NORTH EAST DERBYSHIRE LOCAL PLAN

ADOPTED

28th NOVEMBER 2005
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Foreword

The North East Derbyshire Local Plan provides the framework for the development of land in our District up to 2011.

It contains a vision of the District that aims to improve the quality of life for those who live in, work in and visit North East Derbyshire.

This Plan is the key document applying national, regional and strategic policies and guidance at a local level. It aims to balance the need to promote housing and employment in our District whilst protecting both the natural and built environment for future generations.

The various stages of the plan have been subject to extensive consultation including a public inquiry. The Council has listened to the views expressed and made changes to the Plan throughout the preparation process.

We believe the final Plan reflects the needs of our local communities and provides a strong foundation from which to make our planning decisions in future.
Introduction

During the time that the Local Plan Review has been progressing through the statutory stages prescribed by Law, the Government has enacted new legislation to reform the development plans system. The relevant provisions of the Planning and Compulsory Purchase Act 2004, commenced on 28th September 2004. This provides that Structure Plans will be replaced by the Regional Spatial Strategy and Local Plans by Local Development Frameworks. However, under the transitional arrangements the Structure Plan will be saved for a period of 3 years from commencement of the Act. In the case of local plans, those which had been on deposit and had an Inspector arranged for the Inquiry at the time of commencement of the new Act, would proceed under the old regulations to adoption. This applies to the Local Plan Review, which was at the public inquiry stage at commencement of the new Act. This Review Plan will therefore be saved for a period of 3 years, during which time it will be progressively replaced by new Development Plan Documents as part of the new system of Local Development Frameworks.

As part of its reform of the planning system the Government is in the process of replacing some Planning Policy Guidance Notes (PPG) with Planning Policy Statements (PPS). This process identifies a number of priority PPGs in need of early updating and revision. The remaining PPGs will only be reviewed as and when necessary in light of their policy and strategic significance. In the meantime the current PPG will remain in place. The advice contained in PPSs is designed to be taken into account by Local Planning Authorities in the preparation of Local Development Documents, whereas PPGs set out the advice to be taken into account in the preparation of Local Plans. However, since PPSs represent the most up to date national guidance and may be material to decisions on individual planning applications, it is appropriate that the policy advice contained within them is referred to in this Local Plan.

Purpose of the Plan

The Council is required, under the Town and Country Planning Act 1990 to prepare and maintain an up to date Local Plan for the whole of the North East Derbyshire District.

This Plan provides detailed guidance on where new developments can take place; and sets out the factors that will be taken into account by the Council when considering all proposals for development.

The guidelines for the distribution of development in the North East Derbyshire District is set out in the Derby and Derbyshire Joint Structure Plan. The current Derby and Derbyshire Joint Structure Plan is for the period 1991 to 2011. This Local Plan Review aims to update and roll forward the policies and proposals of the current adopted Local Plan to cover the plan period 2001 – 2011, in accordance with the Joint Structure Plan.

Format of the Plan

The Local Plan consists of a written statement and accompanying Proposals Map indicating the site specific policies and proposals.

This plan is broken down into separate chapters, each containing related policies. These chapters are:

1. General Strategy
2. Natural Environment
3. Built Environment
4. Employment Development and Tourism
5. Housing
6. Town Centres and Retailing
7. Transport
8. Recreation and Leisure
9. Community Facilities, Services and Utilities
10. Monitoring and Implementation

Appendices

How to use the Plan

Some of the policies and proposals in this Local Plan are cross-referenced. There is, however, a need to read the whole of the Plan in order to gain a complete view of how it may affect particular buildings or areas of land.

The Local Plan Area

This Local Plan covers the area of North East Derbyshire District outside the Peak District National Park. The Peak Park area of North East Derbyshire is covered separately by the Structure Plan and Local Plan produced by the Peak Park Authority. This district is comprised of 24 parishes and in 2001 had a population of 96940 people (Census 2001).
North East Derbyshire
Parishes and Population Estimates (Census 2001)

Ashover 1796
Barlow 884
Brackenfield 189
Brampton 1158
Calow 2496
Clay Cross 8573
Dronfield 21330
Eckington 11152
Grassmoor, Hasland & Winsick 3452
Heath & Holmewood 2909
Holmesfield 1014
Holymoorside & Walton 2164
Killamarsh 9627
Morton 1144
North Wingfield 6318
Pilsley 3114
Shirland & Higham 4865
Stretton 574
Sutton Cum Duckmanton 1523
Temple Normanton 411
Tupton 3214
Unstone 1804
Wessington 509
Wingerworth 6720

District Total 96940

The landscape of this district varies from the scenic landscapes in the west, at the edge of the Peak District, to the larger more urban settlements in the east with their industrial pasts and coal mining histories. This Local Plan contains polices and proposals which seek to address the diverse needs of these communities. This Local Plan also aims to provide a co-ordinated vision for the district's future prosperity.
General Strategy

Introduction

1.1 The Local Plan is a key Council document. It is important that the Plan is consistent with other strategies and plans produced by the Council and its partners. The Council has published a Community Strategy that reflects the needs and aspirations of local people. This has led to the development of the Council’s Vision, a clear statement about the main purpose of the Council.

The Council’s Vision:

‘To maintain and improve the quality of life and well-being of all our communities so that North East Derbyshire is a place that people choose to live, work and visit’.

1.2 It is also important that the Local Plan is consistent with national, regional and strategic guidance and policies relating to Land Use Planning. Since the first District Wide Local Plan was adopted in January 1999 there have been updates and revisions to national guidance, in the form of circulars, Planning Policy Guidance Notes, Planning Policy Statements, the Regional Spatial Strategy and the County Structure Plan.

National Guidance

1.3 The overall legislative framework for Local Plans has been established by Central Government through a series of Circulars and issue based Planning Policy Guidance Notes and Planning Policy Statements. They prescribe the need to review the Adopted Local Plan, the procedures involved and its form and content.

1.4 Planning Policy Statement 1: Delivering Sustainable Development (2005) (PPS1) sets out the Government’s vision for planning and the key policies and principles that should underpin the planning system. It identifies three key themes: sustainable development, the spatial planning approach and community involvement in planning, these reflect the Government’s intention to create a more integrated and inclusive approach to planning that promotes and achieves sustainable development. PPS1 does not give advice on specific planning issues such as housing and industry.

1.5 Planning Policy Guidance Note 2: Green Belts (PPG2) (January 1995) states the general intentions of Green Belt policy, including its contribution to sustainable development objectives and re-affirms the specific purpose of including land in Green Belts. It also maintains the presumption against inappropriate development within Green Belts.

1.6 Planning Policy Statement 7: ‘Sustainable Development in Rural Areas’ (July 2004) (PPS7) is firmly based upon the principles of sustainable development and clearly distinguishes between the policy approach to be applied to rural settlements and to the largely undeveloped countryside that separates towns and villages. The guiding principle in the countryside is that development should both benefit economic activity and maintain and enhance the environment.

1.7 Planning Policy Guidance Note 12: Development Plans (PPG12) (December 1999) outlines the key issues on Development Plan content and procedures. It also stresses the importance of integrating sustainable development and transport and land use policies in Development Plans. In September 2004 the Government issued Planning Policy Statement 12: Local Development Frameworks (PPS12). This PPS is specifically related to the preparation of Local Development Frameworks under the Planning & Compulsory Purchase Act 2004. It does not relate to the preparation of this Local Plan.

1.8 There are 25 Planning Policy Guidance Notes and Planning Policy Statements in total, the majority of which relate to more specific issues and these are mentioned in the appropriate chapter of the Local Plan.

Regional Spatial Strategy

1.9 The Local Plan Review was prepared within the context of Regional Planning Guidance for the East Midlands (RPG 8) to 2021 which was adopted in January 2002. The primary purpose of the guidance is to provide the framework for the preparation of Structure Plans, which in turn set the context for the preparation of Local Plans. However, in March 2005 the Regional Spatial Strategy for the East Midlands (RSS8) was published to replace RPG8. In addition, under the provisions of the Planning
and Compulsory Purchase Act 2004, the RSS now forms part of the statutory development plan. Although this document has been substantially re-structured compared to RPG8 the general policy guidance particularly in respect of the sequential approach to development remains unchanged.

1.10 The Northern sub-area priorities have been updated in RSS8 to take account of the Northern Coalfields Environmental Study, which gives a comprehensive picture of key environmental constraints and opportunities in the sub-area. The economic, social and environmental regeneration of the Northern sub-area will be a priority, involving strengthening existing sub-regional centres, providing jobs and services in and around sustainable settlements, promoting environmental enhancement and protecting and enhancing the natural and cultural assets of the sub-area. It is acknowledged that regeneration initiatives should address the needs of both urban and rural areas. Policy 9 of RSS8 states that a new sub-regional strategy for the sub-area should be prepared as part of the next RSS review. This will form a long-term strategy that can set a clear vision for the future of the sub-area and help to manage necessary change.

1.11 The spatial strategy for RSS8 sets out proposals for the sustainable development of the region’s economy, infrastructure, housing and other land uses. The guiding principle is a sequential approach to finding land for most kinds of development which means that major urban areas and previously developed land should be looked at first. There is also guidance about co-operating with neighbouring authorities and regions to ensure that the release of sites for development is managed to meet sustainable development objectives. This means that the release of sites for development in the parts of the District well related to Chesterfield and Bolsover must be co-ordinated with the release of sites by Chesterfield Borough Council and Bolsover District Council in order to ensure that previously developed land in the most sustainable locations is considered for release first. Additionally, the Northern Parishes Sub-Area of the District has some relation to the South Yorkshire region.

The Derby and Derbyshire Joint Structure Plan (January 2001)

1.12 Derby City Council and Derbyshire County Council have prepared a Joint Structure Plan for the whole county (outside the Peak District National Park). It was adopted in January 2001 and covers the period 1991 to 2011. The Structure Plan provides the strategic background and guidance within which the Local Plan policies have to be prepared. The Structure Plan outlines how the county should be developed to provide people with homes and jobs, shopping and leisure facilities, roads and public transport and a decent living environment.

1.13 The Structure Plan also provides for the safeguarding of attractive countryside, the conservation of historic towns, buildings and areas of archaeological and nature conservation importance and for the control of mineral working and waste disposal. Sub-Areas based on travel to work patterns are used to calculate figures for residential and employment growth in the Structure Plan. In this District there are 3 Sub-Areas, the Northern Parishes Sub-Area, the Chesterfield Sub-Area and the Alfreton Sub-Area, the boundaries of which are shown on the Sub-Area Plan at Appendix 1. The Alfreton and Chesterfield Sub-Areas cross administrative boundaries within Derbyshire. The Joint Structure Plan has divided up the Sub-Area figures on an individual district basis. However, the RSS recommends that neighbouring authorities and regions should work together to ensure a sustainable release of land in each Sub-Area as a whole. This Council will therefore work closely with neighbouring authorities to ensure a sustainable and managed release of sites for development.

1.14 The principles behind the policies and proposals of the Structure Plan are:

a) protecting the environment and ensuring that development is ‘sustainable’;

b) making provision for development at a scale which takes account of the likely level of need and the need to safeguard the quality of the environment;

c) concentrate new development within urban areas and on the edge of towns thereby enabling full and effective use of previously developed land and vacant land and existing infrastructure whilst avoiding major intrusion into the countryside;

d) limit development beyond settlements to appropriate uses, designed to have a minimum impact on the natural and historic environment;

e) promote regeneration in areas suffering severe economic, social and environmental problems;
f) protect the best quality agricultural land from irreversible development; and

g) define the general areas of the Green Belt and the limited types of development allowed in them.

Derby and Derbyshire Minerals Local Plan (November 2002)

1.15 The County Council as Minerals Authority has the responsibility for the production of the Derbyshire Minerals Local Plan. Within the broad policy context provided by the Structure Plan, the Minerals Local Plan seeks to provide an up to date framework for the control of mineral development. The Plan aims to reconcile mineral workings with other competing interests as far as possible, and to strike the best balance between the need for minerals and the need to protect the environment and safeguard resources. The Minerals Local Plan was adopted in April 2000 and the first alteration to the Plan (to include a new chapter of Coal Policies) was adopted in November 2002.

1.16 More specifically, the Plan aims to:

a) identify sufficient land to enable Derbyshire to make an appropriate contribution to the likely local, regional and national demand for minerals to 2006, and beyond where appropriate;

b) conserve and safeguard minerals as far as possible: to encourage the efficient use of materials; including the appropriate use of high quality materials, and whenever possible the use of secondary and recycled materials and to minimise the production of waste;

c) protect local communities, natural resources and features of landscape, wildlife and heritage importance from unacceptable damage or disturbance as a result of the working and transportation of minerals;

d) provide a detailed policy framework for assessing and controlling mineral working and ancillary operations, which ensures their impact on the environment is acceptable; and

e) ensure that land used for mineral working is reclaimed at the earliest opportunity, and is restored to acceptable after-uses.

Derby and Derbyshire Waste Local Plan (March 2005)

1.17 The County Council as Waste Planning Authority has the responsibility for the production of the Derby and Derbyshire Waste Local Plan. Within the broad policy context provided by the Structure Plan, the Waste Local Plan seeks to provide an up to date framework for the control and disposal of waste in the County.

1.18 The Derby and Derbyshire Waste Local Plan was adopted in March 2005 and covers the period up to 2015. The principle aim of the waste planning strategy is to establish a planning framework which enables the provision of adequate facilities and an integrated system for the management of waste whilst:

a) respecting the principles of sustainable development; and

b) protecting people and communities, the countryside, natural resources and the built heritage from the adverse effects of waste management.

Neighbouring Local Authorities in Derbyshire

Amber Valley Borough

1.19 Amber Valley Borough is located to the south of North East Derbyshire District and is a rural district with a number of dispersed, small and medium sized towns. Alfreton is a medium sized town located close to the boundary with North East Derbyshire. The Alfreton Sub-Area, as defined in the Joint Structure Plan includes the villages of Shirland, Higham and Wessington in this District. Alfreton therefore has an influence on the employment, shopping and housing opportunities of these settlements.

The District of Bolsover

1.20 Bolsover District is located to the east of North East Derbyshire District and shares similar characteristics. It is a predominantly rural district, comprising small towns and villages and has suffered from the effects of the decline in the coal industry and related industrial uses. The M1 motorway acts as a physical barrier between the Districts of Bolsover and North East Derbyshire. However Chesterfield, the largest town in this part of Derbyshire has a similar influence on the employment
opportunities, shopping provision and housing market in both Bolsover District and North East Derbyshire District. The western parishes of Bolsover District fall within the Chesterfield Sub-Area so we must work alongside the District of Bolsover and Chesterfield Borough to ensure a sustainable managed release of sites across the Chesterfield Sub-Area.

Chesterfield Borough

1.21 North East Derbyshire District wraps around Chesterfield Borough to the north, south and west and provides the rural context to Chesterfield which is the second largest town in Derbyshire. The north, west and southern sides of Chesterfield Borough are constrained by the North East Derbyshire Green Belt.

1.22 Chesterfield is an important employment centre for the surrounding settlements, and the Chesterfield Sub-Area includes parts of North East Derbyshire District and Bolsover District. Chesterfield is the second largest shopping centre in Derbyshire and has an influence on the smaller centres located within North East Derbyshire District and on residents’ shopping patterns.

Derbyshire Dales District

1.23 Derbyshire Dales District adjoins the western side of North East Derbyshire District, but the two authorities do not have a Joint Structure Plan Sub-Area in common. Over half of the district lies in the Peak District National Park. Matlock, Darley Dale, Wirksworth and Ashbourne are the main settlements in the District outside the Peak Park. The majority of the District is rural in character with large numbers of villages and hamlets.

Peak District National Park Authority

1.24 The designated Peak District National Park lies to the west of North East Derbyshire District, and part of the District actually falls within the Peak Park. The Peak District National Park Authority is the planning authority for the Peak Park and they have prepared a separate Development Plan. This seeks to control development so that the valued characteristics of the National Park can be conserved and enhanced, essentially restricting new development to local needs. Major development will only be permitted in exceptional circumstances and must be shown to be in the public interest.

Sustainable Development

1.25 Sustainable Development is best described by the Bruntland Commission (1987) as ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs.’ All recent National and Regional legislation has highlighted the importance of sustainability as a fundamental principle of the land use planning system.

1.26 In 1999 the Government published ‘A Better Quality of Life - A Strategy for Sustainable Development for the UK’ which set out four key objectives:

1. Maintenance of high and stable levels of economic growth.

2. Social progress which meets the needs of everyone.

3. Effective protection of the environment.

4. Prudent use of natural resources.

1.27 Planning Policy Guidance Note 12 states that the Planning System, and Development Plans in particular, can make a major contribution to the achievement of the Government’s objectives for sustainable development. It is also necessary to consider the implications of policies in Development Plans in respect of sustainable development. The policies contained in this document have been assessed through Sustainability Appraisal that can be found at Appendix 2.

1.28 General Development Strategy Policy 1: Sustainable Development of the Adopted Derby and Derbyshire Joint Structure Plan sets out how new development can respect the principles of sustainable development. This can be achieved by:

a) creating energy-efficient development patterns and designs;

b) minimising the overall need to travel by ensuring convenient access between homes, jobs and services;

c) encouraging the increased use of public transport by developing in locations well served by, or with the potential to be well served by the public transport network;

d) re-using land and buildings in preference to developing greenfield sites;

e) protecting and improving the natural and built environment; and

f) minimising pollution and wastes.

1.29 Through the application of policies in the Local Plan, the Council aims to meet the objectives of the National Strategy for sustainable development and the above Structure Plan.
Policy. Policies within this plan seek to deliver the objectives of achieving economic growth, securing social progress and higher standards of living, making prudent use of natural resources and protecting and enhancing the environment. Policy GS1 establishes the criteria against which all development proposals will be assessed.

1.30 Sustainable development principles can be used to formulate a sequential approach to the development of land. Such an approach usually advocates the use of previously developed land before greenfield and the use of sites within urban areas and then adjoining urban areas, before land in the open countryside. The proximity of services, facilities and access to public transport are also key factors, although it is recognised that appropriate development in rural areas cannot always be well related to existing facilities.

1.31 This Plan has applied the principles of the sequential approach to its selection of new housing and employment sites to meet the requirements set by the Structure Plan up to 2011, by allocating sites within or adjoining the larger settlements of the District, close to a range of services and facilities. The Settlement Development Limits have been drawn to include potential development sites and are a key element of the Council’s Sustainable Development Strategy. The Urban Capacity Study has identified previously developed sites and underused or vacant greenfield sites within the Settlement Development Limits of the District’s larger towns and villages for residential use.

1.32 Engaging local communities in the planning of the future of their own settlements provides an opportunity to further social and economic objectives of sustainable development. This Council supports the Countryside Agency’s Vital Villages programme, which is one way of engaging local communities, in respect of the preparation of Parish Plans and Village Design Statements. Parish Plans, prepared by the community for the community, contain a vision and options as to how the community will develop in social, environmental and economic terms. Village Design Statements are more focused towards the physical development of rural settlements, such as guiding the location of development and how new development should be designed to enhance a village’s character.

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**GS1 Sustainable Development**

All development proposals will be required to have regard to the need to maintain or improve the quality of life of our communities, maintain economic growth and preserve or enhance the environment of North East Derbyshire and contribute towards achieving a sustainable pattern of development.

Unless otherwise indicated in the Local Plan, all development proposals will:

(a) be located within the defined Settlement Development Limits, unless the development is acceptable in the countryside, or overriding exceptional circumstances can be demonstrated;

(b) make full use of previously developed land before greenfield sites;

(c) be well related to existing, or capable of providing, public transport networks, other services and facilities, and be accessible on foot and by cycle; and

(d) protect and conserve the quality of the areas natural and cultural assets (and their settings), improve the quality of the built environment and minimise pollution.

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**North East Derbyshire Green Belt**

1.33 The North East Derbyshire Green Belt covers a substantial part of the District, located between Sheffield and Chesterfield in the north, Chesterfield and Wingerworth in the south and also the land west of Chesterfield to the Peak Park boundary. It surrounds the towns of Dronfield, Eckington and Killamarsh. First drawn up in 1955, it was adopted in 1986 and carried forward in the North East Derbyshire Local Plan adopted in 1999.

1.34 National Guidance regarding Green Belts was issued in January 1995 in the form of Planning Policy Guidance Note 2, which states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. As such, the most important attribute of Green Belts is their openness. The five purposes of Green Belts set out in PPG2 are to:

a) check the unrestricted sprawl of large built up areas;

b) prevent neighbouring towns from merging;
c) safeguard the countryside from encroachment;

d) preserve the setting and special landscape character of historic towns; and

e) assist in urban regeneration, by encouraging the recycling of previously developed and other urban land.

1.35 PPG2 also advises that once Green Belts have been defined, the use of land within them has a positive role to play in fulfilling the following objectives:

a) provide opportunities for access to the open countryside for the urban population;

b) provide opportunities for outdoor sport and outdoor recreation near urban areas;

c) retain attractive landscapes, and enhance landscapes, near where people live;

d) improve damaged and derelict land around towns;

e) secure nature conservation interests; and

f) retain land in agricultural, forestry and related uses.

1.36 There is a general presumption against inappropriate development in the Green Belt, which is in addition to the general policies of restraint that apply in the countryside. PPG2 sets out the forms of development that would normally be appropriate within a Green Belt, including the re-use of buildings and development associated with agriculture, forestry, essential facilities for outdoor sports and recreation, cemeteries and other uses of land that preserve the openness of the Green Belt and do not conflict with the purpose of including land in it.

GS2 Development in the Green Belt

Except in very special circumstances, planning permission will not be granted within the North East Derbyshire Green Belt; as defined on the Proposals Map, for new buildings other than for the following uses:

(a) agriculture and forestry;

(b) essential facilities for outdoor sport and recreation, cemeteries, and other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(c) extension or alteration of existing dwellings that does not result in disproportionate additions over and above the size of the original dwelling; and

(d) replacement of an existing dwelling provided it is of a design, size, character and materials in keeping with the local environment and is not materially larger than the dwelling it replaces.

Re-use of buildings will be permitted providing it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it and satisfies the relevant criteria of Policy GS7.

Engineering and other operations, and material change in the use of land, will be permitted provided they maintain the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt by virtue of their siting, design or materials of construction.

1.37 Green Belts can contain some major developed sites such as factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals and research and education establishments. These sites may be in continuing use or be redundant and they often pre-date the town and country planning system and Green Belt designation. National guidance about such sites is given in Annex C of PPG2. There are four major developed sites in the North East Derbyshire Green Belt which are identified on the Proposals Map, and all are currently in active use.
1. Standall Tools, Dronfield
2. Mount St Mary’s College, Spinkhill
3. Steel Stockholders, Renishaw
4. Waste Water Treatment Works, Dronfield

GS3 Major Developed Sites in the Green Belt

Limited infilling on a major developed site in the Green Belt will be permitted provided that:

(a) it has no greater impact than the existing development on the openness of the Green Belt;
(b) it does not exceed the height of the existing buildings;
(c) it does not lead to a major increase in the developed proportion of the site; and
(d) the proposed development does not have an adverse effect upon the visual amenity of the Green Belt by virtue of its siting, design or materials of construction.

Complete or partial redevelopment of a major developed site in the Green Belt will be permitted provided that:

(e) it has no greater impact than the existing development on the openness of the Green Belt;
(f) the proposed use is appropriate in the Green Belt and compatible with the purposes and objectives of the Green Belt;
(g) the proposed development does not have an adverse effect upon the visual amenity of the Green Belt by virtue of its siting, design or materials of construction; and
(h) the proposed development does not exceed the height of the existing buildings and it does not occupy a larger area of the site than the existing buildings (unless a reduction in height is achieved which would benefit visual amenity).

Peak District National Park

1.38 The Eastern Moors of the Peak District National Park border the District. The Peak District National Park contains some of the country’s wildest and most beautiful landscapes. To protect it, careful control needs to be exercised over harmful development visually adjacent to and contiguous with the National Park. Planning permission should not be granted for development considered to be harmful to the valued characteristics of the National Park.

1.39 When considering proposals for such development, the Council consults the Peak District National Park Authority and has regard to the need to ensure that the appearance and valued characteristics of the National Park are not adversely affected.

1.40 The type of proposals that may be unacceptable are those that could adversely affect the purposes of the National Park, or its valued characteristics as set out in the Development Plan of the National Park Authority. This could include development conspicuous from within the National Park, nearby development that generates harmful pollution from industrial activities, power generation and agricultural development that would interfere with the enjoyment of the National Park by the public.

GS4 Peak District National Park

Planning permission will not be granted for development that may adversely affect the purposes of the National Park or be harmful to its valued characteristics.

The Location of Development

1.41 The Local Plan will seek to realise the potential for new development envisaged by the Joint Structure Plan while conserving and enhancing the quality of the environment in both rural and urban areas of the District. The area will remain attractive to residential development and the Local Plan will seek to ensure that as wide a range of sites as possible are made available within the physical and policy constraints operating in the area.

