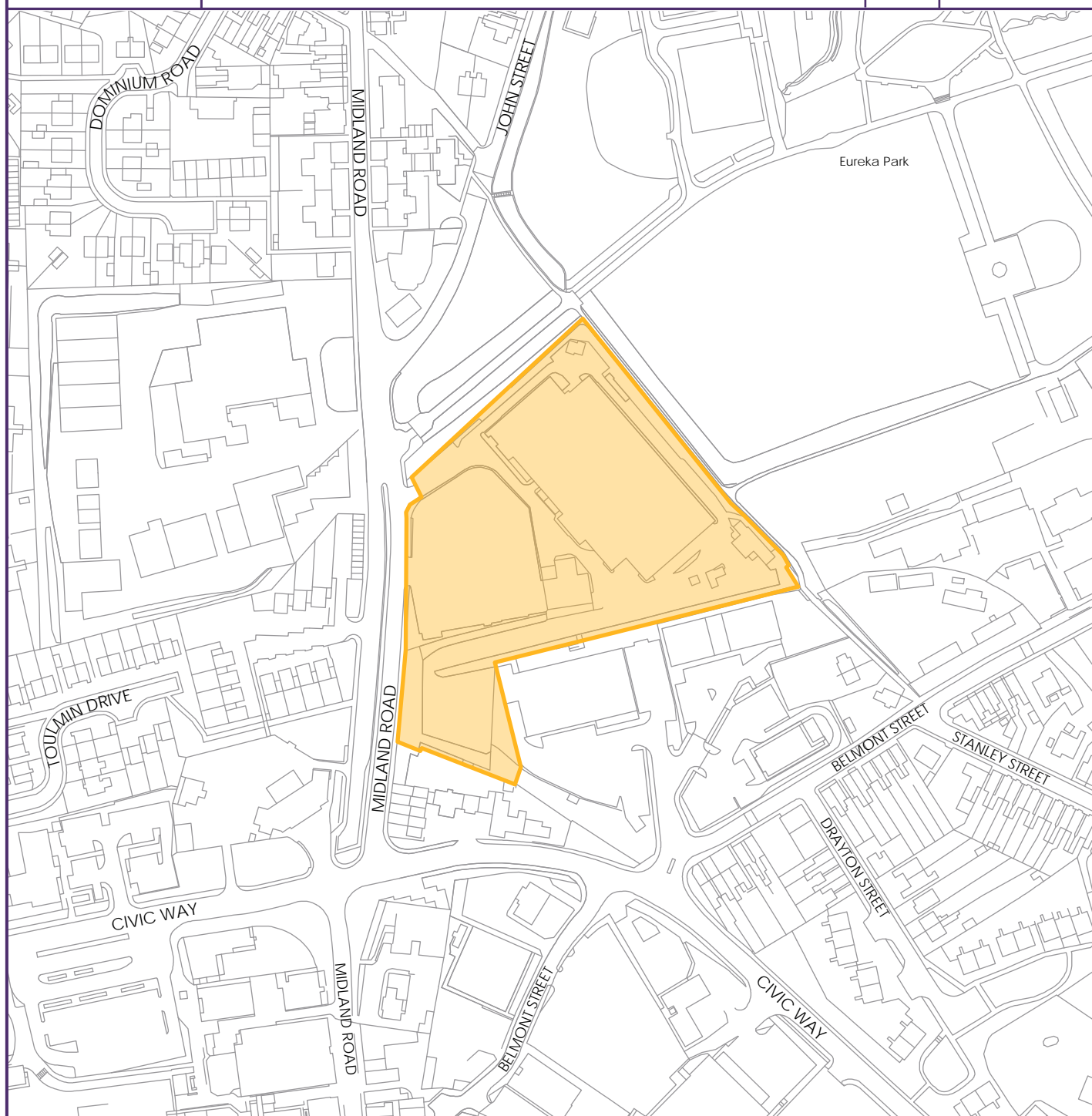
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Policy 23K: Midland Road, Swadlincote



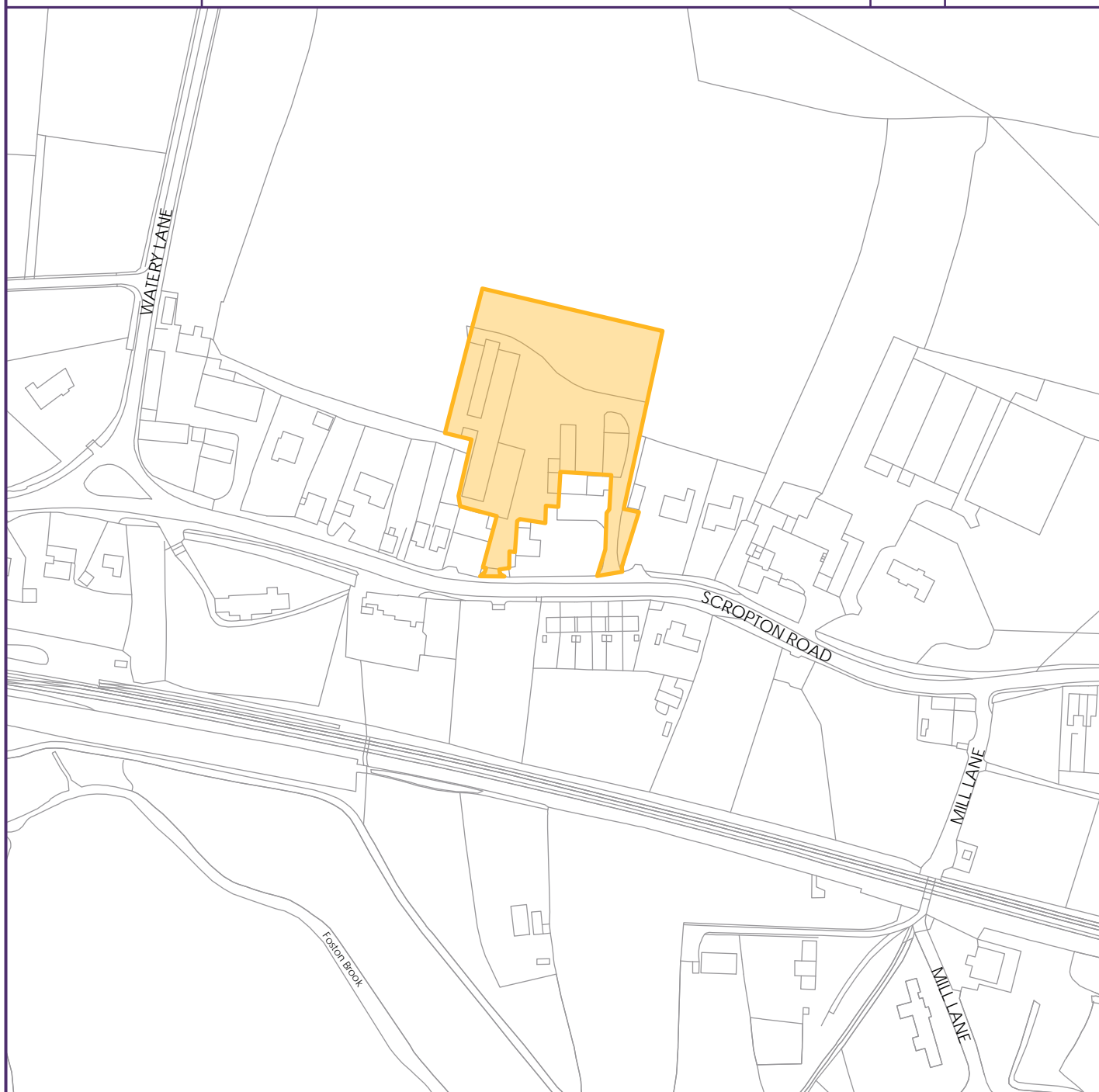
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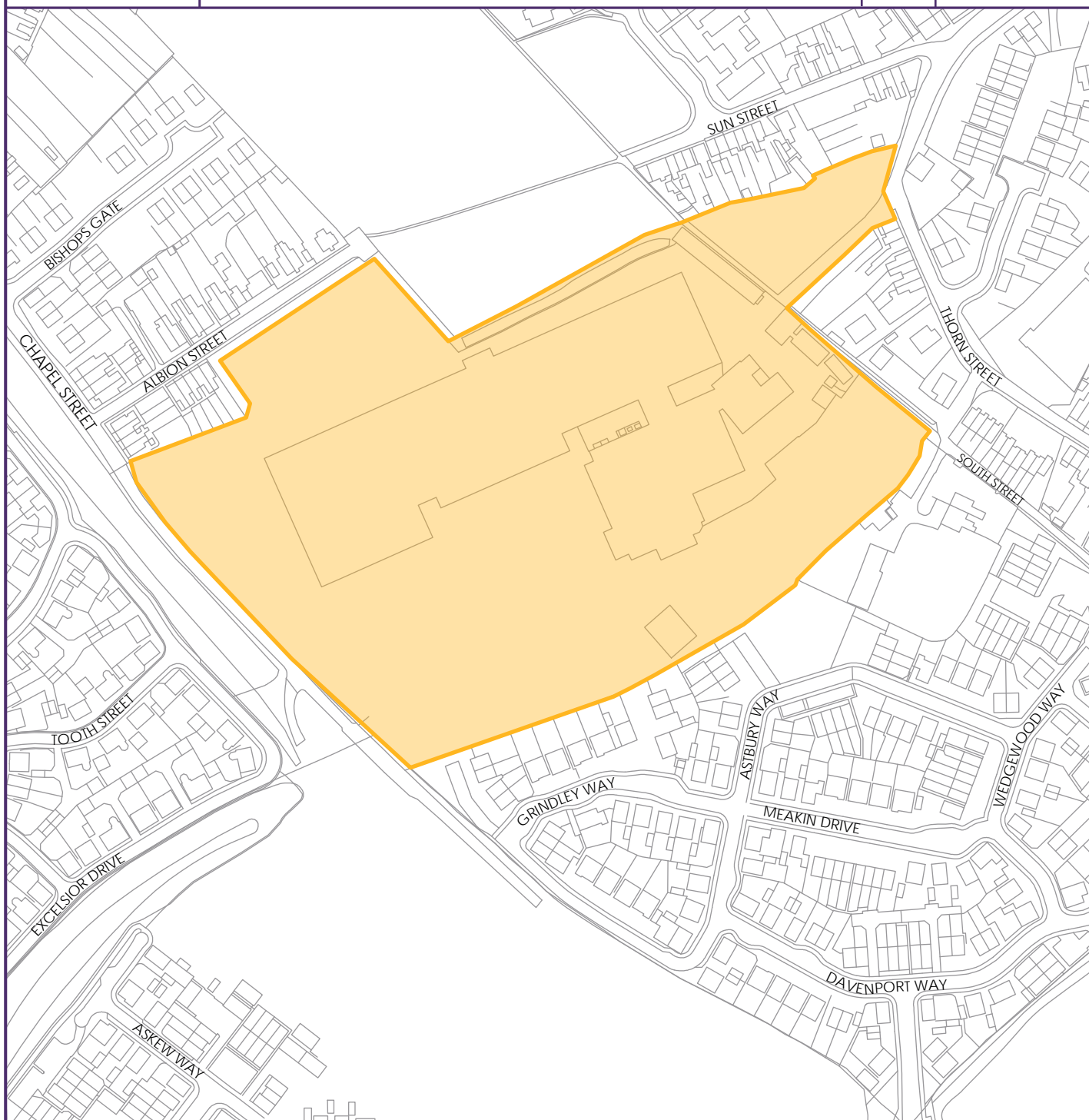
SITE SPECIFICS

- 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



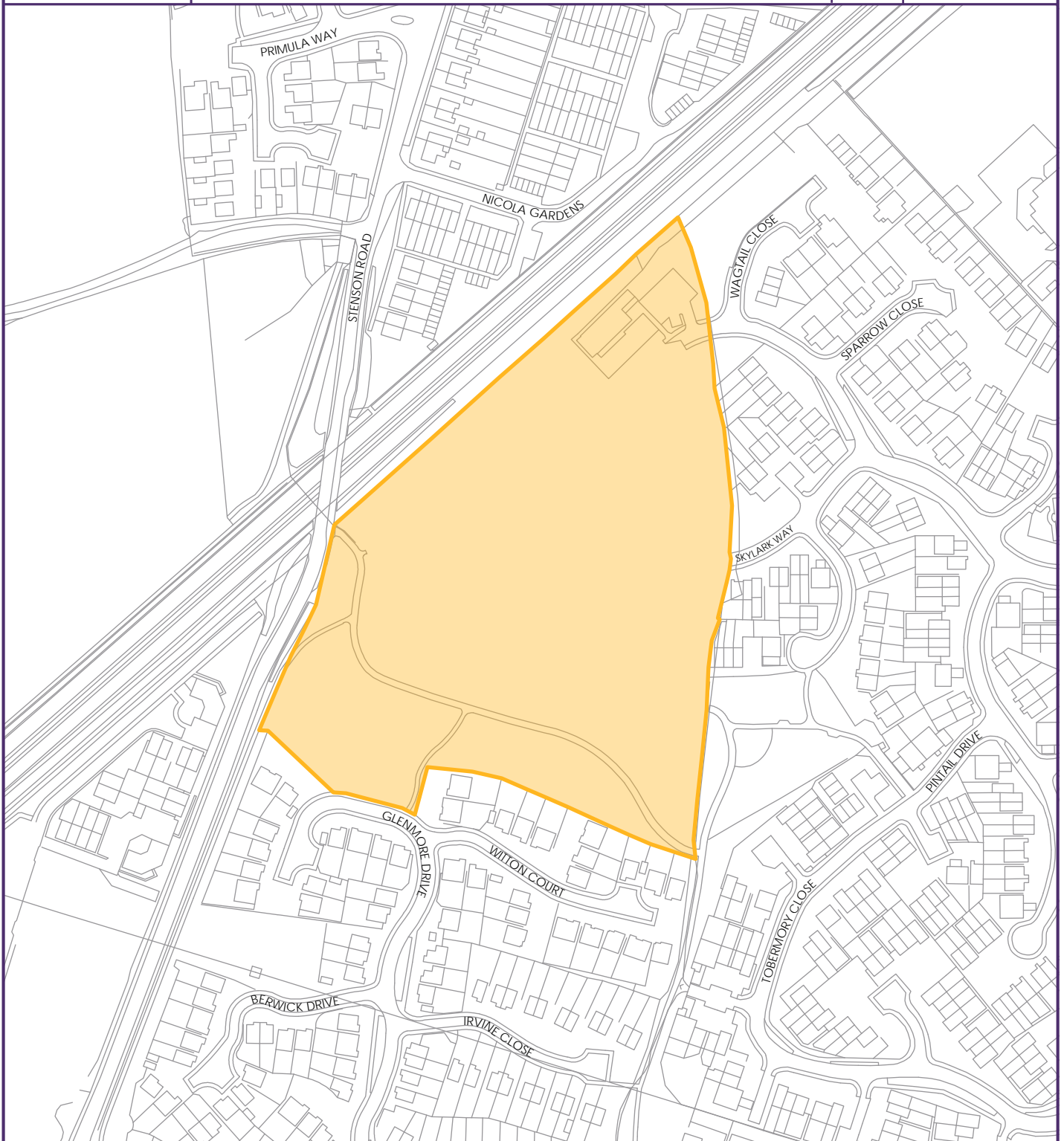
SITE SPECIFICS

- 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



SITE SPECIFICS

- 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



SITE SPECIFICS

- Around 70 dwellings
- 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 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).**

Explanation

- 3.4 New housing development in the Rural Areas is restricted to protect the intrinsic character and beauty of the countryside. However, one circumstance in which residential development within the Rural Areas can be acceptable is the replacement of an existing dwelling. Essentially it is 'new for old' development where no further dwellings are being added, so there is no net gain.
- 3.5 In order to protect non-designated heritage assets, the existing dwelling to be demolished shall not be of historic merit.
- 3.6 The replacement dwelling should not substantially increase in form and bulk to that of the original dwelling or that which could be achieved under permitted development and the replacement should have substantially the same siting as the existing.
- 3.7 This policy applies to buildings that are in existing lawful residential use and not to those buildings where residential use has been abandoned.

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 worker's 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.**

Explanation

- 3.8 There are circumstances when a new dwelling (permanent or temporary) within the Rural Areas is required to enable farm or other workers employed in a rural-based activity, to live at or in the vicinity of their work. It is anticipated that agriculture or forestry would be the main area of employment concerned, however there may be other rural enterprises that necessitate the need for a rural worker's dwelling.
- 3.9 In assessing such applications, the Council will need to be satisfied that there is an essential functional need for an employee to be readily available on site, which cannot be met within the locality, and that the enterprise is environmentally and financially sustainable. This is to comply with the core principle in the NPPF of supporting *sustainable* economic development, together with its policy on isolated new homes in the countryside needing to result from special circumstances. A detailed assessment will need to be submitted with an application demonstrating the requirements above.
- 3.10 In some circumstances the Council will seek independent advice to corroborate the evidence provided. In addition, the proposal should be of a size commensurate with the functional requirements of the activity and well related to existing farm buildings or other dwellings to help protect the character of the countryside. Normally, a temporary period of residential occupancy of the site would be necessary to demonstrate viability.
- 3.11 Where planning permission is granted for a permanent rural worker's dwelling, a condition will be imposed restricting the occupancy of the dwelling to a worker employed in the enterprise concerned. Furthermore, a condition could be imposed which removes the right of extending the property without the requirement of planning permission. This will help ensure that extensions do not result in a property being larger than the functional requirement for the activity, which could affect the viability of maintaining the dwelling for its intended use.
- 3.12 In regards to temporary rural workers dwellings that are granted they will be subject to a condition stating the period for which the temporary permission is granted.

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.

Explanation

- 3.13 The change of use of land to residential garden can provide useful additional private amenity space. However, it can also result in the domestication of land which could be detrimental to the character and appearance of the rural landscape. This could occur where boundary treatments are not in keeping with the rural surroundings or where domestic paraphernalia such as washing lines, pergolas or children's play equipment that would be unreasonable to control by condition would be unduly prominent in the landscape. It is therefore essential that such proposals are controlled in order to protect the character and openness of the countryside and the character and form of settlements. Extensions to residential curtilages should reflect the pattern of development and should not unduly intrude or encroach into the countryside. In addition, extensions to residential curtilages within the Green Belt can conflict with the aim and purposes of the designation, as set out within the NPPF. Furthermore, to help protect the amenity and character of the landscape, conditions may be imposed on any permission granted to remove permitted development rights.

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 for further planning consent.

Explanation

- 3.14 Additional space created by an extension to a dwelling and the erection or alteration of outbuildings/structures, are recognised as acceptable means of meeting changes in household space requirements. Normally such

development should be designed so as to fit in with the original dwelling and the street scene in general, minimise the landscape and visual impact and is designed without causing unacceptable harm to the living conditions of the occupiers of nearby dwellings such as an overbearing effect or loss of privacy. Further guidance can be found in the Design SPD. In addition, outbuildings and structures should be of a size proportionate to the dwelling they serve and sympathetically related to the main dwelling.

- 3.15 Proposals for annexe accommodation will be treated as separate dwellings and determined using other policies, unless it can be demonstrated that there is a functional dependency on the main dwelling. Proposals for annexe accommodation should be of a scale proportionate to the original dwelling, no larger than functionally required and in particular in the countryside well related in location to the original dwelling.
- 3.16 The erection of boundary treatments can help privatise residential amenity space and define the residential gardens of dwellings. The Council will however seek to maintain open spaces and/or areas of designed landscaping within residential developments that positively contribute to the amenity, street scene or overall setting of such areas, where enclosing those spaces could unduly impact on the open character of the area.

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.

Explanation

- 3.17 The buildings within the South Derbyshire countryside are part of the character of the Rural Areas. The conversion of buildings can allow change to be assimilated without being detrimental to the existing character. The utilisation of buildings in this way can also bring environmental benefits and provide a source of housing accommodation without releasing new land for development and can also protect heritage assets.

- 3.18 National Policy supports the reuse of rural buildings for residential uses, however states that they should lead to an enhancement to the immediate setting. When assessing the proposal's impact on the immediate setting, the proposed change to the building itself, the change of use of land to garden, parking arrangements and the proposed erection of boundary treatments will be considered.
- 3.19 Where a residential conversion is granted, permitted development rights that normally apply to dwellings may be withdrawn as a condition of the approval. This could arise where further alterations or additions to a dwelling could be detrimental to the character and appearance of the building and/or its setting within the countryside, which would warrant an assessment through a planning application.



Built and Natural Environment

South Derbyshire Local Plan • PART 2

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BUILT AND NATURAL ENVIRONMENT

- 4.1 National planning policy requires that an appropriate balance is struck between development and conserving and enhancing the built and natural environment. The policies in this section seek to provide the appropriate safeguards to ensure that development which must take place in Rural Areas does not lead to unacceptable environmental effects on the countryside.

Policy BNE5 Development in Rural Areas

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

- i) allowed for by policies H1, H22, E7, INF10, H24, H25, H26, H27 or H28; or**
- ii) otherwise essential to a rural based activity; or**
- iii) unavoidable outside settlement boundaries; or**
- iv) considered to be infill that is in keeping with the character of the locality and represents the infilling of a small gap for not normally more than two dwellings, within small groups of housing; and**
- v) will not unduly impact on: landscape character and quality, biodiversity, best and most versatile agricultural land, and heritage assets.**

Explanation

- 4.2 In order to support sustainable development, and preserve and protect the countryside including the best agricultural land, development in the Rural Areas of the district requires control. This policy aims to balance preserving the character of the countryside with supporting development and the rural communities within it.
- 4.3 Development considered to be acceptable in principle in the Rural Areas includes exception or cross subsidy sites for housing on the edge of settlements listed in Policy H1, sites for gypsies and travellers accommodation subject to Policy H22, rural employment and tourism development within the terms set out in Policies E7 and INF10, replacement dwellings in the countryside (Policy H24), rural worker's dwellings subject to the criteria in Policy H25, and residential gardens, extensions and conversions as defined in Policies H26, H27 and H28. In addition development will be supported that provides facilities essential to rural based activities, which includes forestry, agriculture, equestrianism and outdoor recreation. There may be other unforeseen circumstances that

could justify unavoidable development within the Rural Areas at points in time such as the Council being unable to demonstrate a deliverable housing and employment land supply.

- 4.4 In all cases however, it is necessary to ensure that development within the Rural Areas should be integrated into the landscape as sympathetically as possible with minimal impact. The design, layout (including density) and materials of the development should reflect the character of the area. In determining proposals for infill development, consideration will be given to whether the proposed scheme would result in the loss of an important gap between groups of housing.
- 4.5 Where appropriate the consideration of landscape character and quality will be undertaken by using the factors set out in the GLVA 3rd Edition (or further editions) which form the basis of an LVIA:
- Landscape quality (condition)
 - Scenic quality
 - Rarity
 - Representativeness
 - Conservation interests
 - Recreation value
 - Perceptual aspects
 - Cultural Associations

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.**

Explanation

- 4.6 Agricultural uses constitute a large part of the South Derbyshire landscape and the Council appreciates the value and importance of the agricultural industry. In valuing and protecting the countryside and its landscape character, there is a responsibility to site necessary agricultural development in the Rural Areas in such a way as to minimise its effect on the surrounding landscape. Prudent siting, design, construction and choice of materials with appropriate landscape measures such as land formation

and/or planting, if considered necessary, will be expected to ensure the right balance is struck. Further guidance can be found in the Council's Design SPD. This will assist in protecting the countryside whilst allowing agricultural development.

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.

Explanation

- 4.7 Trees, woodlands and hedgerows make a valuable contribution to the

environmental quality of an area; with any development proposal the Council will seek to minimise their loss.

- 4.8 The character of many settlements in South Derbyshire is enhanced by hedgerows and single, as well as groups of trees. They are a vital element of the landscape and of great importance to nature conservation. The Authority is keen to protect the most important trees, woodland and hedgerows from loss or damage. Where development is proposed that could affect important trees, woodland, and/or hedgerows, or significant numbers of trees or large areas of hedgerow, the Council will seek to ensure that decisions are underpinned by a proportionate survey in order that the full effects of development can be understood. In determining whether trees, woodland and hedgerows are important, regard will be had to amenity, ecology, historic origins and their impact on the landscape.
- 4.9 Conditions in accordance with the relevant British Standard(s) will be used, where appropriate, to minimise the likely impacts associated with development for trees within the site, and where relevant outside of the site (for example where the root protection area for an offsite tree would fall within the development site).
- 4.10 Tree Preservation Orders will be made by the District Council to protect individual trees, groups of trees and woodlands which are of particular value now or are likely to become so in the future. Areas of particular importance to local communities that meet the necessary criteria will be allocated as Local Green Spaces, in order to protect them from future development. Where development on sites adjacent to local green spaces is proposed and this could impact on trees or hedgerows within these areas, an appropriate buffer will be sought.
- 4.11 The Council will also seek to secure the delivery and management of new planting, including through working with developers, to ensure that tree species are selected in new developments that reflect local and urban character and deliver other environmental benefits such as improvements to land drainage, air quality or shading.
- 4.12 The policy also requires new planting to be adequately managed in order to reach full maturity; management usually begins under the developer who would be expected to manage trees for five years following planting. After this period, responsibility for maintaining trees is typically transferred to another body, such as a management company, the Highways Authority, Local Authority or private land owner, and the policy seeks to ensure a continuing duty of care. In order to ensure the long term protection of trees secured through development, the District Council will review the need to protect trees (including street trees) which form an important part of the development proposal and make an important contribution to local amenity through tree preservation orders. The need to make such an order will be considered on a case by case basis.

- 4.13 The Council's policy concerning veteran trees and ancient woodland is set out in Policy BNE3 (Biodiversity).

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 the 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.

Explanation

- 4.14 Local Green Spaces are provided with special protection due to their particular importance to the community and contribution to the local character of the area. Such areas are valued and cherished by the local community and should be preserved for future generations to enjoy. These sites can often be visually or historically important, particularly in conservation areas and if they are developed the character of the settlement is lost.
- 4.15 Local Green Spaces are only designated where the area is well related to the community it serves, is special to the community and is local in character. Guidance on the designation of Local Green Spaces can be seen in the Local Green Space Topic Paper. It is expected that the Local Green Space will remain undeveloped over the plan period, except where there are very special circumstances to justify a development which clearly outweighs the harm that may be caused or for certain limited forms of development related to the use of the green space and which would not harm the openness or character of the space. Consultation with the local community would be expected should a development be proposed on a Local Green Space. Collaborative working with private landowners of Local Green Spaces for the improvement of such areas will be taken where the opportunity arises.

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.**

Explanation

- 4.16 Advertising and signage takes various forms. Some of it is necessary for the proper functioning of shopping and commercial areas and the wider economy and some is of primary benefit to the advertisers themselves. Advertising and signage when done well is in keeping with, or can even enhance its surroundings, whereas poorly designed or located signage looks incongruous and can jeopardise public safety. This policy seeks to strike the balance between the advantages of advertisements and the impact of them, thereby maximising their effectiveness with the least environmental and social cost.
- 4.17 It is not just advertisements that can create undue clutter in the built or natural environment and the principles set out in the policy above similarly apply to street furniture, telecommunications equipment or other such paraphernalia. Temporary permissions will be used where it is considered prudent to do so, particularly for advertisements that, whilst necessary for a time, do detract from the general street scene. Guidance to supplement this policy and inform decision making will be contained within a relevant SPD.

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 the appropriate expertise, to a level of detail proportionate to the asset's significance. The assessment should describe the asset's significance, identify the impact of the proposed development and provide clear justification for the works. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence
- developments affecting a heritage asset or its setting, including alterations and extensions to existing buildings, will be required to demonstrate how the proposal has taken account of design, form, scale, mass, siting and setting of the heritage asset, in order to ensure that the proposed design is sympathetic and minimises harm to the asset
- the loss of buildings and features which make a positive contribution to the character or heritage of an area should be avoided through preservation or appropriate reuse, including enabling development
- any proposed development which impacts on archaeological remains will be required to be accompanied by an archaeological evaluation of the site and a statement demonstrating how it is intended to overcome the archaeological constraints of the site. Development will be resisted which would result in the loss of or substantial harm to Scheduled Ancient Monuments or other archaeological sites of equivalent significance. Development affecting non-designated archaeological sites will be assessed having regard to the scale of any harm and the significance of the site. In all cases measures will be undertaken to minimise impact and, where possible, to preserve the site in situ. The District Council will require public display and interpretation where appropriate
- development that will lead to substantial harm to or loss of significance of any other designated heritage asset will be refused, unless it can be demonstrated that the development is necessary to achieve substantial public benefits that outweigh that harm or loss. Where less than substantial harm would result this will be considered against the public benefits of the proposal
- effects of the development on the significance of other non-designated heritage assets on the local list will be assessed having regard to the scale of any harm and the significance of the asset.

