



South
Derbyshire
District Council

South Derbyshire Consultation Statement

PROPOSED SUBMISSION
LOCAL GREEN SPACES PLAN

**February
2019**



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Consultation Statement Local Green Spaces DPD

Introduction

Local Green Spaces are areas of land that are of value to the local community and have been identified and allocated through a development plan. Local Green Spaces can be located in rural or built up areas. In the draft Local Green Spaces Plan, 86 sites were proposed to be allocated as a local green space and the Council asked for responses as to whether the sites proposed were appropriate or not. Once allocated, a local green space would have a policy designation that is similar to that of green belt, so would restrict future development.

Previous consultations

Local Green Spaces were initially to be designated through the Local Plan Part 2. Communities, stakeholders and developers were invited through the first consultation on the Local Plan Part 2 in December 2015 to express agreement or otherwise for the need to designate local green spaces, to raise any objections to the local green spaces being proposed, and to suggest other sites for designation that met the NPPF criteria. The Draft Local Plan Part 2 was published for consultation in June 2016 which again sought comments on the local green spaces being proposed and whether there were other sites that should be considered for designation. The responses to both of these consultations was documented in the consultation statement for the Local Plan Part 2; on each occasion the local green spaces element of the consultation was so supported by local communities that following consultation on the Draft Local Plan Part 2, it was considered necessary to designate the local green spaces themselves through a separate document, whilst keeping a local green spaces policy in the Local Plan Part 2.

The level of public interest in local green spaces remained high and the Local Green Spaces Options document was published for consultation in June 2017 shortly after the examination of the Local Plan Part 2 closed. The Options consultation set out all of the spaces that had previously been considered or suggested for designation. For each of the spaces the document included the information known about each site, including land ownership, any specific support or objections, and what elements of the NPPF designation criteria had been evidenced to date. The consultation questionnaire was particularly geared towards gathering evidence to demonstrate that a space was demonstrably special to the local community.

In total 117 individual responses and two petitions of support were received in response to the Options consultation, the vast majority of which supporting a specific local green space or spaces and providing evidence against the NPPF designation criteria. A few objections were received and some corrections submitted, predominantly regarding land ownership where the Land Registry had not been informed of the latest position.

Local Green Spaces Development Plan Document

The Local Green Spaces Development Plan Document (DPD) began its formal plan production process with the Sustainability Appraisal Scoping Consultation in April 2018. Statutory consultation bodies were consulted, as were other agencies such as the National Forest Company, Derbyshire Wildlife Trust, parish councils within the District and adjacent planning authorities. The consultation was also made available to the public on the Council's website. The consultation responses received were set out in Appendix 1 of the Technical Appendices to the Sustainability Appraisal, which was published in October

2018 with the Draft Local Green Spaces DPD.

The Draft Local Green Spaces DPD was consulted upon between Monday 8 October and Monday 19 November 2018. Consultees were encouraged to respond to a questionnaire which contained 5 questions relating to the policies and designations. In total there were 49 representations made to the consultation, most of which related to a particular site or sites within one settlement. Each one has been considered and a summary of the overall consultation provided below.

Question 1

Do you have any comments on policy LGS1: Development on a Local Green Space?

There was overall support for protecting local green spaces from being developed, for the benefit of recreational and sport activities, for biodiversity and for health benefits. There were two comments that the policy was well worded. There was also support for the policy's intention to make best use of existing green infrastructure, and protecting valuable green spaces which can be minimal in some more densely developed areas. Historic England supported policy LGS1, stating that the plan provides opportunity for conserving and enhancing the historic environment overall.

However The Derbyshire Wildlife Trust (DWT) suggested that the policy should be more strongly worded to take a more negative approach to development being allowed.

A representation was made, stating concerns that the methodology might allow sites to come forward that are considered an extensive tract of land and therefore would not be likely to pass the third Local Green Spaces test as stated in the National Planning Policy Framework (NPPF). There was also concern that the Policy could be overly restrictive on existing sport and recreation sites where enhanced built facilities may be required.

There were also comments made on specific sites, however these will be addressed under question 4.