1.42 Settlement Development Limits enclose the built up framework of settlements and determine the extent of the countryside beyond, by taking into account existing development and land uses, planning permissions for development and sites allocated for housing, employment, retail and community use. Within Settlement Development Limits identified on the Proposals Map the principle of development is acceptable provided it is not contrary to other policies in the Local Plan. Outside Settlement
Development Limits, countryside and/or Green Belt policies apply and all proposals for development will be considered against these requirements. This approach provides certainty to all those involved in the development control process and makes it clear which policies will apply. To aid identification of the precise Settlement Development Limit boundaries of those settlements shown on the Proposals Map, which are not covered by a larger scale Inset Map, Appendix 5 provides larger scale map extracts.

1.43 Some of the smaller villages and hamlets in the District do not have a Settlement Development Limit and are ‘washed over’ by the countryside. This is because they are seen as an integral part of the countryside where development is generally not acceptable. Green Belt and Special Landscape Area policies may also apply.

GS5 Settlement Development Limits

Within Settlement Development Limits as defined on the Proposals Map, development will be permitted provided:

(a) it would not be detrimental to the character and appearance of the site and its surrounding environment; and

(b) it would not have a detrimental effect on the amenities of neighbouring occupiers and uses.

Outside Settlement Development Limits new development will be considered against countryside and other relevant policies.

Derelict and Unstable Land

1.44 The cumulative effects of over 100 years of intensive coal mining and associated heavy industry have left a legacy of environmental problems over parts of the Coalfield Area. The National Land Use Database (April 2003) identifies that there are 143 hectares of previously developed land available in North East Derbyshire and 110 hectares of this is derelict. In recognition of these special conditions, the Joint Structure Plan has identified former mineral workings as a Priority Area where improvements should be made.

1.45 To tackle this problem and improve the environmental quality of the District, the Council has given priority to selecting previously developed land in sustainable locations when allocating sites for housing and employment and mixed use development. It is also supportive of initiatives to assimilate these sites back into the landscape and for recreation and country park use.

1.46 The Coal Authority is a statutory consultee and is able to notify local planning authorities of areas where mining has taken place and is likely to occur in the future. It is the standard practice of this Council to consult the Coal Authority on relevant planning applications for new development in the District.

Development in the Countryside

1.47 PPS7: ‘Sustainable Development in Rural Areas’ states that planning policies should provide a positive framework for facilitating sustainable development that supports traditional land-based activities and makes the most of new leisure and recreational opportunities that require a countryside location. At the same time the quality and character of the wider countryside should be protected and where possible, enhanced. Appropriate development can be accommodated without detriment to the countryside if the location and design is handled with sensitivity. Development considered appropriate in the countryside includes that associated with agriculture, forestry, farm diversification, tourism, outdoor sport and recreation.

1.48 Development will be considered inappropriate and will be resisted if it would:

a) detract from the existing character of the landscape;

b) detract from the beauty, historic character, natural resources or the ecological, agricultural, recreational and archaeological value of the countryside; and/or

c) result in an unsustainable form of development by creating a proliferation of sporadic development throughout the countryside with increased demands on essential service provision.

1.49 The objective of the Local Plan is to direct new development away from the countryside to within the built framework of existing settlements. The term countryside, for the purposes of the Local Plan’s policies is the area outside the Settlement Development
1.50 If the proposed development is within the Green Belt or Special Landscape Area, then these additional Policy requirements will also need to be taken into consideration.

**GS6 New Development in the Countryside**

In the countryside, new development will only be permitted where:

(a) the development is for the operation of a use appropriate to such a location;

(b) it is in keeping with the character of the countryside;

(c) it causes minimal disturbance to farming and minimises the loss of agricultural land, particularly that of the best and most versatile quality;

(d) it does not require major new or improved infrastructure provision;

(e) it causes minimal problems of noise, disturbance and pollution and other environmental impact; and

(f) it does not represent a prominent intrusion into the countryside.

1.52 The re-use or adaptation of agricultural and other rural buildings for new uses is generally acceptable provided their form, bulk and general design are in keeping with their surroundings. It is, however, important to ensure that in allowing the re-use and adaptation of buildings, the changes that are made do not have a detrimental impact upon the character of the building or the surrounding area in which they are situated. Additionally such buildings provide ideal habitats for protected species such as bats and barn owls.

1.53 Proposals for conversion which respect local building styles and materials are more likely to be acceptable. The building should be large enough for the proposed use and not require significant enlargement or alteration. It should also be structurally sound and capable of conversion without the need for major rebuilding. Buildings that have become so derelict that they could be brought back into use only by complete or substantial reconstruction are not considered to come within the terms of these guidelines for conversion or change of use. Attention will be given to proposals for the curtilage of the building to ensure that they do not have a detrimental impact upon the surrounding area.

1.54 In rural areas, the re-use of existing buildings can assist in employment diversification and usually requires only limited adaptation. This type of re-use of buildings provides genuine farm diversification, helping to ensure continued income for the farm enterprise and is preferable to residential conversion which has only a minimal impact on the rural economy.

1.55 Any new residential use in the countryside will need to be sympathetic to the rural character of the immediate area. The residential curtilage around newly converted buildings can itself have a harmful effect on the character of the countryside. This is particularly true in Green Belt and Special Landscape Areas where such urbanisation and changes to the character of the countryside are contrary to the policy objectives for these areas. Similar considerations apply for all changes of use within these areas.

1.56 Change of use can also apply to land as well as buildings, for example the change of use of agricultural land to a recreation ground or domestic garden. Although this does not involve any physical structures or buildings it can still affect the appearance and character of an area, especially in the open countryside.
GS7 Change of Use and Conversions

Planning permission for change of use will be permitted provided that the use, scale or type of operation will not have an adverse effect upon the character of the area or neighbouring land uses.

Planning permission for the conversion or change of use of an existing building will be granted provided that:

(a) the building is of a permanent and substantial construction;

(b) where a building is situated outside a Settlement Development Limit it is capable of conversion without the need for major rebuilding or extension;

(c) the form, scale, massing, materials, general design and appearance of the development respects the character and appearance of the original building, the site and its surroundings with particular regard to local distinctiveness in design; and

(d) the proposed use of the curtilage of the building does not have an adverse effect upon the character of the area or neighbouring land uses.

Temporary Land Uses and Buildings

1.57 Whilst most proposals for development are accepted as entailing a permanent change, certain proposals are only accepted on a short term or trial basis. The policies of the Local Plan are equally applicable to all development proposals whether temporary or permanent. However, in the case of granting and extending temporary permissions the Council has adopted the following guidelines:

(a) Short Term Buildings

1.58 The same planning, amenity and highway considerations will be applied to applications for temporary buildings as they would for permanent buildings. Short-term buildings that have a poor appearance will not be considered suitable for prominent locations, and will rarely be appropriate in Conservation Areas, in view of the desirability of preserving or enhancing the area’s character and appearance. However, buildings which are suitable for their surroundings and are satisfactory in all other respects will normally be given permission for a temporary period. A period will be set which is dependent upon the suitability and expected life of the building. Appropriate landscaping and boundary treatment will be sought, bearing in mind the life of the permission. A second temporary permission will not be justified unless exceptional circumstances can be demonstrated. These include highway or redevelopment proposals that have been postponed, or in cases of hardship where a temporary instead of personal permission has been granted for a change of use.

(b) Short Term Uses

1.59 The same planning, amenity and highway considerations will be applied to applications for short-term uses as they would for permanent uses. Where a proposal relates to a use which is expected to continue only for a limited period, because it is either expected that circumstances will change, or because the applicant has volunteered that intention, then a temporary permission may be justified. A second temporary permission will not normally be justified unless exceptional circumstances can be demonstrated. These include highway or redevelopment proposals that have been postponed, or in cases of hardship where a temporary instead of personal permission has been granted for a change of use.

(c) Trial Uses

1.60 Temporary planning permission may be granted in the first instance for applications for a change of use, when a trial run is appropriate to establish in practice whether the use is acceptable. A period of permission will be set that is sufficiently long for it to be clear whether the use is thought acceptable. If no problems arise during the trial period planning permission will normally be granted, subject to any conditions considered necessary to regulate the use. A second temporary permission will not normally be granted.

GS8 Temporary Land Uses and Buildings

Temporary Planning Permission will only be granted for proposals on a short term or trial basis. The proposals will be subject to the same planning, amenity and highway considerations applied to permanent uses. A second temporary planning permission will not be granted unless exceptional circumstances can be demonstrated.
Planning Obligations

1.61 Some proposals for development by virtue of their size or location will make specific demands for related infrastructure to ensure that it can proceed. In such circumstances the Council will normally seek to impose conditions on a planning permission or under the powers conferred by the Town and Country Planning Act 1990, Section 106, will negotiate legal or other agreements to meet those demands.

1.62 Planning Obligations will be sought where they are; necessary to the granting of planning permission; relevant to planning; directly related to the proposed development; and related in scale and kind to the development to be permitted and are reasonable in all other respects.

1.63 Those Planning Obligations may; restrict development or use of land; require operations or activities to be carried out; require land to be used in a specific way or require payments to be made to this or another authority for the provision of off site facilities, such as affordable housing, education provision, community facilities and public open space.

Crime Prevention

1.64 Crime prevention through design is a prominent issue. The causes of crime and vandalism are complex, but it is widely accepted that environmental factors can play a part. The planning system can be instrumental in producing attractive and well-managed environments that can help to discourage anti social behaviour. It can do this by encouraging developers to adopt designs for new developments that take the security of people and property fully into account and by influencing the siting of new residential, commercial and leisure developments. Local Plan policy can establish the principles of design, layout, lighting and landscaping of new residential and commercial development. It is possible, through negotiation with developers, to ensure that measures are incorporated to ensure that new schemes will add to the security and safety of occupiers. For example:

a) large scale housing developments should be divided into distinct neighbourhoods with a recognisable character and focus;

b) landscaping schemes should avoid creating hidden areas near footpaths;

c) footpaths, open spaces and public areas should be kept open to view and their layout, design, landscaping and lighting should take into account the needs of security; and

d) car parking provision should be within private areas or within the owner’s view.

GS9 Planning Obligations
The Council will impose conditions on planning permissions or seek to negotiate an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990, where appropriate, to secure the infrastructure and facilities that are necessary and required for the development to proceed.

Crime Prevention

1.65 Certain sites and pipelines are designated as dangerous substance establishments by virtue of the quantities of hazardous substances present. Such sites are subject to stringent controls under existing health and safety legislation, however it is prudent to control the types of development permitted in the vicinity of these installations. For this reason the Health and Safety Executive identifies consultation distances for each of these installations. There are four Consultation Zones around Hazardous Installations which affect the District, one of which relates to an operation located just outside of the District:

1. Onyx UK Ltd, Norwood Industrial Estate, Killamarsh.
2. Former Avenue Coking Works, Wingerworth.
3. Coalite Products Ltd, Buttermilk Lane, Bolsover.

1.66 The consultation distances for Onyx UK Ltd and the Former Avenue Coking Works have yet to be set by the HSE. The consultation zones for the sites at Bolsover and South Normanton are identified on the Proposals Map.

1.67 Under the Town and Country Planning (General Permitted Development) Order 1995, the Local
Planning Authority is required to consult the Health and Safety Executive on development proposals within these zones, about the risks to the proposed development from the dangerous substance establishment in accordance with Circular 04/2000.

**GS11 Hazardous Installations**

Planning permission will be granted for development within the zones on the Proposals Map provided that the risks arising from the presence of the hazardous substance are acceptable in relation to the nature of the proposed development.

**Access For All**

1.68 One of the objectives of the Local Plan is to ensure that all buildings and spaces are designed to be accessible for all people.

1.69 The Council is determined to ensure that people with access difficulties are not prevented from playing a full role in the life of the community due to the design of the environment and are able to participate in, and contribute to, all community activities, whether as residents, employees or visitors to the area. The Council is therefore committed to ensuring improved accessibility of land (including recreational routes and trails) and buildings, including those within its own control.

1.70 Developers should have regard to the Disability Discrimination Act 1995 when drawing up their proposals.

**Access Statements**

1.71 The Government has published a good practice guide ‘Planning and Access for Disabled People’ (March 2003). This document is the Government’s response to the Disability Rights Task Force recommendation that guidance should be provided by central Government to help all those involved in the development control process and bring about more accessible environments in a consistent way. This can include the submission of an access statement.

1.72 Developers are encouraged to submit an access statement with their planning application to identify:

a) the philosophy and approach to inclusive design;

b) the key issues of the particular scheme; and

c) the sources of advice and guidance used.

1.73 The submission of an access statement helps to demonstrate the designers commitment to the issue of inclusive design and enables the identification of constraints at an early stage, particularly in respect of conversion schemes and historic buildings. This Council is committed to achieving an inclusive environment and will prepare a Supplementary Planning Document to provide design guidance for providing access for Disabled People and guidance for the submission of access statements.

**GS12 Access for All**

Planning permission will be granted for new housing development including conversion schemes or for new development or changes of use or alterations to existing buildings or land that will be open to the public and/or used for employment, provided that regard is had to the needs of people with disabilities, as customers, visitors and employees. In particular, regard should be paid to:

(a) giving careful consideration to land levels and to the design, provision and siting of access ramps, dropped kerbs, street furniture, footpaths, lighting and open space;

(b) improving access to and ease of use of public transport;

(c) the design, quantity and location of disabled parking provision; and

(d) providing and signposting a suitable means of approach to and into buildings from their associated car parking or from adjoining streets.

Where appropriate, the Council will seek the developer’s agreement over the siting and design of internal features of a building to improve its accessibility and use by disabled people.
Introduction

2.1 This District has a rich variety of sites and features that contribute to the quality of the natural environment. The conservation and enhancement of landscape character and environmental quality are important objectives of this Local Plan.

2.2 The landscape and character of North East Derbyshire are varied. The western part of the District extends up to the edge of the Peak District National Park and comprises a highly scenic landscape with rolling hills, river valleys and small attractive villages. It is this part of the District that contains designated Special Landscape Areas, which represent the finest Derbyshire landscape outside the Peak District National Park and represent those areas of landscape most similar in character to the Peak District National Park.

2.3 The eastern part of the District contains larger settlements and their immediate surroundings show evidence of an industrial past. Within this part of the District are large areas of attractive countryside where the landscape has a distinctive local character.

National Guidance

2.4 Planning Policy Statement 1: Delivering Sustainable Development (PPS1) (2005) states that a sustainable framework should conserve both cultural heritage and natural resources. It advises that in areas statutorily designated for their landscape, wildlife or historic qualities, policies should give greater priority to restraint.

2.5 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) (July 2004) states that good design should be encouraged in rural areas utilising tools such as Landscape Character Assessment and Village or Town Design Statements.

2.6 Planning Policy Guidance Note 9: Nature Conservation (PPG9) (October 1994) states that local plans should identify international, national and local nature conservation interests and policies should ensure their protection and enhancement. It also advises that plans should be concerned with land of conservation value as well as designated areas and be consistent with locally prepared nature conservation strategies.

2.7 Planning Policy Guidance Note 25: Development and Flood Risk (PPG25) (July 2001) explains how flood risk should be considered at all stages of the planning and development process in order to reduce future damage to property and prevent loss of life. It recommends adopting a risk based, or precautionary sequential approach to the location of new development in order to minimise the chance of flooding. The guidance also examines the implications of surface water run-off and climate change on the risk of flooding.

Regional Spatial Strategy

2.8 The Regional Spatial Strategy for the East Midlands (RSS 8) (March 2005) states that the protection and enhancement of the region’s environment is vital to achieving sustainable development and ensuring a better quality of life for everyone. The RSS contains policies relating to protecting and enhancing natural and cultural assets, enhancing biodiversity, increasing woodland cover and management and enhancement of the region’s landscape. This policy states development plans should be informed by a landscape character assessment, which should be taken into account when considering development proposals. The RSS also includes a regionally specific approach to managing flood risk, based on the use of appropriate strategic flood risk assessments to evaluate actual flood risk. Development should not be at unacceptable risk from flooding or create such an unacceptable risk elsewhere.

Derby and Derbyshire Joint Structure Plan (January 2001)

2.9 The Environment chapter of the Derby and Derbyshire Joint Structure Plan contains several policies concerning the natural environment that should be taken into account when deciding planning applications. Specifically, the Joint Structure Plan contains policies relating to Landscape Character, Special Landscape Areas, sites and features of nature conservation importance, habitats, and trees and woodland.
Countryside Management and Woodland Projects within the Plan Area

2.10 There are two countryside projects part funded by the Council that operate in North East Derbyshire. The Three Valleys Project was established in 1989 and covers the valleys of the River Rother, River Drone and the River Moss. The aims of the project are to encourage wildlife, landscape and heritage conservation, promote and improve access to the countryside, promote sustainable tourism and most importantly, enable the participation of local communities in caring for the countryside. The Local Plan supports these aims through the application of policies relating to the Green Belt, Conservation Areas, nature conservation, recreation and tourism.

2.11 The East Derbyshire Woodlands Project (EDWP) covers the former coalfield area in the eastern part of Derbyshire, including the whole of the North East Derbyshire District. Its aims are to establish areas of woodland in locations where tree cover is limited, create habitats for wildlife, provide and encourage environmental education and to encourage better access and recreational opportunities for the community.

Landscape Character

2.12 Local authorities, in partnership with the Countryside Agency, have undertaken an assessment of all the types of landscape in Derbyshire to identify the landscape components that contribute to local distinctiveness and diversity. The Landscape Character of Derbyshire (2004) document will be used to inform the planning process to seek to ensure that the character of the different areas in the District are respected and where possible, enhanced through development.

2.13 Landscape character is an important consideration for all development within the countryside but is particularly important when developing on the edge of existing settlements, ensuring the transition between the urban and rural environment is sensitively and appropriately achieved. It is important that new development fits well within the context of the settlement and the countryside.

2.14 Proposals for new development will also be encouraged to respect and adopt the features that make the landscape distinctive, and locally important landscape features should be protected during construction work. Planning conditions will be used to achieve this where appropriate. The loss of distinctive features that contribute towards and add value to the landscape character (such as dry stone walls, hedgerows, plant species and building materials) will be resisted.

NE1 Landscape Character

The varied and distinctive landscape character of the District should be conserved and/or enhanced. Development proposals that would result in the loss of distinctive features that contribute towards and add value to the landscape character of an area will not be permitted.

Special Landscape Areas

2.15 The Derbyshire Special Landscape Area Local Plan (June 1988) produced by Derbyshire County Council sets out the areas designated as Special Landscape Areas. This system of local landscape designation has been incorporated into the Derbyshire Structure Plan and District Local Plan since this time. Special Landscape Areas are examples of the finest Derbyshire landscape outside the Peak District National Park and represent those areas of landscape most similar in character to the Peak District National Park and are mainly found within the north and western part of this District. In Special Landscape Areas, new development or major extensions to existing development will only be permitted where development would not detract from the surrounding landscape, nor adversely affect the setting of any heritage or wildlife resource. Other development proposals should respect and adopt the features that contribute to the character of the area and not detract from the visual, nature conservation and heritage value of the area.

2.16 Special care should be taken to protect features of high visual amenity visible from important viewpoints, even where these viewpoints are outside the Special Landscape Area. Special care should also be taken to ensure that new development or extensions to existing development on land adjoining the Special Landscape Area does not intrude into these areas and does not have a detrimental effect on the character and function of the Special Landscape Area.
NE2 Special Landscape Areas

Within Special Landscape Areas as defined on the Proposal Maps, development will be permitted where:

(a) it would not materially detract from the surrounding landscape, nor adversely affect the setting of any heritage or wildlife resources; and

(b) the siting, scale, design, landscape treatment and the use and colour of materials in any building or engineering works are in keeping with the special character of the area; and

(c) it would not unduly disturb or detract from the visual amenity of an area by the attraction of large numbers of people or excessive traffic.

In addition, new development or extensions to existing development on land adjoining a Special Landscape Area will be permitted provided it would not have a detrimental effect on the visual amenity, character and function of the Special Landscape Area.

Biodiversity and Nature Conservation

2.17 Biodiversity means variety of life among both plants and animals, encompassing the categories of species, habitats, wildlife and the living environment. The Regional Spatial Strategy for the East Midlands states that the conservation and enhancement of this variety is a key test of sustainable development.

2.18 The Habitats Regulations 1994 require planning authorities to include in their development plans policies ‘encouraging the management of features of the landscape which are of major importance for wild flora and fauna’. These features may be referred to as wildlife habitats. The Local Plan area has a diverse range of habitats, including river corridors, ancient woodland and unimproved grasslands. These habitats support wildlife and are vital elements of the landscape, due to their aesthetic, historical, amenity and economic value.

2.19 The Government’s UK Biodiversity Action Plan (BAP) identifies habitats that are nationally important, and sets out targets and actions for conserving and restoring them. Local Biodiversity Action Plans for Lowland Derbyshire and the Peak District provide a framework for restoring biodiversity locally. They identify habitats and species that are local and national priorities for protection and enhancement, as well as translate national and regional targets to a local level. The Council will continue to support the Local Biodiversity Action Plan in the achievement of its aims and targets through the use of the policies in this Plan, imposing planning conditions or seeking provision through a Section 106 Obligation, where appropriate.

2.20 Although many areas of important habitat fall within designated sites, others do not, and it is therefore necessary to consider habitats as a separate issue from protected areas. All species need to be able to disperse in order to maintain healthy populations. Consequently, habitats should be seen as a wider part of a network rather than as individual sites. Habitats are however, becoming increasingly small and isolated. Protecting individual sites will not work unless links between them are maintained. However, for most habitats there is no specific statutory protection unless they are associated with legally protected sites or species.

2.21 Wildlife habitats occur in both rural and urban areas, and the importance of urban areas for nature conservation and habitat protection should be considered. The Council will seek to ensure that the nature conservation value of all sites, including previously developed land in urban areas, is investigated, and any loss of habitat will be compensated through provision elsewhere.

2.22 Where compensatory measures are required, the Council will seek to negotiate the creation of new habitats of equivalent size and quality, either on the development site or a suitable alternative location and where appropriate they should be accessible to the public. These measures will include a provision for appropriate management and monitoring of the habitat for a suitable period after development has taken place.

NE3 Protecting and Managing Features of Importance to Wild Flora and Fauna

Planning permission for development in features of importance to wild flora and fauna, or likely to have an adverse impact upon the integrity or continuity of such features, will not be permitted unless it can be clearly demonstrated that there are benefits resulting from the development which would outweigh the importance of the feature to wild flora of fauna.

Where a development would result in a loss of habitat, the Council will seek to maintain and enhance biodiversity within the District by securing the creation, enhancement and/or management of habitats in or adjacent to new development.
2.23 There are seven Sites of Special Scientific Interest (SSSI) of national importance designated by English Nature within the District that are identified as NE4 on the Proposals Map. Under the provisions of the Wildlife and Countryside Act 1981 the Council is required to inform English Nature of any development likely to affect them. Some SSISIs are of international importance and have been further designated as Special Areas of Conservation (SAC) or Special Protection Areas (SPA). These sites are of international importance and are subject to the highest degree of protection. At present, there are no sites of international importance within the District.

2.24 Where development proposals are likely to affect any site of ecological or geological interest, applicants will be required to provide an environmental statement identifying and evaluating the important features of the site, assessing the likely impact of the proposed development upon them and including a statement of the measures proposed to avoid or minimise any adverse effects.

NE4 Sites of National Importance for Nature Conservation

Planning permission for development in or likely to have an adverse impact on Sites of Special Scientific Interest will only be granted if there are overwhelming benefits resulting from development which would outweigh their national importance for nature conservation.

Where necessary the Council will impose conditions or seek to negotiate a section 106 obligation to secure appropriate mitigation and/or compensatory measures to protect the nature conservation interests of the site.

2.26 A register of Regionally Important Geological Sites (RIGS) has also been prepared. This identifies important geological sites that are not already designated as SSISIs. The register has similar status to the DWSR.

NE5 Other sites of Importance for Nature Conservation

Planning permission for development in or likely to have an adverse impact upon any other site important for nature conservation, including Derbyshire Wildlife Sites and Regionally Important Geological Sites, as identified on the Proposals Map, will only be granted if it can be clearly demonstrated that satisfactory mitigation measures can be implemented, or there are benefits resulting from development which would outweigh the nature conservation importance of the site.

Where necessary the Council will impose conditions or seek to negotiate a section 106 obligation to secure appropriate mitigation and/or compensatory measures to protect the nature conservation interests of the site.

Species Protected by Law or Nationally Rare Species

2.27 The Wildlife and Countryside Act 1981 gives statutory protection to many animals and plant species, including badgers, bats, otters, barn owls and great crested newts, irrespective of whether planning permission has been granted.

2.28 Certain species, including all bats, otters and great crested newts are also protected under the Habitats Regulations 1994, whereby it is an offence to deliberately capture, kill or disturb these species or damage or destroy their breeding site or resting place. Development affecting these protected species also require a licence from the Department of the Environment, Food and Rural Affairs (DEFRA), irrespective of whether planning permission has been granted.