Explanation

- 4.18 Particular attention and care is needed when planning works in relation to heritage assets. Relatively minor changes can have significant impacts on the significance, character, appearance, group value and setting of assets. Therefore development proposals will be required to submit supporting information appropriate to the asset's significance so that the potential impacts of the proposal on the asset's significance can be understood. Any application should reference the relevant HER record, Conservation Area Appraisal and other available relevant sources. The location, form, scale, massing, density, height, layout, roofscape, landscaping, use and external appearance of proposals will all be carefully considered to ensure that they preserve or enhance the heritage asset where required to do so. The features and form that contribute to the special interest of the asset should be conserved. Traditional local materials, detailing and techniques should be used where appropriate to ensure that the special character of the asset and wider South Derbyshire is retained.
- 4.19 The historic gardens, parks and churchyards make a positive contribution to the District and the Council will seek to ensure that these green spaces which add character and historic understanding to many communities are preserved and enhanced.
- 4.20 The Council will work constructively with owners, Historic England and other partners to remove assets from the buildings at risk register. New uses and innovative solutions will be explored to allow the long term preservation of the asset. The condition of a heritage asset deliberately damaged or neglected will not be taken into account in any decision.

Policy BNE11 Shopfronts

Shopfronts should:

- i) be well proportioned and reflect the quality and architectural contribution of any existing historic shopfront; and**
- ii) have regard to the relationship between the shopfront, its host building and the surrounding context; and**
- iii) use high quality and sympathetic materials and detailing; and**
- iv) include signage in appropriate locations and in proportion to the shopfront; and**
- v) consider security without the use of external shutters; and**
- vi) not include inappropriately illuminated signage.**

Explanation

- 4.21 Shopfronts, both modern and historic play an important role within settlements in adding to the District's distinctiveness and character and can contribute significantly to the attractiveness and quality of the street scene across all settlements. Heritage assets which include original or traditional shopfronts make an important contribution and provide a sense of place to the many different communities in South Derbyshire. Traditional architectural materials, details and proportions that are hidden, neglected or lost can be reinstated and revitalised and can help enhance the character of the building and local area, and add value to the shopping experience. The Council seeks to promote good design, in keeping with the character of the heritage assets, to preserve and enhance the appearance of South Derbyshire.
- 4.22 Therefore necessary modifications should be sympathetic to the original design of the building. Security measures should be internal to limit their visual impact. External shutters are not normally acceptable and internal shutters should be perforated to enable visibility into the shop. To enliven frontages and enable passive surveillance, shopfronts should provide visibility and not be blanked out. Lighting should be the minimum necessary and internal illumination of signage is not acceptable. Any light fittings should have a minimal impact on the appearance of the shopfront and provide a warm light. Further guidance can be found for Swadlincote in the Conservation Area Management Plan and for the rest of the District in Historic South Derbyshire.

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.

Explanation

- 4.23 Redevelopment of both these sites is supported by the Council. Due to the size of the sites it is important that consideration is given to the developments through an agreed development framework document that can fully consider the constraints and opportunities on the sites.
- 4.24 Drakelow Power Station was commissioned in 1955 and at full capacity generated electricity from three coal-fired power stations supported by 10 cooling towers. The A station was closed in 1984, and the B station in 1993. The cooling towers were demolished in 1998. The C Station was decommissioned in 2003, and the final structures demolished in 2006.
- 4.25 The Former Drakelow Power Station site is bounded by the River Trent and Drakelow Nature Reserve to the north, Walton Road and the Drakelow Park development. The site extends to approximately 113 ha. Planning permission exists for a Combined Cycle Gas Turbine Power Station, Renewable Energy Centre and Solar Park.
- 4.26 The former Willington A station was closed in 1995 and the B Power Station in 1999. The five cooling towers still stand on the site. The site extends to around 34 hectares in total.
- 4.27 In 2011, planning permission was granted to develop up to 2,000MW of Combined Cycle Gas Turbine plant and 400MW of Open Cycle Gas Turbine plant. It is not yet known what developable land will be left (if any) following the implementation and construction of the recent permission.

The background features a series of overlapping, organic shapes in various shades of green and purple. A large, light green shape dominates the upper right, while a darker green shape is on the left. A purple shape is at the bottom, and a white shape is on the far left. The shapes are outlined with thin white lines, creating a layered, leaf-like effect.

Retail

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RETAIL

- 5.1 The retail hierarchy in the District establishes Swadlincote as the primary town centre where new shopping development should be directed in order to maintain and improve the range of goods and services offered. For the purposes of the operation of the retail policies in this Plan, the town centre encompasses not only primary shopping frontages, and other shopping areas, but also adjacent civic, office, employment and leisure uses, and the focal points for public transport.
- 5.2 The District Council is committed, in partnership with the private sector in Swadlincote, to improving the environmental quality of the town and promoting the development of the economy and the range of facilities and attractions for shoppers and visitors. The second edition of the "Swadlincote Town Centre Vision and Strategy" was adopted in 2012. The Strategy reviews recent progress toward enhancing the vitality and viability of the town centre and identifies the areas upon which specific emphasis should be placed, i.e. promotion, economic restructuring and design, together with a number of possible development sites. The plan seeks to emphasise the town's special historic and architectural character and recognises that retail and leisure uses should be enhanced to offer visitors a more extensive range of goods and services.
- 5.3 Over the past ten years, the population of the Swadlincote urban area has grown significantly, which has also helped to raise levels of prosperity within the town. The Swadlincote Retail and Leisure Study, published in 2016, found the town centre to be in reasonable health. It noted that, since the previous study of 2005, Swadlincote had increased market share, both in the convenience and comparison goods sectors. Going forwards, it identified scope to improve the convenience retail offer in qualitative terms and recommended continued environmental improvements to the High Street to assist in its further revitalisation. Recently secured Heritage Lottery funding for shop frontage improvements will assist greatly in this respect.
- 5.4 The Council has also worked in partnership with Historic England to bring about improvements to the built fabric of the town centre, which is a Conservation Area. Traditional shop fronts have been restored and the Delph and West Street have benefitted from extensive repaving and the introduction of new street furniture and signage. Sharpes Pottery Museum has also been expanded, through the introduction of a new gallery, play area and café.
- 5.5 There is scope for a range of further environmental improvements, from enhanced gateways and green spaces, to more active frontages and attractive pedestrian links. Any new development should have safe and direct pedestrian links to the heart of the town centre (primary retail frontage), ensuring that key destinations are connected and pedestrians can navigate and move easily between them. The quality of these links should be such that they encourage people to walk and explore the town centre on foot. A compact and connected town centre ensures that the town develops sustainably, avoiding a car dominated and fragmented

settlement that would struggle to flourish.

- 5.6 The aim is to continue the revival of Swadlincote town centre as a service centre and attractive destination for both community and visitors. There is scope for significant retail, leisure, office and residential development with substantial sites available within and adjacent to the town centre. A particular focus is the development of the evening and visitor economies, linked to The National Forest. To this end, the Council hopes to attract a mix of uses to support economic activity throughout the day and evening, with a greater emphasis on comparison based shopping, rather than convenience shopping, which currently predominates. Another consideration is the lack of modern suitably sized units to meet the needs of some national retailers not currently represented in the town.
- 5.7 Away from Swadlincote town centre, the provision of small scale local shopping facilities helps ensure that residents have convenient access to a reasonable range and choice of facilities while helping to reduce travel and car use and secure a more sustainable environment.
- 5.8 Key Service Villages provide a range of retailing provision and other services to a localised catchment population, including a convenience store and a sub Post Office. Whilst some Local Service Villages provide some of these facilities, others do not. Nevertheless, the policy would allow for the favourable consideration of any proposals for additional provision and will resist the loss of existing facilities.
- 5.9 Local centres provide convenient and sustainable access to everyday shopping and services for residents living in the immediate locality. The Local Plan must adopt a facilitating approach to enable a range of appropriate development proposals to come forward.
- 5.10 The Localism Act 2011 provides Parish Councils or groups with a connection with the local community the ability to nominate assets of community value, such as local pubs. If the nomination is accepted, local groups will be given time to bid for the asset when it is sold, although there is no automatic right to buy.

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 Class 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:

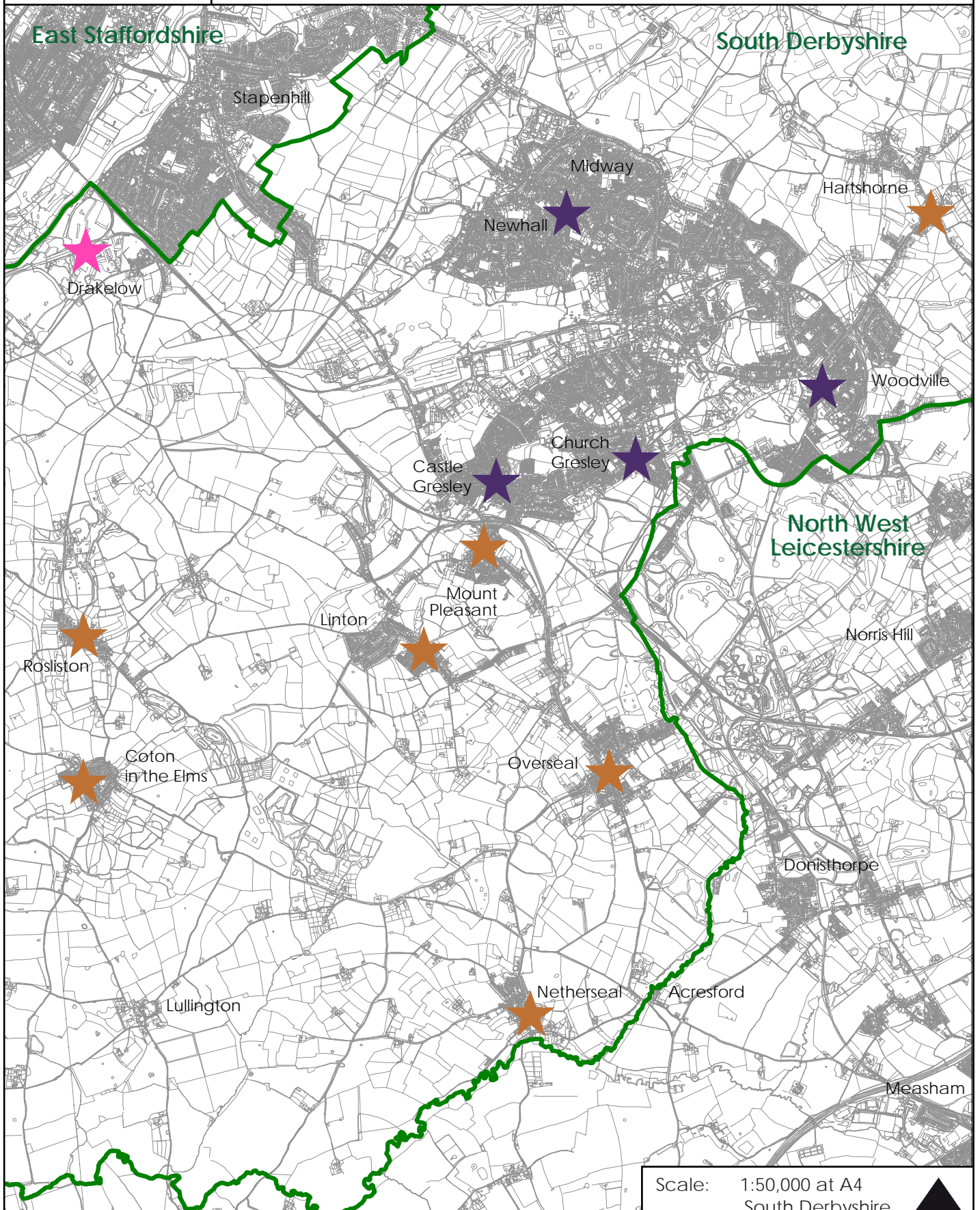
- i) The current use can be demonstrated to be no longer viable; and
- ii) The unit has been sufficiently and actively marketed for a range of retail uses over a 6 month period; and
- iii) The impacts arising from the resulting use do not cause an adverse effect on amenity, parking needs or highway safety.

Explanation

- 5.11 In applying the sequential test referred to in part A, applicants should assess opportunities that are of an appropriate scale to accommodate the development proposed. They will be expected to demonstrate flexibility in terms of the format and scale of their proposals when assessing such opportunities.
- 5.12 There is a need to maintain a core of retail activity in the town centre, but other complementary uses, during the day and evening, can reinforce the town centre's attractiveness to local residents. The primary frontage, shown on Map 4, has therefore been identified, with the intention that these are retained as the main core of town centre activity (Use classes A1, A2, A3 and A4 at ground floor level). In the remainder of the town centre a more flexible approach will be applied, recognising that a much wider variety of uses can be accommodated including office, leisure and residential uses (B1(a), D1, D2 and C Use Classes). The Council also supports maintaining the vitality of existing Local Centres and those centres in key and local service villages to protect the retail offer in those locations. The Council will require a full retail impact assessment for any out-of-centre schemes above 1,000 square metres gross floorspace that is commensurate with the scale and nature of the proposal. Many of the 'discount' supermarkets have stores of around this scale and it considered that such stores would have the capability to compete directly with stores of a similar scale, or which offer a similar function, within defined centres.
- 5.13 A cohesive policy is required to maintain and enhance the role and function of local centres and shops and services located in villages. However, new development should be of a scale that is appropriate with the scale and function of the Centre or village and in the case of villages should not undermine the vitality and viability of a neighbouring centre.
- 5.14 Existing facilities such as shops and public houses perform a vital role in maintaining the vitality and sustainability of rural communities and it is important that should an application be made for a change of use that the loss of these facilities are considered and tested.
- 5.15 Where an existing retail facility (Use Classes A1, A2, A3, A4 and A5) is the subject of a proposal for a change of use, it will require evidence that the current use can be demonstrated to be no longer financially viable and the unit have been marketed actively for 6 months at a price agreed with the Council following an independent professional valuation.
- 5.16 The Council will require evidence that there has been public consultation to ascertain the value of the facility to the local community. Where one exists, reference will be made to the Neighbourhood Development Plan for the area. If the facility is registered as an Asset of Community Value the Council may regard this as a material consideration.



Map 1: RTL1 - Retail Hierarchy



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Existing Local Centres



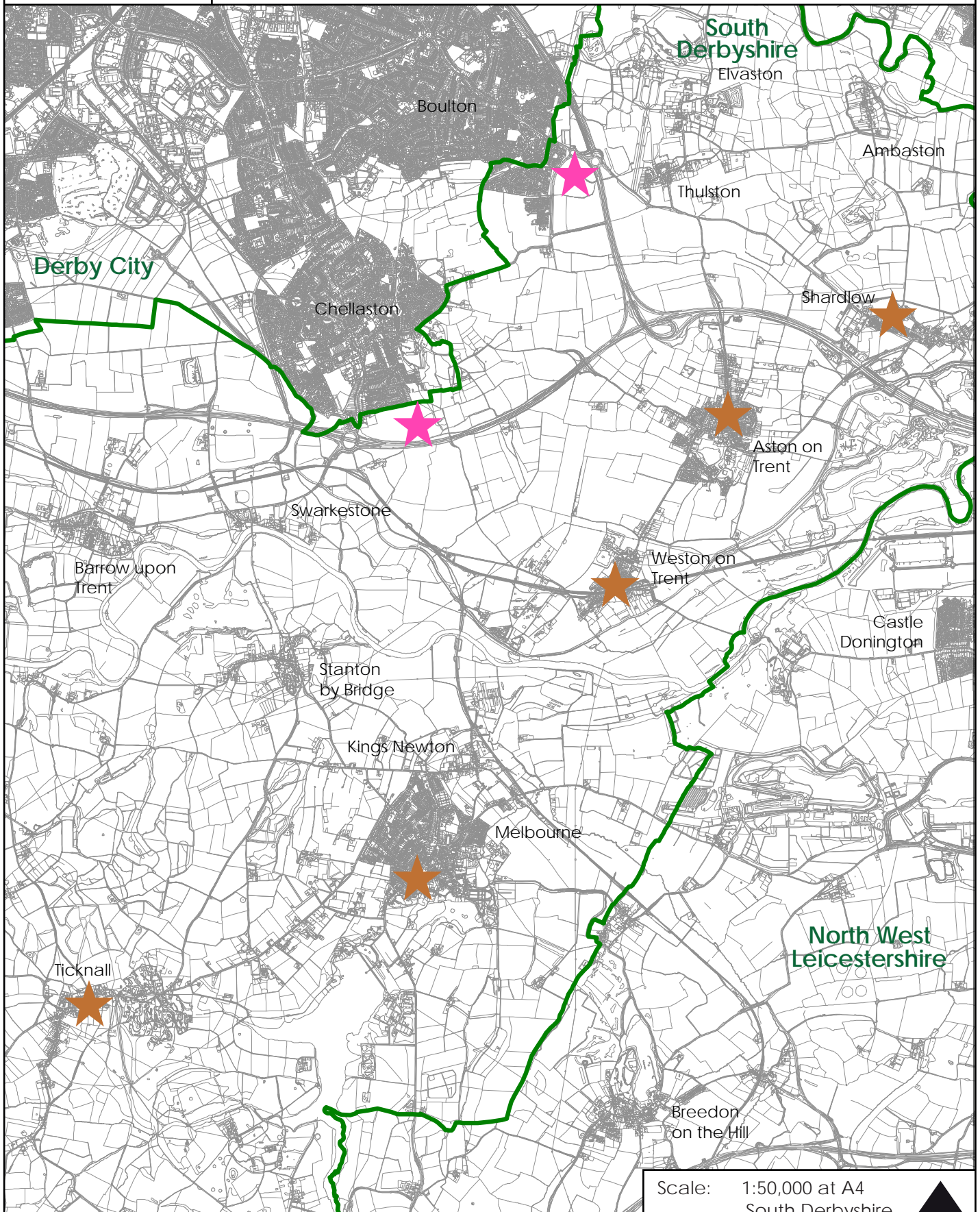
Proposed Local Centres



Other Centres in Key and
Local Service Villages



Map 2: RTL1 - Retail Hierarchy



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Scale: 1:50,000 at A4
— South Derbyshire
District Boundary



Existing Local Centres



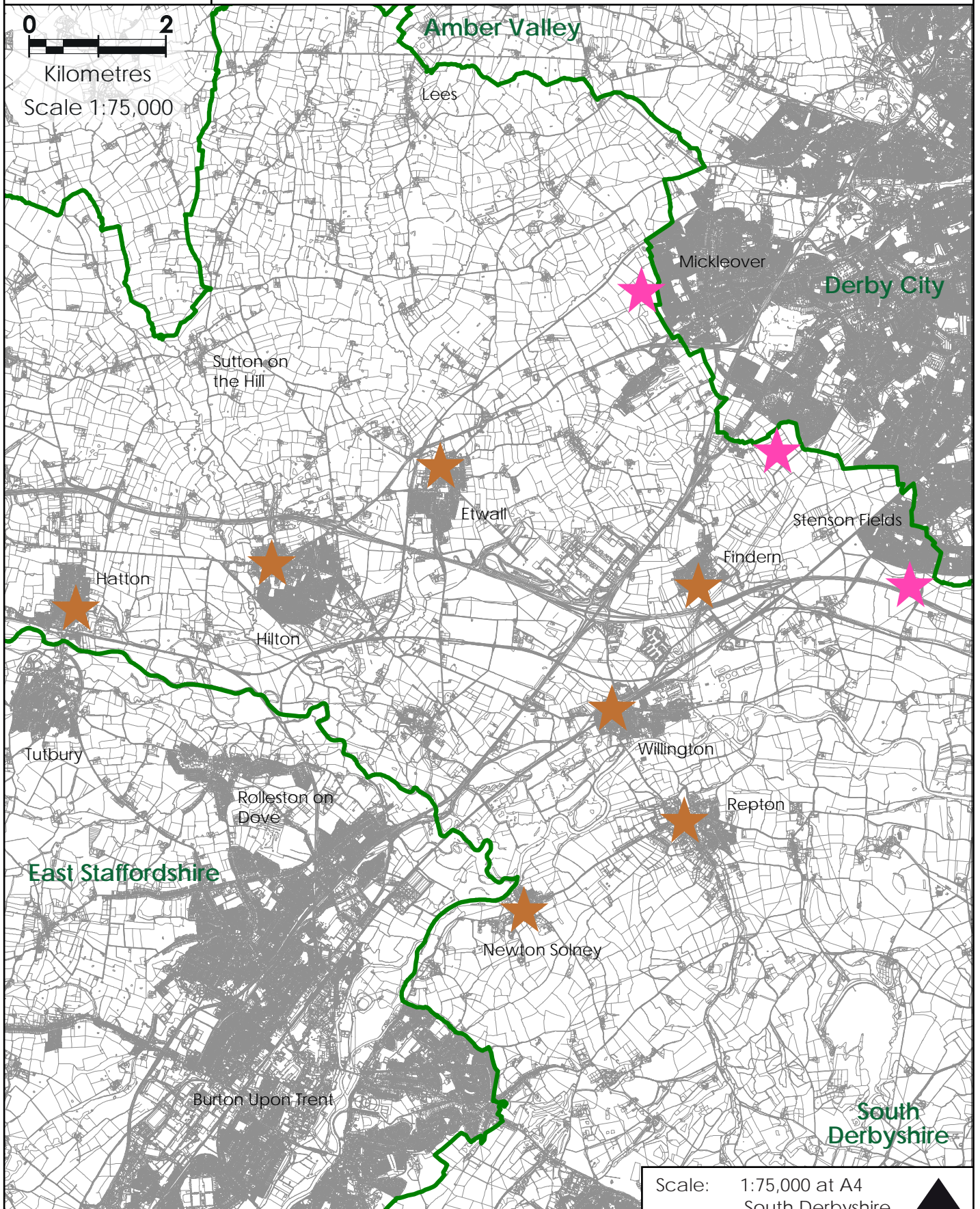
Proposed Local Centres



Other Centres in Key and
Local Service Villages



Map 3: RTL1 - Retail Hierarchy



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Existing Local Centres



Proposed Local Centres



Other Centres in Key and
Local Service Villages

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.

Explanation

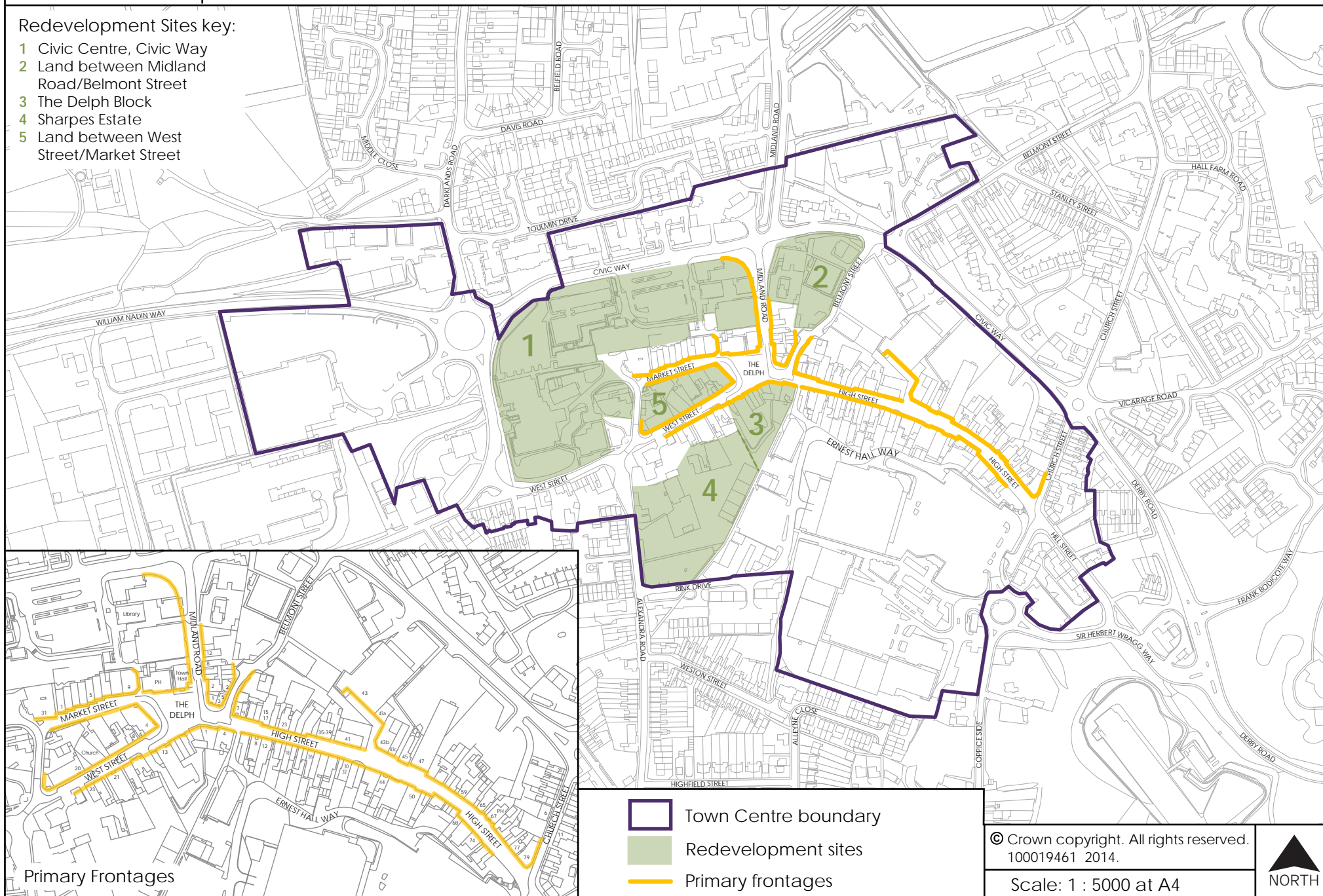
- 5.17 The Swadlincote Town Centre Vision and Strategy identifies a number of sites as offering potential for redevelopment. Listed in this policy are those considered most likely to come forward during the plan period.
- 5.18 Site 1 comprises the land currently occupied by the Civic Offices, bus station, former market hall, Green Bank Leisure Centre and library. It is the largest site proposed with scope for a mixed use development including increased parking provision.
- 5.19 Site 2, land between Midland Road and Belmont Street, is currently occupied by a mix of uses, including vacant land and a former bowling green. There is an opportunity for redevelopment and/or refurbishment with mixed uses, including offices.
- 5.20 Site 3, the Delph Block, comprising 1-15 West Street, includes a block of retail, food and drink and health and beauty premises. It has scope for redevelopment with mixed uses, including an opportunity to create an active frontage to Rink Passage. The site could also be integrated with Site 4.
- 5.21 Site 4, Sharpes Estate, comprises a public car park and a cluster of office and industrial buildings, both historic and modern, including vacant buildings and land. There is a development opportunity for mixed uses, including residential, with scope for restoration works, redevelopment and infill to complement the existing buildings.
- 5.22 Site 5, land between West Street and Market Street, comprises a number of vacant or underused buildings which have historic importance. There is potential to incorporate the West Street frontages in a development scheme, with new active frontages to Market Street involving mixed uses.



Map 4 - Policy RTL1 & RTL2: Swadlincote Town Centre and Potential Redevelopment Locations

Redevelopment Sites key:

- 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



The background features a series of overlapping, organic shapes in various shades of green and purple. A large, light green shape dominates the upper right, while a darker green shape is on the left. Below these, a large purple shape curves across the bottom. The shapes are defined by smooth, flowing lines, creating a modern, abstract aesthetic.