How, where necessary, these issues were addressed

In terms of the suggestion to increase the strength of the policy wording, it is considered that where ever possible, policies are worded from a positive perspective in line with the approach taken in the Adopted Local Plan Part 1 (13 June 2016) and Part 2 (2 November 2017) and in line with national policy which seeks to enhance biodiversity and green infrastructure.

In relation to extensive tracts of land, the methodology of the site selection process has taken into account National Planning Practice Guidance (NPPG) which states that the blanket designation of open countryside adjacent to settlements will not be considered, and therefore it was highlighted at the initial stages that any site in excess of five hectares could constitute an extensive tract of land. No sites larger than five hectares have been taken forward at this point and similarly measures have been taken to ensure that all sites relate well to the community they serve, and are not already protected by other planning policy, such as Green Belt. From reading adopted Neighbourhood Plans (where local green spaces are subject to the same tests), any larger sites that have been rejected as local green spaces have also been far removed from the community, indicating that this is the factor of prime importance. The Council considers, therefore, that the sites proposed under the Local Green Spaces DPD have been carefully considered upon their own merit and do not fall outside the NPPFs definition of a Local Green Space.

Where it was suggested that Policy LGS 1 could be overly restrictive on sport and recreation sites, amendments to the policy wording and explanatory text will be made to alleviate this.

Question 2

Do you have any comments on policy LGS2: Enhancement of Local Green Spaces?

There was overall support for this policy, and comments that the policy was well worded. It was particularly commended that the policy seeks to enhance local biodiversity and offset biodiversity impacts from elsewhere. There were also comments that some local green spaces require improvement for example footpath access where appropriate.

How, where necessary, these issues were addressed

There were no issues to address under this section. Policy LGS2 states that whilst the District Council will support proposals to improve public access, no obligation to require improvement can be imposed on landowners by the District Council as part of the Local Green Spaces designation.

Question 3

Is there a need for any additional policies to be included in the Local Green Spaces Plan?

There were very few comments in relation to this question, as most responses relate to specific sites (addressed within Question 4).

It was stated that there should be a policy that prohibits Local Green Spaces being leased off to private companies for gain, against the will of the community.

How, where necessary, these issues were addressed

With regard to prohibiting Local Green Spaces being leased to private companies, then it is not the role of the Local Green Spaces DPD to place covenants on lease and land ownership but does apply a policy that is to be considered through planning applications and future Local Plan reviews.

Question 4

Do you have any comments on the sites proposed for designation?

There were many comments relating to proposed sites which have been summarised by settlement.

Aston on Trent

There were calls from four respondents to include an area known as the 'Aston Brickyard' which is local wildlife and conservation area, however this site is already protected by Green Belt Policy.

Support from the Derbyshire Wildlife Trust (DWT) for Site 30 – Ponds to the rear of Aston Hall, due to it extending the green infrastructure network and providing opportunity to enhance biodiversity and the aquatic environment.

Egginton

There was support for Site 150 – land off Elmhurst, Egginton, due to its recreational and environmental value to the local community.

Etwall

Support from the DWT for Site 38 – Applegate Meadow as it provides connectivity to the existing Mickleover-Egginton Greenway Local Wildlife Site.

There was support from the Parish Council regarding all of the proposed sites in Etwall, and also a suggestion for an extension to Site 40 – West of Main Street, as the triangular area to the north is deemed to be one and same plot, and also open ground with mature trees. The District Council will consider including this as an extension in the pre-submission version.

Findern

Support from the DWT for Sites 115 – The Green and 116 – East of The Hayes due to biodiversity potential.

Hartshorne

Support from the DWT for Site 122 – Land adjoining Mill Wheel car park, as it provides connectivity to the Springhill Field potential local wildlife site.

An association of local residents and the local Parish Council gave support for Site 124 – Land at the junction of Brook Street and Repton Road, and also Site 122 – Land adjoining Mill Wheel Car Park, due to abundant flora and fauna, and special nature of the site being tranquil particularly at the point close to Repton Brook.

Hilton

Hilton, Marston and Hoon Neighbourhood Plan Steering Group reported that from a survey it undertook, from a total of 928 respondents, 95% supported the proposed Local Green Spaces sites within its area. Similarly the Parish Council supported all of the sites that have been put forward as all are deemed demonstrably special to the local community. It was commented that there is little green space within Hilton and therefore all the designated areas have special importance and value to the local residents.