2.29 North East Derbyshire is an important area for the barn owl partly due to a strong tradition of stone barns and other farm buildings that provide ideal nesting habitat. The conversion of this type of building has led to the destruction of many suitable nesting sites.
In appropriate circumstances the Council will impose conditions or seek to negotiate the protection or provision of a suitable nesting site for barn owls.

2.30 The water vole is another important species in the District. It is a legally protected species and a priority Biodiversity Action Plan species. The River Rother catchment, which includes the River Rother, the Moss Brook and the River Doe Lea, is an important stronghold for the water vole. The Council has adopted the River Rother strategy, which aims to identify opportunities for the protection and enhancement of the wildlife resource and enhancement of a strategic wildlife corridor.

2.31 There are some species that have no or very limited legal protection, however they are known to be nationally rare and it is these species that NE6 seeks to protect. These are species occurring at so few sites that the impact of a single development could be extremely damaging to the UK population. These species are identified nationally through a series of ‘Red Data Books’ and placed in the category nationally rare.

2.32 The Council in considering development proposals to have an adverse impact upon a protected or nationally rare species will liaise with English Nature and the Derbyshire Wildlife Trust to establish whether it is feasible to put mitigation in place that will allow for the continued survival of the species. Protected species survey and mitigation work should be undertaken at appropriate times of the year according to the life cycle of the species in question, in accordance with the guidance of the statutory agencies. In all cases the Council will require the submission of a report from a suitably qualified person to determine the status of the existing population, the likely impact of the development on the population and whether any mitigation measures are possible or necessary.

**NE6 Development Affecting Nationally Rare Species**

Planning permission for development likely to have an adverse impact upon species with no or very limited legal protection and which are known to be nationally rare will only be granted if:

(a) mitigation and/or compensatory measures can be put in place that allows the favourable conservation status of the species to be maintained on site;
(b) the development is necessary to preserve public health or safety; or
(c) there are imperative reasons or overriding public interest and there are no alternative solutions to the proposed development.

The Council will impose conditions or seek to negotiate a section 106 obligation to secure the provision of any appropriate mitigation measures to protect the status of the species on site.

Trees and Hedgerows

2.33 Trees and hedgerows are key features whose presence or absence can define landscape character and contribute to the quality and enjoyment of the environment. They have ecological, amenity, recreational and commercial value. Trees and hedgerows are a significant element in the landscape of many parts of the Local Plan area, but are subject to continuing loss through pressures of development, changing agricultural practices and natural ravages. Hedgerows especially, are an important wildlife habitat that has suffered a marked decline. The biodiversity value of a hedgerow as a wildlife habitat itself or a link between two key areas of important habitat should be recognised.

2.34 The Council can protect selected trees and woodland in the interests of amenity by the making of Tree Preservation Orders (TPOs). The Council will seek to make Tree Preservation Orders where trees that contribute to local amenity and local character are at risk. These Orders control the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of trees. All trees within Conservation Areas have statutory protection and owners of trees in Conservation Areas are required to give prior notification to the Council of their intention to fell or carry out works to trees.

2.35 It is recommended that anyone wanting to fell or undertake works on a tree should first check with the Planning Department to see if the tree is protected. It is a criminal offence to damage or fell a protected tree.
2.36 In assessing applications for the felling or works to a TPO tree, the Council will take into account the health and balance of the tree, its general appearance and the contribution it makes to the local environment.

2.37 A further means of control is via the issuing of felling licences from the Forestry Commission. The Council are consulted on all such applications and will seek to secure the retention of trees wherever possible, commensurate with good forestry practice.

2.38 Hedgerows can be given special protection under the Hedgerow Regulations 1997, which prevent the removal of most substantial hedgerows provided that they are deemed important in terms of their archaeological, historical, landscape or wildlife value and are at least 30 years old.

**NE7 Protection of Trees and Hedgerows**

Planning permission will not be granted for development that would have a direct or indirect detrimental effect on established or ancient woodland, important hedgerows or trees that make a significant contribution to the character or amenity of the area.

2.39 The East Derbyshire Woodlands Project specifically recognises a lack of trees in the District, especially in the eastern parishes and seeks to redress this. Protection, regeneration and especially new planting are essential in order to halt the declining contribution of trees, woodlands and hedgerows in the landscape.

2.40 In dealing with all proposals for development, every attempt should be made to retain existing trees and hedgerows. Conditions of planning permissions will also seek to ensure the assimilation of new development within the locality by requiring the submission of an approved landscaping scheme. Landscaping schemes that use species and varieties native to the area, are locally sourced and maximise the benefit to the wildlife, are preferred.

2.41 In areas which are in close proximity to ancient woodlands the natural regeneration of the landscape may be preferable to the planting of new trees. Elsewhere the Council will encourage proposals for new trees, woodland and hedgerow planting and management.

**NE8 Tree Planting**

Proposals for development will be expected to retain existing trees that contribute to the quality and amenity of the local environment.

Where this is not practical, their replacement by means of an approved landscaping scheme utilising native species will be required.

**Development and Flood Risk**

2.42 Flooding is a natural process that plays an important role in shaping the natural environment. The Environment Agency has a supervisory role over all matters relating to flood defence. It has a duty to survey matters relating to flooding, including the identification of areas where flood defence problems might be likely to occur. The Council is responsible for controlling development where it may be directly affected by flooding or affects flooding elsewhere. The Council will follow the sequential approach set out in PPG25 in assessing applications. Local authorities are the operating authority on ordinary watercourses.

2.43 There are a number of areas of land adjacent to the rivers Rother, Drone and Doe Lea which act as floodplains in this District. Flood defence works to the north of Dronfield were completed in 1998 to protect the town from potential flooding. The Rother Valley Country Park immediately north of Killamarsh acts as a floodplain. It is important that these areas of river floodplains are protected from built development in order to limit more serious flooding problems downstream. Although the use of the land for recreational or open space purposes would be acceptable, built development should be limited to essential transport and utilities infrastructure.

2.44 The Environment Agency (EA) has produced Indicative Floodplain Maps which are subject to annual review as the nature of a floodplain is always evolving and hence the information mapped is likely to change frequently. For this reason, floodplains are not shown on the Proposal Map. However, assessment of planning applications will be made against the most up to date EA maps in order to identify whether a development proposal is located within, or in the vicinity of, a floodplain. Developers will be required to submit a flood risk assessment with any application within an area of indicative floodplain identified by the Environment Agency, although the level of detail required to accompany the application will be proportionate to the perceived level of
flooding. Map Based information illustrating the location of the indicative floodplain areas is available from the Local Planning authority or directly from the Environment Agency.

NE9  Development and Flood Risk

Development proposals will not be permitted in areas at risk of flooding unless:

(a) the proposal is for an open recreation or open space use; or

(b) the location is essential for a particular development and there are no alternative locations in a lower risk area; and

(c) the proposals can be adequately safeguarded against flood risk through appropriate mitigation and/or compensation works; and

(d) it can be demonstrated that the proposal would have no adverse effects on the management of flood risk either upstream or downstream of the development:

i) by a reduction of the capacity or increase in flows in the floodplain;

ii) through the discharge of additional surface water;

iii) by harming flood defences; and

(e) adequate provision is made for access to watercourses for maintenance purposes.
Introduction

3.1 North East Derbyshire has a rich variety of sites and features that contribute to the quality of the built environment. The conservation and enhancement of this environmental quality are important objectives of the Local Plan. There are 29 designated Conservation Areas and 489 Listed Buildings throughout the District. Whilst change is inevitable, planning policy should attempt to conserve the major features contributing to the character of the area and ensure that new pressures leading to change are assimilated in a way that is least harmful to the environment.

3.2 The design and quality of new buildings also has a role to play in contributing to and improving the environmental quality of the District.

National Guidance

3.3 Planning Policy Statement 1: Delivering Sustainable Development (PPS1) (2005) states that good design can help promote sustainable development, improve the quality of the existing environment, attract inward investment and reinforce civic pride and a sense of place. The guidance also advises that the presence of features of historic importance add to the quality of our lives by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness.

3.4 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) (July 2004) advises that new buildings in rural areas should be well designed and inclusive, contribute to a sense of local identity and regional diversity, and be of an appropriate design and scale for the location.

3.5 Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG15) (September 1994) advises that physical survivals of our past are to be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. The best way to secure the upkeep of historic buildings is to keep them in active use. The guidance states that the objective of the planning process is to reconcile the need for economic growth with the need to protect the natural and historic environment.

3.6 Planning Policy Guidance Note 16: Archaeology and Planning (PPG16) (November 1990) advises that archaeological remains should be seen as a finite and non-renewable resource that are valuable for their own sake and for their role in education, leisure and tourism. The guidance also advises that when nationally important archaeological remains, whether scheduled or not, and their settings are affected by proposed development, there is a presumption in favour of physical preservation.

Regional Spatial Strategy

3.7 The Regional Spatial Strategy for the East Midlands (RSS8) (March 2005) contains a policy relating to regional priorities for the historic environment. The policy states development plans should seek to understand, conserve and enhance the historic environment. Where growth or regeneration is needed attention should be given to ensuring sensitive change of the historic environment and retention of local distinctiveness.

Derby and Derbyshire Joint Structure Plan (January 2001)

3.8 The Joint Structure Plan contains specific policies about Conservation Areas, Listed Buildings and other buildings of historic or architectural interest, Historic Parks and Gardens and archaeological and heritage features.

The Design of New Development

3.9 It is important that new development proposals contribute to creating and maintaining an attractive built environment. PPS1 advises that the appearance of proposed developments and their relationship with their surroundings is a material consideration in determining planning applications. It is expected that the design, scale, density and materials proposed as part of a new development will have taken into account the character of, and relationship with, buildings, street patterns and open spaces comprising the surrounding area. Distinctive local character helps define and distinguish one place from another. The North East Derbyshire area includes differences in local building vernaculars, from the gritstone
buildings of the Peak fringe to the sandstone and brick buildings and terraces of the coalfield areas. New development should positively respect local distinctiveness and sense of place through design.

**BE1 General Design Principles**

Proposals for new development and extensions to existing buildings will only be granted planning permission where they are of a density, scale, massing, height and layout, and use materials that:

(a) respect the character and appearance of the surrounding area; and

(b) contribute towards providing a safe and secure local environment.

Proposals will also need, where necessary, to provide landscaping appropriate to the setting, particularly where the development is visually prominent or located on the edge of a settlement.

**External Lighting**

3.10 The use of floodlighting can contribute to an increase in the opportunities for sport and leisure activities by extending the hours of use of facilities. It can also help to provide a safe and secure environment when used, for example, to light car parks and public spaces after dark, both within settlements and in the open countryside.

3.11 However, light spillage can be a problem to residential amenity, the character of rural areas and highway safety. Therefore lighting systems should be sensitively designed and installed to minimise the impact of excessive light spillage on nearby properties and land. This can also be achieved by angling lights downwards to illuminate the target area, using shields and baffles to reduce light spillage and through the design of the equipment. When the lighting is not required, the amount of illumination can be reduced or turned off to minimise adverse effects and make significant energy savings. Conditions may therefore be used to establish appropriate hours of use. The Institution of Lighting Engineers (1994) has produced guidance notes that provide best practice advice for the reduction of light pollution.

3.12 Security of retail and other commercial and business premises has become an increasingly important issue, as has the desire to protect and enhance the environment. The Council aims to ensure that businesses can protect their livelihoods without harming the visual quality of the local environment. When and where security is a major concern, external shutters of any form should only be considered when internal shutters or other measures do not provide adequate protection. Unless sensitively designed, they can have a detrimental impact on both the individual property and the street scene. All types of external shutter and their housing units require planning permission.

3.13 Solid shutters can create a fortress like effect after business hours and are generally unacceptable. As a result, shutters should either be open meshed or perforated, painted in a colour to match or complement the building’s frontage and allow views into the premises when the lights are left on.

3.14 On Listed Buildings, approval will only be given for security fixtures that would not detract from the architectural style of the building’s frontage or result in the loss of the historic fabric. The Council will also consider the impact that security fixtures may have on the character of a Conservation Area.

**BE3 Security Shutters**

Planning permission will only be granted for the fitting of external shutters or grills where:

(a) the character and appearance of the local area is preserved;

(b) punched or perforated lath shutters are proposed, with an acceptable coloured finish that complements the existing frontage; and

(c) in commercial frontages the window display is illuminated during the hours of darkness.

**Advertisements and Signs**

3.15 Many businesses, especially retail premises rely on external advertisements and signage to sell goods and services. It is important to strike the right balance between the need to promote commerce and the need to protect the character and appearance of the

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surrounding environment. This can be achieved through ingenious design and the use of quality materials.

3.16 The Town and Country Planning (Control of Advertisements) Regulations 1992 allow many types of sign to be erected without the need to obtain ‘express consent’. Where express consent is required, all advertisements will be considered in terms of their impact on public safety, the building to which they are fixed and the amenity of the surrounding area.

3.17 Advertisements displaying an excessive amount of illumination will not be granted consent, especially where they could cause detriment to highway safety by dazzling drivers. The brightness and level of illumination of the advert or sign will therefore be controlled by condition.

3.18 It is important that advertisements within Conservation Areas or displayed on or close to a Listed Building respect the character, integrity, appearance and setting of these historic designations and take account of the prevailing traditional features. Standard corporate designs and logos therefore, may not be acceptable. A proliferation of signs can also erode the character of a Conservation Area so the amount of signage should be kept to a minimum. External or halo illumination is preferable to internally illuminated box signs.

3.19 Most advertisements on a Listed Building will constitute an alteration to the building and will require Listed Building Consent.

**BE4 Advertisements**

Advertisements on shopfronts and other commercial and business premises will be granted express consent providing:

(a) they relate well to the building or structure on which they are fixed and the surrounding area, in terms of their design, size, proportion, position, colour and materials; and

(b) the level of illumination does not detract from the amenity of the surrounding area or from public safety.

Additionally, on a Listed Building and/or within a Conservation Area:

(c) particular care is taken to ensure that the special architectural or historic interest of a Listed Building and/or the prevailing traditional character of a Conservation Area are maintained or enhanced.

**Art in Public Places**

3.20 The Percent for Art scheme is an initiative promoted by the Arts Council. Not only is it important that significant buildings and artefacts from previous generations are protected and retained, but every opportunity should also be taken to ensure that future generations inherit new features created using further development opportunities. One way of achieving this is by setting aside one percent of the capital budget of a major development to which the public has access, for the commissioning of new works of art. Major development is taken to be:

a) 30 or more residential dwellings; or

b) a floorspace of 1,000m² and above, or site area 1ha and above for all other development.

3.21 The works of art do not have to be confined to just statues and sculptures, but could also include detailed features on buildings and specially designed walls and railings. Smaller developments should also include works of art and features to enhance the architectural quality of the proposal.

**BE5 Percent for Art**

The Council will seek the provision of new works of art as part of major development proposals which are accessible to the general public.

**Archaeological Sites and Scheduled Ancient Monuments**

3.22 The District is rich in archaeological remains, some of which are afforded statutory protection as Scheduled Ancient Monuments. There are 16 scheduled sites in the Plan area ranging from the industrial remains of Stone Edge Smelt Mill at Ashover and coke ovens at Dronfield, to the ecclesiastical heritage apparent in the ruins of Trinity Chapel at Brackenfield. All of the Scheduled Ancient Monuments in the District are identified on the Proposals Map and are listed at Appendix 3.

3.23 Not all nationally important remains meriting preservation are Scheduled. The Sites and Monuments Record for the area also lists over 200 sites of known archaeological interest and the County Treasures Record lists over 50 further items. All of them contribute to the historical wealth of the area and the Council
will seek to protect such sites and features from the effects of development. There will however, always remain locally and nationally important sites that have yet to be discovered.

3.24 Planning applications for development likely to affect an archaeological site or its setting should be accompanied by an archaeological appraisal, undertaken by an independent body. Where considered necessary, a field evaluation and assessment of the archaeological potential of the site, which details the potential effects the proposed development could have, will be requested.

3.25 The Council may impose conditions or seek a planning obligation to secure the retention and physical preservation of archaeological remains in situ and minimise disturbance by or during the actual development of the site.

3.26 Where physical preservation in situ is not feasible or merited, (taking into account the importance of the remains and need for development) the developer will be expected to appoint an independent body in agreement with the Council to undertake either:

a) the excavation, recording and post excavation analysis of such remains prior to commencement of development; or

b) an archaeological watching brief during construction works with provision for emergency excavation and recording.

BE6  Scheduled Ancient Monuments and Archaeological Sites

In considering proposals for development the Council will take into account the impact on Scheduled Ancient Monuments and other nationally important sites, their settings and amenity value. There should be a presumption in favour of their physical preservation in situ. Development that would have an adverse effect on a site will be refused.

Where possible, other significant sites of archaeological importance should be preserved in situ. In circumstances where this is not feasible or justified, planning permission will be granted provided the developer ensures the appropriate and satisfactory provision for the excavation and recording of the remains prior to development.

Where proposals would be likely to affect sites of known or possible archaeology, the Council will require:

(a) an archaeological assessment or field evaluation to be submitted with the planning application; and

(b) that the nature, extent and significance of the remains and the impact of the proposed development is known prior to granting planning permission.

Buildings of Architectural and Historic Interest

3.27 Listed Buildings are buildings or structures that are considered to be of special architectural or historic interest. The Department of Culture, Media and Sport decides which buildings or structures are worthy of listing, but the Council and members of the public can also nominate buildings or structures for consideration. The listing of a building takes account of both the building and its setting.

3.28 Throughout the District there are 489 Listed Buildings and a significant number of other buildings of architectural or historic interest. These all form an essential part of the rich heritage of the Plan area.

3.29 Listed Building Consent is required for works affecting the character of a Listed Building, which include internal and external alterations, extensions or demolition. It is recommended that anyone seeking to carry out works to a Listed Building check with the Council to see if
Listed Building Consent and/or Planning Permission are required. Consideration will be given to the need to preserve any feature fixed to the building or contained within its curtilage, and the setting of the Listed Building.

3.30 Applications for works to a Listed Building should carry all the necessary information to properly assess the impact of the proposal on the special architectural or historic character of the building. Therefore, the Council will not accept outline applications in respect of Listed Buildings.

### BE7 Alterations and Works to Listed Buildings

Development proposals for the extension, alteration or partial demolition of a Listed Building will only be granted where the proposal respects, preserves or enhances the special architectural or historic interest of the building. Proposals should demonstrate that:

(a) the historic form, detailing, character, structural integrity, floor plan and setting of the building is retained;

(b) any enlargement does not dominate the original building;

(c) elements that contribute to the special character and interest of the building both internally and externally are retained or restored; and

(d) the scale, design, detailing and materials proposed respect the character of the original building.

3.31 It is important that Listed Buildings are regularly maintained and kept in a good state of repair. The best way to preserve the character and appearance of Listed Buildings is to keep them in active use. Where the original use is no longer viable or appropriate, there is a need to consider suitable alternatives. However, for a change of use to be acceptable it should maintain the integrity and character of the Listed Building.

### BE8 Change of Use of a Listed Building

Permission will only be granted for the change of use or conversion of a Listed Building where:

(a) the new use will not be detrimental to the special architectural or historic interest and setting of the Listed Building; and

(b) the new use would secure the long term future and retention of a Listed Building that would otherwise be lost.

3.32 The setting of a Listed Building often contributes to its character. The setting could include its garden, grounds, open space or the general street scene. Control over the quality of the design of new development in the vicinity of a Listed Building will be necessary to protect the special architectural or historic character and appearance of its setting. The setting of a Listed Building can fall across District boundaries. In these circumstances it is important to ensure that the impact of development on the setting of a Listed Building in another District is taken into account and it may be necessary to identify the area of protection in more than one development plan. This is the case at Hardwick Hall, which is located in the District of Bolsover. The District Council is involved, on a joint working basis, in the identification of the area of the setting of Hardwick Hall and will continue to be involved in the future with a view to providing an appropriate level of protection when the setting has been confirmed. The approved setting will be made available through the preparation of the Local Development Framework. The Council will also work with the National Trust to prepare a Supplementary Planning Document on this matter.

### BE9 Development in the Vicinity of a Listed Building

Development affecting the setting of a Listed Building will only be permitted if it preserves or enhances that setting, and includes where appropriate the retention of trees and other landscape features.

3.33 Listed Buildings are of recognised architectural or historic interest and their loss through demolition would be detrimental to the character and appearance of the surrounding area. If no appropriate re-use can be found...
then it is expected that every effort will be made to allow the preservation of the building in some form of charitable or community ownership before demolition is considered.

3.34 Demolition will therefore only be permitted in the most exceptional of circumstances and only if this is the last feasible option. Where consent for demolition is given, it will be conditional upon English Heritage being given the opportunity to record the building prior to demolition. Alternatively the applicant may be required to arrange for a suitably qualified person to undertake the work to a brief agreed by the Local Planning Authority.

BE10 Demolition of Listed Buildings

Proposals to demolish listed buildings will be strongly resisted. Only in exceptional circumstances will demolition be approved and in the case of total or substantial demolition, consent will not be given without clear and convincing evidence that:

(a) an assessment of the condition of the building and the cost of repair and maintenance in relation to its importance and the value derived from its continued use has been undertaken;

(b) all reasonable efforts have been made to sustain the existing uses or find viable new uses, and these efforts have failed;

(c) preservation in some form of charitable or community ownership is not possible or suitable; and

(d) redevelopment would produce substantial benefits for the community which would outweigh the loss resulting from demolition.

Consent for demolition of listed buildings will always be conditional upon an opportunity for English Heritage, or some other suitably qualified person to record the building before demolition takes place.

BE11 Development Within and Adjoining Conservation Areas

Proposals for development within or adjacent to a Conservation Area should preserve or enhance the character of the Conservation Area. Permission will be granted where it can be demonstrated that:

(a) the scale, form, siting, design, choice of materials and detailing respect the prevailing traditional built features of the Conservation Area;

(b) the relationship of the proposed development with the existing buildings, historic street patterns, important open spaces and views into and out of the Conservation Area have been considered; and

(c) boundary and landscaping features, such as walls, pavements, traditional signs, hedges, trees and shrubs which contribute to the character of the Conservation Area are retained.

3.36 Applications for development within Conservation Areas should carry all the necessary information to properly assess the impact of the proposal on the special architectural or historic character of the Conservation Area.

Conservation Areas

3.35 There are 29 designated Conservation Areas in this District and they are all shown on the Proposals Map. It is a statutory duty of the Council to consider how to both preserve and enhance its Conservation Areas as areas of architectural and historic interest. To fulfil this duty, the Council is preparing Conservation Area Character Appraisals, which include principles for guiding the design of development proposals; focusing upon the need for enhancement and promoting improvements; providing guidance to residents and owners in the repair and up keep of their properties; and defining the traditional building patterns and elements of the natural environment that contribute to the character and local distinctiveness of the Conservation Area.

3.37 In determining applications for the demolition of a building within a Conservation Area, the Council will take account of the particular contribution the building makes to the locality. Within Conservation Areas, demolition will only be permitted in exceptional circumstances where the Council is satisfied that the character of the Conservation Area will benefit from the replacement building proposed, or the open space created. Proposals for demolition in a Conservation Area will require planning permission and Conservation Area Consent.
3.38 Within Conservation Areas there are certain buildings that are not listed but which are considered to be locally important in terms of the contribution they make to the street scene or landscape. These buildings are a significant part of the District’s heritage and are therefore worthy of preservation. Locally important buildings within Conservation Areas are specifically identified in the Conservation Area Character Appraisals. Wherever possible the Council will try to ensure that proposals for the alteration or extension of identified Locally Important Buildings respect and/or enhance the character and appearance of the building. Proposals for the demolition of such buildings should demonstrate that every effort has been made to keep the building in active use, to find an appropriate new use or allow its preservation through charitable or community ownership.

BE12 Demolition of Unlisted Buildings and Structures Within a Conservation Area

Proposals for the demolition of an unlisted building in a Conservation Area will only be permitted if the character or appearance of the Conservation Area will be preserved or enhanced, taking into consideration the architectural and historic interest of the building and the contribution that it makes to the Conservation Area and the quality of any replacement building proposed. The Council will require applications for the demolition of buildings in Conservation Areas to be accompanied by appropriate detailed plans showing the replacement in its setting. Where appropriate, the Council will impose conditions to ensure demolition does not take place until a contract for the redevelopment is in place.

Historic Parks and Gardens

3.39 Associated with some of the historic buildings within the Local Plan area are historic landscapes, parks and gardens which also contribute to the heritage of North East Derbyshire and can be vulnerable to development pressure.

3.40 English Heritage has compiled a Register of Parks and Gardens of Special Historic Interest to which entries may be added in the future. The Register includes Renishaw Hall which is listed Grade II* and is shown on the Proposals Map. The setting of Historic Parks and Gardens may fall across District boundaries and adequate protection needed in more than one development plan. This is the case with Hardwick Hall where the District Council is involved, on a joint working basis, in the identification of the area of the setting of Hardwick Hall (see paragraph 3.32).