Infrastructure

South Derbyshire Local Plan • **PART 2**

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INFRASTRUCTURE

- 6.1 Whilst recognising the importance of telecommunications it is important to strike a balance between delivering infrastructure and preserving the landscape and buildings of particular importance.

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.**

Explanation

- 6.2 High quality and reliable telecommunications infrastructure is essential for economic growth and to deliver the services expected from telecommunications development including mobile and broadband. Poor broadband limits the types of business that could exist in a rural setting. Digital Derbyshire is working in partnership with BT to lay hundreds of miles of fibre optic cable and aims to bring faster broadband to parts of Derbyshire, particularly in rural areas. For details of the programme go to www.digitalderbyshire.org.uk
- 6.3 Telecommunications covers communication services involving radio, television and telephone networks provided by means of cable, microwave and satellite. In accordance with National Policy, local planning authorities should aim to keep the numbers of radio and telecommunication masts and the sites for such installations to a minimum consistent with the efficient operation of the network.

- 6.4 It is recognised that service providers will want to provide the best coverage possible in order to remain competitive in the market. Whilst recognising the importance of telecommunications, it is important to strike a balance between delivering infrastructure and preserving the landscape and buildings of particular importance. Wherever there is an opportunity to minimise the negative effects of telecommunications infrastructure, these should be taken up.
- 6.5 Conditions may be sought to secure an acceptable appearance for the structures and the development site. Screening may be sought where appropriate and landscaping schemes required. Where services are placed underground or new landscaping is proposed, the site should be restored and/or landscaped with appropriate indigenous species.

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; and**
- 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.**

Explanation

- 6.6 Due to the recent and anticipated population growth in South Derbyshire, not just in this plan period but beyond 2028, it has become evident that at least one new secondary school will be required in the District. There are currently four secondary schools within the District, three in Swadlincote and one in Etwall. As well as these schools within the District, parts also have normal (catchment) areas covering them from Derby City, East Staffordshire and Erewash schools.
- 6.7 In order to progress a new secondary school, the starting point is the notification of a site through the Local Plan process. Derbyshire County Council as the statutory Authority for education provision in the District have undertaken this process and notified the Council to allocate this site.

- 6.8 The exact location of the school within the Southern Derby Area/Infinity Garden Village is to be determined through the development framework that is required as part of Policy INF13. The required area is set out in the criteria of the policy and it is known that it will be on the eastern side of the village. Collaboration between the site promoter and the Local Education Authority will continue as the process moves towards the development of a new secondary school in a location that is deliverable from both a planning and educational stance.
- 6.9 This policy only considers land required for secondary education provision and not sites for primary schools. Clearly the growth planned through both parts of the Local Plan will have an impact on primary schools and an increased requirement for places.
- 6.10 This need has been predominately dealt with through the Part 1 housing policies that have required new primary schools at the following sites:
- Hackwood Farm (in the Derby City part of the site)
 - Newhouse Farm
 - Highfields Farm
 - Wragley Way
 - Chellaston Fields
 - Boulton Moor
 - Drakelow
 - Hilton
- 6.11 Extensions at existing primary schools are also required at several schools across the District. None of the non-strategic housing allocations at policy H23 will create sufficient demand for a new primary school but additional school places will be required which will be dealt with through education contributions dealt with in section 106 agreements.

Policy INF13 Southern Derby Area and Infinity Garden Village

Development proposals and cross boundary collaboration will be supported in the Southern Derby Area as shown on Map 5 for a mix of uses as part of the Infinity Garden Village development.

In order to implement this development comprehensively and support the required infrastructure delivery, a joint 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)**

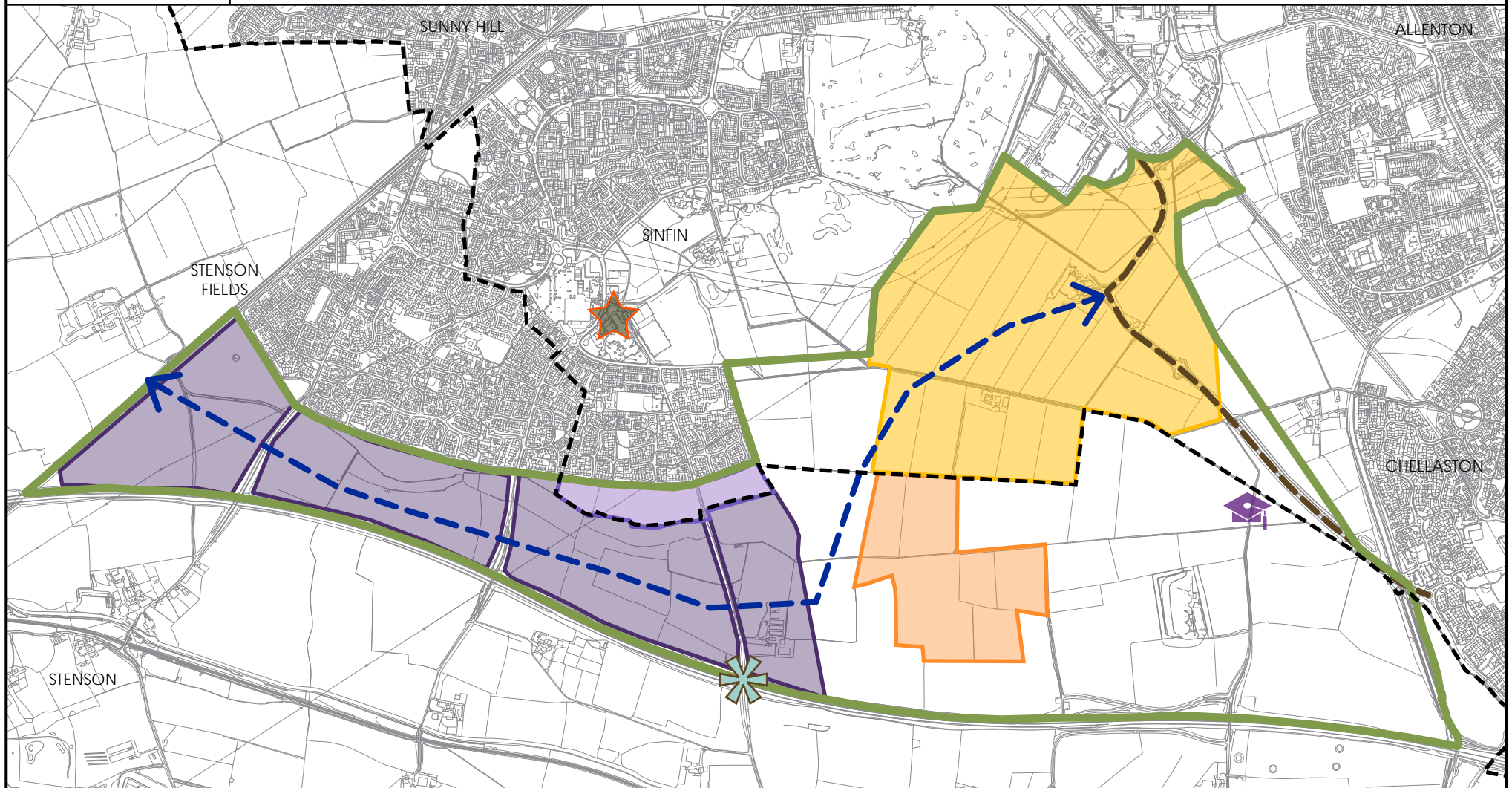
Until the development framework document is approved, any necessary infrastructure required to deliver the comprehensive approach will be supported.

Explanation

- 6.12 This policy is supported by the allocation of Wragley Way (H15) and Land at Sinfin Moor (E4) in the Local Plan Part 1 and the continued growth of Infinity Park in Derby City. In the interests of aligning and agreeing phasing for the upcoming development opportunities to support the Infinity Garden Village proposal it is important that consideration is given to the development in both administrative areas. This will be undertaken through an agreed framework document that can fully consider all the constraints and opportunities on the site and guide the delivery of the Southern Derby Area comprehensively. The Development Framework document will be produced in collaboration with Derby City, Derbyshire County Council, relevant developers and landowners and Highways England. However due to the pressing need to plan for and deliver a new secondary school all parties will need to expedite the joint development framework.



MAP 5 - INF12 and INF13: Southern Derby Area and Infinity Garden Village



----- South Derbyshire District Boundary

 Infinity Garden Village

 Indicative alignment of South Derbyshire Integrated Transport Link

----- Infinity Park Way



Potential A50 junction



Sinfin District Centre




Provision of Education Facilities (INF12)

 Infinity Park (Derby City Allocation AC15)

 Wragley Way (Derby City Allocation AC18)

 Wragley Way (Housing Policy H15)

 Sinfin Moor (Employment Policy E4)

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Appendix A

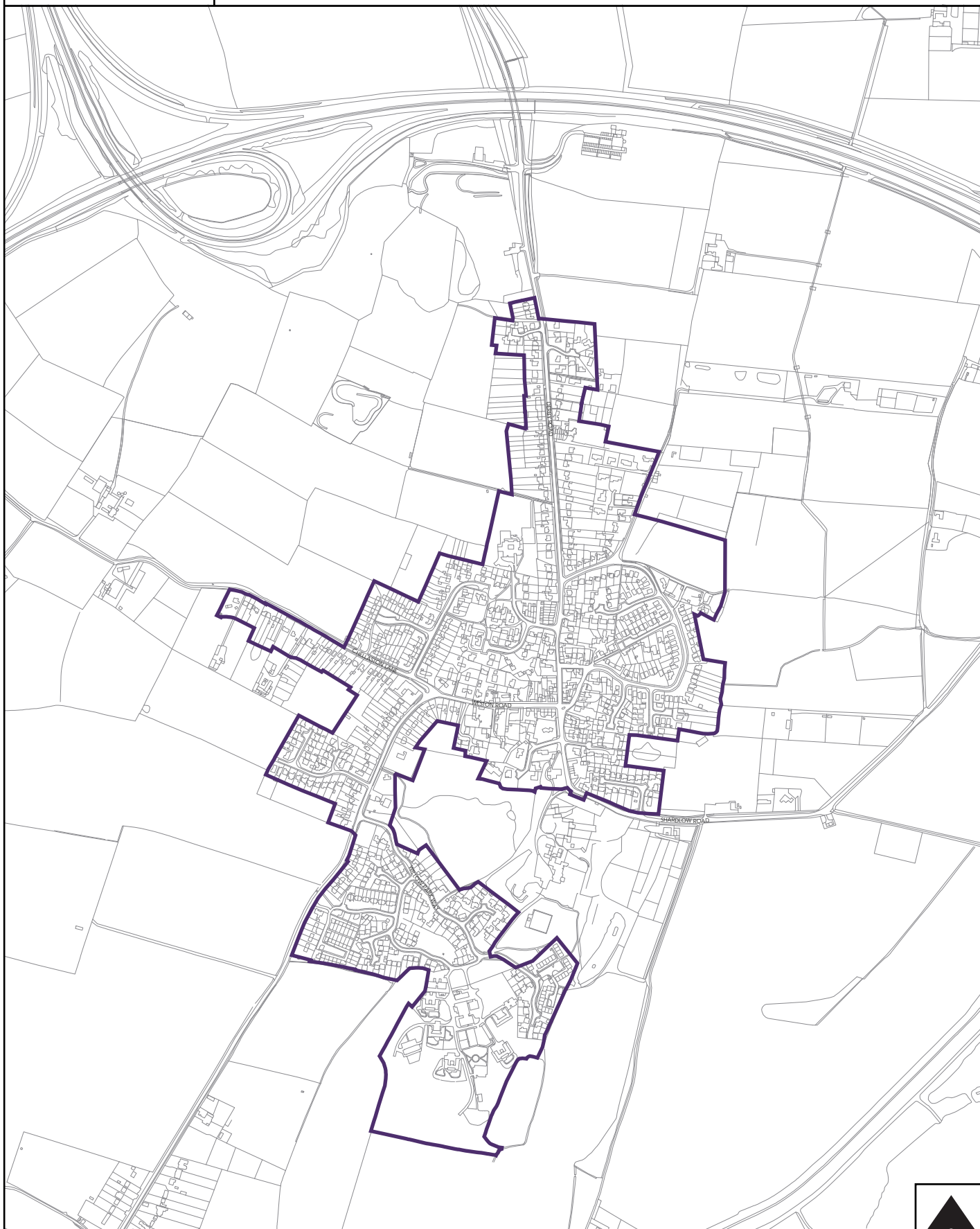
Settlement Boundary Maps

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Aston on Trent Village Settlement Boundary



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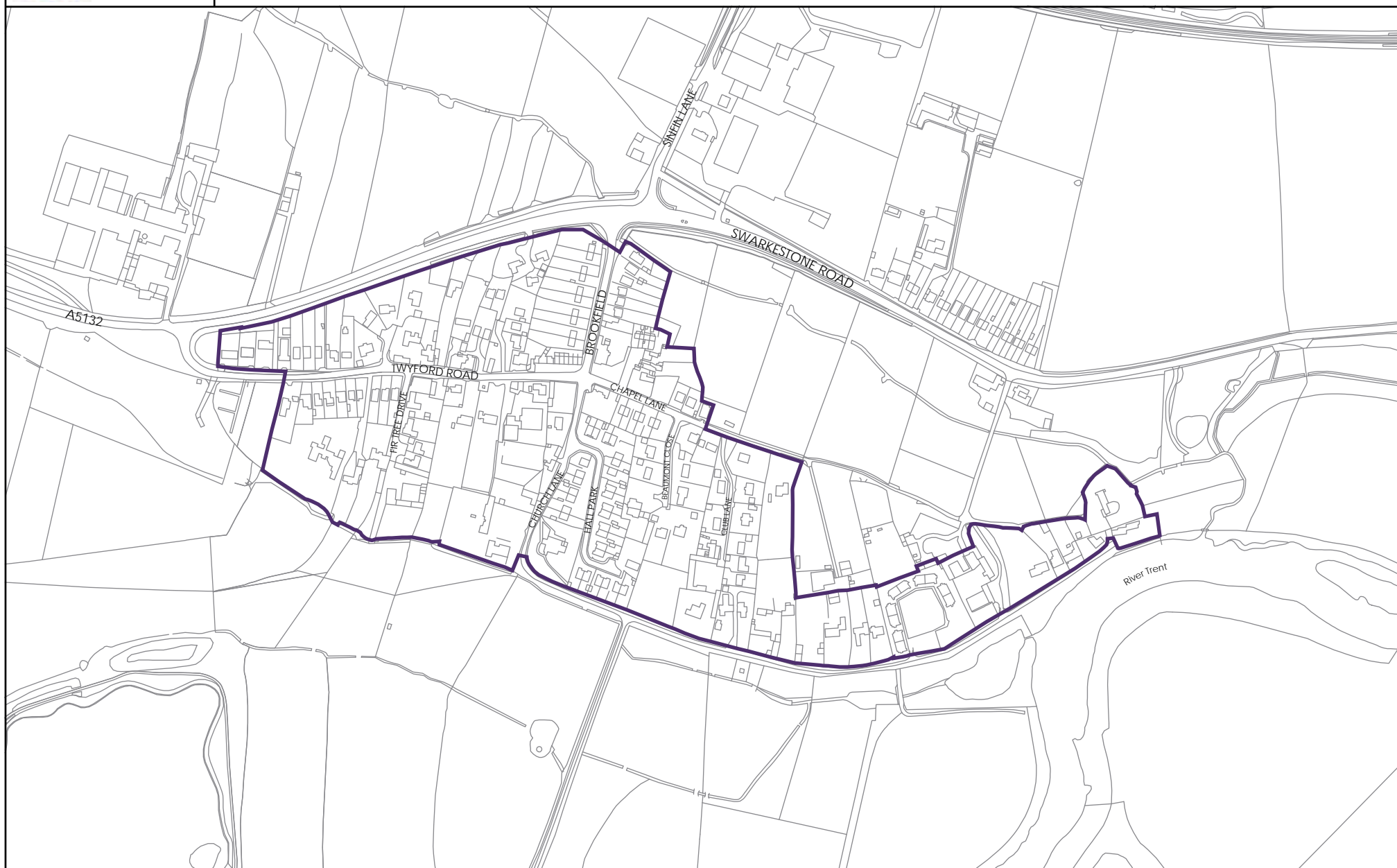
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Settlement boundary



Barrow on Trent Village Settlement Boundary



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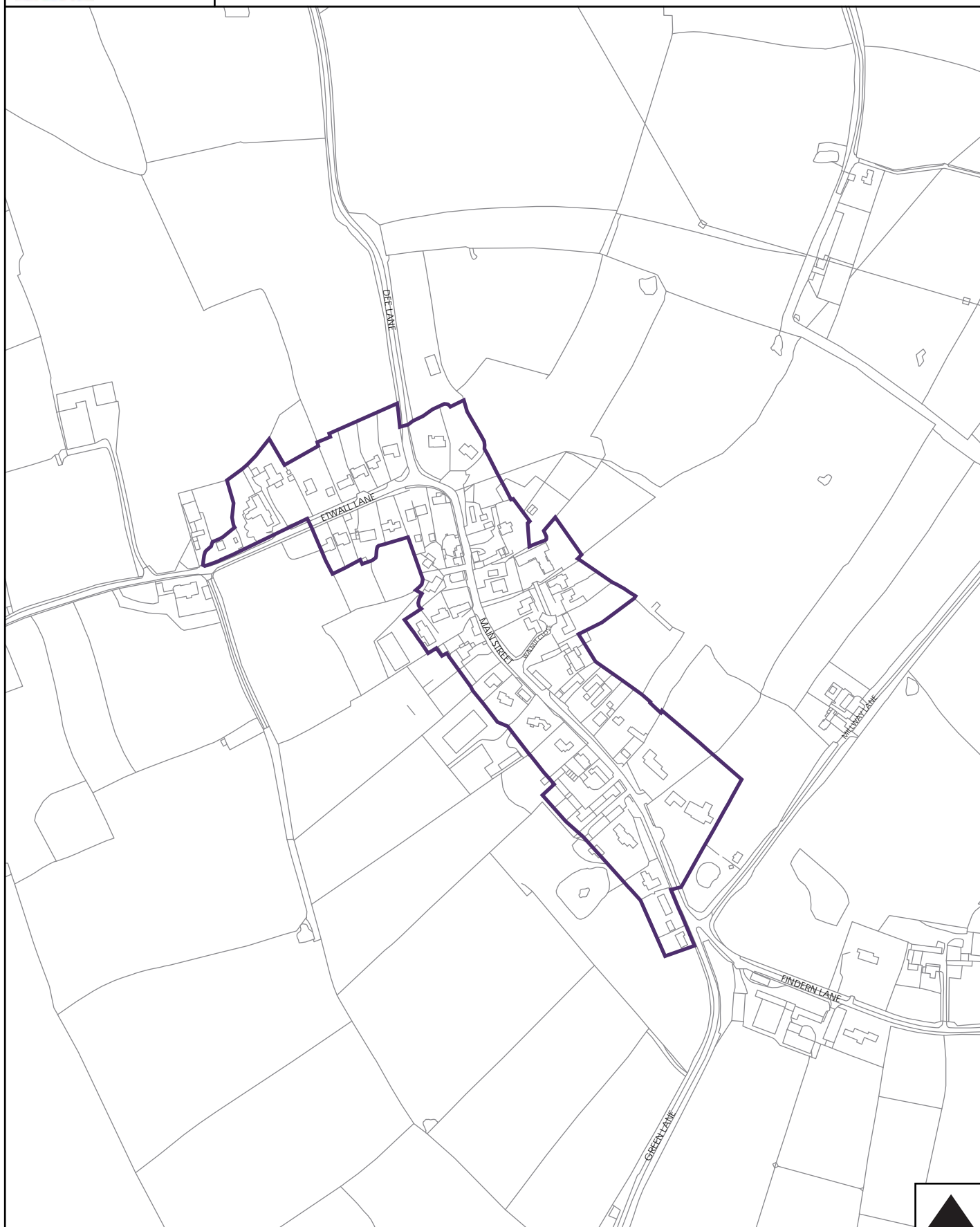
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Burnaston Village Settlement Boundary

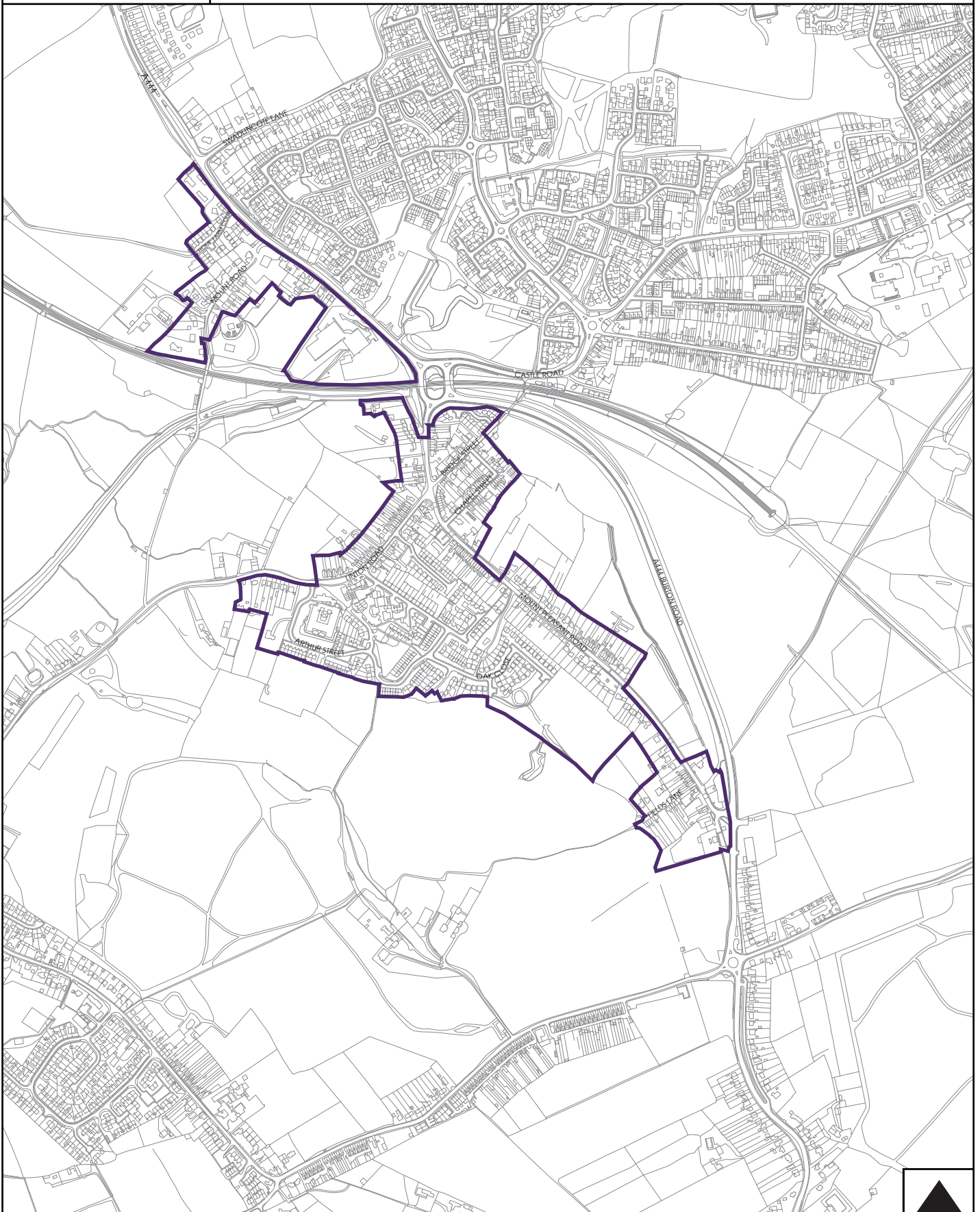


Settlement boundary



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Castle Gresley (Mount Pleasant) Settlement Boundary



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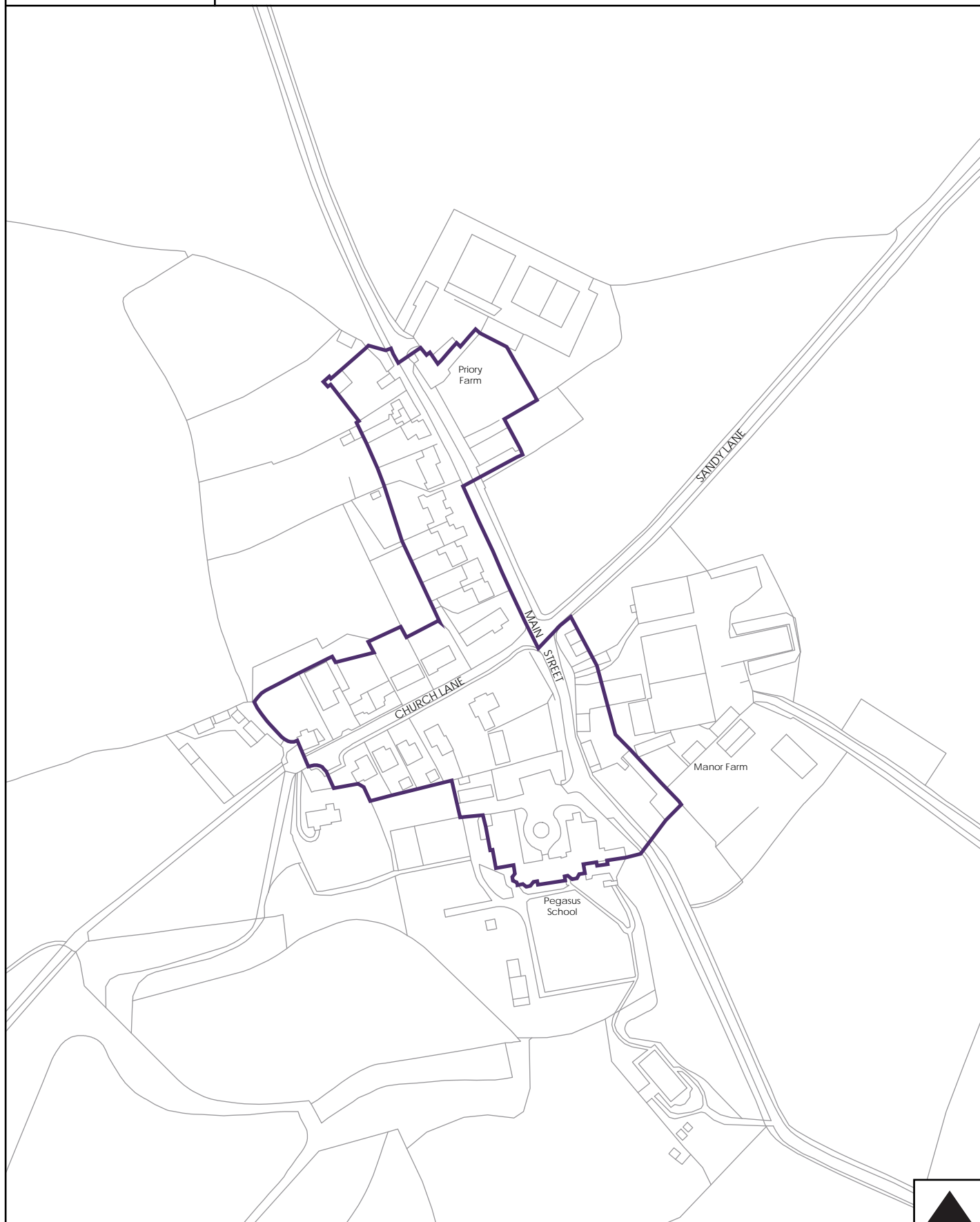
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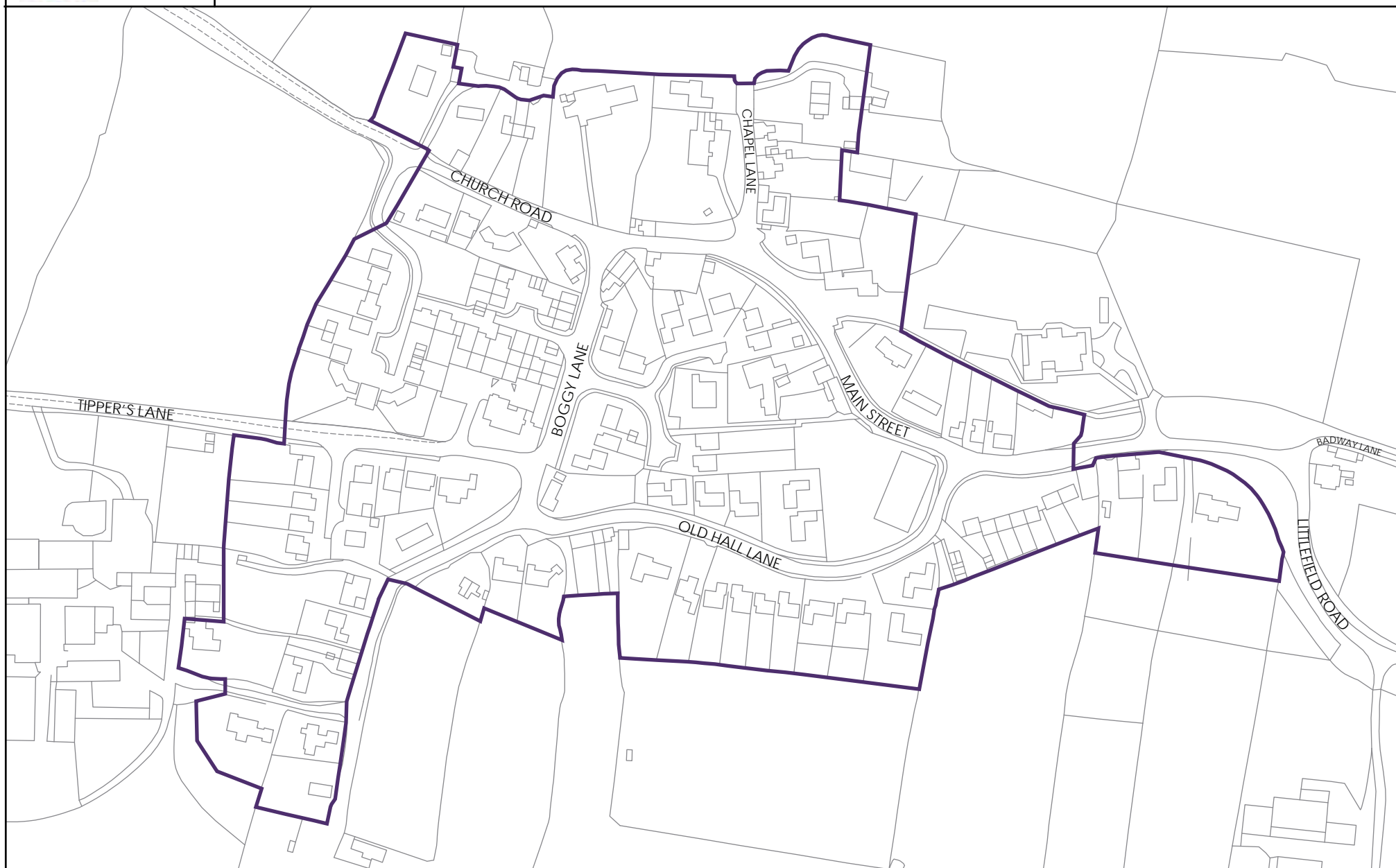
Cauldwell Village Settlement Boundary