A respondent asked why the playing fields and land surrounding the village hall are not included, and this is due to the area already benefitting from other policy protection.

There was support from the DWT for Site 51 – Humber Street, Welland Road, and Site 178 – Woodland, South of the Mease, due to biodiversity enhancement opportunities. In addition there was support for Site 170 – Mease Meadow, and Site 173 – Amenity area to the North of Cycle Route at the Mease, due to biodiversity enhancement links with the Sutton Brook potential local wildlife site and Don Amott's Site potential local wildlife site respectively.

Linton

Support for Site 168 – Linton Orchard, from DWT due to high biodiversity enhancement opportunities. Natural England commented that the proposed designation would be unlikely to have a detrimental impact on the Special Area of Conservation (SAC) (this site falls within the catchment for the River Mease SAC).

Melbourne and Kings Newton

There was support from local residents and a local resident group for all the designated sites in Melbourne, for example the Council was informed that local residents have grown vegetables alongside Site 84 – Bowling Green, and it was stated that many residents use the recreation ground and bowling greens at both Sites 84 and 179 – Bowling Green, Kings Newton. Site 84, also received support from a resident who stated this area is used throughout the year for music and during the Melbourne Festival. Local residents feel the Green Spaces in Melbourne are important to the local community and enhance the character of the village. It was stated that children play on both Sites 87 – Grange Close Recreation Ground and Site 58 – West of Packhorse Road. There were additional representations giving support for Site 61 – Acacia Drive, and also one for Site 70 – Holy Well, Wards Lane, Kings Newton.

There was, however, a representation made by the landowner objecting to the inclusion of Site 84 – Bowling Green, due to it not having historic significance, tranquility, richness of wildlife or recreational value as the club operates privately and therefore is deemed neither publically accessible or demonstrably special to the local community. However, the District Council considers that given the level of public support for this site, that although the club operates privately, it still holds community value and contributes to the character of the locality.

Milton

There was a large amount of support for Site 155 – The Orchard, Milton, and many respondents provided information regarding the history of the site and details of the public amenity value. However, an objection was raised from the new landowner who requested the site to be removed. The Orchard is demarcated by a stone wall and the landowner does not intend for the land to be made publically accessible. Therefore, in accordance with the methodology, Site 155 will be amended to remove the portion of land within private ownership (The Orchard), leaving the grass verge only on this site. A respondent commented that this wide grass verge is an important extension to the Village Hall, and also as a local meeting point, therefore, it is felt that it does still hold local amenity value in its own right.

There was also support for Site 164 – The Triangle/Village Green, and again information was submitted by local residents detailing past village events held here and community efforts to maintain this space, adding support to the community value of the site.

Milton village is included in the Repton Neighbourhood Plan designated area; consultation on the draft Repton Neighbourhood Plan closed on 6 January 2019. The District Council has undertaken joint working with Repton Parish Council to align the local green spaces across both Plans as appropriate. However, a local green spaces designation within the Local Green Spaces DPD does not prejudice further sites or site boundary amendments to be considered through the neighbourhood plan making process.

Repton

Following information submitted from local residents, a boundary alteration is required at Site 93 due to a portion of the site falling within private residential ownership.

There was a representation made regarding the housing allocation in Policy 23G of the adopted Local Plan Part 2 at Milton Road, Repton. The Policy states that the proposal will have no built development to the north of the existing Public Right of Way, and the respondent queried why this area was not therefore proposed as local green space. The District Council considers that such a designation prior to the housing development itself would be premature.

DWT added support for Site 93 – East of High Street and South of Askew Grove due to biodiversity enhancement opportunities alongside the watercourse providing connectivity to the Land off Pinfold Lane potential local wildlife site. DWT supported Site 94 – North of Milton Road, due to biodiversity potential, as well as support for Site 162 – Land opposite the Arboretum on Pinfold Lane and Site 163 – Arboretum on Pinfold Lane as both have potential to enhance connectivity with the existing Repton Small Fields local wildlife site.