3.41 The Council will seek to protect registered sites and other gardens of local importance from development likely to affect their character and setting. The wider design and the relationship of the landscape to the buildings within it will be considered, as well as features such as walls, gateways, hedges, trees and ha-has, and other features considered to contribute to the importance of the site.

3.42 The Council would seek to minimise the impact of any development affecting an historic park or garden and preserve the essential qualities of the site. Where an historic park or garden forms the setting to, or curtilage of a Listed Building, the Council will seek to preserve the relationship between the two features.

BE13 Historic Parks and Gardens

Proposals for development likely to affect historic parks and gardens will only be permitted if:

(a) the proposals do not adversely affect any nationally registered historic park or garden; and

(b) the proposals do not detract from the character and setting, including views and vistas, or otherwise affect the integrity of other Historic Parks or Gardens.
Employment Development and Tourism

Introduction

4.1 The economy of North East Derbyshire has traditionally been based upon the coal, steel and heavy engineering industries. The decline of these industries has led to higher unemployment in the ex-coalfield wards compared to other wards in the District, the County and the UK. The western areas are rural and agricultural in character, and have suffered from the decline in agriculture. The Council is committed to the regeneration of these areas and the economic well being of the District.

4.2 The tourism industry is important to the district’s economic prosperity. In addition to the attractive high quality environment of the western part of the District, there are many tourist attractions that reflect the area’s industrial heritage. The Council is committed to establishing North East Derbyshire as a sustainable tourist and visitor destination, thereby increasing the contribution made by tourism to the local economy.

4.3 This Plan has an important role to play in achieving the above objectives, by helping to ensure that there are sufficient employment opportunities that provide for choice, flexibility and competition; and by ensuring that attractions and facilities required for the growth of the tourism industry are brought forward in appropriate locations. The policies within this chapter seek to address these issues by providing opportunities for inward investment in an improved environment.

National Guidance

4.4 Planning Policy Guidance Note 4: Industrial and Commercial Development and Small Firms (PPG4) (1992) states that development plans should develop policies to encourage continued economic development whilst having regard to wider environmental objectives. Local Plans should ensure that there are a variety of readily developable sites available to meet differing needs, and should include policies to provide for the needs of small businesses. New development should be directed to locations which will minimise the length and number of trips made, especially by car and, in this respect, proposals which seek to re-use previously developed urban land should be encouraged. Mixed-use developments should also be generally encouraged, as should proposals that help to sustain the rural economy.

4.5 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) (July 2004) seeks to ensure both rural prosperity and the protection and enhancement of the environment. Policies should be included within local plans, which seek to encourage rural enterprise and promote good quality development that respects the character of the countryside.

4.6 Planning Policy Guidance Note 21: Tourism (PPG21) (1992) advises local plans to formulate policies and proposals relating to tourism, particularly in areas where it is a major contributor to the local economy. They should both facilitate new tourism developments and protect existing tourism facilities. The needs of tourism should be managed in ways that protect or enhance the intrinsic environmental qualities that attract tourists. PPG21 also underlines the important role that tourism has to play in supporting urban regeneration.

Regional Spatial Strategy

4.7 The Regional Spatial Strategy for the East Midlands (RSS8) (March 2005) recognises the Northern Sub-Area as a priority area for regeneration and that it is crucial that the area develops a viable new economic base that will support healthy and vibrant communities. Through development plan policies, it seeks to ensure that an appropriate range of sites, in terms of quality, size and location, are readily available. It advocates the use of the sequential approach to site selection, with the use of previously developed sites within urban areas and other sustainable locations to be considered first.

4.8 RSS8 is based upon the findings and objectives of other regional reports and strategies, these include: The State of the Regional Economy (April 2002) and the Regional Economic Strategy (1999) both prepared by the East Midlands Regional Development Agency (emda); the Quality of Employment Land Study (QUELS), commissioned by the Regional Local...
Government Association, emda and GOEM to provide a comprehensive re-assessment of the quantity and quality of employment land allocations and commitments, to see how far it meets market demand and strategic policy objectives; and the subsequent Regional Employment Land Study which analysed more specific employment needs. RSS8 includes six subject specific policies setting out the regional priorities for:- regeneration; employment land; town centres and retail development; rural diversification; tourism; and ICT Development.

Derby and Derbyshire Joint Structure Plan (January 2001)

4.9 The Joint Structure Plan contains detailed guidance on economic development issues. It sets a requirement for the provision of additional land for business and industrial development in the district for the period 1991-2011, ensuring a diversity of sites and buildings in terms of location, size and environment. It seeks generally to limit the loss of employment land, encourage the expansion or relocation of existing businesses within the same general area, to maximise development on previously used, unused or underused land in areas which reduce the need to travel and to promote the economic regeneration of the former coal mining areas. The need to safeguard the quality of the environment underlies these objectives.


4.10 Our vision for North Eastern Derbyshire is that by 2015 we will be:

“A competitive location, providing quality employment opportunities”

4.11 This vision will be achieved through a range of activities which can be grouped under four programme headings:

1. Encouraging Business Competitiveness and Growth.
2. Attracting and Supporting Visitors and Investors.
3. Developing Product and Infrastructure.
4. Regenerating Communities.

4.12 Each programme area is further defined by a series of programme objectives. Both the programme areas and objectives have a close strategic fit with those contained in the Economic Regeneration Theme of the Community Strategy. Policies and proposals in this Plan have an influence on the ability of the Council to achieve these objectives.

Employment and Investment Opportunities

4.13 Parts of the district in the former mining and manufacturing areas suffer from higher levels of unemployment and a low skilled workforce. There are also pockets of despoiled landscape, as a result of the decline of the traditional industries. The need to deal comprehensively with these economic, social and environmental problems to regenerate the area, improve the business environment and re-train and re-skill the workforce has long been recognised by Local and Central Government and by the European Union.

4.14 These problems are being addressed in a number of ways and new investment is being achieved through European Union initiatives, such as Objective 2 funding; central government assistance, and working in partnership with the private sector. The future is likely to see a significant reduction in EU assistance and state aids (e.g. Selective Finance for Investment in England). Currently funding from the East Midlands Regional Development Agency comes through the Alliance SSP (the North Derbyshire and North Nottinghamshire Strategic Sub-Regional Partnership). The new Northern Way Growth Strategy, currently under development, covers North East Derbyshire through its inclusion in the Sheffield City Region. This may be an important route for Government funding in the future.

4.15 North East Derbyshire District Council and Chesterfield Borough Council have, with other public and private sector agencies, formed a Local Strategic Partnership (LSP) known as CHART (Chesterfield Area Regeneration Team) to promote the economic well-being in the area as part of the implementation of the Community Strategy. The Council has developed local partnerships to formulate action plans and implement regeneration strategies in Clay Cross, Eckington and Killamarsh. There are many other local initiatives, and this Local Plan must play its part in economic regeneration by creating employment opportunities through regulation of land uses. The Council’s annual Economic Development Programme gives further information on the Council’s evolving policies and initiatives.
In recent years, a number of studies and reports have been commissioned to examine employment requirements in North East Derbyshire and the Northern Sub Area of the East Midlands Region. These studies have focused upon the regeneration of Callywhite Lane Industrial Estate, the characteristics of Information and Communications Technology (ICT) based companies, the demand and supply of Strategic High Quality Employment Sites (SHQES), the quantity and quality of employment land (QUELS) and the identification of gaps in the property supply. In summary, the studies have found there to be a shortfall of high quality business and office accommodation in the District. There is also the need to provide flexible business premises, including managed work space, incubator units and a range of plot sizes to allow companies to grow and expand without needing to relocate out of the District. The findings of these studies have been fundamental to the Council’s review of employment land provision and in helping to shape the pattern of new employment land allocations.

Employment Strategy

The broad aim of the Council’s economic development strategy is to create and sustain employment opportunities in locations which reduce the need to travel, whilst minimising the impact on the countryside.

The Derby and Derbyshire Joint Structure Plan policies recognise the area’s problems, and promotes the regeneration of the former coal mining areas in the east of the District. The aim is to achieve new investment in these areas, however this is not to be achieved at the expense of maintaining or improving the quality of the environment. In the District as a whole, the Council’s policy is to promote prosperity, stem net outward migration of population, create investment and improve the quality of the environment. However, Structure Plan policy also means that differing policies apply in the north and south of the District. The northern parishes are covered by Green Belt policies and the extent of development has been constrained as a result. The Joint Structure Plan provision for the Northern Parishes allows for employment growth in order to reduce out-commuting and meet local employment demands. However it is accepted that a proportion of employment demand in this area is likely to continue to be met in neighbouring Sheffield and Chesterfield. Otherwise there is a strategy of locating major new employment sites outside this area, particularly in the south-east of the District.

The south eastern areas of the District are seen as the major location for new investment, for it is here that there is the greatest need for new employment, there are fewer Green Belt/environmental constraints and there are good opportunities to capitalise on access to the road and rail network, including the M1 Motorway. The Council’s strategy is therefore to locate major new employment uses within this area. The Clay Cross/Holmewood Corridor is the main location for industrial and commercial development land, along with the redevelopment of the former Avenue Coking Works site at Wingerworth, and the former Biwaters site at Clay Cross.

The policies of the Local Plan seek to take account of changes in the economy, and capitalise on the opportunities presented by ICT development, high tech office development and call centres. The sites identified in the plan are principally identified for B1, B2 and B8 uses (of Use Classes Order 1987) and are designed to cater for the wider variety of employment opportunities that exist today. It is recognised however that employment opportunities are not strictly confined to B1, B2 and B8 uses, but are increasingly provided by other commercial and public sectors such as retail, leisure and the health service.

In the rural areas a proportion of employment need is satisfied by neighbouring employment centres. However, as in most rural areas, there is a need to consider diversification of the economy in the face of the decline of agriculture.

Land Requirements for Employment Uses

The basis for determining the amount and distribution of land required for employment purposes is the Derby and Derbyshire Joint Structure Plan. The Structure Plan requires that, within North East Derbyshire, provision should be made for 125 hectares of land for general industrial, business use and distribution development in the 1991-2011 period. This represents an annual completion rate of 6.25 ha for the district (4.7ha for the Chesterfield Sub-Area and 1.5 for the Northern Parishes Sub-Area). The Structure Plan divides the District into three Sub-Areas, based upon Travel to Work Areas, (as shown in Appendix 1) and allocates the employment land provision within the District as follows:
Sub-Area Employment Land Requirement (Hectares)
Chesterfield 95
Northern Parishes 30
Alfreton None

4.23 The Chesterfield and Alfreton Sub-Areas cover more than one local authority area. In line with the sequential approach to selection of land for development, as set out in RSS8 there should be joint working between local authorities in respect of the identification and release of sites.

4.24 When the Structure Plan was adopted the Regional Planning Guidance of the time did not impose undue restrictions on employment related development, instead it advocated the need to ensure a readily available supply of well located industrial and commercial sites in all parts of the region. In reviewing the regional guidance the QUELS report was commissioned to comprehensively analyse the current supply of employment land in the region against a strategic long-term market assessment. The conclusions of this report raise questions about the Structure Plan’s approach to employment land supply and development in the region and in this district.

4.25 The QUELS study found that on a general level there would be a significant decline in the demand for industrial floorspace and an increase in demand for office floorspace over the next 10-15 years (therefore in the lifetime of this plan). As a result of the differing requirements of these different sectors it is estimated that there will be a net increase of just 3ha of employment land per annum across the region. In particular the study found that the Northern sub-region (which includes North East Derbyshire) had an extensive supply of (often poor quality) allocated industrial land, but a shortfall in the supply of office land. The implications of these findings are that less employment land needs to be identified in the Local Plan than is currently required by the Structure Plan. Greater focus needs to be given to identifying the right sorts of sites in the right locations to meet the requirements of the market.

4.26 The Council has therefore resolved not to stick rigidly to the employment land requirement set out in the Structure Plan. Instead the Local Plan Review seeks to ensure that sufficient land is available for development to meet the needs of local employers and inward investors, whilst ensuring that brownfield development opportunities in sustainable locations are promoted to fulfil these needs and demands.

Table 4.1 - Employment Land Availability (April 2005)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Pilsley Road, Danesmoor</td>
<td>00.13</td>
<td>00.00</td>
</tr>
<tr>
<td>Holmewood Industrial Park</td>
<td>20.10</td>
<td>01.16</td>
</tr>
<tr>
<td>Renishaw Industrial Estate</td>
<td>00.69</td>
<td>03.00</td>
</tr>
<tr>
<td>Hepthorne Lane, Tupton</td>
<td>00.00</td>
<td>03.32</td>
</tr>
<tr>
<td>Bridge Street Industrial Estate, Clay Cross</td>
<td>00.31</td>
<td>00.00</td>
</tr>
<tr>
<td>Holmewood Industrial Estate</td>
<td>03.97</td>
<td>00.49</td>
</tr>
<tr>
<td>Upper Mantle Close, Clay Cross</td>
<td>00.52</td>
<td>00.89</td>
</tr>
<tr>
<td>South of Pilsley Road, Clay Cross</td>
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<td>00.00</td>
</tr>
<tr>
<td>Coney Green, Clay Cross</td>
<td>04.71</td>
<td>21.41</td>
</tr>
<tr>
<td>Eastmoor Business Park</td>
<td>00.28</td>
<td>00.00</td>
</tr>
<tr>
<td>Hagg Lane, Tupton</td>
<td>00.63</td>
<td>00.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>32.70</strong></td>
<td><strong>30.27</strong></td>
</tr>
</tbody>
</table>

Notes:

a) Table includes planning permissions.
b) Excludes Avenue Coking Works & Biwaters, which are existing employment sites that await reclamation and redevelopment and were not available at the information base date.
c) Table excludes plots under 0.1 ha and redevelopment land.
A comprehensive review of all existing employment land allocations in the adopted Local Plan (1999) has been undertaken. Those sites that are still considered to be viable and appropriate and capable of being developed during this plan period are included in tables 4.1 and 4.2. Those sites considered to be constrained and unlikely to be developed during the plan period have been discounted and are not included within these tables.

Chesterfield Sub-Area

The Joint Structure Plan states that the employment land for this Sub-Area should be generally located in the Clay Cross/Heath/Holmewood area and on the Chesterfield fringes. At April 2005 32.7 hectares of land had been developed for employment purposes during the period 1991 to 2005 and 30.27 hectares were considered to be available for development. (See Table 4.1). The majority of developed land is at Holmewood, and the majority of available land is at Coney Green, Clay Cross.

Northern Parishes Sub-Area

The Joint Structure Plan indicates that the majority of employment land in this Sub-Area should be allocated within the eastern half of the Sub-Area in Eckington and Killamarsh, largely to replace the jobs lost when the Westthorpe and High Moor Collieries closed.

At April 2005 4.8 hectares of land had been developed for employment use since 1991, this being in Eckington and Killamarsh, and a further 3.93 hectares is currently available for development (See Table 4.2). This is mostly located in Killamarsh.

In this Sub-Area, the three main settlements of Dronfield, Eckington and Killamarsh offer the most sustainable locations in which to accommodate this new development.

Alfreton Sub-Area

Although there is no Structure Plan requirement for this Sub-Area, 0.87ha of employment land has been developed at Stonebroom, providing valuable employment premises in this part of the District.

Sites for Employment Development

In order to determine the most suitable sites to accommodate new employment development a comprehensive assessment of potential sites has been undertaken. A site assessment matrix was devised to determine those sites which best contributed to achieving sustainable patterns of development, in terms of land type (greenfield/brownfield), relation to existing settlement patterns, proximity to public transport routes and accessibility. As a result of these assessments, together with consideration of the reports referred to in paragraph 4.16 and additional information arising from the public consultation processes the following sites have been allocated for employment development.

Table 4.2 - Employment Land Availability (April 2005)

<table>
<thead>
<tr>
<th>Northern Parishes Sub-Area</th>
<th>Area Developed (hectares)</th>
<th>Area Still Available (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1991-2005</td>
<td>March 2005</td>
</tr>
<tr>
<td>Norwood Industrial Estate, Killamarsh</td>
<td>0.25</td>
<td>0.00</td>
</tr>
<tr>
<td>Westthorpe Business Park, Killamarsh</td>
<td>1.02</td>
<td>3.93</td>
</tr>
<tr>
<td>Rotherside Road, Eckington</td>
<td>2.93</td>
<td>0.00</td>
</tr>
<tr>
<td>Callywhite Lane, Dronfield</td>
<td>0.60</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4.80</strong></td>
<td><strong>3.93</strong></td>
</tr>
</tbody>
</table>

Notes:
- Table includes planning permissions.
- Table excludes plots under 0.1 ha and redevelopment land.
- Table excludes Plots 9 and 12 at Callywhite Lane because they form part of the employment allocation referred to in policies E1 and E2. The figures therefore differ slightly from those included within the County Council register of available employment land.
Chesterfield Sub-Area

4.34 Within this Sub-Area there are two major brownfield employment sites. The former Avenue Coking works at Wingerworth and the former Biwaters site at Clay Cross. Both sites were in employment use in 1991. In terms of the Structure Plan therefore these sites are not seen to contribute new employment land. However together these sites represent in the region of 70 hectares of potential brownfield employment land. These sites are allocated for mixed-use development in this plan and it is anticipated that together the sites could yield up to 14ha of employment land during this plan period. The redevelopment of these sites is considered preferable and more sustainable than the allocation of new greenfield sites. The Local Plan Review has therefore adopted a more pragmatic approach to these sites by reducing the amount of new greenfield land identified for employment purposes and concentrating development opportunities on these sites. As such the contribution made to employment land supply by these two sites is included within the calculation of land availability.

Land off Derby Road, Clay Cross

4.35 This is a site of approximately 11.3 hectares situated on the northern edge of Clay Cross, adjacent to the Derby Road/Upper Mantle Close industrial areas and the former Biwaters site. The site is part of a larger area which was allocated as expansion land for the Biwaters plant in the adopted Local Plan (1999). The site is located close to Clay Cross town centre, within an existing public transport corridor, with regular bus services ensuring good connections to the town and surrounding settlements, including Chesterfield.

4.36 The development of the site will need to be undertaken in tandem with the redevelopment of the former Biwaters site and would need to take account of existing topography and landscaping features including the pond and stream which should be protected by a 10m corridor. It is also important to recognise that the site provides the opportunity to link Derby Road and Bridge Street to Station Road/Furnace Hill. The scale of development on this site should be justified by redevelopment of the former Biwaters site and should ensure that the redevelopment potential of the former Biwaters site is not compromised. A development brief for this and the former Biwaters site will be prepared to guide the comprehensive development of these two sites.

Markham Vale

4.37 This is a County Council-led project encompassing land in Bolsover District, Chesterfield Borough and a small area in North East Derbyshire District, to redevelop the former Markham Colliery and create a large employment area around a new Junction 29A of the M1. The use of the land at Markham Vale will not be as sustainable as employment uses located in the District’s settlements, but it is acknowledged that the land in North East Derbyshire forms part of a larger scheme which will benefit the county and the former Derbyshire Coalfield.

4.38 There are two plots of land contributing to the scheme that are located within North East Derbyshire District. The land located on the eastern side of the motorway is an existing employment site (part of Coalite Works) and therefore its re-use as part of Markham Vale does not contribute towards the Structure Plan requirements.

4.39 The second plot of land is located to the east of Long Duckmanton, between the village and the M1. The site continues into Chesterfield Borough. The Markham Vale scheme indicates the land fronting the motorway to be put forward for development (4.7 ha) and the remainder of the site (about 6 ha) will be landscaped to act as a buffer between the village and the development. This 4.7 hectare plot therefore forms an employment allocation in this plan. Development of this site will only be allowed as part of the comprehensive development of the whole Markham Vale scheme.

Northern Parishes Sub-Area

Callywhite Lane, Dronfield

4.40 The existing Callywhite Lane Industrial Estate is one of two locations within Dronfield, which accommodate the majority of the towns manufacturing and office enterprises. The estate suffers a number of infrastructure problems, including poor highway access, which have in turn led to a decline in its local environment. These problems prevent existing business on the estate from expanding and increasing job opportunities. Without investment in its infrastructure it is likely that the estate will decline and jobs may be lost.

4.41 A study commissioned by this Council to explore issues surrounding the constraints of the existing Callywhite Lane Industrial Estate, noted that the expansion of the Estate could prevent this decline and help diversify the local economy. However, the expansion of Callywhite Lane is restricted by the Green Belt. There is however an area of land located to the south of
the existing estate, between the River Drone and the Midland Mainline railway line. This land is located within the existing settlement boundary. The release of this land will provide additional employment opportunities in Dronfield. It will also provide the opportunity to create a new vehicular access from Chesterfield Road to the existing Callywhite Lane Industrial Estate. This will help to alleviate existing infrastructure problems and improve the overall environment of the Estate, by encouraging existing businesses to remain and expand, and facilitating the development of available land.

4.42 Part of the site lies within the 1 in 100 year floodplain of the River Drone and a Wildlife Site. The land in this area is quite steeply sloping and it is unlikely that any development other than road access/bridge works to link to the existing estate would encroach onto the floodplain or Wildlife Site. A development brief will be prepared for the site, detailing site constraints, infrastructure requirements and design principles.

Land adjacent to Norwood Industrial Estate

4.43 This 5.4 hectare area of land adjacent to Norwood Industrial Estate is defined to the north and west by the route of the Chesterfield Canal and Rother Valley Country Park and the County boundary. To the east is Norwood Industrial Estate and to the south is housing and Killamarsh Junior School. The site is well related to the existing industrial estate and the settlement of Killamarsh and offers a prestigious development opportunity to be linked to the restoration of this section of the Chesterfield Canal. It is envisaged that the employment uses will generally be within Class B1 of the Town and Country Planning (Use Classes) Order 1987.

4.44 A point of access from Bailey Drive across the canal will be needed to serve the employment use. In order to encourage the early development of this site for employment use, and to provide the necessary finance for essential infrastructure and the restoration of the canal in this area, residential development will be permitted within the wider site area identified for mixed-use development under policy E3. During the plan period residential development here will be restricted to allow for a limited number of dwellings during the latter part of the plan period only. The number of dwellings permitted in this plan period will be determined by the level of housing land supply at that time using information from the most recent housing land availability survey, in accordance with the plan, monitor and manage approach as set out in PPG3. A development brief will be prepared for PPG3. A development brief will be prepared for the larger site area identified under policy E3.

E1 New Employment Land Provision

Employment generating development will be permitted in accordance with the criteria given in policy E7 on the following sites which are identified on the Proposals Map:

Chesterfield Sub-Area
(a) Land off Derby Road & adjacent to former Biwaters, Clay Cross (11.3ha).
(b) Markham Employment Growth Zone (4.7ha) (To be developed only as part of the comprehensive employment scheme involving land in the adjacent districts of Bolsover and Chesterfield).

Northern Parishes Sub-Area
(c) Callywhite Lane, Dronfield (8.9ha) (See Policy E2).
(d) Land adjacent Norwood Industrial Estate, Killamarsh (5.4ha) (See Policy E3).

E2 Callywhite Lane Extension, Dronfield

Planning permission will be granted for employment uses (Use Classes B1, B2 & B8 of the Town and Country Planning (Use Classes) Order 1987) in accordance with Policies E1 and E7.

Proposals for development of the site should include measures which:
(a) do not preclude the construction of a new access road connecting Chesterfield Road to Callywhite Lane;
(b) ensures the protection of existing species and habitats and the creation of wildlife corridors along the River Drone;
(c) protect the flood plain of the River Drone;
(d) provide for structural open space and landscaping to ensure that the development provides a high quality environment and fits into the wider landscape;
(e) provide for a high quality design and layout which takes account of the proximity of the wildlife site, scheduled monument, water treatment works and existing neighbouring uses; and
(f) provide a convenient means of access by public transport, foot and cycle.
Planning permission will be granted for comprehensive mixed use development adjacent to Norwood Industrial Estate comprising a site area development ratio of approximately:

i) 60% employment land in accordance with the principles and criteria of policies E1 and E7;

ii) 40% residential land permitted only in conjunction with the employment land, and will be restricted to the second half of the plan period (2006-2011). The number of dwellings permitted will be limited by reference to housing land provision at that time (using information from the most recent annual residential land availability survey).

Development of the site should include within the design:

(a) the provision of the requisite on and off site infrastructure, including road access from Bailey Drive into the site to facilitate employment development; and

(b) the restoration of the Chesterfield Canal between Rotherham Road and Sheffield Road; and

(c) structural openspace and landscaping to reflect the sites important links to the countryside via the Chesterfield Canal and the Rother Valley Country Park; and

(d) convenient means of access by public transport, foot and cycle, particularly to the town centre.