Settlement boundary



Church Broughton Village Settlement Boundary



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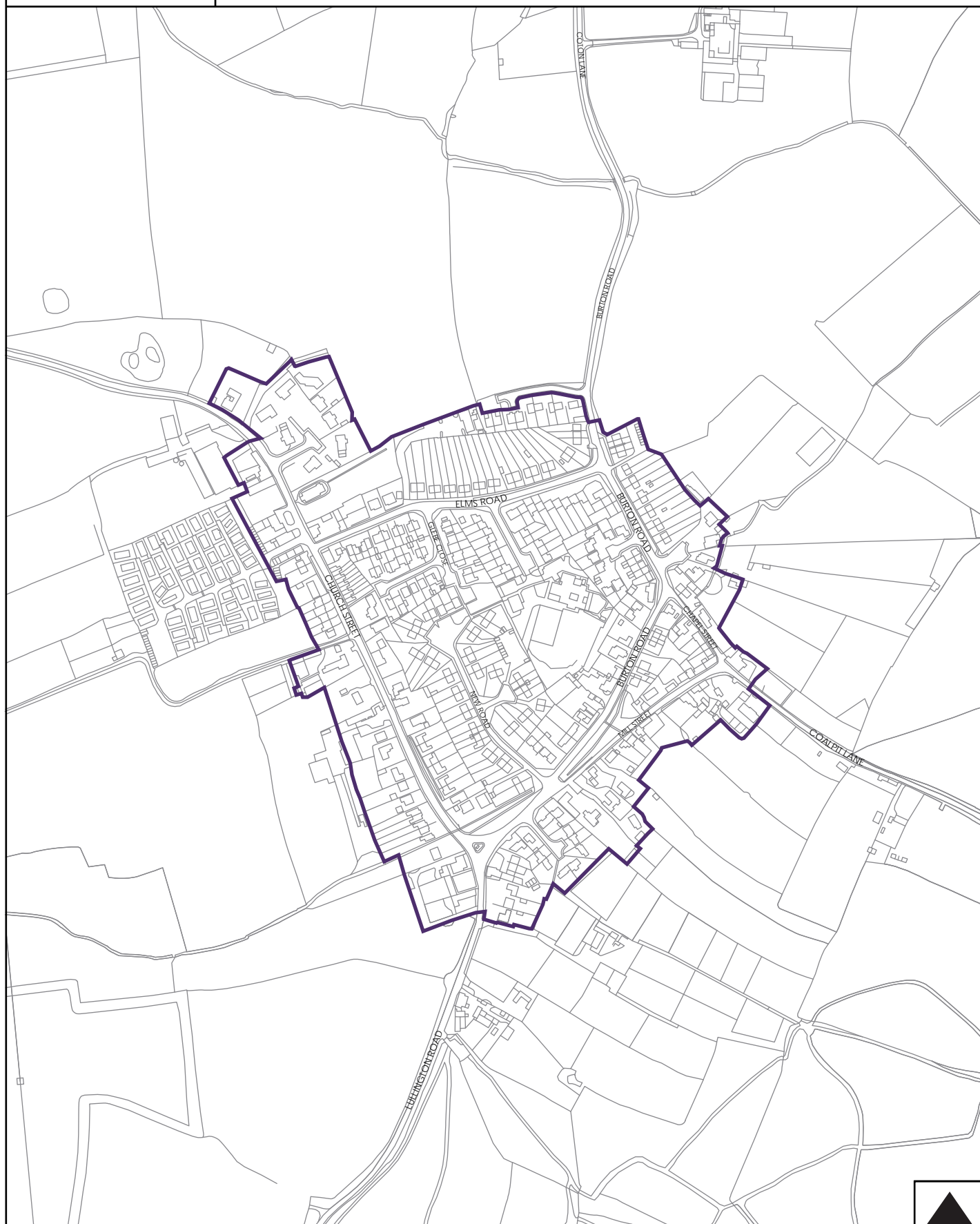
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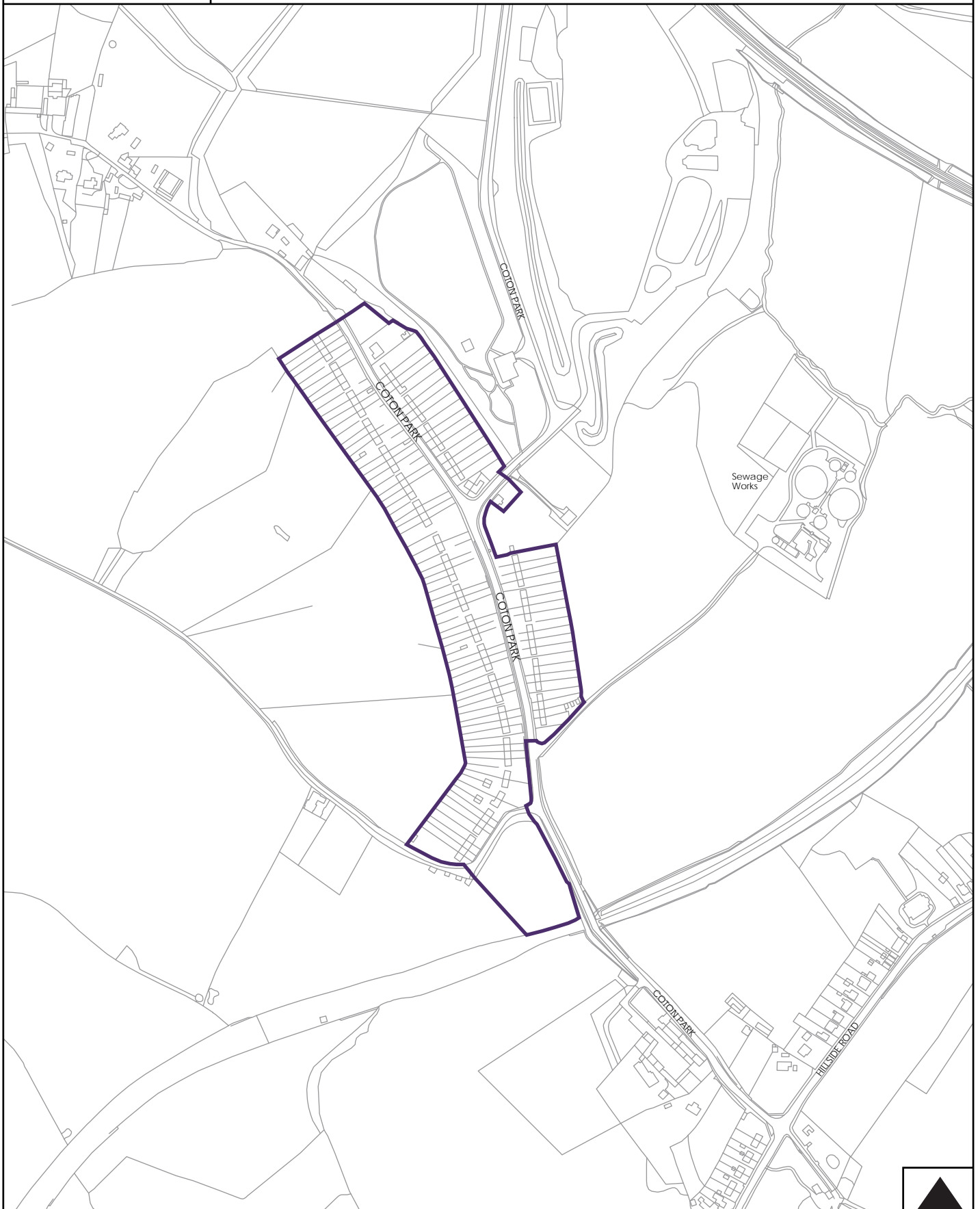


Coton in the Elms Village Settlement Boundary





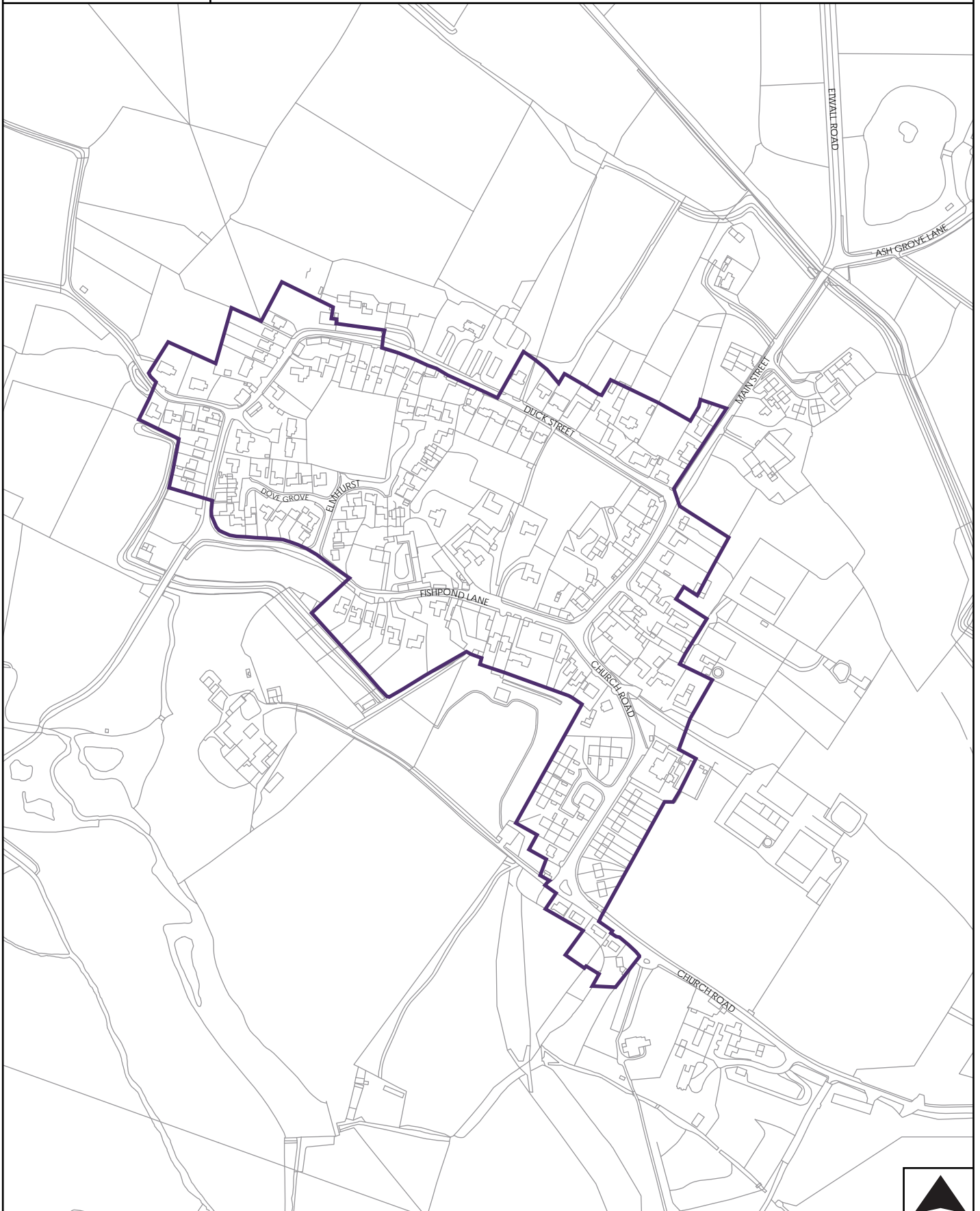
Coton Park Village Settlement Boundary



Settlement boundary



Egginton Village Settlement Boundary



Settlement boundary



This is a detailed map of a residential area, likely in a suburban or semi-rural setting. The map features a network of roads and streets, with a prominent purple boundary line outlining a specific area of interest. The area within the purple boundary includes several residential blocks, some with curved streets and others with more linear layouts. Key streets labeled on the map include 'WINDY HILL ROAD' at the top, 'HUNTER ROAD' running horizontally across the middle, 'BEECH ROAD' running vertically on the left, and 'LEEDS ROAD' running vertically on the right. The map also shows surrounding areas, including fields, other roads, and some commercial or industrial buildings. The overall layout suggests a planned residential development with clear street patterns and designated areas.

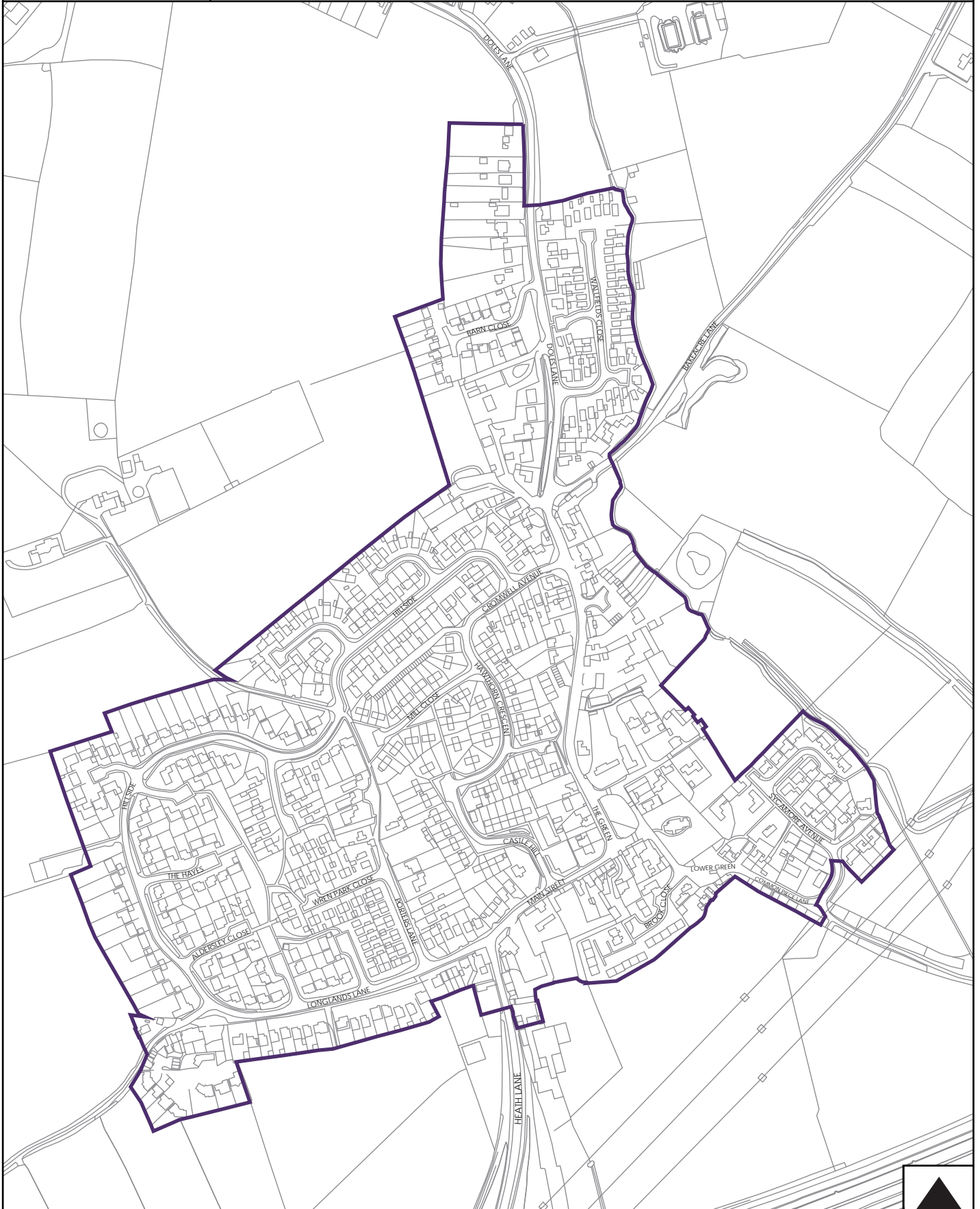
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Settlement boundary



Findern Village Settlement Boundary

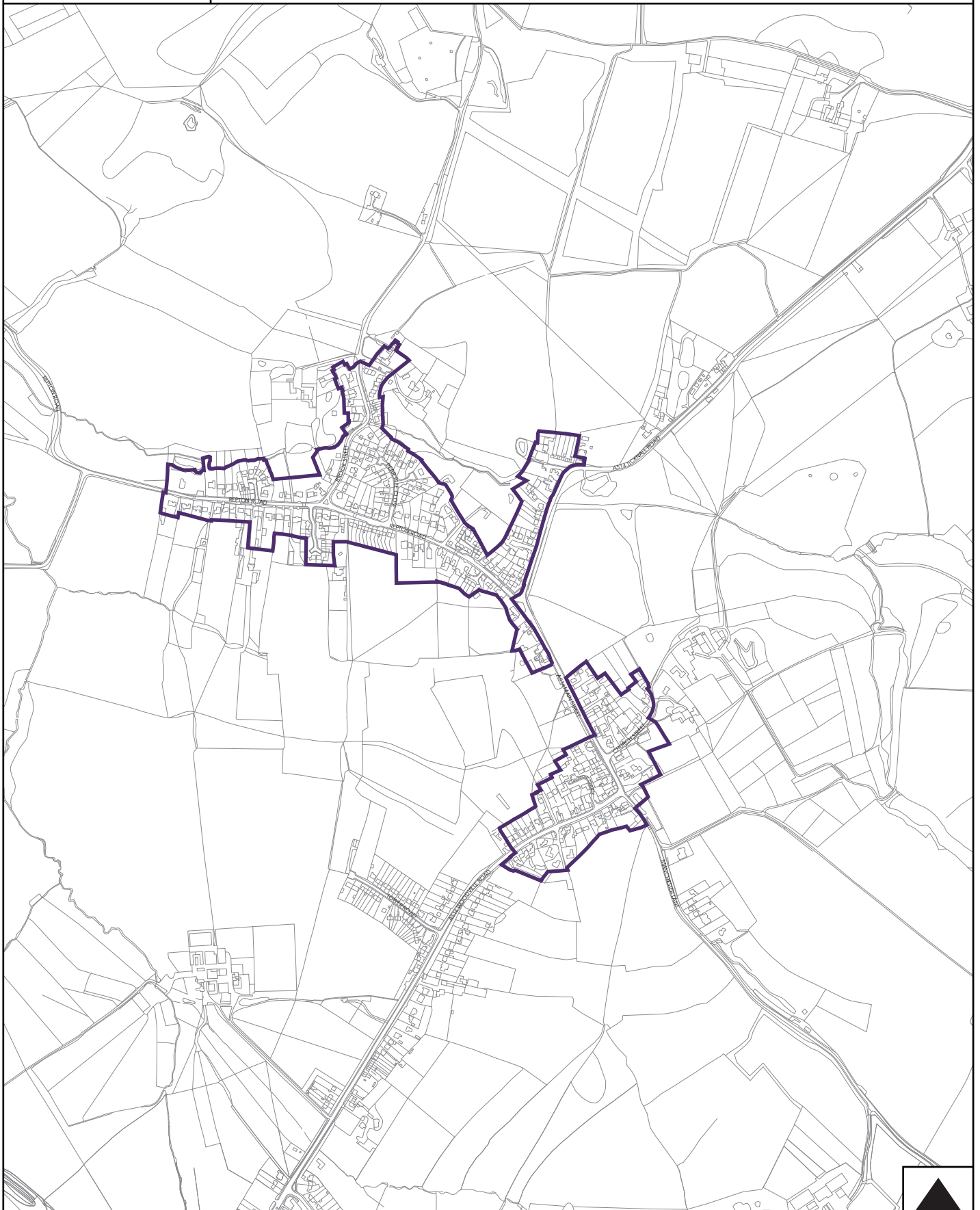


Settlement boundary



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Hartshorne Village Settlement Boundary



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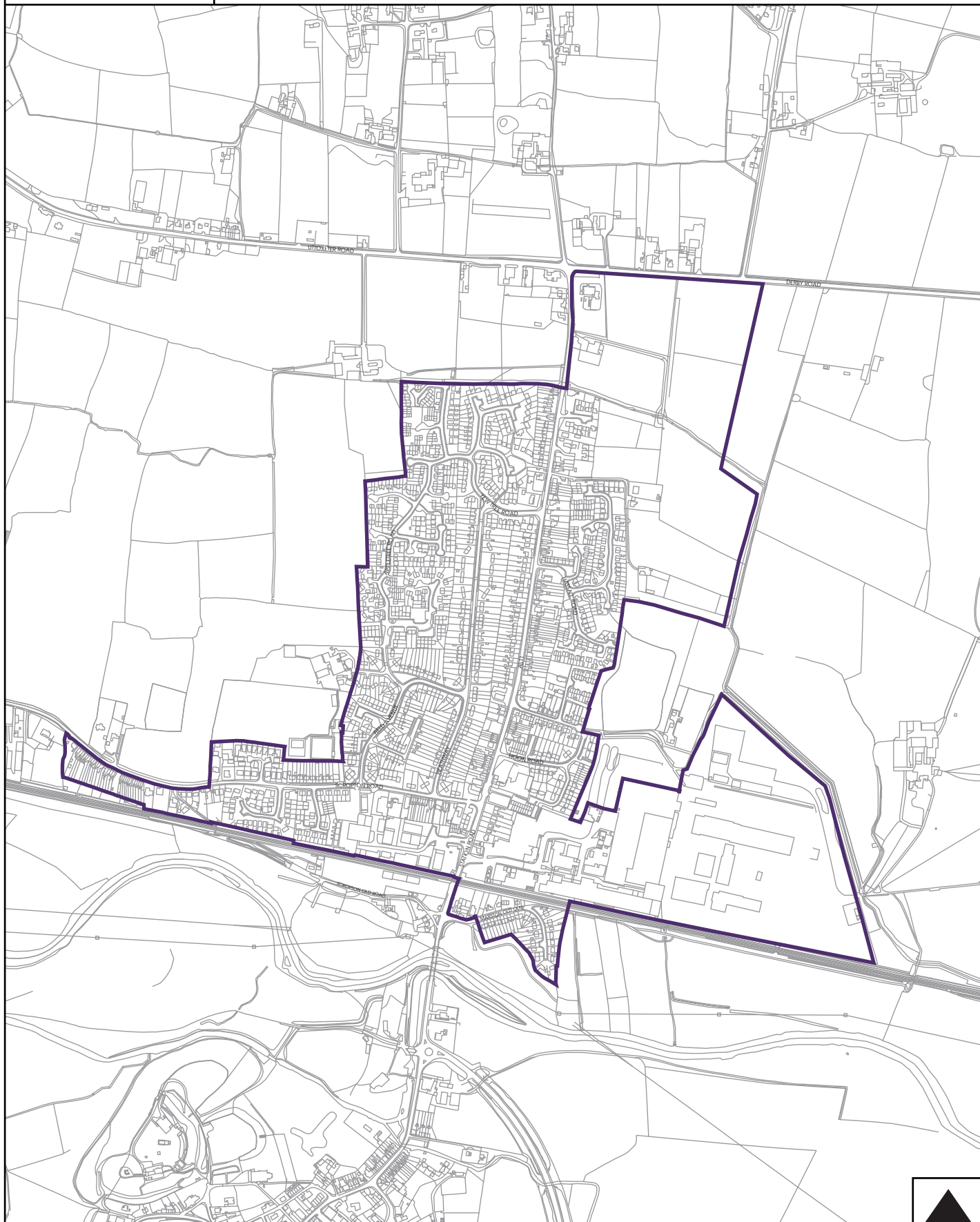


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Hatton Village Settlement Boundary