Sharlow West

There was support from DWT in relation to Site 99 – South of London, due to biodiversity potential in relation to protected species.

Swadlincote (Church Gresley)

There was support from DWT for Site 17 – Off Gresley Wood Road, due to high biodiversity potential and connectivity with the existing Church Gresley Scrub and potential local wildlife site, as well as Site 18 – Gresley Wood, because of high biodiversity enhancement potential.

Swadlincote (Midway)

DWT added support for Site 6 – Sandholes Open Space, Eastfield Road as it reinforces the existing green infrastructure network and forms the Midway Sand Quarry potential local wildlife site.

Swadlincote (Woodville)

DWT added support for Site 24 – Kingfisher Avenue, as it provides connectivity with the existing Woodville Disused Railway local wildlife site and expands the green infrastructure network.

Ticknall

There was support from DWT for Site 132 – North of A514 opposite Calke Abbey entrance and Site 140 – Main Street entrances and verges Calke Abbey, as both sites provide connectivity to the existing Calke Abbey Parklands local wildlife site.

There was an objection made by the landowner in relation to Site 135 – Ingleby Lane (East), putting forward the argument that the site does not meet the requirements of a local green space because it is not demonstrably special to the local community. They make the argument that the area is a negative feature in the landscape as an odd expanse of grass verge, that it does not have historic significance, recreational or wildlife value, and that the site is not tranquil because it abuts the main road in Ticknall (A514). The District Council, however, considers that the area meets the criteria for designation and is demonstrably special, being used by both the local community and walkers, and that the openness in this area is integral to the historic rural feel of the village. The undeveloped areas of land, particularly along the access routes to Calke Abbey, comprise part of Ticknall's character.

Walton on Trent

There was support from DWT for Site 159 – Walton Playing Field, as it is located adjacent to the existing Walton Hall local wildlife site and provides reinforcement to existing green infrastructure, particularly within the River Trent corridor in accordance with the Green Infrastructure policy INF7.

Weston on Trent

DWT supports Site 144 – Kings Mill Lane, as it supports and extends the green infrastructure network particularly along the River Trent and the Trent and Mersey Canal corridor.

Willington

There was support from the respondents in particular for Site 105 – South of Trent and Mersey Canal, often referred to as a picnic area, however, there were comments that part of this site has already been developed, as the adjacent public house has a glass covered seating area on a portion of this site. However, at the time of writing it is understood that this structure is subject to enforcement action and does not benefit from planning consent. In light of this it is not currently proposed to amend the proposed boundary of this site.

There was support from a local resident for the playing fields sites, Site 110 – Hall Lane Playing Field and Site 111 Trent Avenue Playing Field. It should be noted however that the Council was informed that Hall Lane playing field (site 110) was mapped incorrectly and this has been amended in the proposed submission version of the Plan.

DWT offered support for Sites 105 – South of Trent and Mersey Canal, and Site 107 – North of Twyford Road, as both increase green infrastructure links particularly along the River Trent and Trent and Mersey Canal corridor. In addition DWT noted biodiversity importance of veteran trees present at Site 110 – Hall Lane Playing Field, thus supporting its designation.

Additional Sites

Some respondents suggested further sites to be considered, particularly in the localities of Hilton and Stenson Fields. Where site plans and information were submitted, the District Council has sought land ownership details and will consider the proposed sites against the methodology. Any new sites that meet the criteria will be included in the pre submission version of the LGS DPD.

Question 5

Do you have any other comments regarding the draft Local Green Spaces Plan?

A few of the respondents made the assumption that a Local Green Spaces designation would guarantee future public access or improved access to sites, and one respondent asked specifically about this issue. However, the Local Green Spaces Policy LGS2 sets out that a designation cannot ensure or create public access to the site and it is not the Council's intention to alter this policy, as it is in line with national policy.

Policy LGS2- *"The Council will work with landowners, site managers and local community groups to support proposals that improve public access and connectivity of the spaces to the communities they serve.*

Where sites are not publically accessible, there will be no obligation for landowners to make sites so. Should a landowner be amenable to public or permissive access to their site, then the Council will work positively with the landowner and others to achieve this."



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Proposed Submission
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