Mixed Use Development Sites

4.45 Since 1991 several large employment sites within the district have closed, leaving a legacy of despoiled and vacant land. As these sites closed after the Joint Structure Plan’s base date for employment land provision their loss is not accounted for in the Councils employment land provision figures, which are set by the Structure Plan. In Structure Plan terms the redevelopment of these sites for employment uses does not count towards the Joint Structure Plan requirements for new employment land provision.

4.46 The characteristics and requirements of modern employment uses are very different from the uses that formerly occupied these sites and replacement of the number of jobs lost would be likely to require a smaller site area. There are substantial costs associated with the remediation of these sites and in providing the necessary servicing and infrastructure; this can be a barrier to their redevelopment solely for employment uses.

4.47 Any employment land developed on such sites will make a positive contribution to the regeneration of the district. There is only a limited demand for employment land within the district and this demand should be encouraged to locate on these brownfield sites rather than on new, additional greenfield sites. Within the local plan area there are three major brownfield sites that have fallen out of use since 1991, all three sites are located within the Chesterfield Sub-Area. This local plan seeks to reduce the amount of greenfield land allocated for employment uses within the Chesterfield Sub-Area by focusing development opportunities on the two remaining major brownfield sites of the former Avenue Coking Works, Wingerworth and the former Biwaters site at Clay Cross. An allowance for employment development which is thought likely to occur on these sites within the Plan period has been included within the overall employment land supply calculations used in this Plan.

4.48 The identification of two Mixed Use Development Sites recognises the potential of these sites to attract a wide range of employment uses, with scope for limited housing provision. It will be important for any mixed use scheme to clearly demonstrate that the level of housing development proposed is essential to facilitate the necessary remediation works and to provide the required infrastructure, and is appropriate in terms of housing land provision (using information from the most recent annual housing land availability survey), and is in accordance with the principles of sustainable development. The emphasis of any redevelopment scheme should however be upon employment generation.

4.49 The Renishaw Foundry site was a former large employment site that is currently being redeveloped for a mixture of housing, employment and open space uses.
Avenue Coking Works

4.50 The Avenue Coking Works site closed in 1992 with the loss of 300 jobs, although at its peak the site employed up to 800 people. The site of the former coking works is approximately 45 hectares in size. East Midlands Development Agency (emda) has started work on the reclamation and decontamination of the site, which is expected to be completed by 2010. The site is also included within the National Coalfield Programme and a funding package of £104.5 million has been secured for site remediation. English Partnerships together with emda are currently formulating options for its future use in consultation with the community. The Council has consistently sought to achieve maximum use of the site for employment end uses. To facilitate the reclamation of the site the Council considers it appropriate to designate the site for a limited mixed use redevelopment comprising employment, housing, recreation and open space uses. The emphasis of any proposal should however be upon employment generation.

4.51 The Mixed Use site shown on the Proposals Map is 51.38ha in size and includes an 11ha area of land owned by CPL Industries Ltd, which is currently in active employment use, although a significant proportion of the site is derelict and vacant. The uses of these plots has been linked to the use of the former coking works and are likely to be at risk of contamination and in need of reclamation. In addition the former coking works wraps around these plots, making reclamation and redevelopment awkward if undertaken separately. In order that these issues can be addressed, and that the site is redeveloped in a comprehensive manner these plots are included within the mixed use site. However existing employment uses on the site should be protected and relocated if necessary to a more appropriate location nearby. To ensure the protection of these existing employment uses redevelopment proposals should be phased to begin at the southern end of the site. In view of ownership issues and the likelihood that development of the site will extend well beyond this plan period, it is proposed that the comprehensive development of this site is guided by an agreed comprehensive development brief. The development brief must establish an overriding comprehensive development framework for the decontamination, reclamation and redevelopment of the site, including the provision of essential infrastructure and the protection/relocation of existing employment uses, which allows for the development of the site in phases and does not compromise the development strategy for the District beyond this plan period.

4.52 Due to the scale of decontamination and reclamation works it is unlikely that the site will be available for development until 2008. Employment land development on the site is likely to be slow during the first few years. It is therefore estimated that the site will yield about 4ha of new employment development land during this plan period. However it is expected that more employment land will be developed on this site during and beyond this plan period.

4.53 An additional access to the site is likely to be required to service new development. This access should be located at the southern end of the allocated site, facilitating redevelopment of this southern part of the site as a first phase.

4.54 Residential development in the Chesterfield Sub-Area can largely be met by urban capacity sites within and on the edge of existing settlements. The Avenue site is brownfield and located within an important public transport corridor, however it is some distance from the services and facilities of Wingerworth. Therefore residential development on this site in this plan period must be justified in terms of the supply and provision of housing land using information from the most recent annual residential land availability survey. (It is assumed that no residential development will take place on the site before 2008).

4.55 The site is not particularly well located in terms of access to the motorway network. There is however the potential to improve access by creating a new road linking the A61, through the site, to the A617. Consideration should be given to the feasibility of providing this link as part of any redevelopment scheme.

4.56 The former fuel stocking yards are located within the Green Belt, and as such, in principle, are not appropriate for development. Whilst no built development existed on the former fuel stocking yards, the high level concrete pad has an established industrial use. Any proposals for redevelopment should have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible should have less impact. The landform and landscaping to the north and west of the former fuel stocking yards will need to be carefully designed to minimise the impact of any development on the visual amenity of the Green Belt.
4.57 Parts of the allocated site and its surrounding environs have a high nature conservation value. The site is considered to be strategically important within the River Rother corridor and presents an opportunity for sympathetic habitat creation and enhancement. Recent wildlife and habitat surveys of the site, undertaken between 1999 and 2002 have recorded the presence of a number of protected species including great crested newts; bats; badgers; grass snakes and a number of Schedule 1 birds. In addition the proximity of the River Rother means that water voles are found on the river and within some of the ditches on the sites periphery.

Registered wildlife sites lie to the north and south of the allocated site. Measures should be included within redevelopment proposals to protect and enhance the wildlife value of the site and to make provision for new habitat creation.

4.58 The greater extent of the former Avenue Works site includes part of the Birdholme Marsh wildlife site, however this area is not included within the allocated mixed use site. This area should be retained to screen the redeveloped part of the site, and therefore a landscaping scheme for this area will be required as part of any redevelopment of the remainder of the site. The landscaping scheme shall take into account the wildlife interests at Birdholme Marsh and not interfere with the use of the adjacent railway line for the movement of passengers and freight.

4.59 Part of the site lies within a 1 in 100 year indicative flood plain, and is therefore in a high risk area. Development will need to comply with policy NE9 Development and Flood Risk. The advice of PPG25 suggests that redevelopment of brownfield sites can be permitted provided that the minimum standards of flood defence are maintained. The River Rother is the main river at the downstream end of the site from the point at which the river passes under the railway. Any works in, over or within 8m of the top of the bank of the main river will require consent from the Environment Agency.

4.60 Due to the scale and nature of redevelopment of this site it is likely that an Environmental Impact Assessment and a Travel Plan will be required with the submission of a planning application. In addition upgrading of the local waste water treatment works may be required to service the sites development. A developer contribution to these works will therefore be sought.

E4  Mixed Use Site at the Former Avenue Coking Works, Wingerworth

Planning permission will be granted for a mixed use redevelopment of the former Avenue Coking Works site at Wingerworth, as shown on the proposals map. Development will be guided by a development brief which will allow for the comprehensive co-ordinated development of the site in phases. The mix of uses should comprise employment, housing, recreation and open space uses. The emphasis of the development should however be on employment generating uses within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes Order) 1987 and secondary uses with equivalent employment generating opportunities, which are compatible with all other policies of the plan.

Any residential development on the site during this plan period must be justified, particularly in terms of regional and strategic guidance relating to housing land supply.

Redevelopment proposals should include measures which:

(a) allow for the reclamation of sites in active employment use within the site as the first phase in the sites redevelopment. This work should also provide for the continuation and, if necessary, the relocation of these employment uses;

(b) provide a new point of access or upgrade existing access from the A61 at the southern end of the site as appropriate;

(c) do not preclude the construction of a link road from the A61 to A617;

(d) ensure that any housing development is located to maximise accessibility to existing and new local facilities;

(e) improve and maintain pedestrian and cycle access via a trail network linking the site to Chesterfield, Clay Cross, Wingerworth and Grassmoor;

(f) ensure development within the site can be accessed by regular public transport services;

(g) maintain and improve existing known areas of important wildlife habitat and species and includes measures for habitat creation; and

(h) ensure that the development fits into the wider landscape by means of structural landscaping and the provision of public open space.

The Council will seek to secure phasing of the development to ensure that the residential element is not implemented before or separately from the employment development, by imposing conditions or by seeking to negotiate a S106 Obligation.
Former Biwaters Site

4.61 The former Biwaters works in Clay Cross closed in September 2000 with the loss of 600 jobs. Progress is being made to assess the level of contamination and the re-use and redevelopment potential of the site. The new owners of the site are keen to progress on the redevelopment of the site at the earliest opportunity. It has also been included within the National Coalfield Programme, and whilst English Partnerships have no ownership influence on the site, they, together with emda are heavily involved in the regeneration of Clay Cross and see the potential of this site being an important factor in this regeneration process. They therefore wish to be involved in and influence the redevelopment of the site.

4.62 The Council will consider the redevelopment of this site for a mixed use scheme, which incorporates a significant element of employment development as well as residential and recreational uses. Redevelopment of this site must however, take place in a co-ordinated manner. To achieve this the Council will prepare a development brief for this site which will include reference to land allocated between the former works site and the A61 Derby Road.

4.63 The site is 27.4ha in size and is well located to the north east of the town centre adjoining the Bridge Street Industrial Estate, and is closely related to Coney Green and the residential area between it and the town centre. The site also benefits from potential access to the Midland Mainline railway lines to Nottingham and Derby, and access to the M1 via the A6175.

4.64 The redevelopment of both the former Biwaters site and land off Derby Road provides an opportunity to build upon the success of the Coney Green Business Centre development and its expansion and the impetus created by the town centre redevelopment. Together these three development initiatives offer an opportunity to create a wider and more sustainable mix of land-use within the town and to improve the quality of the local environment, making it a more attractive place in which to live and work. A major mixed use development in this location would contribute greatly to the economic regeneration of the town.

4.65 In considering proposals for the redevelopment of this site, the Council will look to the wider implications of proposals and see that they complement the regeneration activity already underway. In particular, the Council will seek to ensure that redevelopment of the site facilitates the provision of a new railway station; contributes to improvements to access around the town from the A61 to the A6175 and the M1; and to improvements to internal movements within the town in terms of public transport, pedestrian and cycle access. It will also be important that the development contributes to improving the quality of the local environment, through the design and layout of the scheme itself and through landscaping and other environmental improvement works both on and off site.

4.66 The redevelopment of this site should link to the development opportunity provided by the allocation of land off Derby Road for employment uses (Policy E1(a)). Together these sites provide the opportunity to provide a new link road from the A61 through to Bridge Street/Market Street, improving access around the town towards the M1. The necessity of providing a link road will need to be properly assessed as part of any planning application.

4.67 The site is well located in terms of services and facilities in Clay Cross. Residential development of a brownfield site in this location accords with sustainable development principles and should therefore be encouraged. The site could accommodate in the region of 750 dwellings if developed solely for housing (based on a minimum 30 to the ha). It is the Council’s intention, however, that a significant proportion of the site should be redeveloped for employment generating uses. Given this and the fact that the majority of housing land supply for the sub-area can be met by urban capacity sites, residential development on the site during this plan period will be restricted.

4.68 Immediately south of Bridge Street opposite the pipeworks site lies the former Biwaters Playing Field. This private open space facility was related in use to the operation of the pipeworks. The re-use or redevelopment of this site may be considered appropriate as part of a comprehensive redevelopment scheme for the Biwaters site. Development of this open space will however only be permitted as part of a comprehensive scheme (which includes appropriate phasing) for the Biwaters site. Replacement open space provision will need to be provided in accordance with the requirements of Policy R2 of this plan.

4.69 The site has only recently fallen out of use and there is, therefore little known data relating to wildlife value on the site. However, due to the scale, location and nature of structures, together with the presence of ditches and ponds on the site it is possible that the site is home to protected species such as great crested newts, water voles and bats.
Derbyshire Wildlife Trust will survey the site on behalf of the District Council before any redevelopment commences. The developer will however be asked to provide information relating to known and any other protected species and/or habitats on the sites. In addition the site is bounded to the east by the River Rother, which is one of the key remaining water vole sites in the county. In the past the presence of water voles has been recorded in the ditch on the north-western boundary of the site. Development proposals for the site should therefore retain the steep banks on the northern boundaries of the site and ensure that an adequate buffer zone is provided between the development and the River Rother to protect the wildlife value of these areas. Opportunities for new habitat creation within the development site should also be explored.

4.70 Part of the site on the eastern boundary lies within the 1 in 100 year indicative flood plain, and is therefore in a high risk area. Development will need to comply with policy NE9 Development and Flood Risk. However the advice of PPG25 suggests that redevelopment of brownfield sites in such locations can be permitted provided that the minimum standards of flood defence are maintained. The buffer zone referred to above will ensure that protection is given to the flood plain of the River Rother. Such a buffer will also provide some structural landscaping and a screen to development, and could present the opportunity to employ sustainable drainage systems for the development.

4.71 Due to the scale and nature of redevelopment of this site, it is likely that an Environmental Impact Assessment and a Travel Plan will be required with the submission of a planning application. In addition upgrading of the local waste water treatment works may be required to service the sites development. A developer contribution to these works will therefore be sought.

E5 Mixed Use Development: Former Biwaters Site, Clay Cross

Planning permission will be granted for the comprehensive redevelopment of the former Biwaters sites at Clay Cross for a mix of uses comprising:

i) employment generating uses within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes Order) 1987 and secondary uses (such as Leisure (D2) and a hotel (C1) with equivalent employment generating opportunities which are compatible with all other policies of the plan; and

ii) residential development limited to the latter half of the plan period (2006-2011) the level of which should be justified by reference to the most recent annual residential land availability survey. Housing development should be located to maximise accessibility to existing and new local facilities and should make the best use of land through high development densities.

Proposals for the site should also provide for all of the following, if appropriate:

(a) the safeguarding of land to enable the development of a through road from the A61 to Furnace Hill / A6175;

(b) improvements to Furnace Hill Road/ Bridge Street and Market Street to facilitate safe access from the site into the local highway network, and to link this development to the redevelopment of the town centre;

(c) facilitates the provision of rail access for users of the site;

(d) improvements to and the maintenance of pedestrian and cycle access via a trail network linking the site to Clay Cross town centre, Tupton and North Wingfield;

(e) a wildlife corridor and buffer zone along the River Rother to protect the wildlife value of the river corridor and to protect new development from the risk of flooding;

(f) the recording and protection of wildlife habitat and protected species, and includes measures for the creation of new habitats; and

(g) ensures that the development fits into the wider landscape by means of structural landscaping and the provision of public open space.

The Council will seek to secure phasing of the development to ensure that the residential element is not implemented before or separately from the employment development, by imposing conditions or negotiating a S106 Obligation.
Development in Existing Employment Areas

4.72 Within the sites identified in Policy E6, which are already in employment use, either new employment development or extensions to existing premises will be permitted in cases where they would not lead to unacceptable environmental problems. In order to maintain an adequate supply of employment land, proposals for non-industrial development or changes of use of existing premises to non-industrial uses will not be permitted in these locations unless the Council is satisfied that adequate local supplies of employment land and premises remain.

4.73 Retail development will not be permitted on employment sites unless it can be demonstrated that the use is ancillary to the main business use or if it can be shown that it is for a specialist retail use with display space and/or specific accessibility requirements which are unsuited to normal retail requirements. Examples of such retail uses might include show space for specific products or techniques, bulky goods and specialist vehicles. In such cases it should be established that the requirements of PPS6 have been fully met. In particular there should be a demonstrated need for the development, full consideration of its likely impact on existing centres and evidence that the sequential approach has been used to identify sites.

4.74 This policy identifies sites already developed either in part or in full. Sites E6 (a), (c), (d), (e), (f) and (k) are shown to be located within the indicative 1 in 100 year flood plain. Development will need to comply with policy NE9 Development and Flood Risk. In accordance with the advice in PPG25 such sites can be developed or redeveloped provided that the minimum standards of flood defence is maintained. Where sites are crossed or bounded by a watercourse (sites E6 a, c, and f), the Council will try to ensure that at least 10m of land either side of the watercourse is protected from development as a means of protecting the aquatic habitat. In addition development proposals within these locations could provide the opportunity for habitat creation.

4.75 Development within sites E6 (b) and E6 (j) will need to have special regard to the settings of Hardwick Hall and Bolsover Castle respectively. Both of these buildings are Grade 1 Listed Buildings located in the neighbouring district of Bolsover; however their settings extend within North East Derbyshire and the provisions of Policy BE9 apply.

### E6 Existing Employment Areas

Within the existing employment areas listed below and identified on the Proposals Map, proposals for employment development will be permitted subject to the criteria listed in policy E7.

**SITES:**

- (a) Clay Cross (Bridge Street, Coney Green, Derby Road, Market Street and Pilsley Road).
- (b) Holmewood (sites known as Williamthorpe, Holmewood Industrial Park and Holmewood Industrial Estate).
- (c) North Wingfield, (Hepthorne Lane).
- (d) Killamarsh, (Norwood Industrial Estate and Sheffield Road).
- (e) Dronfield, (Callywhite Lane and Wreakes Lane/Sheffield Road/Stubley Lane).
- (f) Eckington, (Rotherside Road and Littlemoor).
- (g) Stonebroom and Morton Industrial Estates.
- (h) Killamarsh, (Westthorpe Fields).
- (i) Renishaw Industrial Estate.
- (j) Coalite Works, near Bolsover.
- (k) Corbriggs, (Mansfield Road).
- (l) Temple Normanton Business Park.
E7 Development in New and Existing Employment Areas

Within the employment areas referred to in Policies E1, E2, E3, E4, E5 and E6, proposals for the development of land, the extension of existing premises, the redevelopment of existing disused employment sites or their reuse, including conversion, of vacant employment premises, will be permitted for employment uses (Use Classes B1, B2 and B8) provided that:

(a) the effect on the appearance and character of neighbouring uses and the surrounding environment is acceptable;

(b) problems of noise, disturbance and pollution are minimised;

(c) the problems of heavy traffic in residential areas and on unsuitable roads are minimised, and the local and trunk road network in the vicinity of the site is capable of accommodating traffic generated by the proposed development. Where it is considered appropriate a traffic impact study will be required to be submitted prior to the determination of the planning application; and

(d) a high standard of design, materials and landscaping is achieved and that the neighbouring and wider landscape and valued features within can be safeguarded.

In order to maintain an adequate supply of employment land, planning permission will not be granted for the change of use from employment purposes, unless the local planning authority is satisfied that adequate local supplies of employment land and premises remain.

Retail development will not be permitted unless it is ancillary to the main business use or it can be shown that it is for a specialist retail use unsuited to the usual retail locations, and that the principles of PPS6 in respect of need, impact and the sequential approach have been followed.

E8 Employment Development in Other Areas

Within the Settlement Development Limits, proposals for new employment development including working from home, new development, changes of use and extensions to existing sites and buildings will be permitted provided that the proposals do not have an unacceptable effect on the character of the surrounding area through visual impact, noise or pollution resulting from the development or from traffic generated. Adequate parking and access provision will also be required.
Employment Development in the Countryside

4.79 The Council recognises the importance of retaining and providing employment opportunities in rural areas as a means of ensuring a diverse and healthy economy. There are a number of employment activities, particularly those associated with tourism, recreation and rural diversification that can be accommodated in countryside locations, without any adverse effects upon the quality of the rural environment. In some cases the construction of sensitive small-scale new built development can be accommodated within and around settlements (in association with rural diversification) although where possible existing buildings should be used. The conversion or change of use of buildings for such uses can normally be carried out provided any alterations are undertaken sympathetically and do not damage the appearance of buildings of architectural interest or the setting of other such adjacent buildings. It is also important that the various indirect consequences of the change of use such as extra fencing, advertising material, open storage and vehicle parking and manoeuvring provisions do not harm the visual environment. Impact on the countryside and on neighbours must also be taken into account.

E9 Employment Development in The Countryside

In countryside locations, planning permission will be granted for employment development within Use Classes B1, B2 and B8 which involve either proposals for the conversion of existing buildings or new build development, provided that the use is appropriate to such a countryside location.

Proposals should be of a suitable scale, siting and design and should use materials and landscaping appropriate to the locality.

Design and Quality of Employment Development

4.80 To ensure that new employment development has a minimal impact on the surroundings and achieves a high quality environment in which investors will wish to locate, the layout, design, materials of construction and density of development will have to be considered carefully.

4.81 Many industrial estates and sites in the district suffer from a poor environment, which not only makes them bad neighbours, but also inhibits further investment. The Council, therefore, supports environmental improvements to industrial estates and will require landscaping and other improvements where appropriate.

Tourism

4.82 The development of leisure and tourism facilities can help to diversify the local economy and provide new jobs, an important factor in an area where unemployment levels remain high as a consequence of a sustained decline of more traditional employment. Such development also enhances the image of an area thereby aiding the attraction of further inward investment and provides new facilities to local residents.

4.83 The Council has prepared a Tourism Strategy for North East Derbyshire. This will be regularly monitored and reviewed. The main elements of this strategy are the improvement of the basic visitor infrastructure and small-scale facilities and the widespread promotion of a variety of visits, holiday packages and activity breaks to a comprehensive range of potential visitors and markets. The Council is also keen to consider the possible creation of major new visitor attractions in the area.

4.84 Leisure and Tourism Policy 2 of the Joint Structure Plan recognises the need to attract leisure facilities within the former coalfield area as one means of revitalising the local economy and bringing about an improvement in the environmental quality of the area. Outside these areas, other opportunities for leisure and tourism development arise out of the attractive nature of the area, its location immediately adjacent to the Peak District National Park and easy access to a large catchment population.

4.85 Throughout the Local Plan area, for any new leisure and tourism development to be acceptable, it must have regard to the character of the area and be capable of taking place without unacceptable environmental consequences. Leisure and tourism schemes should not be intrusive, nor should they be unrelated to the characteristics of the area in which they are located or be likely to attract excessive levels of traffic unrelated to the capabilities of the local highway network.

4.86 Within the built-up framework of the settlements, tourism developments will, in principle, be acceptable provided they can be accommodated without unacceptable impact.
on the environment and amenities of the area, and do not conflict with other policies in the Plan. In countryside areas, proposals for tourism development must demonstrate that the development is sensitive to the local environment, is of a high standard of design and appropriate in its scale and location.

4.87 In Green Belt areas existing policies are restrictive because of the requirement to protect the open character of the countryside. Within the Special Landscape Areas, leisure and tourism development will be permitted where they are related to the natural, heritage or wildlife resources of the area and protect the essential character of the area. Therefore within Green Belt and Special Landscape Areas, proposals for tourism development will need to clearly justify why it is necessary and/or appropriate for them to be located in these locations, and should demonstrate that they would not harm the openness of the Green Belt or the character of the Special Landscape Area.

E10 Tourism Developments

Planning permission will be granted for proposals that expand the range of tourist facilities and attractions, provided that:

(a) they are of a scale, nature and design which will be compatible with, and contribute to the protection and enhancement of the environment in relation to the landscape, built environment, open spaces, nature conservation, geological and archaeological features and neighbouring uses;

(b) major attractions are well related to the local transport network and accessible by public transport; and

(c) retail development is small in scale and ancillary to the main use.

Outside Settlement Development Limits, proposals will also need to demonstrate why a countryside location is appropriate. Any residential development outside settlement development limits should be the minimum necessary for operational reasons.

Tourist Accommodation

4.88 The provision of overnight tourist accommodation, including hotels, guest houses, bed and breakfast accommodation and self-catering accommodation, is an integral element of the Tourism Strategy for the district. Within the Settlement Development Limits, planning permission will normally be granted for either the conversion of existing buildings or the erection of new buildings. Within the countryside areas outside the Settlement Development Limits, this type of development will be restricted to the re-use of rural buildings that can also assist in the diversification of the rural economy. Proposals for new purpose-built tourism accommodation within the countryside will only be permitted in association with an established tourist attraction.

4.89 Where proposals for tourism accommodation are permitted outside Settlement Development Limits, they will be subject to conditions restricting the occupancy of the units to holiday accommodation only.

E11 Tourist Accommodation

Proposals for tourist accommodation, including hotels, guest houses, bed and breakfast accommodation and self catering accommodation, will be permitted if:

(a) they are within a Settlement Development Limit; or

(b) they are outside a Settlement Development Limit and involve the re-use and conversion of an existing building or the extension of an existing tourist facility only. Such proposals should be in keeping with the scale and form of the existing building, preserve or enhance the original character of the building and not create any significant additional external curtilage dedicated to individual units. All planning permissions for this type of accommodation will be subject to conditions limiting their occupancy.