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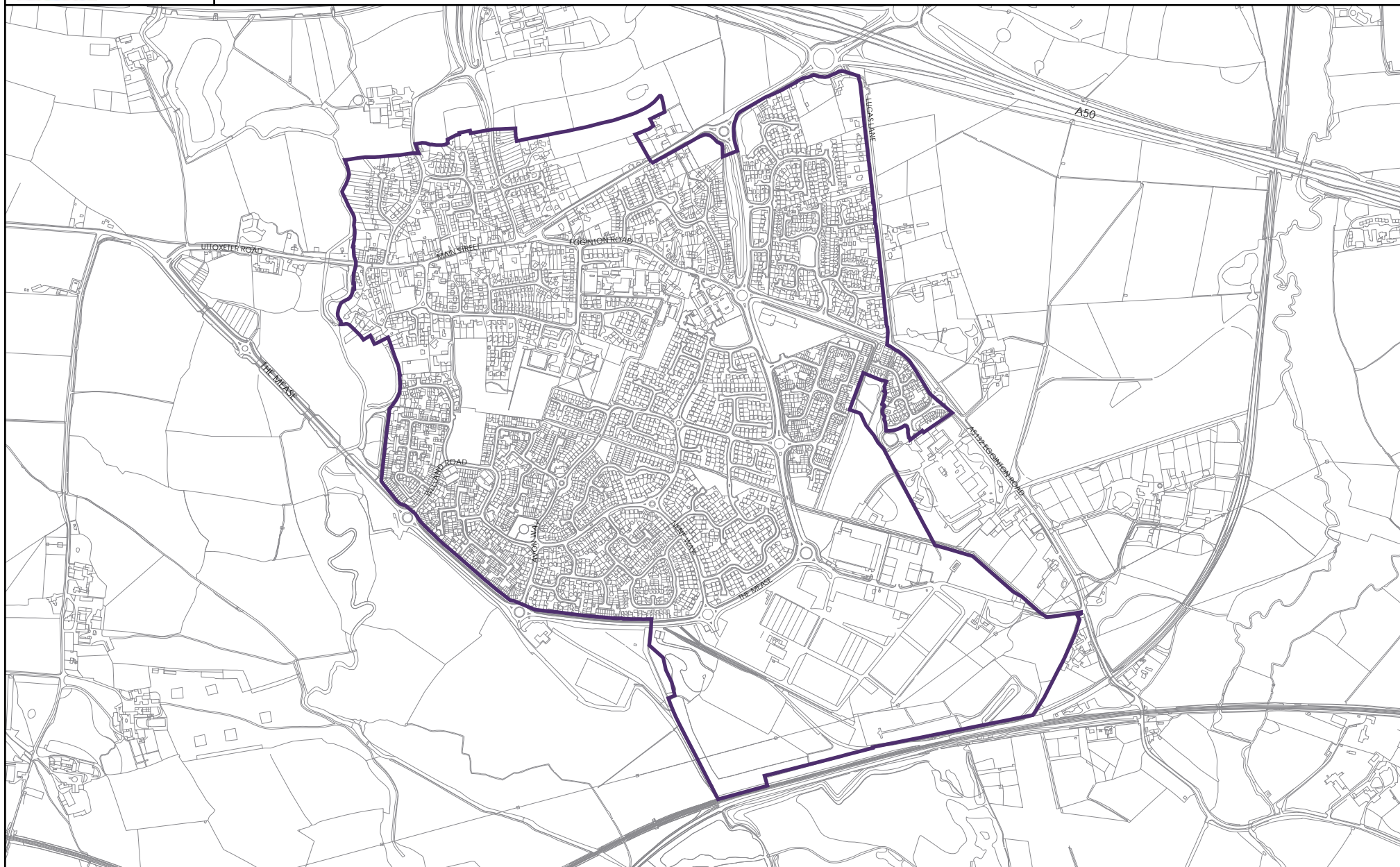


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Hilton Village Settlement Boundary



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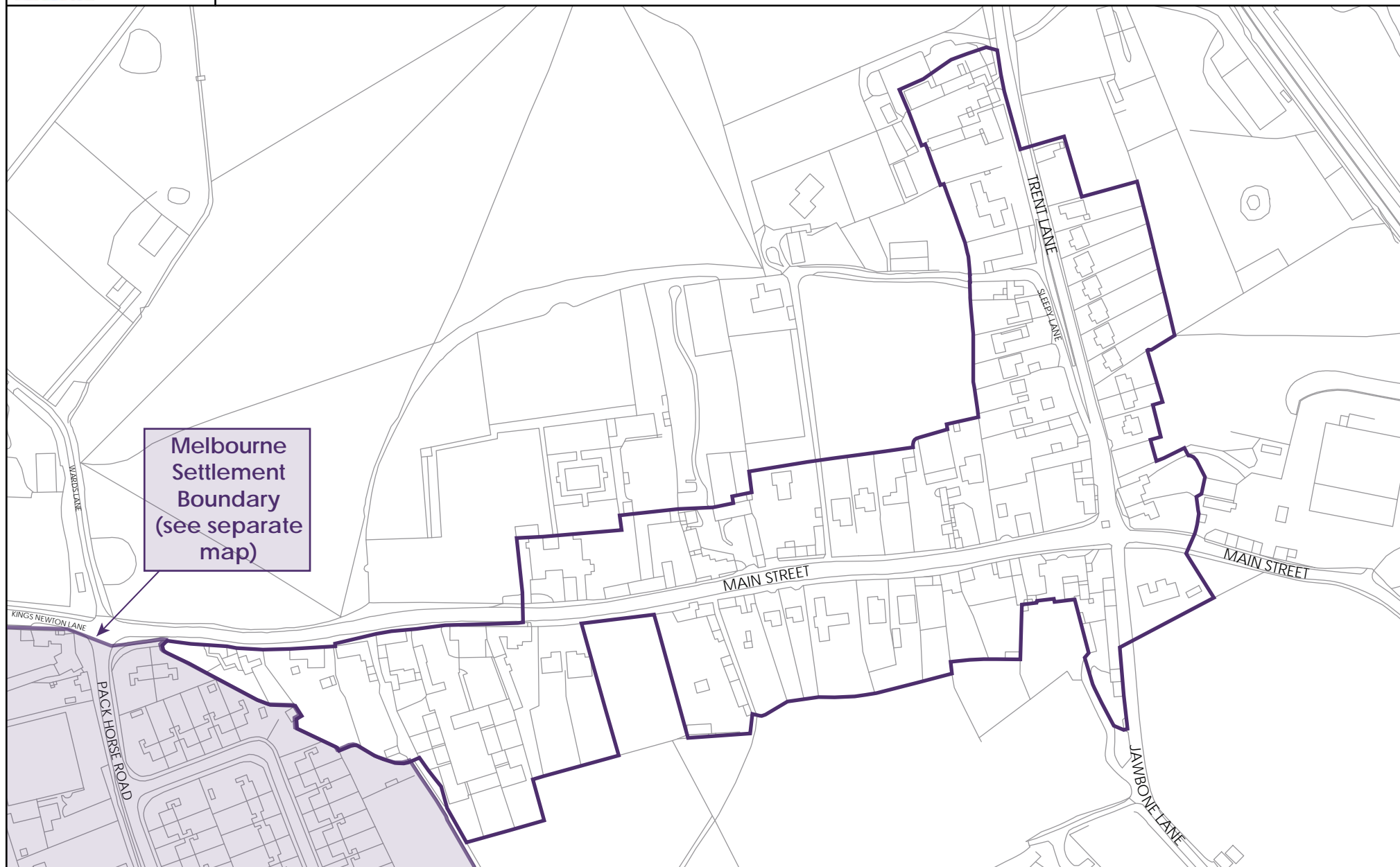
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Kings Newton Village Settlement Boundary



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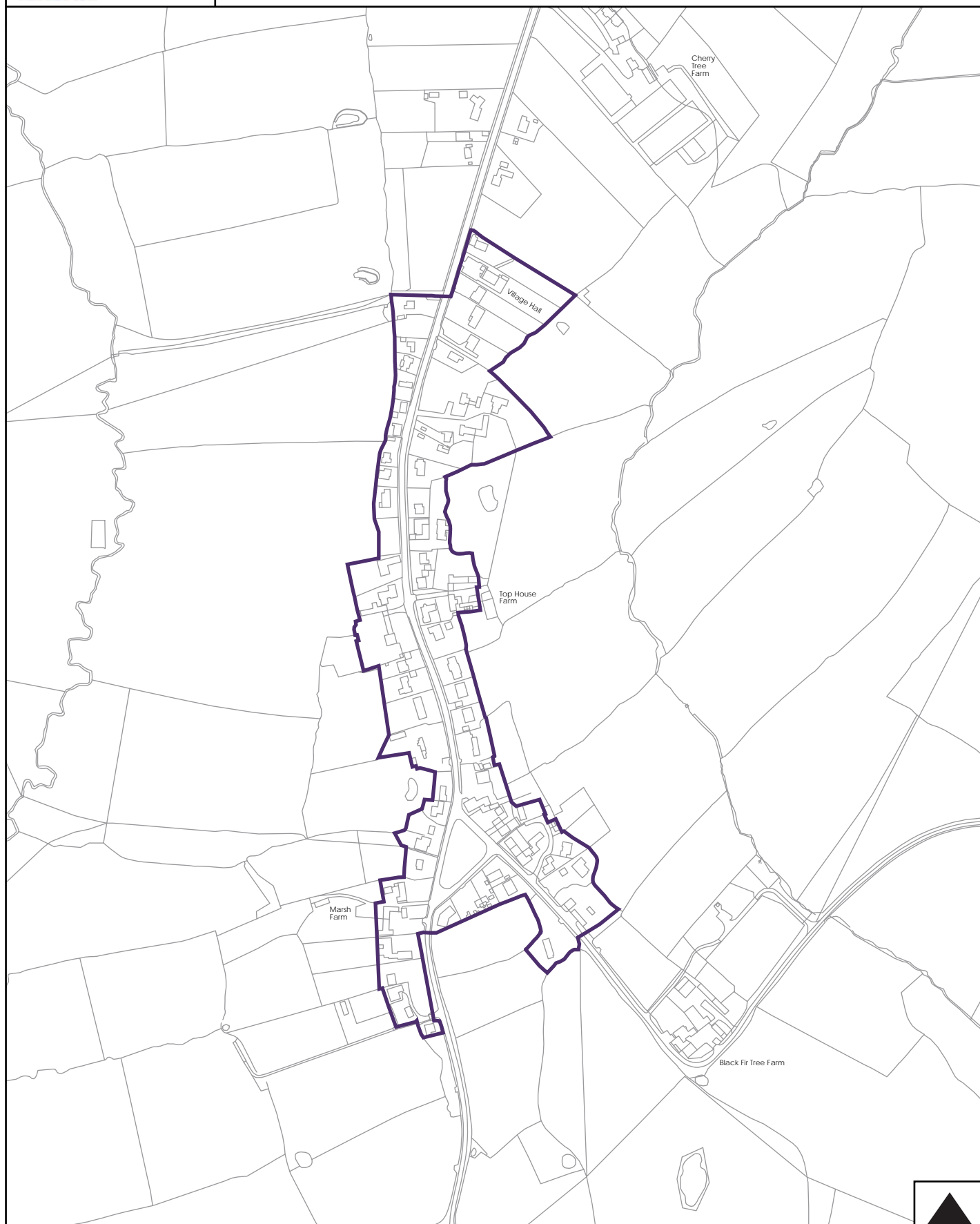


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Lees Village Settlement Boundary



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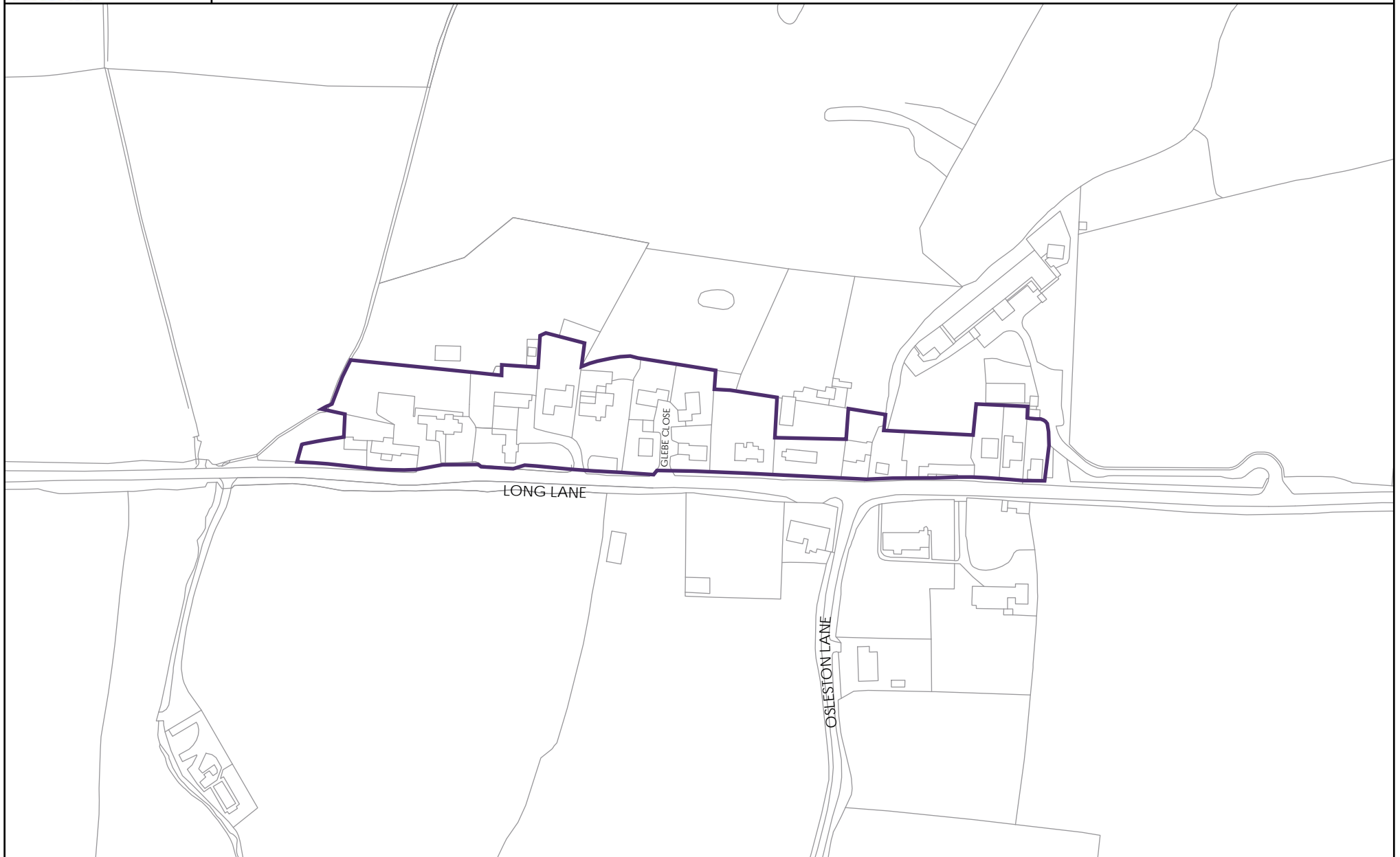
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Long Lane Village Settlement Boundary

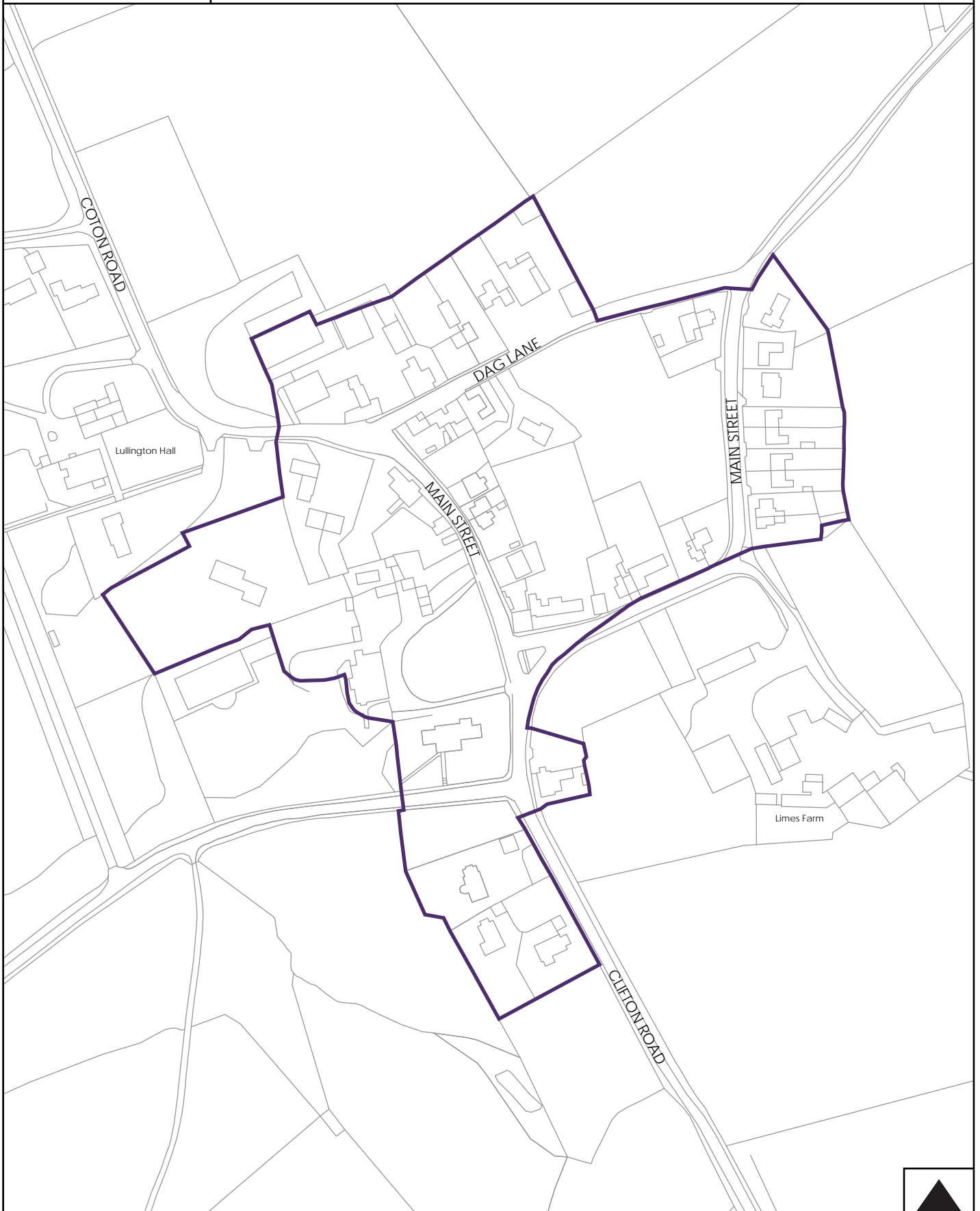


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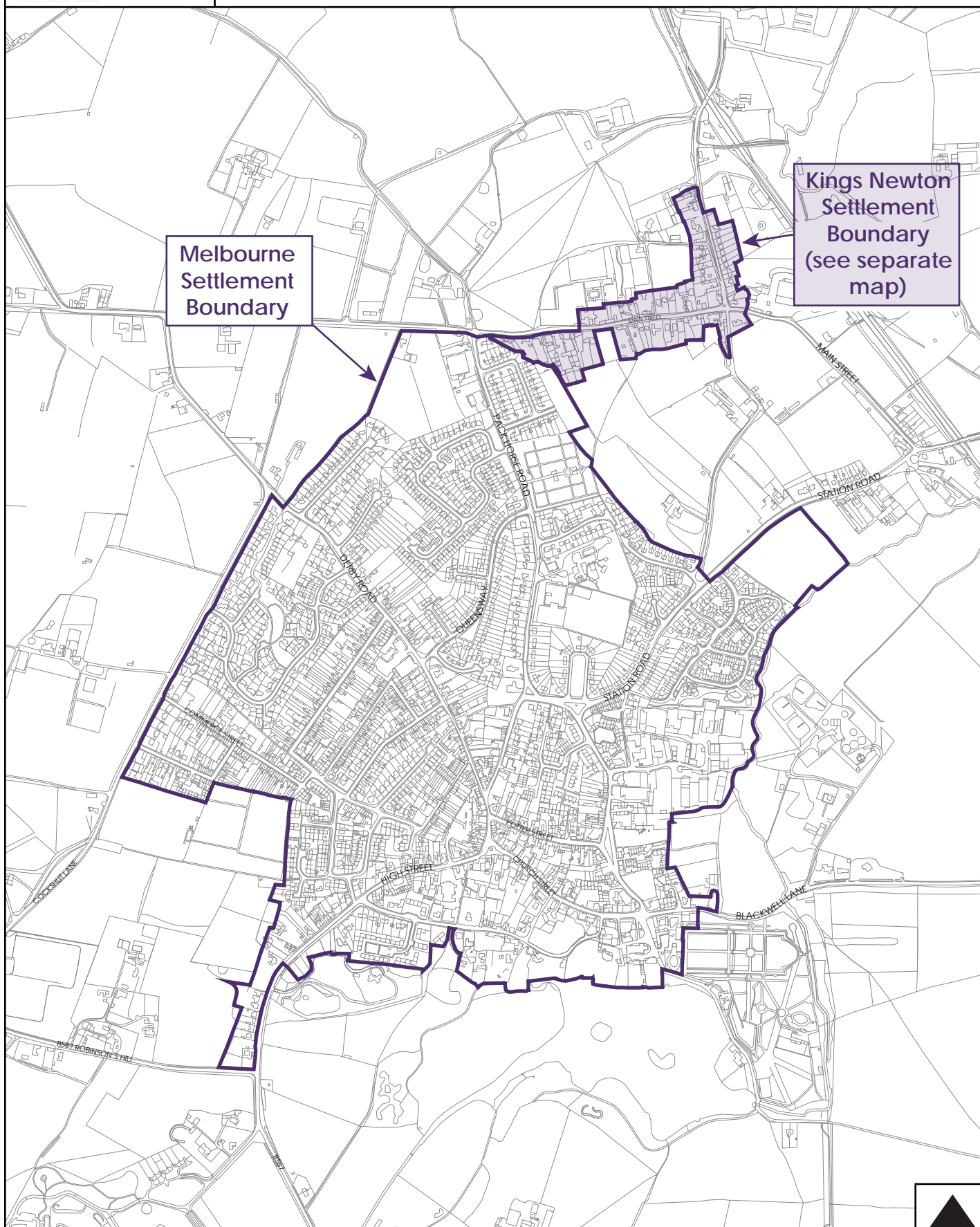
Lullington Village Settlement Boundary



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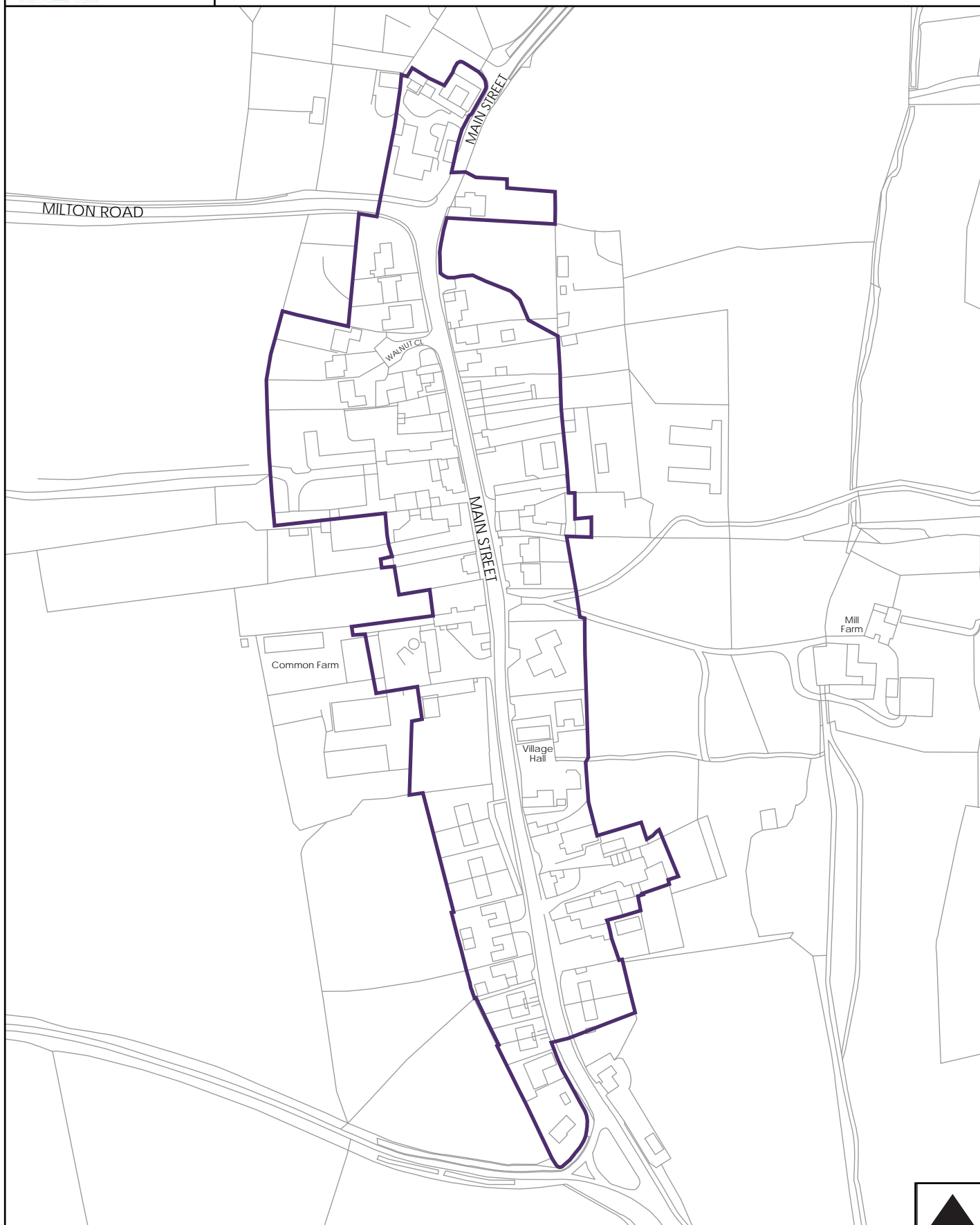