Camping and Caravanning

4.90 Camping and caravanning are popular forms of holiday accommodation, which in recent years have increased in popularity. Most sites tend to be located in countryside areas. Touring caravan and camp sites are inappropriate, in principle, in Green Belt areas but can be acceptable, in principle, in Special Landscape Areas, provided that they do not detract from the surrounding landscape and the proposals are in keeping with the character of the area.
4.91 Elsewhere in the countryside, sites can be acceptable if located away from prominent and attractive areas of landscape and if sites are chosen which are hidden from general views, and are well screened and landscaped. Good screening, incorporating native tree and shrub species, will be important in preventing developments appearing prominent and intrusive in the landscape. The scale of proposals in rural locations will normally be limited to that compatible with the local environment and landscape characteristics. Sites should avoid areas of high flood risk (in accordance with the advice of PPG25) and should take care to avoid areas of nature conservation interest including important habitats, such as unimproved grassland.

4.92 Proposals for new static caravan sites will be subject to the same planning controls as residential development and should normally be located within the built framework of settlements.

**E12 Camping and Caravan Sites**

Planning permission will be granted for proposals for touring caravan and camping sites in the countryside provided that:

(a) they are located away from visually prominent areas and would not have an adverse impact on the surrounding landscape or on sites of historical or nature conservation importance;

(b) they are of a scale appropriate to the area which can, taking account of ancillary facilities, be acceptably assimilated into the surrounding landscape; and

(c) the site is well screened and is of a sympathetic design and layout.

Proposals for new static caravan sites will not normally be acceptable outside the built framework of settlements.
Introduction
5.1 The Council wishes to ensure that sufficient good quality housing is provided within the District to meet the needs of all sections of the community. The Joint Structure Plan sets a requirement to provide 4300 dwellings to meet these needs. In allocating sites to meet this requirement, the Council has applied the principles of sustainable development to ensure that the impact on the environment is minimised.

5.2 In developing housing policies and proposals for inclusion in the Local Plan, regard has been given to Government Planning Policy Guidance on the provision of housing set out in PPG3, to the Regional Spatial Strategy for the East Midlands (RSS8) and to the Derby and Derbyshire Joint Structure Plan.

National Guidance
5.3 Planning Policy Guidance Note 3: Housing (PPG3) (March 2000) and amendments (January 2005) provide the national guidance in respect of housing. The main themes of PPG3 are that:

a) The housing requirements of the whole community should be met, including those in need of affordable and special needs housing, in both urban and rural areas.

b) A wider choice and mix of housing should be provided to reduce social distinctions.

c) Good design should be promoted in new housing development to assist urban renaissance and to improve the quality of life.

d) More efficient use should be made of land. Local Planning Authorities should seek densities of at least 30 dwellings per hectare.

e) Housing provision should be kept under regular review, in accordance with the plan, monitor and manage approach, to ensure that housing requirements are being met.

f) Housing provision should promote more sustainable patterns of development. Central to this is the sequential approach to site selection, which maximises the re-use of previously developed land and empty properties and the conversion of non-residential buildings for housing within existing towns and cities. A national target is set for 60% of new housing to be built on previously developed sites by 2008. By focusing most additional housing within existing towns, this should ensure improved accessibility to employment, education, shops, leisure and local services by more sustainable forms of transport, including public transport, walking and cycling. Loss of greenfield land beyond settlements will be minimised.

Regional Spatial Strategy
5.4 The Regional Spatial Strategy for the East Midlands (RSS8) (March 2005) provides guidance on the broad location of housing provision. It sets an average annual completion rate of 2550 dwellings for the Derby and Derbyshire Structure Plan area for the period 2001-2021. It reinforces the requirement to undertake the sequential approach to site selection and to providing a phasing mechanism for the provision of housing land. The Regional Spatial Strategy requires joint working between neighbouring authorities in respect of the managed release of sites for residential development. In cases where there are concentrations of previously developed land in one authority and a lack of it in neighbouring authorities, the release of sites will have to be considered over each Sub-Area as a whole in order to achieve sustainable development. Therefore, in the Chesterfield Sub-Area, the Council is working with Chesterfield Borough Council and the District of Bolsover in respect of giving priority to the release of previously developed sites across the Sub-Area as a whole. Regular meetings are held with neighbouring authorities to discuss cross boundary issues in this Sub-Area. Joint monitoring of housing data is proposed to ensure the sustainable release of housing sites across the Sub-Area. Likewise, with regard to the release of sites in the Northern Parishes Sub-Area, the Council will liaise with Sheffield City Council, if necessary, in respect of the relationship with South Yorkshire.

5.5 RSS8 advocates the plan, monitor and manage approach to providing land for housing so that a sustainable balance can be achieved between...
supply and demand, giving preference to previously developed land within urban areas. In this respect, it states that, by 2021, 60% of all new housing in the East Midlands Region should be built on previously developed land. This is seen as the best means of tackling social exclusion, regenerating disadvantaged areas and promoting the strategic conservation of the Region’s natural and cultural assets.

5.6 In order to tackle the problems of affordability and to promote social inclusion, RSS8 emphasises the importance for local plans to contain policies which provide for affordable housing and which are justified by local housing needs assessments.

Derby and Derbyshire Joint Structure Plan (January 2001)

5.7 The Derby and Derbyshire Joint Structure Plan provides more detailed policy guidance on housing provision, including an overall requirement for additional housing in North East Derbyshire between 1991 and 2011 and broad policies on the scale and location of development.

Housing Requirements

5.8 The Derby and Derbyshire Joint Structure Plan sets out a requirement for 4300 dwellings to be provided within North East Derbyshire between 1991 and 2011.

5.9 In terms of housing requirements, the district is divided into three Structure Plan Sub-Areas. (See Appendix 1.) The housing requirement for each of these Sub-Areas is as follows:

- Alfreton Sub-Area: 200
- Northern Parishes Sub-Area: 1100
- Chesterfield Sub-Area: 3000

Alfreton Sub-Area

5.10 Only a small part of the Alfreton Sub-Area falls within North East Derbyshire District, and comprises the rural parishes of Shirland & Higham and Wessington, immediately north of Alfreton.

5.11 The whole of the Alfreton Sub-Area saw a rapid increase in population between 1986 and 1991, largely due to in migration. The Structure Plan strategy seeks not to perpetuate this growth, and has set the housing requirement for this Sub-Area to accommodate only natural population changes.

Northern Parishes Sub-Area

5.12 This Sub-Area comprises the parishes of Dronfield, Eckington and Killamarsh, but excludes Renishaw. It is heavily constrained by the Green Belt, which surrounds the towns, and retains a vital gap between Chesterfield and Sheffield. In the past, this Sub-Area has taken large increases in housing development, but has not had the same level of employment development. The Structure Plan strategy is, therefore, to balance past housing developments with the provision of new employment opportunities. To accommodate the Joint Structure Plan requirement for 1100 dwellings, only a modest amount of new housing land will be required in this Sub-Area. This figure reflects the capacity of the area to accommodate residual development without incursions in to the Green Belt.

Chesterfield Sub-Area

5.13 This Sub-Area comprises the parishes of Ashover, Barlow, Brackenfield, Brampton, Calow, Clay Cross, Grassmoor, Hasland & Winsick, Heath & Holmewood, Holmesfield, Holymoorside & Walton, Morton, North Wingfield, Pilsley, Stretton, Sutton-cum-Duckmanton, Temple Normanton, Tupton, Unstone and Wingerworth. The housing requirement is 3000 for this Sub-Area, the highest for the district, recognising the regeneration opportunities that are available within the former coalfield settlements to the south of Chesterfield. The north and western parts of this Sub-Area are rural in character, and are constrained by the Green Belt and Special Landscape Area. Therefore, the focus for development opportunities will be within the settlements and transport corridors to the south of Chesterfield, particularly where development opportunities are well related to existing and proposed employment development. The Chesterfield Sub-Area as a whole crosses in to Chesterfield Borough and the District of Bolsover. It is, therefore, necessary to consider housing provision, and particularly the availability of previously developed sites, within these neighbouring districts. Cross boundary discussions on this issue are ongoing.

Housing Provision

5.14 At 31 March 2005, 3262 dwellings had been completed in the district since 1991. Commitments totalled 1025, which includes those dwellings under construction and those with the benefit of planning permission but which had not been started at March 31, 2005. As a result, there is currently a shortfall of 13 dwellings district wide, which must be provided between 2005 and 2011. This information is shown by Sub-Area in Table 5.1.
Site Selection

5.15 Site selection is based on the sequential approach, set out in PPG3. This starts with the consideration of potential capacity within urban areas, that have been identified by the Urban Capacity Study, then suitable sites adjoining urban areas which are well served by public transport and, finally new development around nodes in good public transport corridors. In all cases, primary consideration should be given to the re-use of previously developed sites.

Urban Capacity Study

5.16 PPG3 sets out the requirement for all local authorities to undertake urban capacity studies. They establish the amount of additional housing that can be accommodated within existing urban areas in order to both maximise the use of previously developed land and reduce the need to travel. This will help to reduce the loss of greenfield land outside settlements and will encourage the promotion of sustainable patterns of development. An Urban Capacity Study has been undertaken for North East Derbyshire and has formed the basis of the sequential approach to residential site selection. This is available as a separate document.

5.17 Initially, sites identified through the Urban Capacity Study were considered for allocation. Consideration was then given to potential sites on the immediate edge of the main settlements to meet any remaining shortfall in housing provision. In this context, the provision of land for new housing will be considered by Sub-Area.

Alfreton Sub-Area

5.18 The latest Residential Land Availability Survey (April 2005) has shown that there are sufficient sites either developed or with planning permission to meet the Structure Plan requirement for the part of the Alfreton Sub-Area which falls within this district. As a result, there is no need to identify further sites in this Sub-Area.

Northern Parishes Sub-Area

5.19 The latest Residential Land Availability Survey (April 2005) has shown that there are sufficient sites either developed or with planning permission to meet the Structure Plan requirement for the Northern Parishes Sub-Area. As a result, there is no need to identify further sites in this Sub-Area.

Chesterfield Sub-Area

5.20 The Urban Capacity Study identifies potential development sites to accommodate approximately 353 dwellings in this Sub-Area. Those sites with a capacity for 10 or more dwellings form allocations, accommodating a total of approximately 209 dwellings. The remainder of the identified small site capacity forms a windfall allowance of approximately 144 dwellings.

5.21 The Joint Structure Plan housing requirement for the Chesterfield Sub-Area has been met through completions, commitments and the identification of urban capacity sites. However, to assist in the Council’s regeneration strategy for the former coalfield area, additional previously developed sites are identified for residential development in this area. Policy H1 and Table 5.2 provide a summary of how the housing requirement for the period 1991-2011 will be met.

Table 5.1 Housing Provision at 31 March 2005

<table>
<thead>
<tr>
<th></th>
<th>Alfreton Sub-Area</th>
<th>Chesterfield Sub-Area</th>
<th>Northern Parishes Sub-Area</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure Plan requirement</td>
<td>200</td>
<td>3000</td>
<td>1100</td>
<td>4300</td>
</tr>
<tr>
<td>*Dwellings completed 1991-2005</td>
<td>185</td>
<td>2151</td>
<td>926</td>
<td>3262</td>
</tr>
<tr>
<td>Dwellings with planning permission at 31 March 2005</td>
<td>34</td>
<td>648</td>
<td>343</td>
<td>1025</td>
</tr>
<tr>
<td>Surplus/Shortfall</td>
<td>+19</td>
<td>-201</td>
<td>+169</td>
<td>-13</td>
</tr>
</tbody>
</table>

* Net Completions
Table 5.2 Housing Provision: 1991 - 2011

<table>
<thead>
<tr>
<th></th>
<th>Alfreton Sub-Area</th>
<th>Chesterfield Sub-Area</th>
<th>Northern Parishes Sub-Area</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure Plan requirement</td>
<td>200</td>
<td>3000</td>
<td>1100</td>
<td>4300</td>
</tr>
<tr>
<td>Dwellings completed 1991-2005</td>
<td>185</td>
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</tr>
<tr>
<td>Dwellings with planning permission at 31 March 2005</td>
<td>34</td>
<td>648</td>
<td>343</td>
<td>1025</td>
</tr>
<tr>
<td>Brownfield Urban Capacity Allocations</td>
<td>0</td>
<td>209</td>
<td>0</td>
<td>209</td>
</tr>
<tr>
<td>Other Brownfield Allocations</td>
<td>0</td>
<td>57</td>
<td>0</td>
<td>57</td>
</tr>
<tr>
<td>Urban Capacity Small Sites/Windfalls</td>
<td>0</td>
<td>144</td>
<td>0</td>
<td>144</td>
</tr>
<tr>
<td>Biwaters/Avenue Mixed Use Sites</td>
<td>0</td>
<td>290</td>
<td>0</td>
<td>290</td>
</tr>
<tr>
<td>Total</td>
<td>219</td>
<td>3499</td>
<td>1269</td>
<td>4987</td>
</tr>
</tbody>
</table>

H1 Sites for Residential Development

Planning permission will be granted for residential development on the sites identified below:

<table>
<thead>
<tr>
<th></th>
<th>Hectares</th>
<th>Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Parishes Sub-Area:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Former Dronfield School, Carr Lane, Dronfield</td>
<td>2.7</td>
<td>81</td>
</tr>
<tr>
<td>Chesterfield Sub-Area:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Depot off Stretton Road, Clay Cross</td>
<td>1.9</td>
<td>57</td>
</tr>
<tr>
<td>(c) Land off Penncroft Lane, Clay Cross</td>
<td>2.3</td>
<td>69</td>
</tr>
<tr>
<td>(d) Land off Curbar Close, North Wingfield</td>
<td>3.7</td>
<td>111</td>
</tr>
<tr>
<td>(e) Land off Grange Road, Pilsley</td>
<td>1.16</td>
<td>27</td>
</tr>
</tbody>
</table>

An allowance has also been made for an element of housing provision on the former Biwaters Site in Clay Cross (about 200 dwellings in this Plan period) and the Avenue Site in Wingerworth (about 90 dwellings in this Plan period) which are identified as mixed use sites under Policies E4 and E5. Since the housing element forms part of wider proposals for redevelopment, these sites are not formally allocated as housing sites under Policy H1.
Housing Development on Other Sites Within Settlement Development Limits

5.22 In addition to development on those sites allocated in Policy H1, a number of smaller previously developed sites with a capacity of fewer than 10 dwellings have been identified through the Urban Capacity Study. These are sites which, because of their small size, can not be specifically allocated, but are listed in the Urban Capacity Study and form a windfall allowance. They all lie within the defined Settlement Development Limits, and offer the potential to encourage sustainable patterns of development. The numbers identified for the next 10 years are slightly below those that have been achieved in the previous 10 years.

5.23 The comprehensive nature of the Urban Capacity Study means that the majority of sources of capacity, traditionally calculated as a windfall figure, have been taken into account. However, unpredictable opportunities can always arise and it is still necessary and appropriate to make provision for previously developed sites which come forward unexpectedly for development within the defined Settlement Development Limits. These could include the conversion or re-use of existing dwellings, the change of use of buildings or land in other uses or new build development on previously developed land. The Council also encourages the re-use of vacant rooms over shops for residential use, in accordance with the Government’s Living Over The Shop Scheme (LOTS).

5.24 The re-use of redundant or unused employment land and buildings for housing or mixed use development will be permitted unless it would lead to a qualitative or quantitative deficiency of supply of employment land and unless it can be demonstrated that there is a realistic prospect of the land/buildings being taken up for its stated use in the Plan period. Its redevelopment for housing should also not undermine regional or local regeneration strategies.

5.25 Sufficient previously developed sites are identified to meet the housing requirement. Therefore, planning permission will only be granted for residential development on greenfield sites if, through the Plan period, monitoring indicates that allocated sites are not coming forward at the necessary rate and there will be a clear shortfall of available housing land to meet the Structure Plan requirements, and this shortfall cannot be met through the development of other previously developed sites that come forward in sustainable locations. In this respect, the availability of previously developed sites in neighbouring authorities will be taken in to account.

H2 Housing Development on Other Sites Within the Settlement Development Limits

Within the Settlement Development Limits, planning permission will be granted for residential development on the smaller previously developed sites identified through the Urban Capacity Study, or on other previously developed sites provided that the site is not identified, required or protected for other purposes.

Should annual monitoring indicate that a shortfall of land for housing would occur; a Development Plan Document will be prepared in order to identify alternative sites. This would be carried out in accordance with the sequential approach to site selection.

Monitoring Housing Provision

5.26 In accordance with the plan, monitor and manage approach to the delivery of housing, as set out in PPG3, annual monitoring of residential development will be carried out. Sufficient sites have been identified in the Local Plan to meet the Structure Plan housing requirements. However, further previously developed sites may come forward through Policy H2. The contribution of these additional sites will be monitored carefully to ensure that their development would not lead to significant over provision of housing in the Plan period. The development of large, as yet unidentified, previously developed sites which come forward and which would lead to significant over provision will only be permitted if they would help to achieve the wider objectives of the Plan. Should the results of annual monitoring indicate that sites are not being developed at the necessary rate to achieve the agreed housing requirements, the Council will identify new sites through the preparation of a Development Plan Document under the provisions of the Planning and Compulsory Purchase Act 2004. This would be carried out in accordance with the sequential approach to the identification and allocation of sites for residential development, with previously developed sites in neighbouring authorities being a consideration.

5.27 The former Biwaters site in Clay Cross and, to a lesser extent, the Avenue site at Wingerworth, have capacity to provide development beyond
this Plan period. These sites will, therefore, be subject to phasing to ensure that the Structure Plan requirement for the current Plan period is not significantly exceeded.

Housing Outside Settlement Development Limits

5.28 In the rural areas outside the defined Settlement Development Limits, restrictive policies will apply, both within and outside the North East Derbyshire Green Belt in order to prevent intrusive development in the countryside. New development should be directed away from the countryside to sites within existing settlements to encourage sustainable patterns of development. Within the Special Landscape Areas, the requirement to protect the essential character of the high quality landscape from damage arising from development, imposes further restrictions.

5.29 There are, however, some limited circumstances in which proposals for housing development may be permitted in countryside locations such as the change of use of buildings to housing from other uses subject to the provisions of Policy GS7. However, employment or tourism uses can often have a more beneficial impact upon the local economy than a purely residential use. The applicant should, therefore, be able to demonstrate that every reasonable attempt has been made to secure employment or tourism uses.

5.30 New build development in the countryside is limited to proposals that can be shown to be necessary for the operation of a rural based activity, and where a countryside location is essential. The need for a dwelling will be based on the functional and financial tests set out in Annex A of PPS7. Where the need for a dwelling is established, careful consideration will be given to details of location, size, design and materials of construction to reduce the impact on the surroundings. In cases where planning permission is granted for a new dwelling in the countryside, the Council will seek to negotiate a Section 106 Obligation to limit the occupation of the dwelling to a person solely working in the locality in agriculture or forestry and to any resident dependants.

5.31 Proposals for replacement dwellings in the countryside will be permitted only if the number of dwellings would not be increased, the resulting dwelling would not be materially larger than that which it replaces and it would not have a greater impact upon its setting than the original dwelling.

5.32 Affordable housing may be permitted on rural exception sites in areas where there is a proven identified need for such housing. This allows Councils to grant planning permission for local needs housing on sites where residential development would not normally be allowed. (See Policy H9).

5.33 Where planning permission is granted for housing outside Settlement Development Limits, conditions may be imposed, where considered necessary and appropriate, to bring within control all future extensions and/or alterations to the building and other activities within the curtilage of the site which would otherwise be permitted without express consent by virtue of the Town and Country Planning (General Permitted Development) Order, but which might be harmful to the character of the area.

H3 New Housing Outside Settlement Development Limits

Planning permission will only be granted for housing development outside the defined Settlement Development Limits if the proposal falls within one or more of the following categories:

(a) The change of use of existing buildings to housing provided that the building or buildings is/are of a permanent and substantial construction, of a form, bulk and design in keeping with their surroundings and would be capable of being converted without the need for major repair, alteration, extension or reconstruction. The applicant should also be able to demonstrate that every reasonable attempt has been made to secure employment or tourism uses.

(b) New build development in the countryside which can be shown to be necessary for the operation of an agricultural or other use appropriate to a rural location, and where a countryside location is essential. The Council will seek to negotiate a Section 106 Obligation which will ensure that the dwelling is permanently tied to the holding which justified its erection.

(c) Replacement dwellings, provided that the number of dwellings would not be increased and any resulting dwelling would not be materially larger than that which it replaces or have a greater impact upon its setting.

(d) Affordable housing on rural exception sites in areas where there is a proven identified need for such housing.
Renewal of Planning Permits

5.34 Applications for renewal of planning permission for residential development will not be granted automatically. All applications will be reconsidered in light of current planning policy guidance, and will take account of the need to give priority to the development of previously developed land in sustainable locations, the requirement for higher quality and higher density development and any other material change in circumstances.

H4 Renewal of Planning Permits

Proposals for the renewal of planning permission for residential development will be considered against the site assessment criteria set out in PPG3 and should also satisfy all the criteria in Policy H12.

Domestic Extensions

5.35 Extensions to homes to provide improved living conditions are likely to be acceptable, provided that they do not have a detrimental effect upon the privacy and amenity of neighbouring properties and also on highway safety. In addition, domestic extensions should be of a good design that respects the character and appearance of the property and locality.

Ancillary Accommodation

5.36 Sometimes additional accommodation is required for a dependant person to enable them to live alongside a carer who is often a relative. This can take the form of an extension to the carer’s dwelling, the conversion of a suitable outbuilding or the erection of a separate self-contained unit of accommodation. All the normal policy provisions will apply to all applications for ancillary accommodation as relate to proposals for extensions, conversions or new build dwellings within settlements or rural areas. However, standards of privacy and amenity may be relaxed in relation to the main dwelling, but not in relation to neighbouring properties. In such circumstances the occupation of the accommodation will be tied by condition to the occupation of the main dwelling.

H5 Domestic Extensions

Where planning permission is required, all extensions to dwellings should be in keeping with the property and street scene in terms of their style, proportion and materials and should avoid significant loss of privacy and amenity for the residents of neighbouring properties. In addition, highway safety should not be compromised.

Outside Settlement Development Limits, proposals which either individually or cumulatively involve a significant change in the scale and character of the original dwelling will be assessed as a proposal for a new dwelling.

Affordable Housing

5.37 The combination of the attractiveness of the rural setting of many of the settlements in the Plan area and the ease of commuting to larger centres of employment in North Derbyshire and South Yorkshire has led to an increasing demand for houses in areas where development constraints exist. This demand has forced up house prices and land values. At the same time, the stock of low cost housing for rent has been reduced by legislation enabling the purchase of Council houses. The result has been that those on modest or low incomes have found it increasingly difficult to find housing that they can afford to rent or buy, particularly in the more rural parts of the district and those settlements constrained by the Green Belt.

5.38 PPG3 and Circular 06/98: Planning and Affordable Housing set out the Government’s approach to the provision of affordable housing through the planning system. Circular 06/98 states that where there is evidence of need for affordable housing based on an up to date survey, local planning authorities should include a policy in the Local Plan that seeks an element of affordable housing provision on suitable sites.

5.39 This policy should include a definition of affordable housing, indicate how many affordable homes need to be provided throughout the Plan area, set indicative targets for specific suitable sites (either as a number or a percentage of the homes on the site) and indicate an intention to negotiate with developers for the inclusion of an element of affordable housing on suitable sites.

5.40 The Council will seek to formulate a Supplementary Planning Document to provide developers with more detailed guidance on the means by which it expects affordable housing to be delivered.
5.41 The Council completed a Housing Needs Survey in December 2002. In determining the level of need for affordable housing in the district, the survey assessed the general characteristics of households across the district and affordability in the housing market, taking into account house prices, rental and income levels.

Definition of Affordable Housing

5.42 The District wide Housing Needs Survey recognises that Government definitions of affordable housing in Circular 6/98, include both subsidised and non-subsidised housing to meet the needs of people who cannot ordinarily afford to buy or rent suitable accommodation on the open market. As a result, the survey investigated the full range of tenure aspirations and needs, including owner occupation, low cost ownership, shared ownership, market renting and social renting. It found that the majority of the need is for subsidised housing rather than low cost market housing.

Assessing Needs

5.43 The Housing Needs Survey (2002) identifies an annual need for an additional 261 dwellings to be provided as affordable housing units across the district, a total of 1728 over the period 2003 to 2011. The level of need is exacerbated by the continuing rise in house prices in the area and the continuing loss of cheaper properties through the Right to Buy process. The survey also indicates an additional annual need for about 40 unsubsidised low cost market housing units. This contrasts with the total identified supply of land for market housing across the district, which is only about 1600 housing units from 2003 to 2011 (about 200 per annum). Table 5.3 shows affordable housing need by parish.

5.44 The Council recognises that this level of need clearly cannot be met solely through the planning system. To seek the level of provision that would meet these needs could actually restrict house building and inflate house prices further. It is considered, therefore, that, given the level of identified need, a more practical and deliverable option is to increase the percentage of affordable homes sought on suitable sites which come forward for residential development, using the lower site size threshold referred to in Circular 6/98. The Council will, therefore, seek the provision of up to 40% of all new dwellings as affordable on allocated sites and other sites of 0.5 hectares and above, or where the number of dwellings proposed is 15 or more, within the Settlement Development Limits of Clay Cross, Dronfield, Eckington, Grassmoor, Holmewood, Killamarsh, North Wingfield, Pilsley, Tupton and Wingerworth. In areas where the Needs Survey has identified a particularly high need, this requirement may be higher.

Table 5.3 Affordable Housing Need by Parish to 2006

<table>
<thead>
<tr>
<th>Parish</th>
<th>Affordable Housing Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dronfield</td>
<td>241</td>
</tr>
<tr>
<td>Clay Cross</td>
<td>97</td>
</tr>
<tr>
<td>Eckington</td>
<td>34</td>
</tr>
<tr>
<td>North Wingfield</td>
<td>62</td>
</tr>
<tr>
<td>Wingerworth</td>
<td>56</td>
</tr>
<tr>
<td>Holmesfield</td>
<td>38</td>
</tr>
<tr>
<td>Holymoorside &amp; Walton</td>
<td>44</td>
</tr>
<tr>
<td>Killamarsh</td>
<td>31</td>
</tr>
<tr>
<td>Ashover</td>
<td>51</td>
</tr>
<tr>
<td>Grassmoor, Hasland &amp; Winsick</td>
<td>40</td>
</tr>
<tr>
<td>Unstone</td>
<td>35</td>
</tr>
<tr>
<td>Brampton</td>
<td>37</td>
</tr>
<tr>
<td>Tupton</td>
<td>15</td>
</tr>
<tr>
<td>Shirland &amp; Higham</td>
<td>11</td>
</tr>
<tr>
<td>Pilsley</td>
<td>12</td>
</tr>
<tr>
<td>Heath &amp; Holmewood</td>
<td>18</td>
</tr>
<tr>
<td>Morton</td>
<td>12</td>
</tr>
<tr>
<td>Barlow</td>
<td>12</td>
</tr>
<tr>
<td>Calow</td>
<td>7</td>
</tr>
<tr>
<td>Brackenfield/ Wessington</td>
<td>11</td>
</tr>
<tr>
<td>Sutton-cum-Duckmanton</td>
<td>0</td>
</tr>
</tbody>
</table>

5.45 The Council will negotiate with the developer to determine the exact scale and nature of provision on each site. This will have regard to local influences at the time, such as the precise scale and type of local need, the economics of developing the site, site suitability, proximity to local services and access to public transport and the need to achieve a successful housing development. The size, type and tenure of dwellings provided on a site will be negotiated on the basis of the particular need in that locality, as identified by the Housing Needs Survey and other relevant information which may be available at the time.

5.46 In cases where a developer of a site is to provide an element of affordable housing but no social landlord is involved, the Council may impose conditions or seek to negotiate a S106 Obligation to provide occupancy criteria, to ensure that all new housing that is to be
provided by the developer is occupied either initially or in perpetuity by people falling within particular categories of need for affordable housing. In such cases the following cascade approach will be used. The time required for the housing to remain unallocated before cascading to the next level of eligibility will be 6 weeks for rental schemes and 3 months for owner occupied or shared ownership schemes.

1. a) people residing,  
   b) with local connections, or  
   c) employed by a firm located within the parish in which the affordable housing is provided. If no such people can be found.

2. a) people residing,  
   b) with local connections, or  
   c) employed by a firm located within a parish immediately adjacent to the parish in which the affordable housing is provided. If no such people can be found.

3. a) people residing,  
   b) with local connections, or  
   c) employed by a firm located elsewhere in the district. If no such people can be found.

4. a) people residing,  
   b) with local connections, or  
   c) employed by a firm located within a district council area abutting this district.

In circumstances where it can be clearly shown that all levels of eligibility have been explored and the property remains unoccupied, it may be disposed of on the open market.

A resident is defined as a person who has lived continuously within the relevant qualifying area for a period of not less than three years out of the previous four years.

A person with a local connection is defined as somebody who is related to a resident of the qualifying area or who has lived continuously in the qualifying area for more than ten years out of the previous twenty.

### H6 Affordable Housing Provision in the Main Settlements

In determining applications for residential development within the Settlement Development Limits of the settlements of Clay Cross, Dronfield, Eckington, Grassmoor, Holmewood, Killamarsh, North Wingfield, Pilsley, Tupton and Wingerworth, as shown on the Proposals Map, the Council will seek to enter into a S106 Obligation with the developer to secure the provision of an element of affordable housing on suitable sites of 0.5 hectares and above, or where the number of dwellings proposed is 15 or more. The subdivision of a site will not provide exemption from the need to comply with the policy.

The precise proportion and type of affordable housing provided on individual sites will be the subject of negotiation and will be determined with regard to the following criteria:

(a) housing needs within the local area;  
(b) the proximity of local shops and services;  
(c) access to public transport services;  
(d) the economics of developing the site; and  
(e) the need to achieve a successful housing development.

### Affordable Housing in Rural Areas

Circular 6/98 states that in settlements in rural areas of fewer than 3000 people, Local Planning Authorities should adopt appropriate thresholds for the provision of affordable housing, taking account of local circumstances. The level of need for affordable housing is exacerbated by the continuing rise in house prices in the area and the continuing loss of cheaper properties through the Right to Buy process. The Council’s Housing Needs Survey indicates that, in view of the identified scale of need, the provision of affordable housing should be negotiated on all suitable sites. As a result of the generally limited number and small size of sites that come forward in rural areas, the threshold should be set at a low enough level to enable some of the identified housing need to be met. The Council considers that this justifies the provision of an element of affordable housing on sites of 0.1 hectares and above, which come forward for residential development within the smaller, more rural settlements. However, in accordance with the underlying sustainable principles of the Local...
Plan, this will only apply to those settlements with a defined Settlement Development Limit. Therefore, the Council will only apply this threshold to settlements with a population of 3000 people or fewer which have a defined Settlement Development Limit. These settlements are listed below.

- Apperknowle
- Ashover
- Barlow
- Brackenfield
- Calow
- Cutthorpe
- Heath
- Higham
- Highmoor
- Holmesfield
- Holymoorside
- Kelstedge
- Littlemoor
- Long Duckmanton
- Marsh Lane
- Mickley
- Morton
- Old Brampton
- Renishaw
- Ridgeway
- Shirland
- Spinkhill
- Stonebroom
- Stretton
- Temple Normanton
- Unstone
- Wadshelf
- Wessington
- Woolley Moor

5.51 The Council will seek to negotiate affordable housing provision in respect of new build housing, conversions and changes of use. The Council will negotiate with the developer to determine the exact scale and nature of provision on each site. This will have regard to local influences at the time, such as the precise scale and type of local need, the economics of developing the site, site suitability, proximity to local services and access to public transport and the need to achieve a successful housing development. The size, type and tenure of dwellings provided on a site will be negotiated on the basis of the particular need in that locality, as identified by the Housing Needs Survey and other relevant information which may be available at the time.

5.52 Where the Council and the developer agree that it is not feasible to provide affordable housing on site, the Council will seek to negotiate a financial or other contribution towards the provision of affordable housing elsewhere in the area, including the re-use of empty properties and flats over shops. Applicants will be required to show that there will be a benefit from providing off-site affordable housing i.e. that affordable housing needs can be better met elsewhere in the Plan area or there would be a benefit to the community.

H7 Affordable Housing in Settlements With a Population of 3000 or Fewer

In determining applications for residential development within the defined Settlement Development Limits of the settlements listed at Paragraph 5.50, where there is an identified need, the Council will seek to negotiate the provision of affordable housing on suitable sites of 0.1 hectare and above.

The precise proportion and type of affordable housing provided on individual sites will be the subject of negotiation and will be determined with regard to the following criteria:

(a) housing needs within the local area;
(b) the proximity of local shops and services;
(c) access to public transport services;
(d) the economics of developing the site; and
(e) the need to achieve a successful housing development.

H8 Affordable Housing: Alternative Provision

In cases where it is not considered appropriate to provide on-site affordable housing, the Council will seek to negotiate a financial or other contribution towards the provision of affordable housing on suitable sites elsewhere in the Plan area, including the re-use of long term vacant properties and flats over shops, provided there are shown to be positive benefits to be gained from providing off-site affordable housing.
Affordable Housing on Exception Sites in Rural Areas

5.53 PPG3 and Circular 6/98 state that Councils should seek to meet the needs of local people for affordable housing through the implementation of policies such as H6 and H7. However, in recognising that this may not always be possible and where there remains a lack of affordable housing to meet identified local needs there is the potential for the provision of rural affordable housing to be augmented by an exception policy. This allows Councils to grant planning permission for local needs housing on sites where residential development would not normally be allowed. These will be in locations within and adjoining small rural communities, (further guidance on this matter will be included within the Affordable Housing Supplementary Planning Document). Dwellings permitted in this way will be additional to those identified to meet the Structure Plan housing requirement.

5.54 Housing on rural exception sites must meet a genuine identified local need in areas where no other appropriate sites are available within the defined boundaries of the settlement. This need will have to be confirmed by a survey carried out by the developer, in conjunction with the Council’s Housing Department and, wherever possible, the Parish Council, prior to the submission of a planning application. Where a need for additional affordable housing is shown to exist in small rural settlements with a Settlement Development Limit, and this cannot be satisfied on sites within the SDL, the exception policy may be used to provide affordable housing on appropriate sites on the edge of the settlement. These should be well related to the settlement. In small rural settlements with no defined SDL, development of affordable housing will be expected to take place within the built framework of settlements, including greenfield sites where no suitable brownfield sites are available, only using sites on the edge of the settlement if there are no suitable sites within the settlement. Developers will be expected to pay due regard to the usual requirements concerning design, layout, access, impact upon the highway network and the character of the area.

5.55 Housing provided on exception sites must remain available for affordable local need in perpetuity. Conditions and/or Section 106 Obligations will be imposed to ensure this.

5.56 The following groups of people will normally be considered to come within the definition of local need for the purposes of assessing planning applications and submitted schemes in rural areas.

a) People residing continuously for a period of not less than five years out of the previous ten years in the parish and currently living in accommodation which is overcrowded or otherwise unsatisfactory.

b) People residing continuously for a period of not less than five years out of the previous ten years in the parish and forming a household for the first time.

c) People who are related to a resident of the parish or are not now resident in the parish but who have resided continuously within the parish for more than ten years out of the previous twenty.

d) People who have an essential need arising from age or infirmity to live close to other people who have lived continuously within the parish for more than five years out of the previous ten.

e) People who have an essential need to live close to their work in the parish.

H9 Affordable Housing: Exception Sites in Rural Areas

As an exception to normal planning policies applying throughout the area, the District Council will grant planning permission for affordable housing on rural sites that would not normally be released for development, provided that:

(a) it would meet a genuine local need that would not otherwise be met by the housing market (this need should be shown by the applicant);

(b) arrangements are made to ensure that the benefits remain in perpetuity for local people who cannot afford to occupy houses generally available on the open market;

(c) it is of a size, type, tenure, occupancy and cost suitable to meet the identified local needs; and

(d) it takes full account of environmental considerations as set out in policies elsewhere in the Local Plan. Sites should be located within the built up area of small rural settlements, only using land on the edge of settlements if it can be shown that there are no sites available within the settlement.
5.57 In accordance with advice contained in PPG3, it is the intention of the Council to ensure a reasonable mix of house types and sizes to meet the housing requirements of the whole community.

5.58 Potentially, disability, either temporary or permanent, can affect everyone at some stage of their lives. The Council will seek to ensure that the housing needs of the elderly and people with disabilities are met, and that these groups are not restricted in their choice of housing. It will encourage developers and other agencies to provide dwellings which will enable more people to remain in their homes, if they become disabled or infirm, and live as independently as possible in the community. New housing can easily be designed from the outset to be suitable for adaptation to meet the needs of these groups of people.

5.59 Information from the Housing Needs Survey provides a picture of the level of need for specialised housing. The Council will seek to negotiate the provision of special needs housing on suitable sites to meet an identified need.

5.60 Government guidance set out in Circular 1/94 stresses that it is important for local plans to contain policies relating to the provision of sites for Gypsies and travellers. The provision of sites should be consistent with the protection of the character of the countryside and landscape, and nature conservation interests. Sites should also be well related to the pattern of service provision including shops, schools and other community facilities.

5.61 One site is provided for Gypsies and travellers in North East Derbyshire. This is a permanent site at Corbriggs. Within the District in recent years, there has been evidence of demand for an additional facility through the unauthorised use of sites, albeit of a temporary nature for short periods of the year. The needs of Gypsies and travellers are not solely for residential sites, for many prefer to run businesses from the site on which their caravans are stationed. For these reasons sites adjacent to industrial estates may provide locational opportunities. The position regarding the actual need for further sites for Gypsies will be monitored in association with adjoining authorities and other groups including the Derbyshire Gypsy Liaison Group.

5.62 Regular meetings are now being held between the Derbyshire Gypsy Liaison Group, Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council to discuss on-going issues regarding the Group’s concerns. This group will liaise with the County Wide Research Group to draw up a study to determine the current need for Gypsy sites in the area. The results of this study will inform Local Plan policy in determining planning applications for Gypsy sites.

H10 Special Needs Housing

Where there is clear evidence of need, the Council will expect developers of residential sites to provide a proportion of dwellings that are designed to mobility standards, particularly on level sites that are well served by shops, community services and public transport. This provision will be secured either through a Section 106 Obligation or by the imposition of planning conditions.

Accommodation for Gypsies and Travellers

5.60 Government guidance set out in Circular 1/94 stresses that it is important for local plans to contain policies relating to the provision of sites for Gypsies and travellers. The provision of sites should be consistent with the protection of the character of the countryside and landscape, and nature conservation interests. Sites should also be well related to the pattern of service provision including shops, schools and other community facilities.

5.61 One site is provided for Gypsies and travellers in North East Derbyshire. This is a permanent site at Corbriggs. Within the District in recent years, there has been evidence of demand for

H11 Sites for Gypsies and Travellers

Planning permission will be granted for new Gypsy and traveller caravan sites where there is an identified need for such provision, provided that all the following criteria are met:

(a) the site is within reasonable travelling distance of schools, shops and community facilities;

(b) the site is capable of being provided with a reasonable level of services including water, electricity and sewage disposal facilities, washing facilities and regular refuse collection;

(c) the proposal would not have an adverse effect on the amenity of surrounding uses;

(d) the proposed development would not harm the character and visual amenity of the surrounding landscape; and

(e) the site is not in the Green Belt, Special Landscape Area, within a conservation area or affects the setting of a listed building.
Mobile Homes, Residential Caravans and Chalets for Permanent Occupation

5.63 In cases where this type of accommodation is occupied as a main residence, it will be subject to the same planning considerations as conventional housing. These dwellings require essentially the same range of services and utilities for their proper functioning as conventional housing. As a result, planning applications for this type of accommodation will be judged against the same Local Plan policies as applications for conventional dwellings in similar locations.

Quality and Design of Housing Development

5.64 PPG3 states the Government’s desire to improve the quality and attractiveness of residential areas through the implementation of good urban design principles.

5.65 To fulfil the desire to create and maintain an attractive high quality built environment, it is necessary to ensure that the development itself meets acceptable standards, by paying due regard and attention to details of design, materials, scale, form, siting and access, while at the same time protecting important landscape features and areas of natural history interest.

5.66 In accordance with advice in PPG3, new housing development will be provided at a minimum density of 30 dwellings per hectare to help maximise the efficient use of land, unless it can be shown that this would be inappropriate, having regard to the character of the locality and the physical constraints of the site. In locations where there is good access to public transport or where services and facilities are within convenient walking or cycling distance, there will be scope to seek higher densities.

H12 Design and Layout of New Housing

Proposals for new housing development and the conversion of existing buildings, will be required to:

(a) respect the character of the site or building, its surroundings and the area in which it is located, with particular regard to maintaining and contributing to local distinctiveness;

(b) not damage the amenity of adjoining land and premises or that of existing residents adjoining the new development;

(c) ensure adequate standards of privacy and outlook;

(d) protect important landscape features and areas of natural history interest;

(e) provide landscaping appropriate to the setting, particularly where the development is visually prominent or situated on the urban fringe;

(f) provide a safe traffic circulation system for vehicles and pedestrians and satisfactory vehicular access to the road network; and

(g) further the objectives of sustainable development, not only in locational terms, but in respect of density, design and the capacity of existing infrastructure to support the development and the impact on the natural environment.

Development will be expected to be at a minimum 30 dwellings per hectare, unless in exceptional circumstances it can be demonstrated that there are significant constraints to development or that the development would have an adverse impact on the character and appearance of the locality. The Council will seek to secure higher densities of development, especially in locations with good public transport accessibility, including town centres or around major nodes along public transport corridors and on other suitable sites.
Introduction

6.1 The Joint Structure Plan identifies the town centres of Clay Cross, Dronfield, Eckington and Killamarsh as major retail centres. The Council will continue to promote opportunities for redevelopment and new development within these centres in order to maintain and promote their vitality and viability in the face of competition from the nearby larger centres of Sheffield and Chesterfield, as well as to promote the principles of sustainable development.

6.2 In developing town centre and retail policies for inclusion in the Local Plan, regard has been given to Government Planning Policy Statement 6, to the Regional Spatial Strategy (RSS8) and to the adopted Derby and Derbyshire Joint Structure Plan.

National Guidance

6.3 Planning Policy Statement 6: Planning for Town Centres (PPS6) (2005) sets out the Government's national policies and principles on planning in town centres. The Government's key objective for town centres is to promote their vitality and viability by focussing a range of new developments in such centres, and in this respect promotes the sequential approach, which must be applied in selecting sites for new retail, leisure and entertainment, commercial and cultural developments. This means that the first preference is for town centre sites, followed by edge of centre sites that are well connected to the town centre and only then on out of centre sites in locations that are or will be well served by a choice of modes of transport. It states that local planning authorities should actively promote growth and manage town centres and also identify opportunities for developments in town centres. It goes on to state that local planning authorities must follow the following process in selecting sites for development in town centres. They should:

a) assess the need for the development (placing greater emphasis on quantitative rather than qualitative need);

b) identify the appropriate scale of development;

c) apply the sequential approach to site selection;

d) assess the impact of the development on existing centres; and

e) ensure that locations are accessible and well served by a choice of means of transport.

The statement also promotes high quality urban design in town centres which helps to provide a sense of place and focus for the community which is accessible and safe.

Regional Spatial Strategy

6.4 The Regional Spatial Strategy for the East Midlands (RSS8) was adopted in March 2005. It reinforces national guidance in PPS6 and refers to the Regional Town Centres Study (2003). It identifies a requirement to promote the vitality and viability of existing town centres on a sub-area basis. It asserts that, where town centres are under performing, action should be taken to promote investment through design led initiatives and the development and implementation of town centre strategies.

Derby and Derbyshire Joint Structure Plan (January 2001)

6.5 The Derby and Derbyshire Joint Structure Plan reinforces national and regional policy guidance relating to town centres and shopping development. It identifies the towns of Clay Cross, Dronfield, Eckington and Killamarsh as centres where new retail development should be concentrated.

6.6 The size of these centres is modest compared to the regional and sub-regional centres of neighbouring South Yorkshire and Chesterfield. The influence of these nearby centres on retailing provision and the demand for retailing within the Plan area is considerable. In recent years the opening of Crystal Peaks and Meadowhall Centres in South Yorkshire, together with large superstores in and around Chesterfield, all readily accessible from the Plan area, has further underlined this influence.

6.7 Town Centre and Shopping Policy 1 of the Structure Plan proposes that existing major centres will be maintained and enhanced by further improvements to retail facilities, car parking, accessibility, including improvements
for disabled people, and the environment. Within this District, the four main centres of Clay Cross, Dronfield, Eckington and Killamarsh are identified in this policy.

6.8 These centres not only remain the natural focus for shopping facilities but also support a number of other functions including banks, libraries and other civic services. They are served by public transport providing access to shopping for all sections of the community. Over the years much public and private investment has been channelled into establishing these centres. The Council will seek to direct new retail and other development considered appropriate to a town centre, including commercial and leisure uses, to these locations and to ensure that the vitality and viability of these centres is maintained and, wherever possible, enhanced.

Development in Town Centres

6.9 The main retailing and commercial areas of Clay Cross, Dronfield, Eckington and Killamarsh are defined on the Proposals Map.

Clay Cross

6.10 Planning permission has been granted for the Clay Cross Town Centre Redevelopment Scheme on Bridge Street/Market Street, as shown on the Proposals Map. This should address the current shortage of retail space in the town. The scheme includes provision for:

a) 7687 square metres of retail floorspace, comprising a 5364 square metres major convenience food store and 6 individual retail units of 2323 square metres. The focus of the new retail development will be towards the Market Street junction, to maintain Market Street as the retail centre;

b) formation of a 594 space car park to serve all of the new retail/commercial developments and a bus terminus;

c) a shop mobility unit and petrol filling station; and

d) the construction of a new highway link from Bridge Street to the A61 and associated highway improvements. (See Policy T1).

6.11 A high quality development has been sought to provide an attractive new town centre to act as a service centre for the surrounding area. Landscaping and open spaces will be incorporated in the design along with an improved environment for pedestrians and cyclists. The development will provide an important new focus to the town centre, helping to retain local shopping expenditure and to attract new customers to Clay Cross.

6.12 The Council will seek to achieve environmental improvements through the Town Centre Redevelopment by implementing its own schemes and by encouraging other landowners to make improvements.

SH1 Clay Cross Town Centre Redevelopment

Land off Market Street, Clay Cross, as shown on the Proposals Map, is identified as a potential mixed use development opportunity to provide retailing and commercial uses.

Dronfield

6.13 The Civic Centre is the major focal point of the shopping and commercial centre of Dronfield, providing the focus of bus journeys and a wide range of facilities, including shops, the sports centre, library, Area Housing Office, surgery, pubs and restaurants, as shown on the Proposals Map. A secondary, yet important, shopping and commercial area is centred on Chesterfield Road.

6.14 Further opportunities for retail development are limited because of the built-up nature of the historic core of Dronfield, Conservation Area considerations and limited additional car parking potential.

6.15 The Dronfield weekly market offers an additional facility to the commercial centre and is popular with the majority of residents. The popularity of the market generates additional vehicles and pedestrians within the town centre. It is important to balance the appeal of the market with the wider consequences of increased demand for on-street and off-street parking and the disturbance to other town centre and adjoining residential uses.

6.16 The new foodstore off Wreakes Lane has addressed the identified need for food retail floorspace in Dronfield. Further proposals for retail development would need to be considered in light of a proven need at that time.

Eckington

6.17 The main retail and commercial area of Eckington lies between Pinfold Street in the north, Gosber Road to the south and Gosber Street in the west as indicated on the Proposals Map. It is centred on Market Street and the junction of Station Road and Southgate. Any further development in this area should have regard to the existing retail centre and should make every effort to form an integral part of it.
A health check of the town centre, using the indicators set out in PPS6, has indicated general economic decline, resulting from industrial closures and competition from nearby out of town retail centres in South Yorkshire. Measures are already in place to address concerns over the vitality and viability of the town centre, such as the Eckington Regeneration Scheme.

Additional retail development may be required within the town centre to help reverse the economic decline. However, a detailed study will have to be undertaken in order to determine more precisely the need and capacity for additional retail development.

The Council will strive to see the implementation of further traffic calming and regulation measures including traffic restrictions, differential surfacing along Market Street, and improved signage as part of ongoing town centre improvements.

Killamarsh

The shopping and commercial centre of Killamarsh is based around the Parkside Shopping Centre to the south of Sheffield Road, between Bridge Street and Stanley Street, as shown on the Proposals Map. In an effort to improve the vitality and viability of the town centre, an environmental improvement scheme for Parkside Shopping Centre has been completed, and additional work is being undertaken on Bridge Street and Sheffield Road. These form part of a phased programme of improvements to the town centre.

A health check of this town centre, using PPS6 indicators, has indicated evidence of decline, resulting from industrial closures and competition from retail centres in South Yorkshire. Additional retail development may be required within the area described above to help reverse the economic decline. However, a detailed study will have to be undertaken in order to determine more precisely the need and capacity for additional retail development.

The Sequential Approach

In accordance with the sequential approach set out in PPS6, proposals for new retail development will be steered towards the town centres of Clay Cross, Dronfield, Eckington and Killamarsh described above and defined on the Proposals Map. All proposals will be considered in terms of their impact on the vitality and viability of that town centre and neighbouring town centres.

SH2 Retail Development in Town Centres

Within the existing major retail/commercial centres of Clay Cross, Dronfield, Eckington and Killamarsh, as identified and defined on the Proposals Map, planning permission will be granted for retail development within Use Class A1, provided that:

(a) its scale and nature is compatible with the scale and character of the centre;
(b) it can be accessed by both public and private transport; and
(c) it would not lead to an unacceptable increase in the number or length of journeys made by private car.