Melbourne Village Settlement Boundary





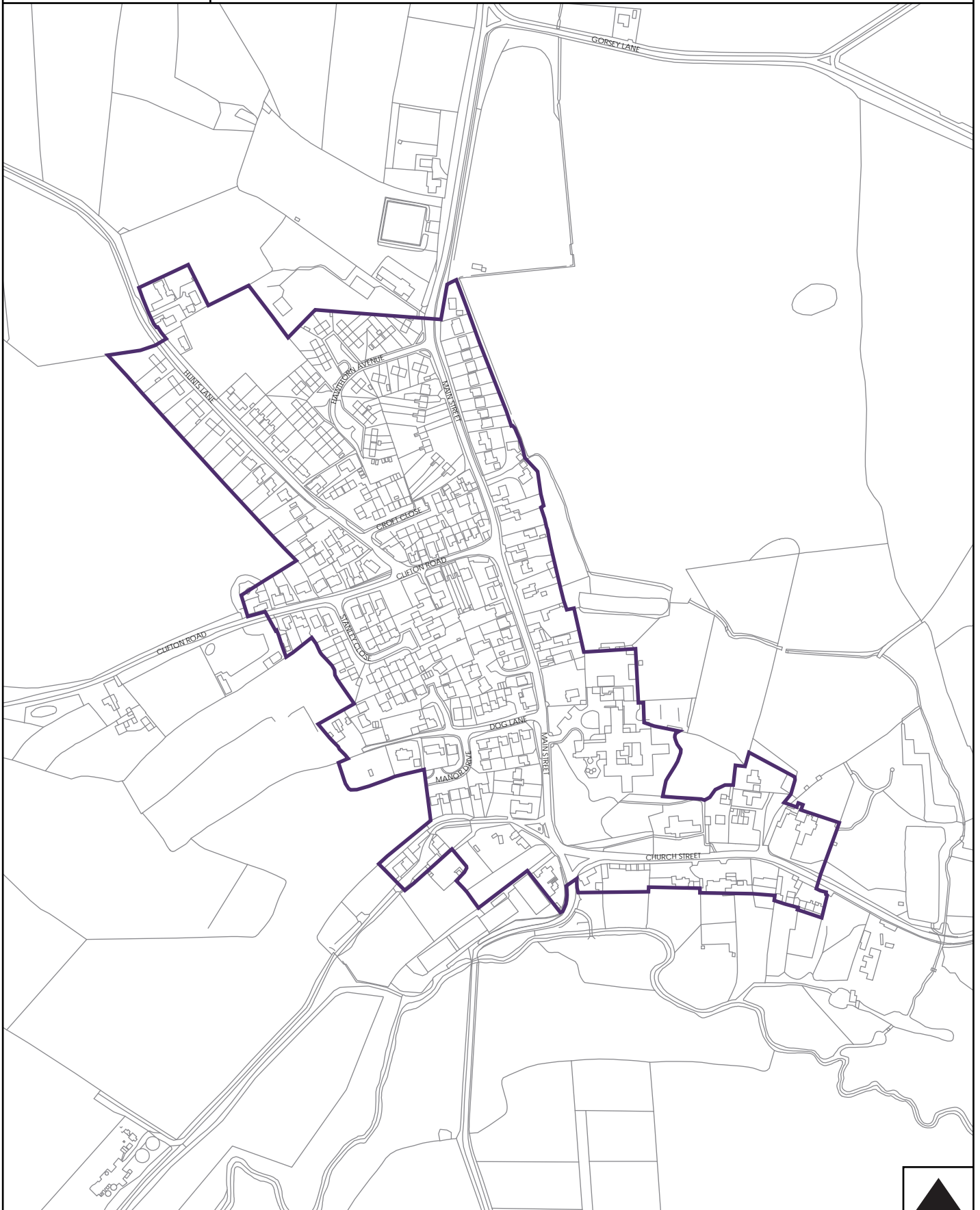
Milton Village Settlement Boundary



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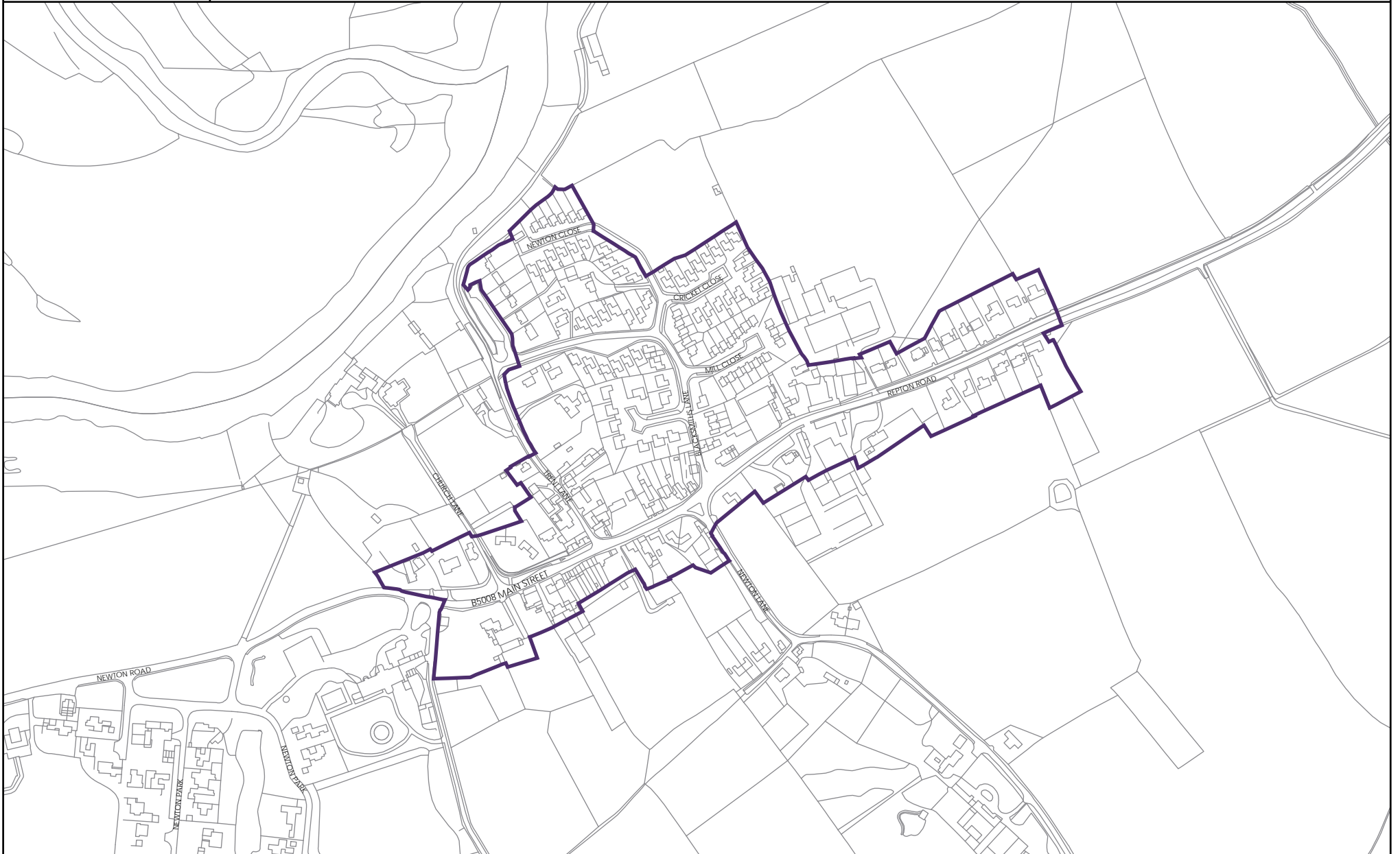
Netherseal Village Settlement Boundary



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Newton Solney Village Settlement Boundary



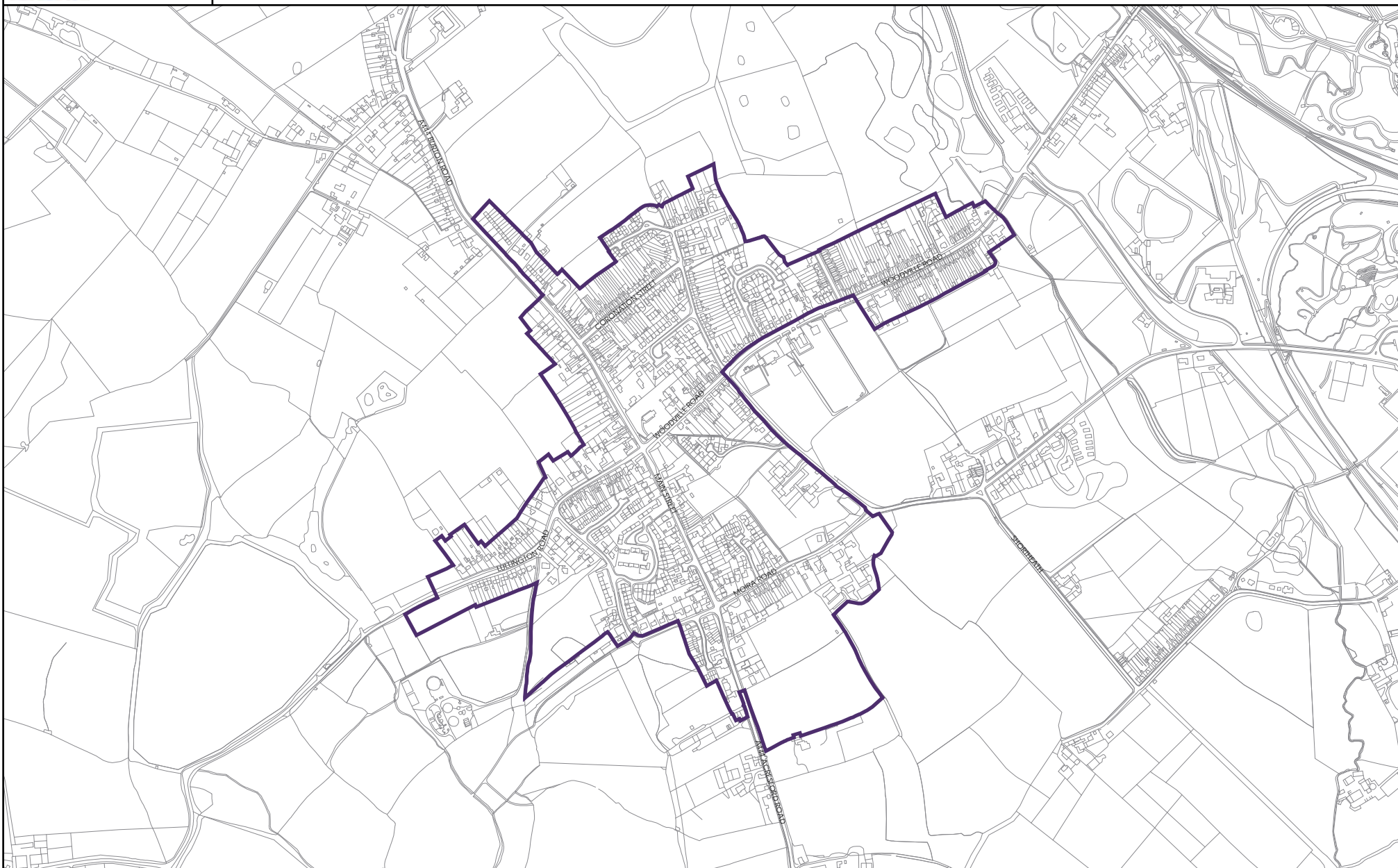
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Overseal Village Settlement Boundary



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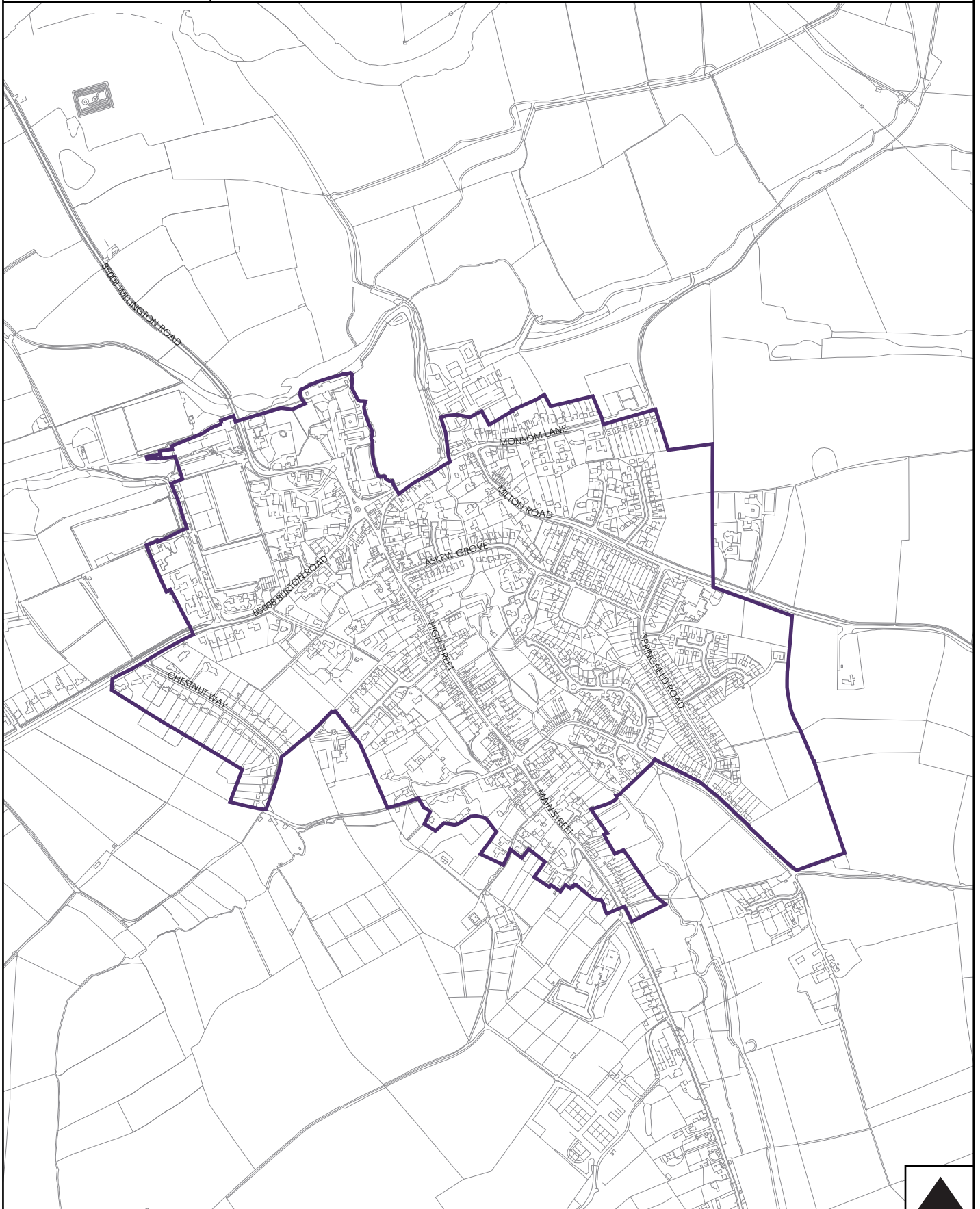
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Repton Village Settlement Boundary

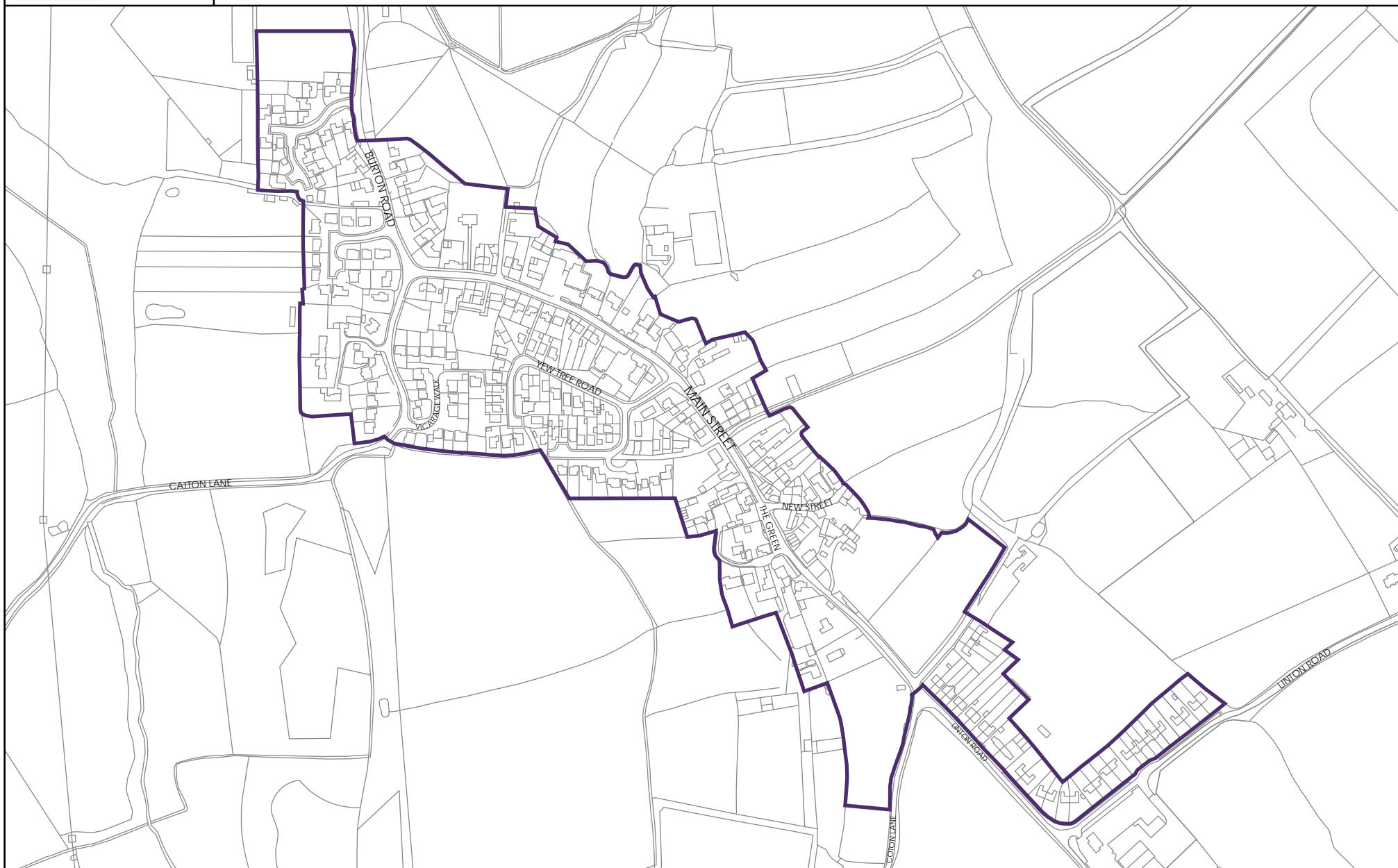


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Rosliston Village Settlement Boundary



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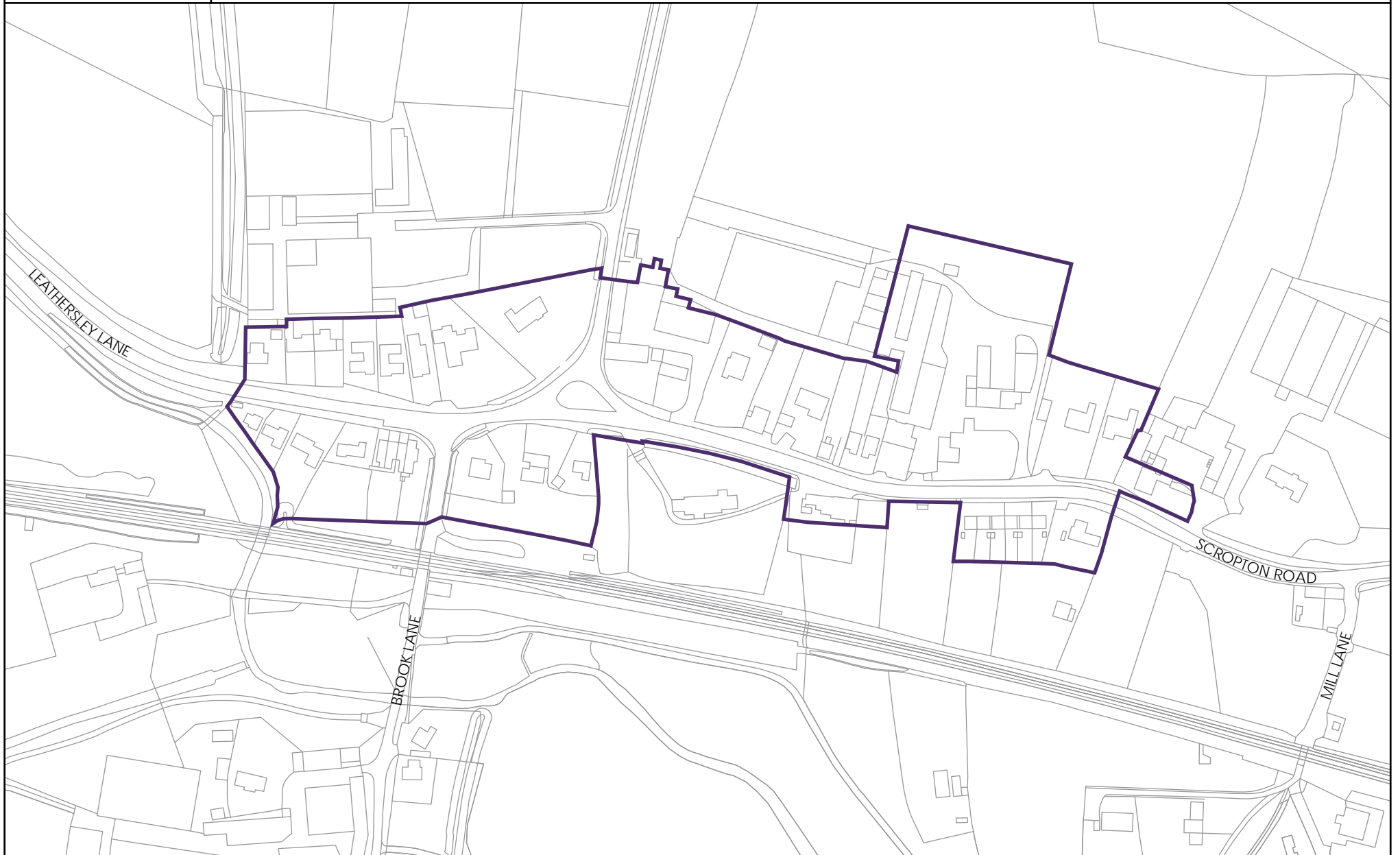


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Scropton Village Settlement Boundary



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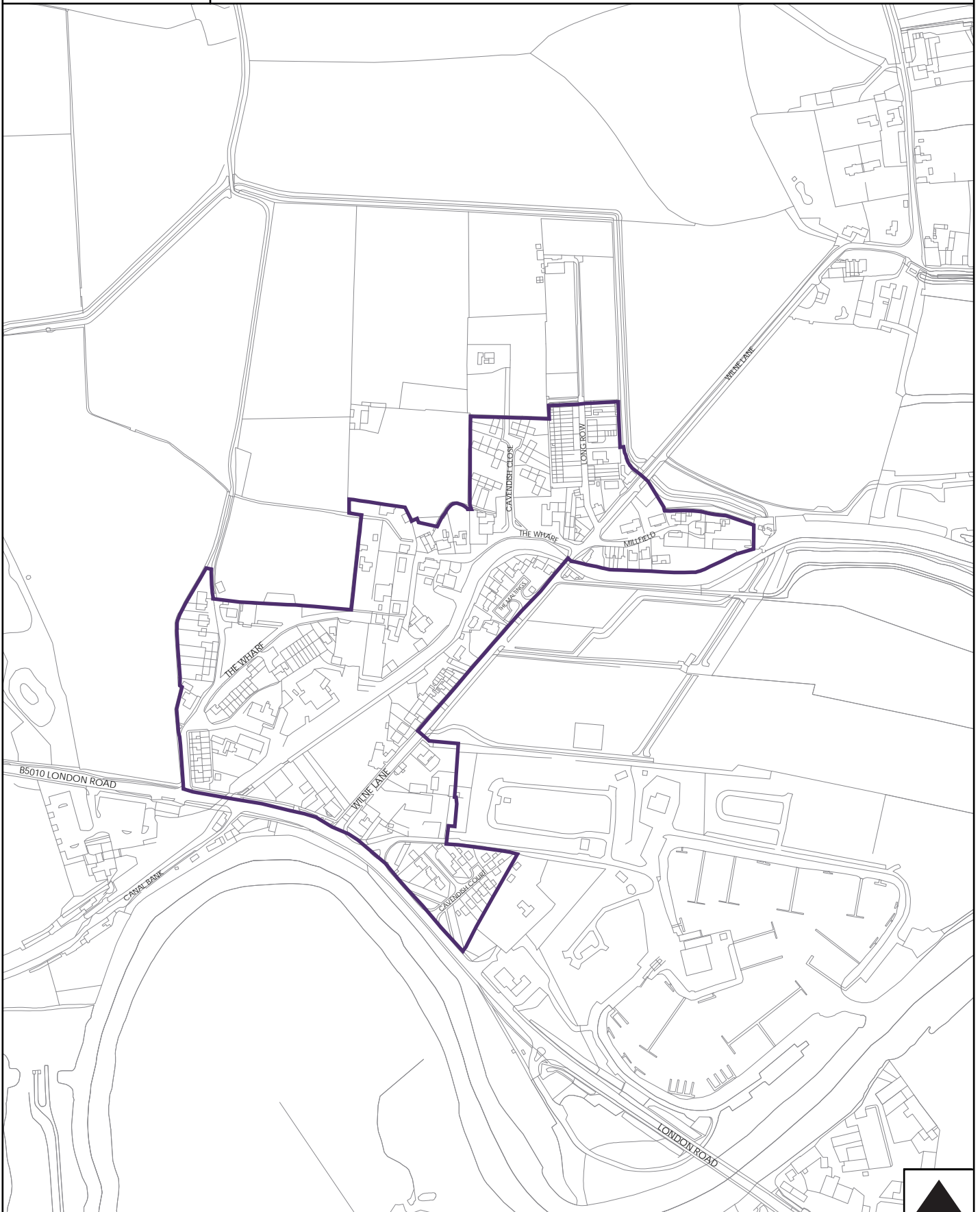


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Shardlow (East) Village Settlement Boundary



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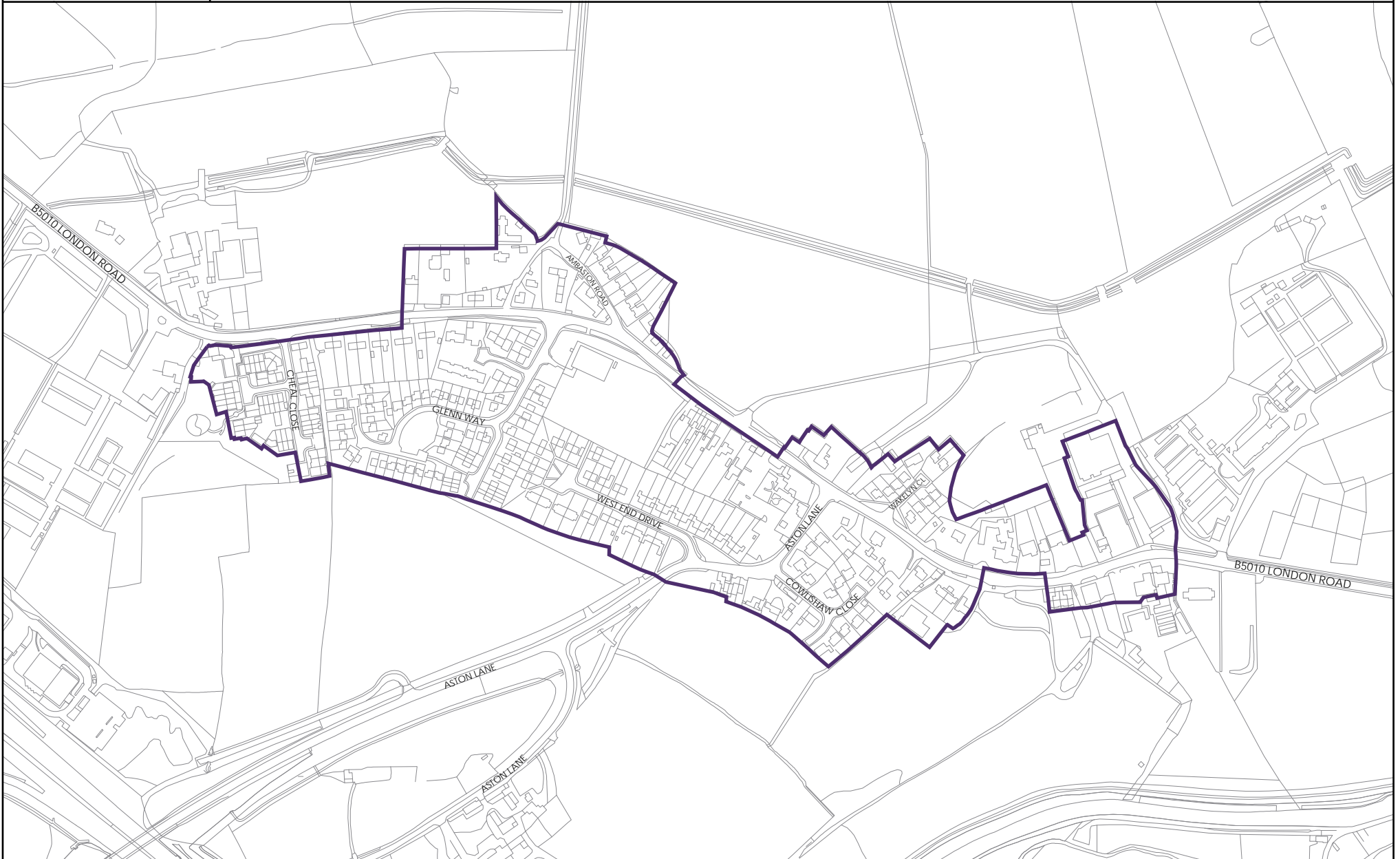
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Shardlow (West) Village Settlement Boundary



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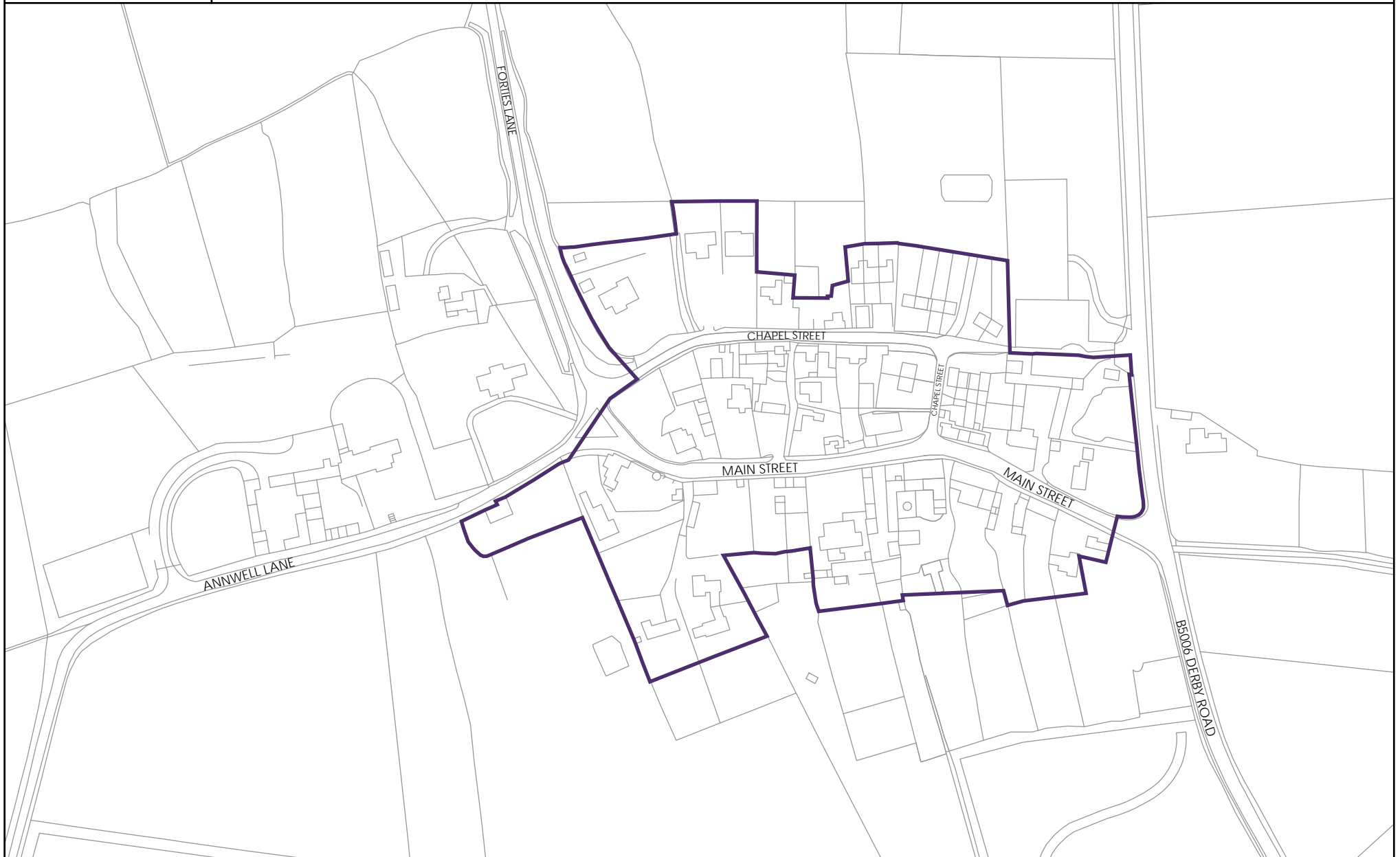
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Smisby Village Settlement Boundary



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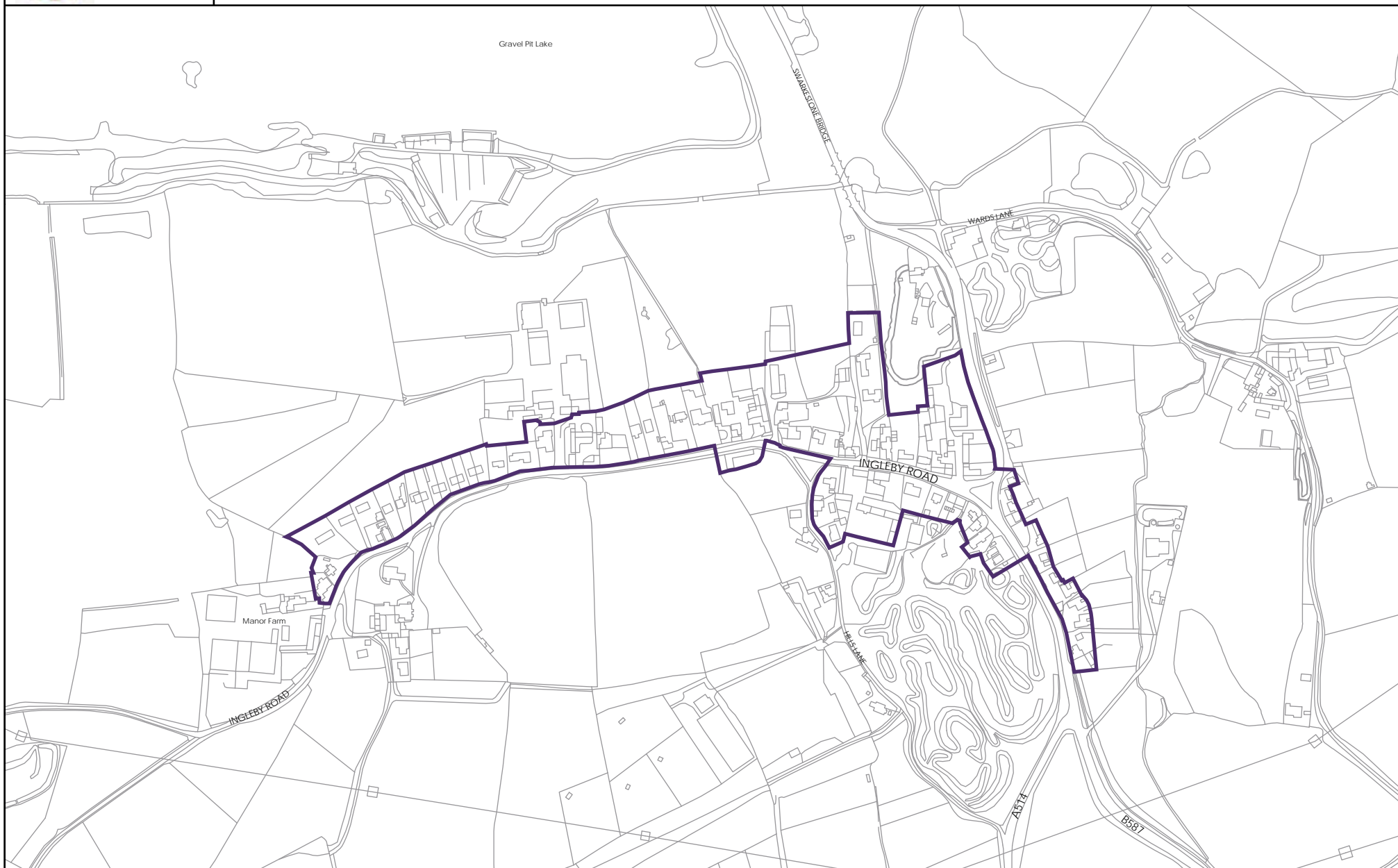


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Stanton by Bridge Village Settlement Boundary



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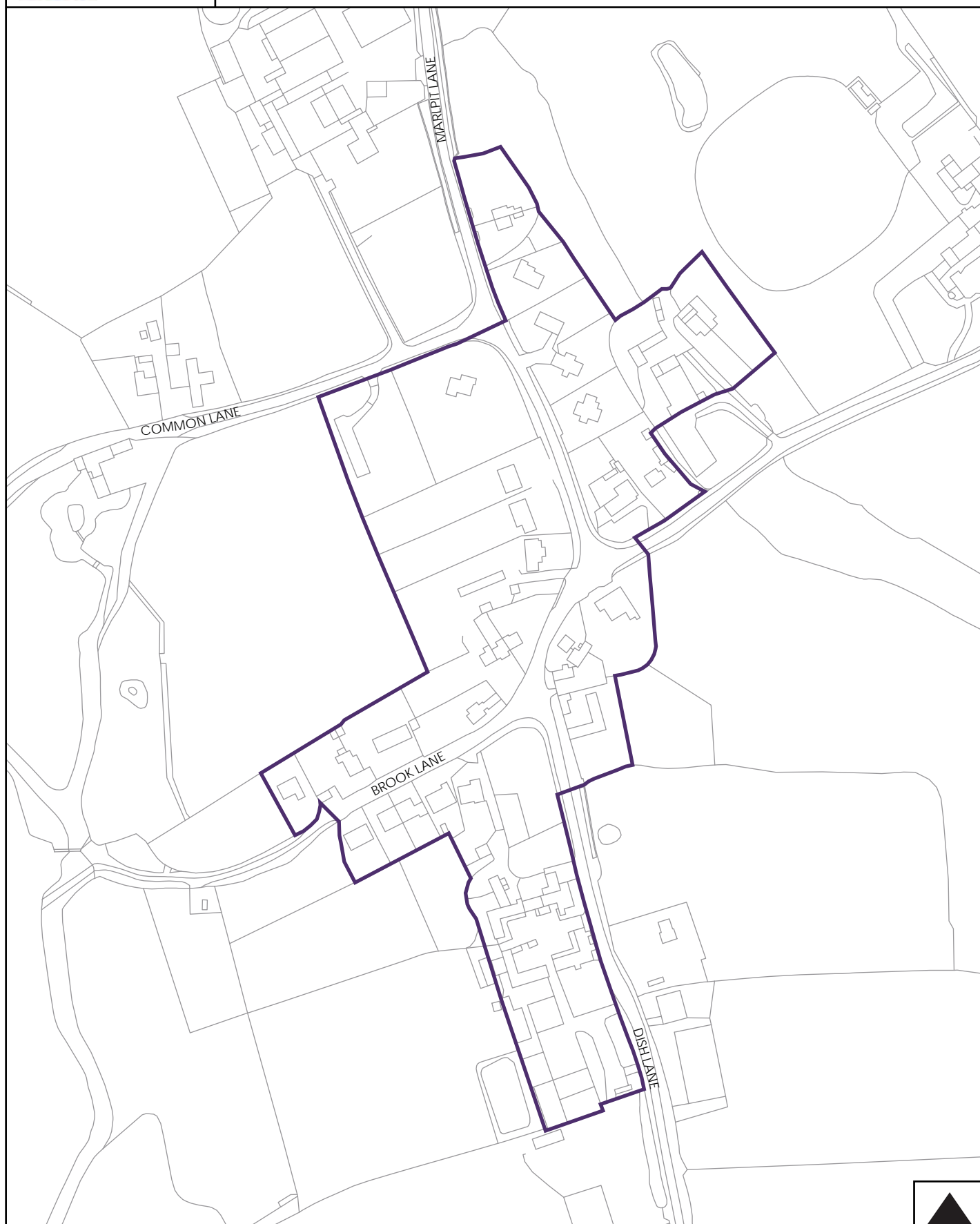
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Sutton on the Hill Village Settlement Boundary

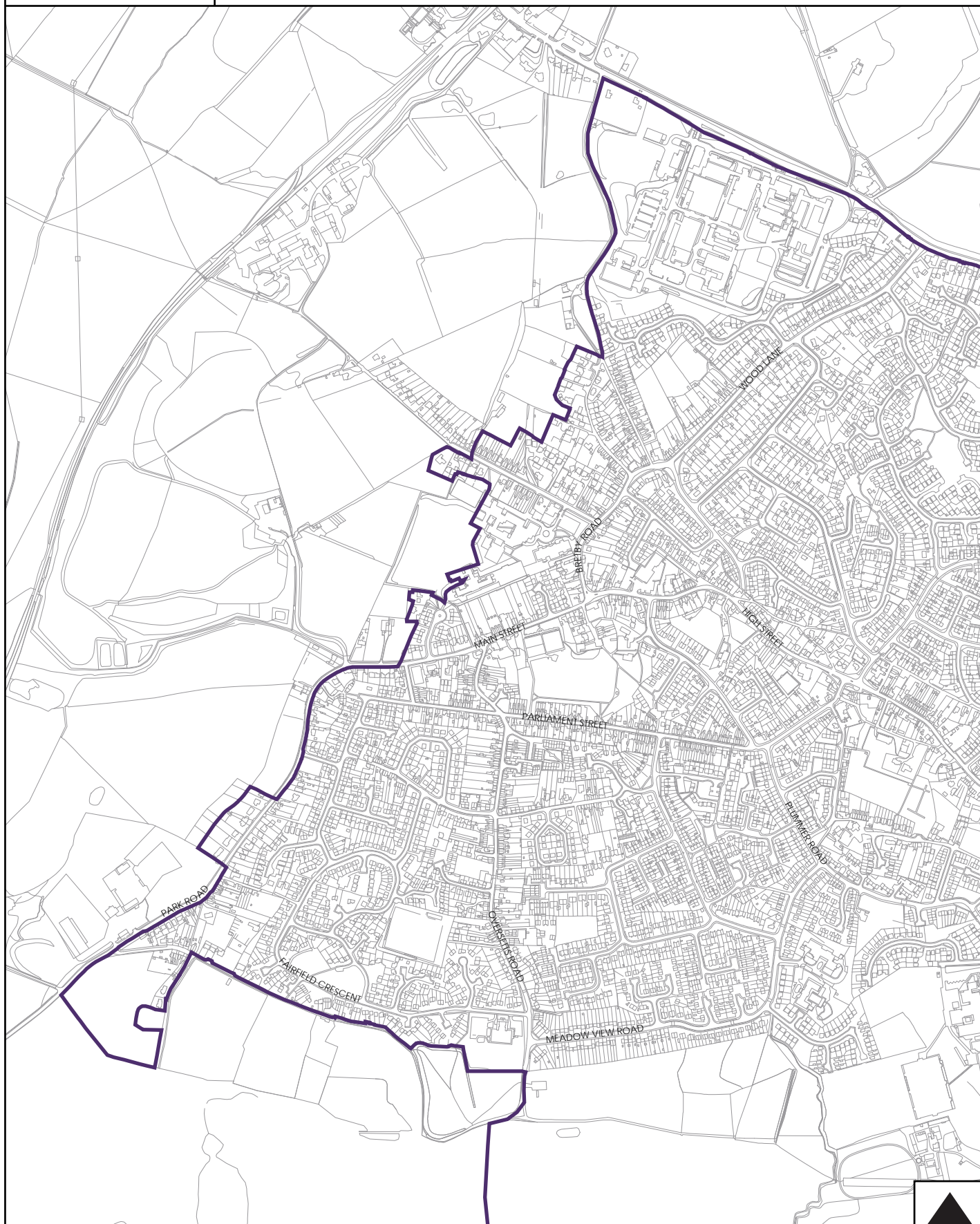


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Swadlincote Urban Area 1 Settlement Boundary



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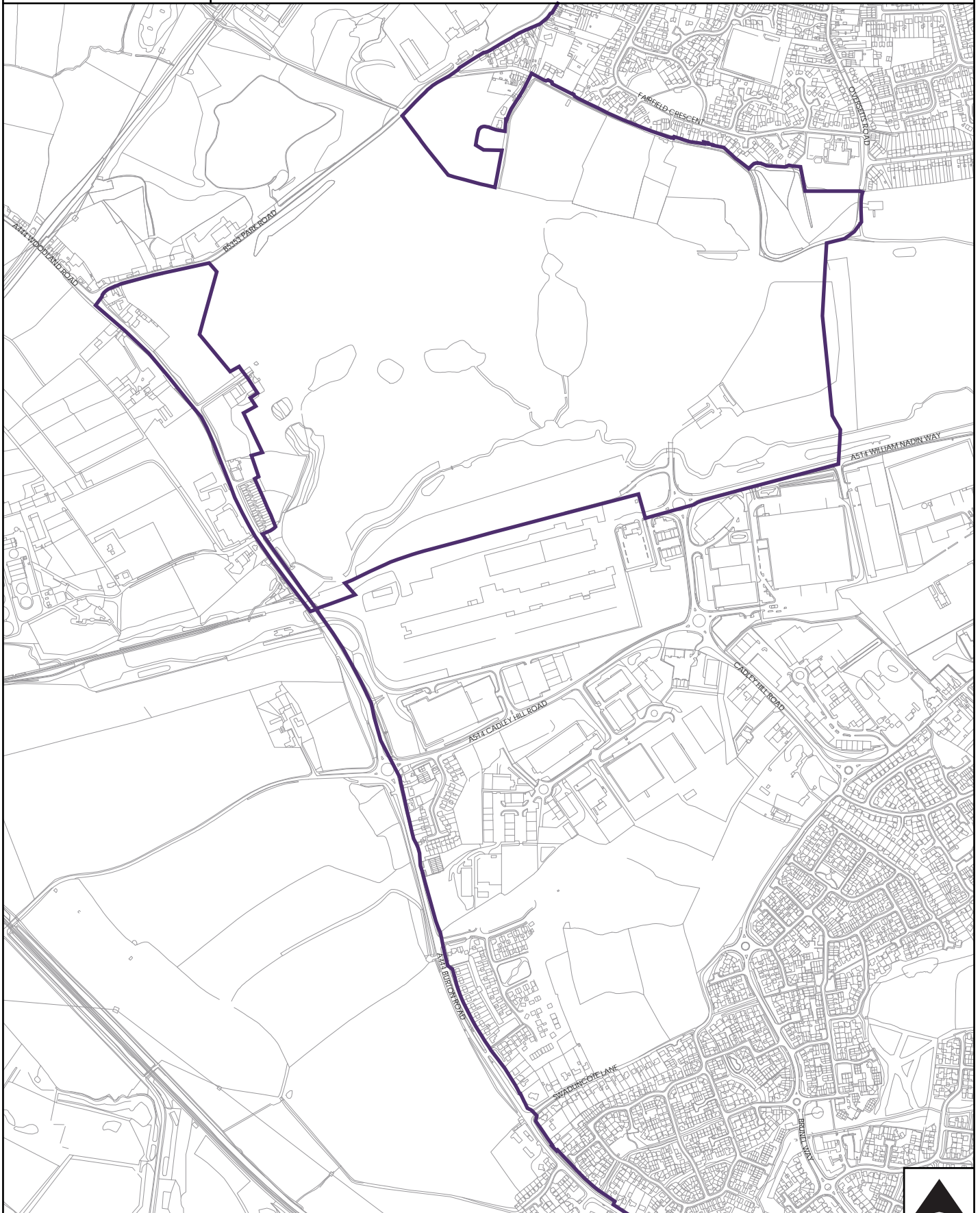
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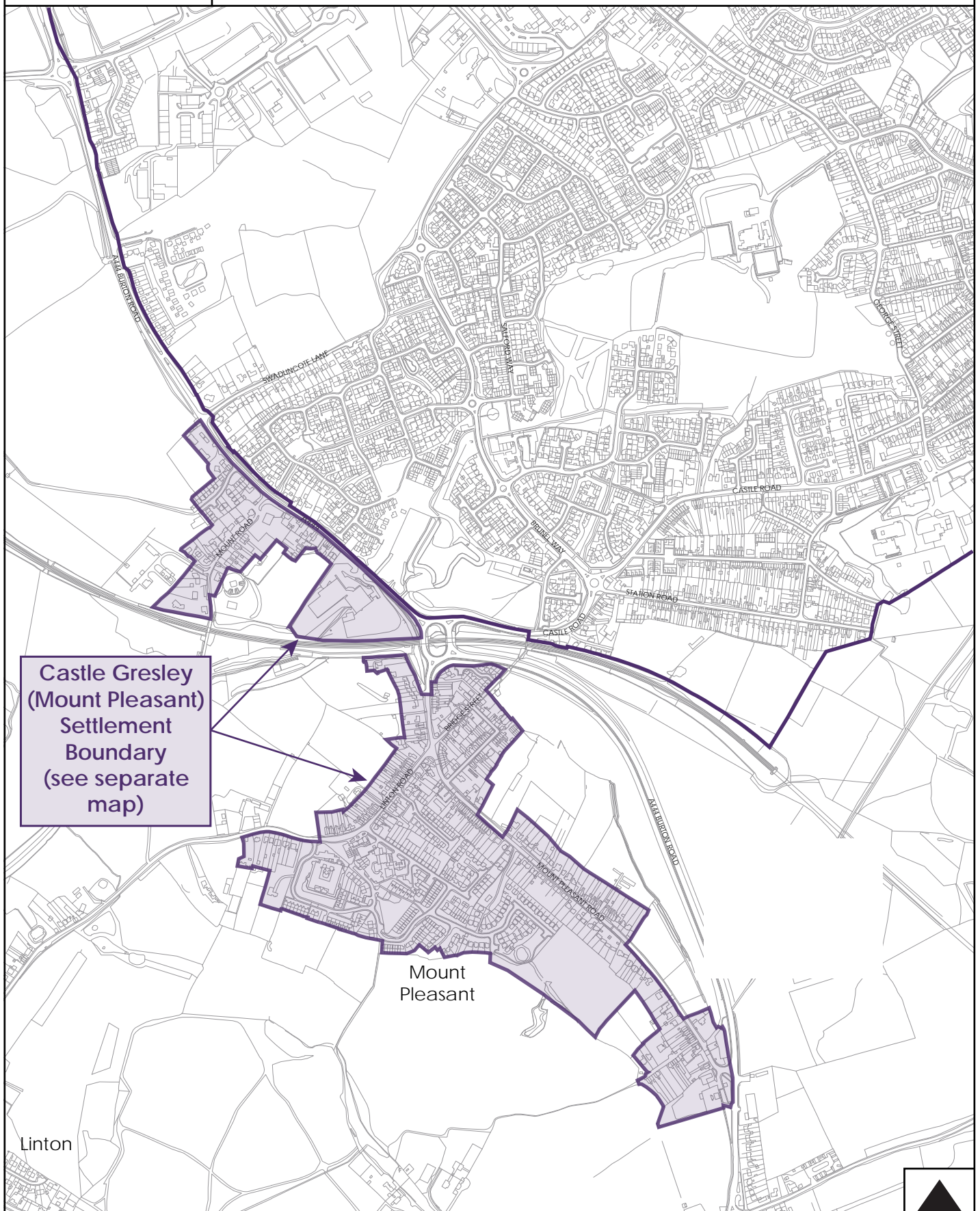
Swadlincote Urban Area (2) Settlement Boundary



Settlement boundary



Swadlincote Urban Area (3) Settlement Boundary

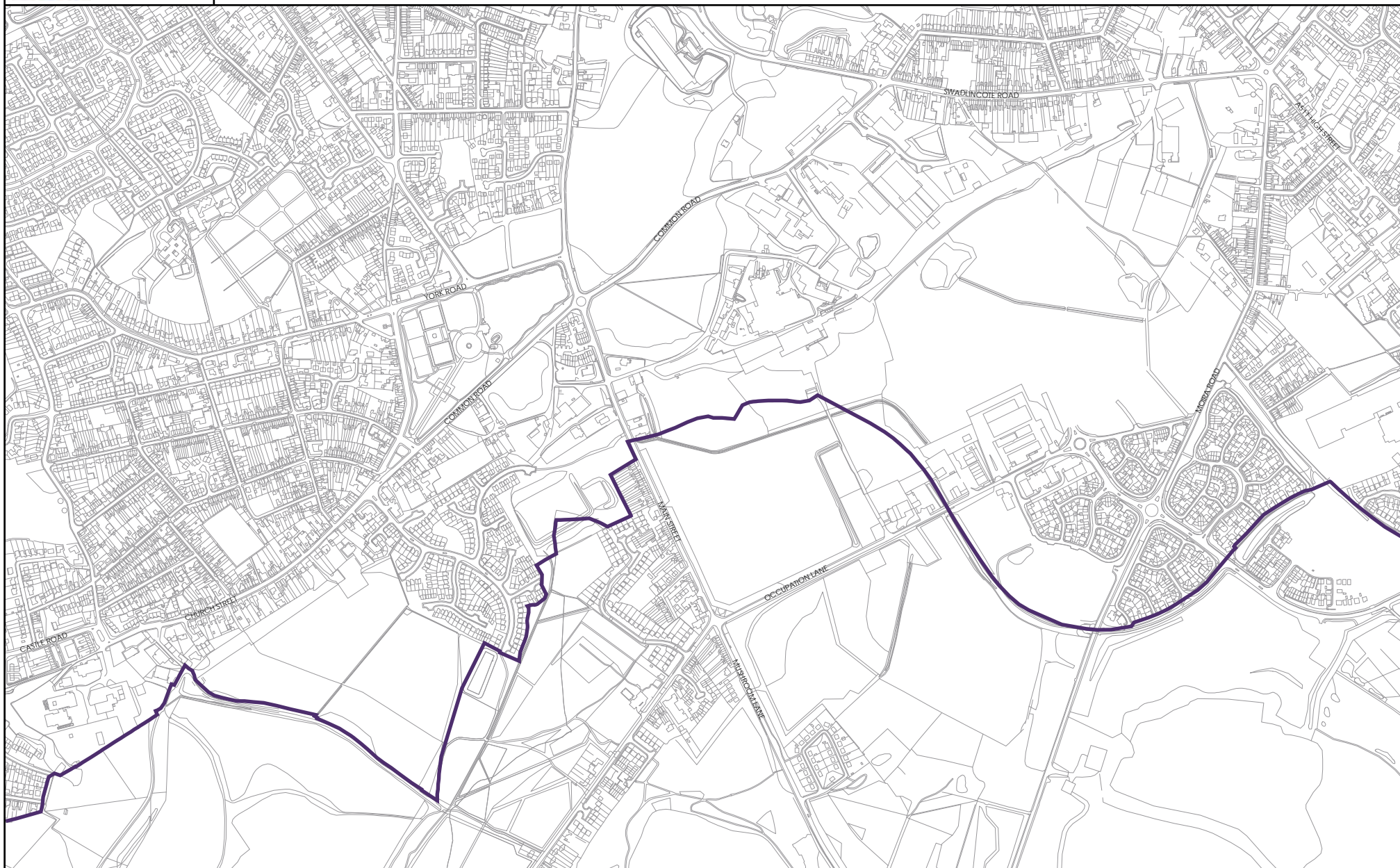


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Swadlincote Urban Area (4) Settlement Boundary



Settlement boundary

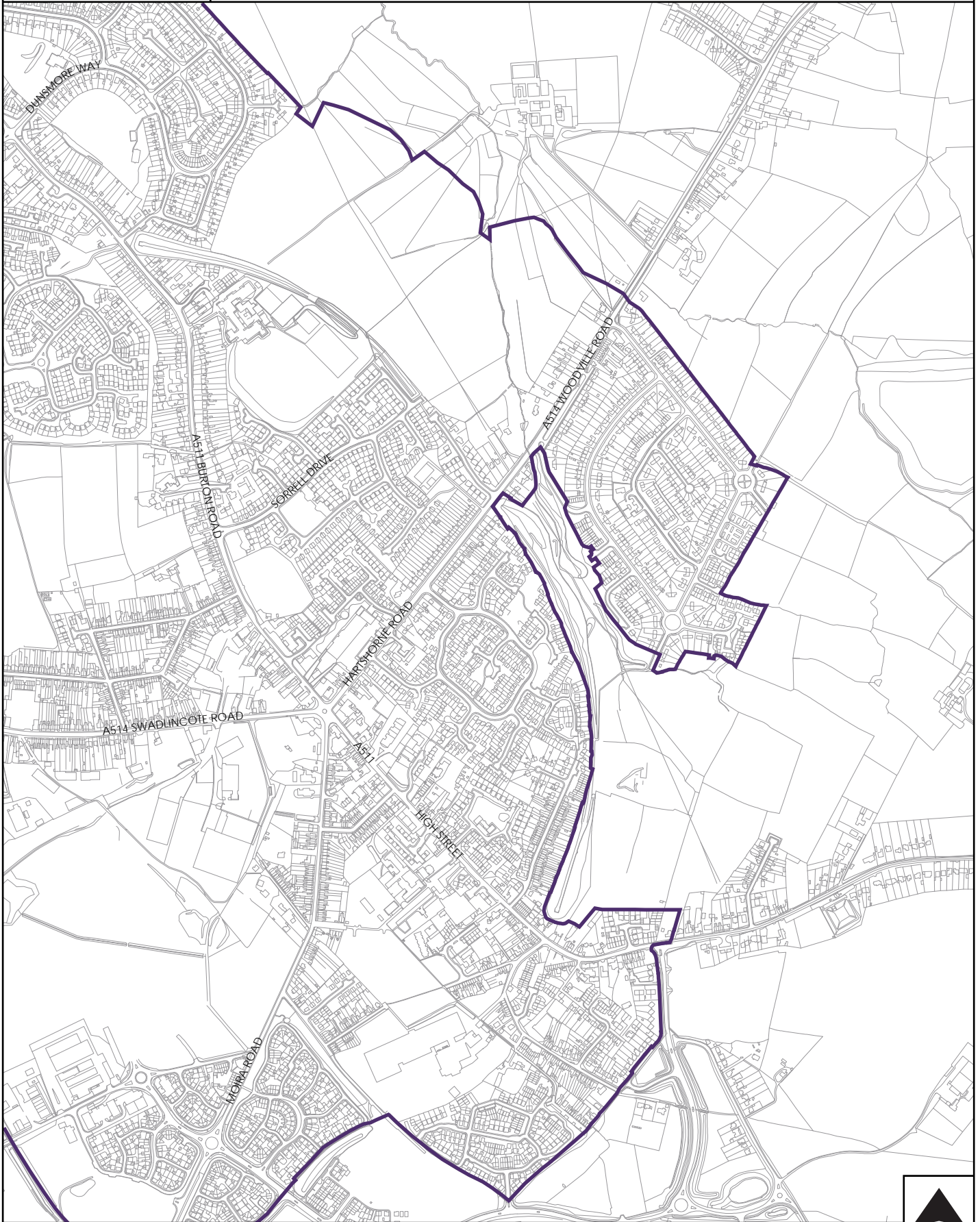
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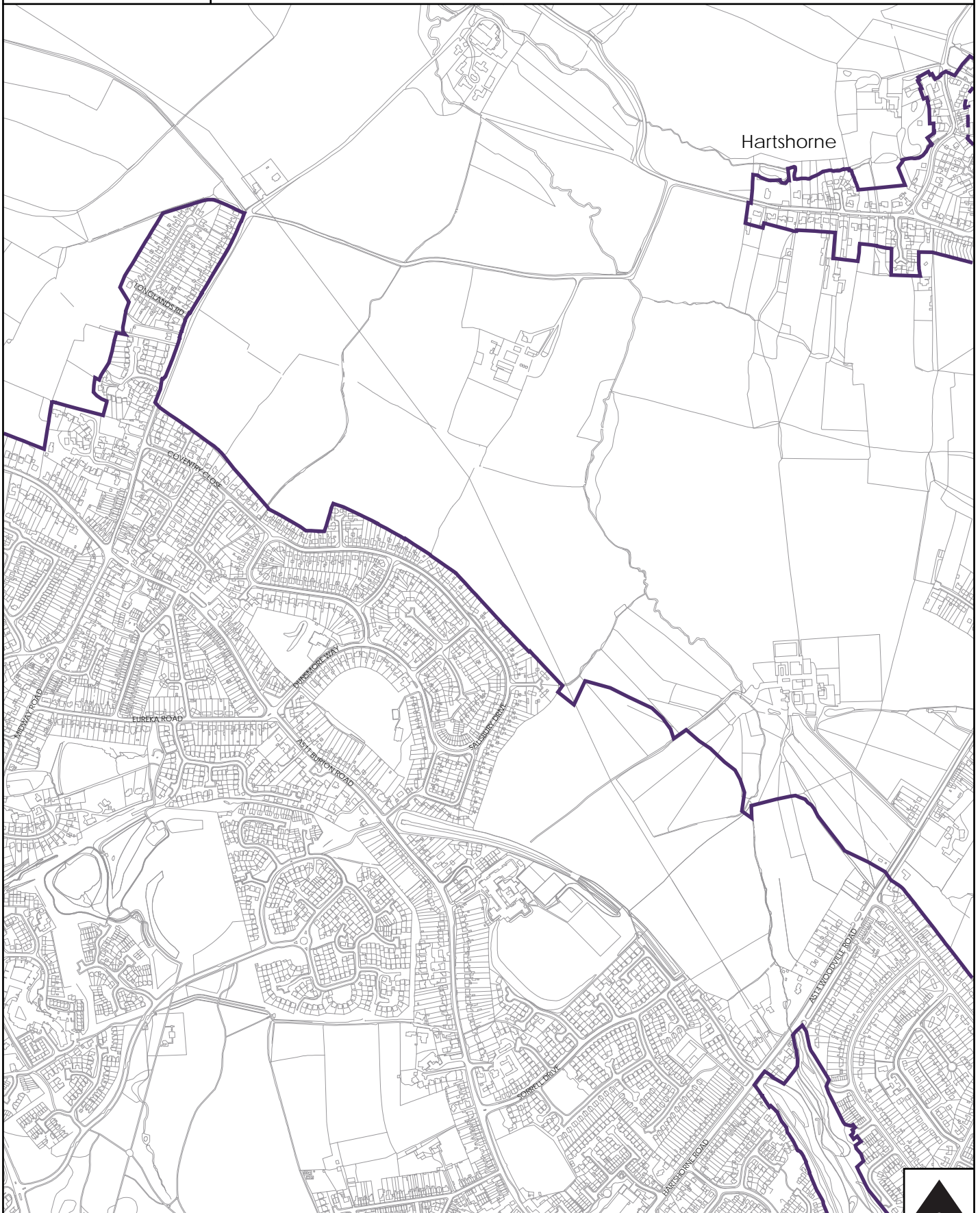
Swadlincote Urban Area (5) Settlement Boundary



Settlement boundary



Swadlincote Urban Area (6) Settlement Boundary

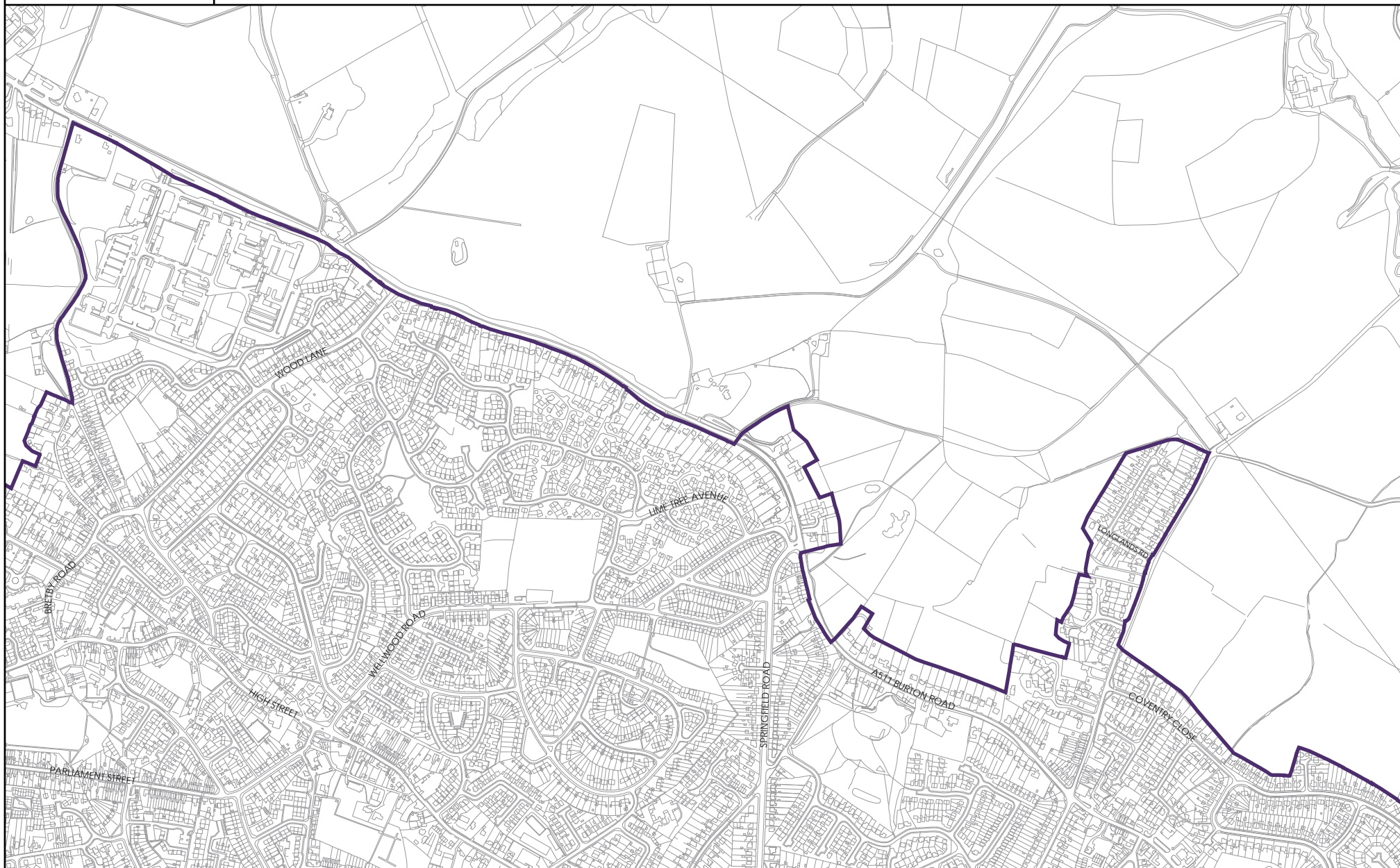


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Swadlincote Urban Area (7) Settlement Boundary



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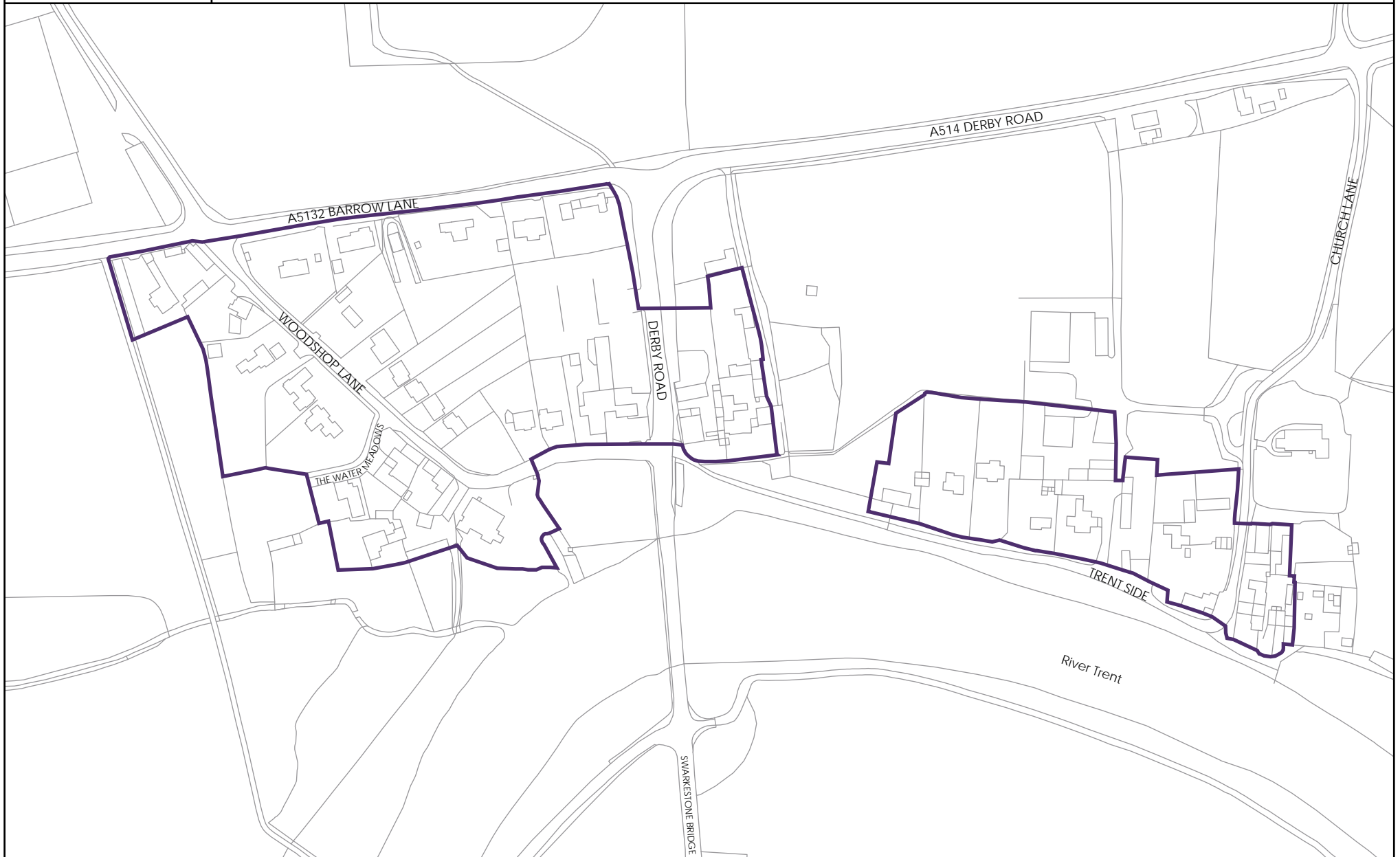
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Swarkestone Village Settlement Boundary



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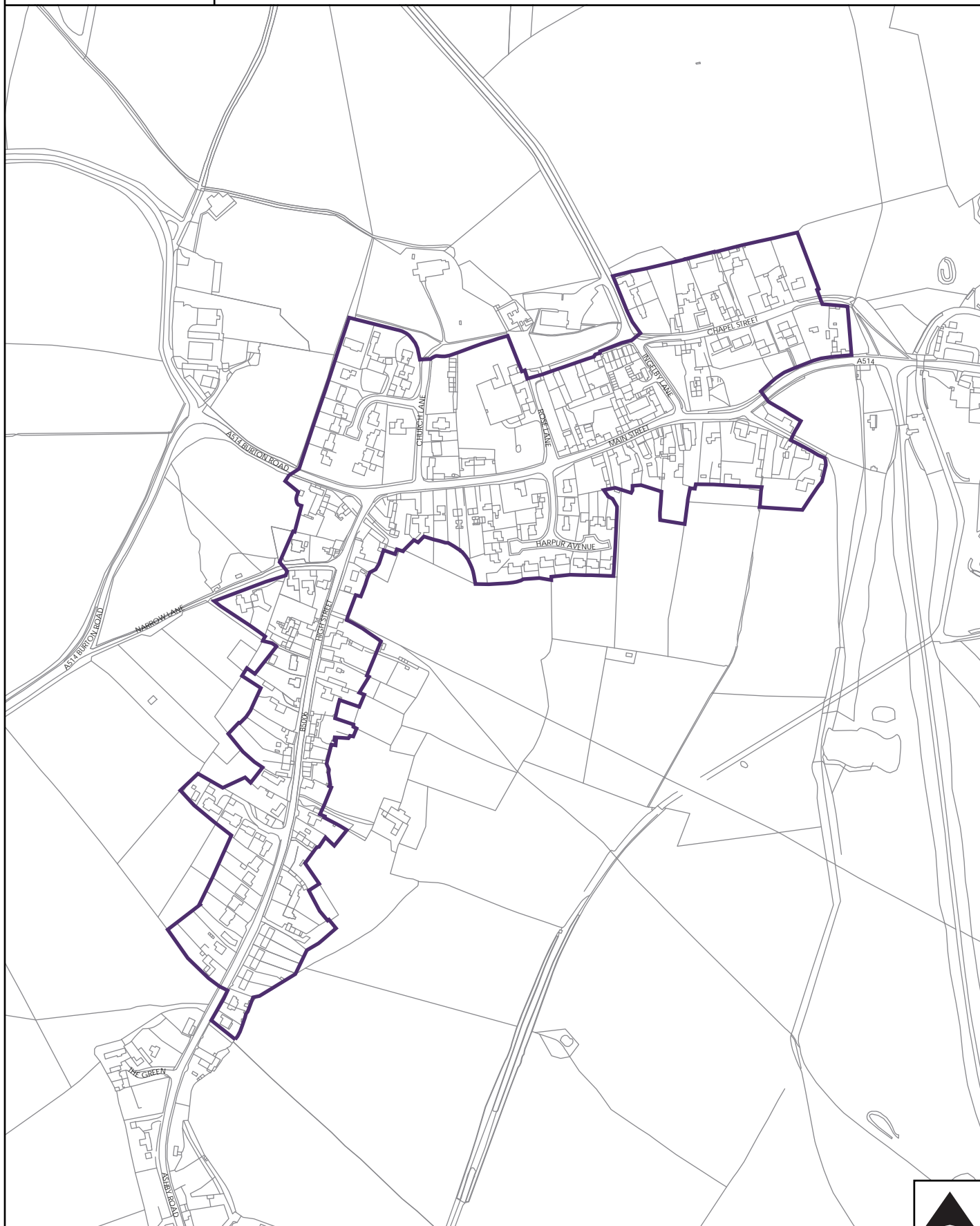
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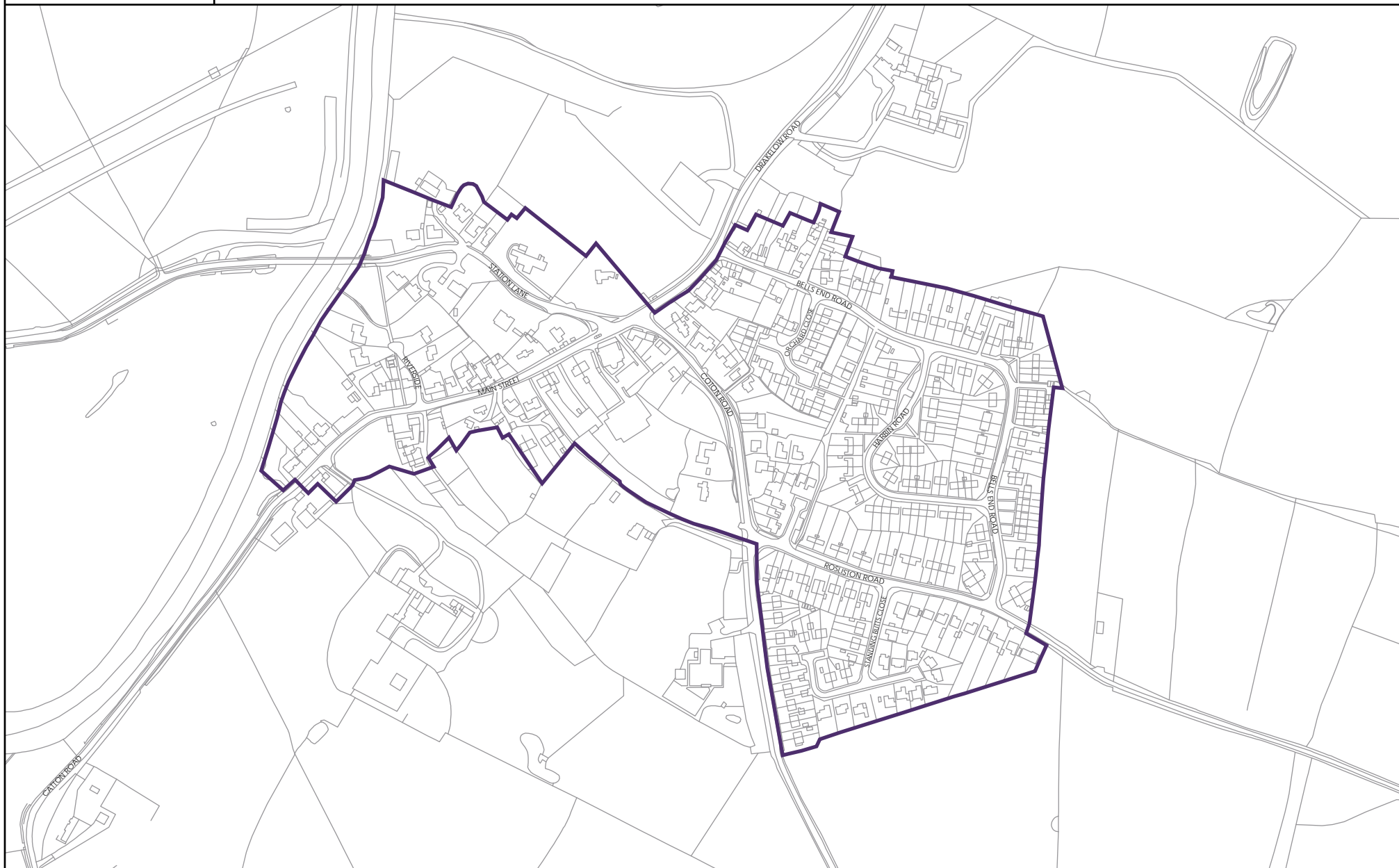
Ticknall Village Settlement Boundary





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Walton on Trent Village Settlement Boundary



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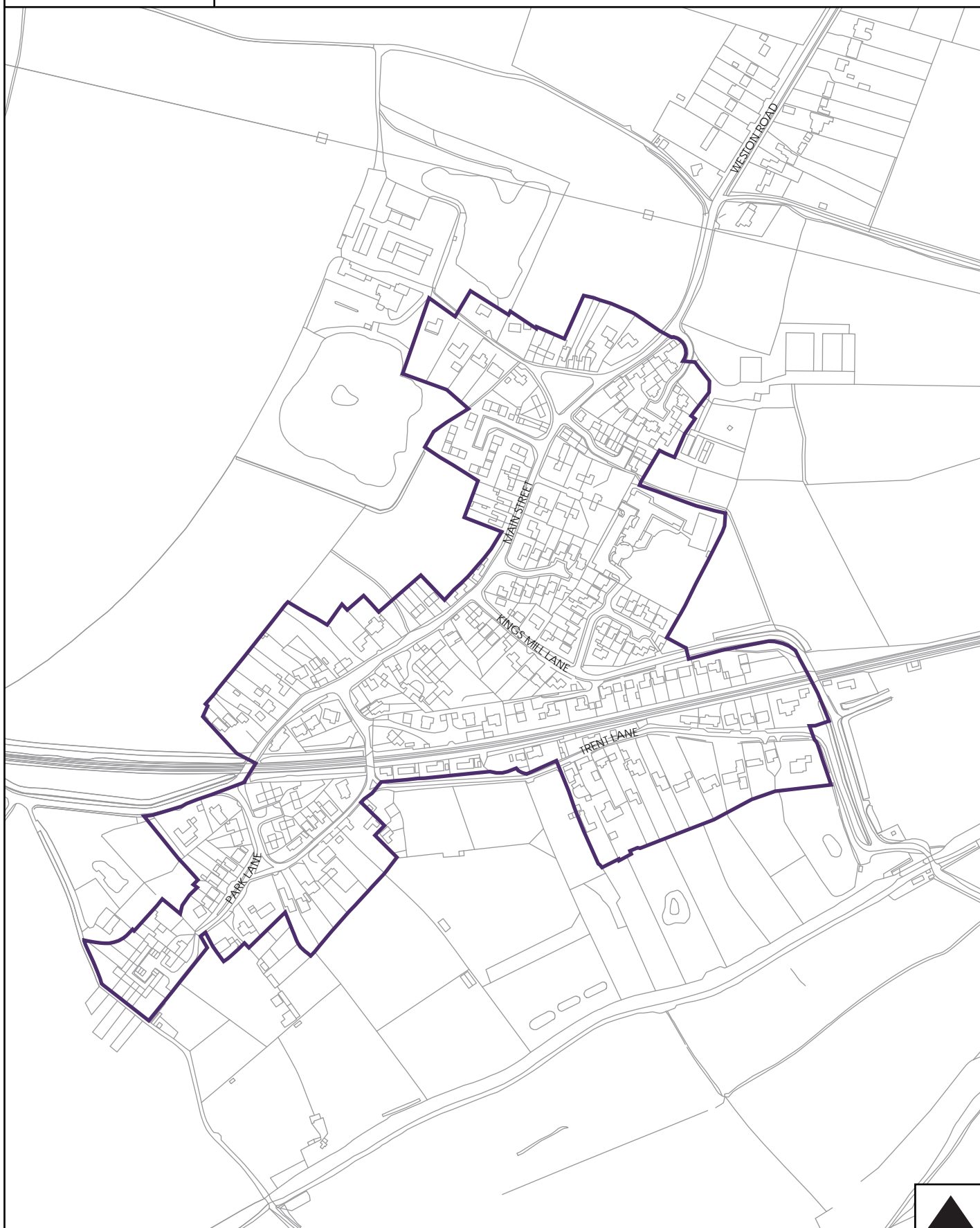
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Weston on Trent Village Settlement Boundary

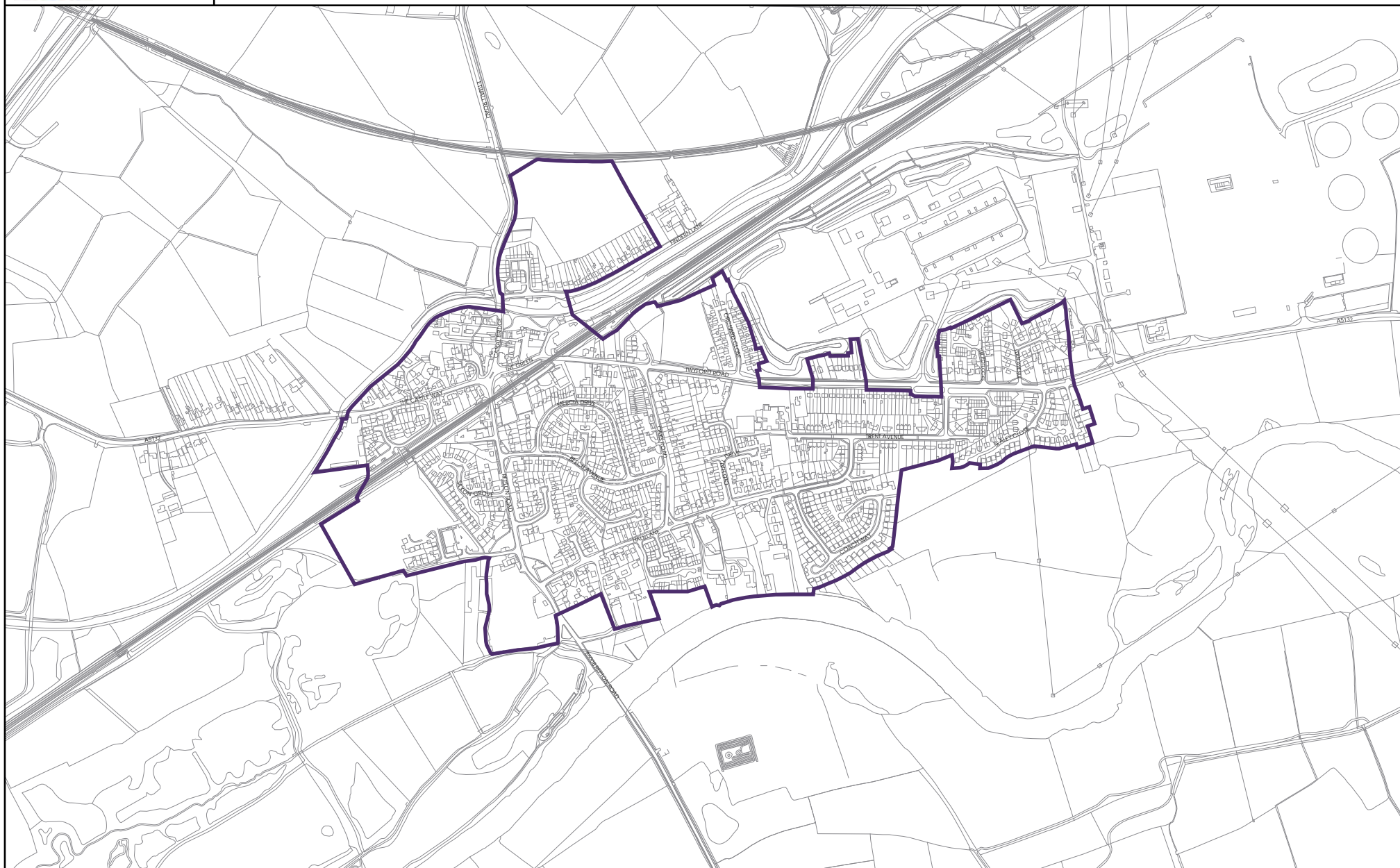


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Willington Village Settlement Boundary



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