Range of Uses Within Major Shopping and Commercial Centres

The vitality and viability of the defined major retail/commercial centres is dependent on a mix of other uses alongside shopping. The availability of community and leisure facilities in particular can help keep the shopping centres alive during the evenings. Similarly restaurants, takeaways and public houses can make an important contribution to the vitality of shopping centres by attracting additional trade at lunch times and evenings.

SH3 Ground Floor Development Within Town Centres

Within the main retail/commercial centres of Clay Cross, Dronfield, Eckington and Killamarsh, defined on the Proposals Map, proposals for the change of use of ground floor retail units currently within Use Class A1 to other appropriate uses within the town centre (A2, A3, A4, A5, C1, C2, D1, D2) will be permitted provided that:

(a) the proposed use, when taken cumulatively with other non-retail uses in the continuous retail frontage does not have an adverse effect upon the vitality and viability of the area as principally a retail location; and
(b) the proposed use does not have an adverse effect upon the general amenity and character of the area.
The Government’s Living Over The Shop Scheme (LOTS) encourages the re-use of the upper floors of shops within town centres for residential and office use to both revitalise town centres and make the best use of previously developed sites within areas well served by public transport and which are best related to existing development and services. The re-use of these units also offer the potential for providing affordable housing. Recent tax incentives may help to bring many disused units that were previously used for residential purposes, back into use. However, in cases where planning permission is required for a change of use, such schemes will be encouraged through the following policy.

**SH4 Upper Floor Development Within Town Centres**

 Within the main retail/commercial centres of Clay Cross, Dronfield, Eckington and Killamarsh, defined on the Proposals Map, proposals for the change of use of upper floors of retail units currently within Use Class A1 to either residential (C3), office (B1) or financial and professional services (A2) will be permitted provided the proposed use does not have an adverse effect upon the general amenities and character of the area.

**Development in Edge of Centre Locations**

6.26 In accordance with the sequential approach to the location of retail proposals, development will only be acceptable on the edge of the town centres where it can be demonstrated that there is a need for the development and that the proposals cannot be accommodated within the adjoining town centre. The applicant will be required to demonstrate that a comprehensive search for sites within the town centre has been undertaken. Proposals should be in accordance with the overall strategy of the development plan.

**SH5 Retail Development in Edge of Centre Locations**

Planning permission will only be granted for new retail development in locations on the edge of the major retail/commercial centres of Clay Cross, Dronfield, Eckington and Killamarsh, provided that:

(a) it is demonstrated that there is a proven need for the development;
(b) it is demonstrated that the development cannot be accommodated within that centre or any other nearby town centre;
(c) the scale and nature of the development does not undermine the vitality and viability of the nearby existing town or local centres;
(d) the development is within easy walking distance of the centre, with acceptable pedestrian and cycle links to that centre, or such links will be provided;
(e) the development is accessible by a choice of means of transport including being capable of being well served by public transport;
(f) the development is acceptable on traffic/highway grounds and adequate parking is provided;
(g) the development does not add to the overall number and length of car trips;
(h) the development will not have an adverse effect on the amenity of neighbouring uses; and
(i) the site is not required for any other use as defined in the Local Plan.

**Retail Development in Out of Centre Locations**

6.27 In accordance with the sequential approach set out in PPS6, retail proposals will only be acceptable in locations that are clearly separated from a defined town centre if it can be demonstrated that the proposals cannot be accommodated either within or on the edge of the town centre.

6.28 While shopping policies will continue to guide new development towards locations within or immediately adjacent the main shopping centre, there are occasions where out of centre sites provide the only opportunity for development. An out of centre location is one that is clearly separate from a town centre, but not necessarily outside the urban area. There are also certain types of shops potentially capable of being located outside existing centres without adversely affecting them.
Such shops may include DIY stores, furniture showrooms, garden centres and other stores selling goods of a bulky nature. This type of development may be acceptable in exceptional circumstances where existing shopping centres cannot accommodate it, where the vitality and viability of these centres would not be seriously threatened by it, where the site is not required for industrial or business use, it does not intrude into the countryside and is acceptable in terms of traffic, parking and potential for service by public transport. As part of the application, the applicant must demonstrate a need for the development and show that there are no other more central sites for the proposed development, either within or on the edge of the identified centre, which could accommodate the development. Proposals should be in accordance with the overall strategy of the development plan.

Proposals should be in accordance with the overall strategy of the development plan.

SH6 Retail Developments in Out of Centre Locations
Planning permission will be granted for new retail development, including stores selling bulky items, in out of centre locations provided that:

(a) it is demonstrated that the development cannot be accommodated firstly within or secondly on the edge of an existing centre;

(b) it is demonstrated that there is a proven need for the development;

(c) the scale and nature of the development, either individually or cumulatively does not undermine the vitality and viability of the nearby town, district or local centre;

(d) the development is easily accessible by a choice of modes of transport, including being capable of being well served by public transport;

(e) the development is not an intrusion into the countryside;

(f) the development is acceptable in terms of traffic generation, and car parking provision is in accordance with parking standards for out of centre locations to ensure that car parking provision is not excessive;

(g) the development does not add to the overall number and length of car trips;

(h) the development will not have an adverse effect on the amenity of neighbouring uses; and

(i) the site is not required for any other use as defined in the Local Plan.

Local Shopping Facilities

6.29 Outside the central areas of Clay Cross, Dronfield, Eckington and Killamarsh, a combination of small shopping complexes and individual shops provide local shopping facilities. Petrol filling stations also often provide valuable local retail facilities. These facilities serve the needs of the immediate community primarily for basic convenience goods, and thereby form an essential part of the overall shopping provision. The retention and expansion of these local facilities can help to reduce the number of car journeys to larger centres, and increase opportunities for making more journeys by foot and cycle.

SH7 Local Shopping Facilities

Proposals for local shops will be permitted provided that:

(a) it is acceptable in terms of traffic generation, car parking provision and access; and

(b) it will not adversely affect residential amenities.

6.30 Local shopping facilities cater for local everyday needs. Pressure for the change of use of these local shops to other uses can threaten their continued existence. These facilities provide an essential service to the local community. Unless shown to be no longer required by the community, their retention will be sought. The loss of public houses will be considered in a similar way, as they raise similar issues.

SH8 Loss of Local Facilities

The change of use or demolition of existing shopping facilities or public houses, which serve the local community, will not be permitted unless:

(a) there are adequate alternative facilities elsewhere within the vicinity of the site; or

(b) it can be demonstrated that there is no demand for such a facility in the area within which it is located.

Food and Drink Establishments

6.31 Proposals for developments within Use Classes A3, A4 and A5 of the Town & Country Planning (Use Classes) Order 1987 raise specific issues regarding their impact upon the amenity of the environment, particularly within residential areas. The following policy will
ensure that care is taken to minimise environmental impact and to protect the amenity of the surrounding area. The Council will seek to impose conditions on any planning permission where necessary to control opening hours, impact of odours, noise and light, in order to protect residential amenity.

**SH9 Hot Food Take-aways, Restaurants and Public Houses**

Planning permission will be granted for development within Use Classes A3, A4 and A5 provided that:

(a) the scale and appearance of the proposal would be appropriate to the locality; and

(b) the proposal would not adversely affect the amenity of residents in the vicinity of the proposal, as a result of odours, noise, light, traffic movements and servicing arrangements.

**Weekly Markets and Car Boot Sales**

6.32 Weekly markets and car boot sales are temporary in nature, and can provide an additional, valuable source of income to the local economy. However, they often generate large amounts of traffic, which can be harmful to the character and amenity of the area. Car boot sales often operate in rural areas where particular care will be needed to ensure the protection of the character of the area. The following policy is designed to accommodate such enterprises provided they would not cause undue disturbance to the area.

**SH10 Weekly Markets and Car Boot Sales**

Planning permission will be granted for weekly markets and car boot sales provided that:

(a) the proposal does not have an adverse effect on the character of the area;

(b) the proposal does not have an adverse effect on the amenity of adjoining residential uses by virtue of traffic and noise; and

(c) the proposal is acceptable in terms of highway and access arrangements.

**Farm Shops**

6.33 Farm shops can provide a valuable additional source of income to help sustain the farming enterprise. They help meet demand from consumers who want fresh produce at the point of production and can provide jobs and a valuable service in rural areas. They can also provide an alternative use for an under used building and assist in the general diversification of the rural economy. In order to conserve the character of the countryside, and to avoid the possible spread of general retail outlets outside the main centres, controls will be imposed to restrict the size and nature of the operation. Therefore, the range of goods will generally be restricted to those produced on the farm. It is recognised, however, that to provide a service throughout the year, may require bringing in non-local produce to overcome problems of seasonality and provide continuity of employment and to ensure that a sufficiently wide selection of produce is available.

**SH11 Farm Shops**

Planning permission will be granted for the development of farm shops which are linked to farm diversification provided that:

(a) the proposal is well related to existing farm buildings and wherever possible should incorporate their use;

(b) any new buildings are of a scale, design and materials in keeping with the character of the area;

(c) it is well related to the primary transport network and will not generate additional traffic movements of a scale and type likely to cause undue problems and disturbance;

(d) the site can accommodate the necessary car parking, service areas and appropriate landscaped areas without adverse impact on the rural landscape; and

(e) the sale of non-local produce is limited to that needed to overcome the problems of seasonality, and to provide continuity of employment.
Garden Centres

6.34 Whilst horticulturists who wish to sell their own produce from their premises may normally do so without planning permission, garden centres generally involve the retailing of goods and produce, a substantial proportion of which may not be produced on the premises. It is recognised that, owing to the large area of land required and the fact that they often develop from nurseries, garden centres are more likely to be developed in the countryside surrounding settlements. However, for sustainability reasons, they should not be developed in remote rural locations. They may, however, be acceptable in general proximity to some settlements provided they would have good access to a suitable road network and would not have a detrimental effect on the character and amenity of the surrounding area by virtue of display areas, car parks and signage. Under the provisions of Policy GS2, garden centres are unlikely to be permitted in the Green Belt, unless any buildings are small scale and ancillary to the use of the land for the display of plants.

SH12 Garden Centres

Proposals for garden centres will only be permitted where:

(a) the site is well related to main settlements and the main road network;

(b) the effect on the character and amenity of the surrounding area is minimised; and

(c) the range of goods sold is predominantly associated with gardening.
Transport

Introduction

7.1 Transport and communications are essential to the well being and prosperity of any area. The ease with which people can move between their homes and centres of employment, shops and leisure facilities is important to the health of the local economy, as is the ease with which goods are transported. Access to the main national communications network is equally as important. To ease the burden of communications, it is the intention of this Plan to resist the dispersal of development in favour of more sustainable development that is less reliant on lengthy and costly travel. The location and distribution of various land uses directly affects the nature and intensity of transport flows. Hence, reducing the need to travel, especially by car, and to encourage the use of public transport, cycling and walking, has been a primary consideration when identifying land for development.

7.2 In developing transportation policies for inclusion in the Local Plan, regard has been given to Government Planning Policy Guidance Note 13 (PPG13), to the Regional Spatial Strategy for the East Midlands (RSS8), the Derbyshire Local Transport Plan and the Derby and Derbyshire Joint Structure Plan.

7.3 The District Council is not the transportation authority, and therefore has very limited control over highway or transport proposals. It is the County Council that is responsible for these matters. The County Council is also responsible for the encouragement of public transport. The District Council, as local planning authority, has a contribution to make towards the transport objectives of the region which can be influenced by policies and proposals in the Local Plan, and also by introducing proposals that can be included in the Local Transport Plan.

National Guidance

7.4 Planning Policy Guidance Note 13: Transport (PPG13) (March 2001) sets out the Government’s latest policy guidance on transportation issues. The main objectives of this guidance are to provide improved access to jobs and services and efficient transport for economic prosperity whilst avoiding environmental damage. The guidance also sets out how the location, scale and density of development can help to reduce the need to travel, especially by car, and promotes the use of more sustainable transport choices for both personal and commercial use.

7.5 It gives a strong commitment to introducing measures that will reduce the impact of transport on the environment and influence the rate of traffic growth. In this respect the increased movement of freight by rail is encouraged. PPG13 emphasises the need to integrate transport and land use policies because the location and nature of development affect the amount and method of travel, and the pattern of development is itself influenced by the transport infrastructure and transport policies. PPG13 advises local authorities to co-ordinate their policies for transport and other forms of development and aim to reduce the need to travel, especially by car. It is on this basis that the aim of this Local Plan’s transport policies is formulated.

Regional Spatial Strategy

7.6 The Regional Spatial Strategy for the East Midlands (March 2005) (RSS8) includes policies which promote a greater, more sustained reduction in car usage, including the development of travel plans, parking levies, road user charging and teleworking schemes. The promotion of public transport including alternative, more environmentally sound forms of transport and the transfer of freight delivery from road to rail are also key aspects of the Strategy.

Derby and Derbyshire Joint Structure Plan (January 2001)

7.7 The Joint Structure Plan contains detailed guidance on transportation issues. It reinforces national and regional guidance relating to the location of land uses in relation to the transport network to minimise the need to travel, and to encourage the use of public transport, cycling and walking as alternatives to the use of the car, and to encourage increased movement of freight by rail to help relieve congestion on the roads. Specific proposals for the provision of new transport infrastructure are also set out in the Joint Structure Plan, including road schemes and public transport.
7.8 The County Council has primary responsibility for transportation matters, and produces the Derbyshire Local Transport Plan in conjunction with all relevant district authorities. This document sets out key transport issues and outlines a number of transportation proposals for a five-year period.

South Pennines Integrated Transport Strategy

7.9 The Council is a partner in the South Pennines Integrated Transport Strategy (SPITS) which is led by the Peak District National Park. This strategy proposes measures to both reduce and manage traffic passing through the National Park, and includes proposals for the improvement of transport routes on the edge of the Park.

Highway Proposals

7.10 The main proposals for improvements to the road network within the district are set out below, by settlement.

Clay Cross

7.11 Clay Cross has for some time experienced traffic congestion on the A61. The road through the town is flanked on both sides by a number of accesses, side roads and shops for a considerable length. Current traffic flows cause road safety and environmental problems. Trends in vehicle ownership will only exacerbate the problem, which is likely to lead to severe delays and congestion on the road as it passes through Clay Cross Town Centre.

7.12 The principle of an A61 by-pass for Clay Cross has long been supported as part of providing a high standard strategic route between Chesterfield and Derby, as well as improving environmental conditions through Clay Cross. However, there are no proposals for major improvements on this section of the A61 in the foreseeable future. Consequently, there are no proposals for a by-pass and no specific route for a future by-pass is protected.

7.13 Another route in need of improvement is the A6175 which links the A61 through Clay Cross Town Centre with the M1. A scheme diverting part of this route within the Market Street area, relieving the town centre of traffic and allowing for pedestrianisation of the town centre, has previously been considered and the route protected in previous Local Plans. The scheme is highlighted in the Local Transport Plan and Structure Plan. Although the Local Transport Plan will contribute some funding, it is envisaged as being mainly developer funded through the Clay Cross Town Centre Redevelopment Scheme. Planning permission has been granted for this scheme which includes provision for the Diversion. It will provide for a more extensive east-west by-pass linking the A61 via Bridge Street and Furnace Hill Road with the A6175 at Egstow, east of the town centre. The road will also improve access to the proposed mixed use development at the former Biwaters site.

T1 Clay Cross Diversion

As part of the proposals for the Clay Cross town centre redevelopment scheme, the Council will negotiate for the construction of the A6175 Clay Cross Diversion. The route is protected, as shown on the Proposals Map.

7.14 A study carried out by the Civic Trust on the regeneration of Clay Cross concluded that highway improvements and upgrading of the town centre were at the heart of the town’s needs, if regeneration is to be achieved. Central to these recommendations was the provision of an improved environment for pedestrians, which could include pedestrianisation of the western sections of Market Street and the adjoining areas of Bridge Street and Eyre Street. Such considerations will be important factors in the continuing future redevelopment of Clay Cross town centre, to which the Council is committed.

7.15 The Council will continue to seek every opportunity to alleviate the impact of traffic passing through Clay Cross. The Town Centre Redevelopment Scheme (Policy SH1), and the development at Coney Green will, together, provide a new highway link between the A61, north of the town centre, and Pilsley Road. To the south of Clay Cross, the former Rainge opencast site has a long length of haul road in place from Morton Road. Connection of this haul road northward to Pilsley Road and southwards to the A61 south of Stretton would complete an eastern by-pass to the town. The Council will keep under review the potential of creating this route.
Dronfield

7.16 In 2001 consultants ‘Vantagepoint’ were appointed by the Council to undertake an area regeneration study of the Callywhite Lane Industrial Estate at Dronfield. The study identified that the single access to the Estate and the junction of Callywhite Lane, Green Lane and Chesterfield Road is substandard and is a significant constraint to the future development of the Estate. The report identified that a second access to the Estate off Chesterfield Road is required to facilitate regeneration. A second access is also required to serve additional employment land allocated under Policy E2. The Council will investigate all possible means of achieving a second access to Callywhite Lane.

Wingerworth

7.17 Reclamation and redevelopment of the former Avenue Coking Works, Wingerworth for mixed uses (Policy E4) may provide an opportunity to create a new highway link eastwards from the A61 via the B6038 and the new road to the A617 at Temple Normanton. Such a link would take industrial and other traffic direct to the M1 without the need to pass through Chesterfield. This scheme is not included in the Local Transport Plan.

Eckington

7.18 The proposed route for the Eckington by-pass is long standing, and has been on the agenda since the 1960s. However, due to a lack of financial resources, the scheme has not progressed further. It is not included in the Derbyshire Local Transport Plan, the Derby and Derbyshire Joint Structure or any other public document and has, in effect, been abandoned. As a result, it is no longer proposed to protect a route for the scheme in this Plan.

Other Highway Schemes

Markham Vale

7.19 The Local Transport Plan includes funding for the construction of the new Junction 29a to serve the proposed large scale development at Markham Vale, part of which falls within North East Derbyshire District. Improvements to the local highway network will also be required. It is envisaged that this scheme will bring significant economic benefits to North East Derbyshire. This development will create an improved link between Staveley on the A619 and the M1. The Chesterfield-Staveley Regeneration Route, as identified in the Local Transport Plan, would tie into this link.

Although just outside North East Derbyshire District, construction of these roads could reduce traffic flows through the district, thus improving the economic position of the area generally, and the position of Chesterfield as a sub-regional centre in particular.

The M1 Motorway

7.20 The stretch of motorway between junctions 28 and 32, which in part passes through the district, has been the subject of a larger M1 Multi-Modal Study undertaken on behalf of the Department for Transport. The Multi-Modal Study is now complete, and its final report recommends widening of the M1 to four lanes in each direction within North East Derbyshire, with additional climbing lanes where appropriate. The Secretary of State is to consider these recommendations in the context of comments received from the Regional Planning Body. The potential impact of these proposals on the surrounding environment is significant, particularly in respect of the section of the motorway which passes close to Hardwick Hall. The Council will seek to negotiate with developers to ensure that the impact on the environment is minimised.

The Impact of New Development on the Highway Network

7.21 The Council will seek to ensure that proposals for development are assessed in the light of environmental impact and road safety implications of traffic generation, and will seek specialist advice from Derbyshire County Council, as Highway Authority, in this respect. Housing, retail, employment, leisure and recreation developments should be located in areas that are served by, or with the potential to be served by, frequent and reliable public transport services.

7.22 Where it is clear that the proposed development would be likely to worsen traffic problems on the highway network, planning permission will normally be refused unless the applicant or developer would be willing to provide the finances for the works necessary to alleviate the problem through a Section 106 Obligation.
T2 Highway Access and the Impact of New Development

Planning permission will only be granted for development which includes access by vehicles provided that:

(a) the development would be served by a safe access with appropriate gradient, width, alignment and visibility;

(b) the site is accessible to a road network of adequate standard to accommodate the anticipated traffic generated by the development safely and without detriment to the character of the road network;

(c) there is satisfactory provision within the site for access, manoeuvring and circulation;

(d) there is no significant adverse impact on the environment or amenity of local communities; and

(e) the needs of pedestrians, people with disabilities, cyclists and public transport users are also taken into account.

7.23 Where a proposed development would generate significant travel movements or traffic impact, the Council will require developers to submit a transport assessment showing the impact of their proposals on the existing highway network and setting out measures to offset any adverse impact including, where appropriate, through the implementation of a travel plan.

Traffic Management

7.24 Traffic management measures can be used to make best use of existing highways, alleviate environmental and safety problems, improve traffic flows, reduce congestion, improve road safety for all road users, improve the environment of the town and village centres and residential areas caused by through traffic, parking/servicing difficulties, and conflicts between users. The measures can include route sign posting, differential surfacing, pedestrian crossing facilities, traffic regulation orders, or special parking schemes. Any schemes should have regard to the needs of pedestrians, cyclists and public transport users, as well as car users.

T3 Traffic Management

The Council will seek to secure, where appropriate, the provision of, or financial contributions towards the implementation of traffic management measures which arise from the impact of new development. These will seek to reduce congestion and pollution, increase road safety for all road users, giving greater priority to buses, pedestrians and cyclists and minimise the impact of traffic on the environment.

Travel Plans

7.25 Travel Plans include measures to promote cleaner travel choices and reduce reliance on the car. They involve the development of mechanisms, initiatives and targets that will enable an organisation to reduce the impact of travel and transport on the environment and, at the same time, bring other benefits to the organisation.

T4 Travel Plans

The Council will require applications for development to be supported by a travel plan in the following circumstances:

(a) for all *major developments comprising jobs, retail, leisure and services;

(b) for smaller developments comprising jobs, retail, leisure and services which would generate significant amounts of travel in locations where there are local initiatives or targets set out in the Local Transport Plan or Development Plan for the reduction of traffic or the promotion of public transport, walking and cycling;

(c) for new and expanded school facilities which should be accompanied by a school travel plan which promotes safe cycle and walking routes, restricts parking and car access at and around schools, and includes, on site changing facilities and cycle storage facilities; and

(d) where a travel plan would help to address a particular traffic problem which would otherwise lead to a refusal of planning permission on local traffic grounds.

* Major Developments mean retail and leisure developments over 1000sq.m. gross floorspace and employment developments greater than 2500sq.m. gross floorspace.
Walking and Cycling

7.26 One way of achieving sustainable development is to encourage people to use alternative forms of transport to the car. Walking and cycling are cheap, healthy forms of transport, which also make a positive contribution to improving local and global environmental quality. In order to encourage a greater number of journeys to be undertaken by foot or cycle, it will be important that the Council continues to promote the development of a network of footpath and cycle routes throughout the district. Measures to make walking and cycling safer and more attractive forms of transport will also be encouraged, including cycle and pedestrian priority measures, secure cycle parking facilities and the provision of changing facilities at places of employment and in town centres. Such improvements will be negotiated through Section 106 Obligations in conjunction with proposals for new development.

7.27 The Council is a partner in the East Derbyshire Greenways Strategy that promotes the development of strategic multi-user routes. Linking rural areas to the major centres of population, these routes have the greatest potential for encouraging more journeys to be undertaken by foot, cycle or horse, and for reducing the number of journeys taken by car. In the north of the district, an offshoot of the recently completed Trans Pennine Trail runs through Killamarsh and Renishaw to Chesterfield, the terminus of the southern spur of the route. In the south of the district, the Five Pits Trail is another multi-purpose route. This runs through the parishes of Pilsley, Holmewood, North Wingfield and Grassmoor. It is proposed that these will connect with other existing and planned routes within, and beyond, the Plan boundary in order to provide a coordinated cross boundary approach.

7.28 The National Cycle Network is being developed by Sustrans, a registered charity that designs and builds traffic-free routes for cyclists, walkers and disabled people. An offshoot of the network will link through the Plan area utilising the Chesterfield Canal and the Trans Pennine Trail, and linking with the Five Pits Trail to the south. The Council fully supports the project that may act as an arterial route for a more local network.

7.29 The County Cycle Network is currently mainly based on the Greenways network. Over the next ten years, however, the aim is to expand this into a continuous County Cycle Network. For North East Derbyshire District, this will involve the development of a route from Chesterfield, north to Dronfield, and on to Sheffield.

7.30 In 1998, the Council adopted a Local Cycling Strategy. This complements the County Council’s Cycling Strategy in seeking to promote cycling as an alternative to the car and as a recreational activity, and seeks to promote the provision of a network of cycle routes across the district. The Council will continue to safeguard the route for the Dronfield Cycle Network.

T5 Walking & Cycling

The Council will seek to develop and improve routes and facilities for walkers, cyclists and horse riders, including those routes defined on the Proposals Map.

In conjunction with proposals for development, the Council will seek to secure, where appropriate, the provision of measures to improve footpaths, bridleways and cycleways. Designated routes, as defined on the Proposals Map, will be protected from development.

Public Transport

7.31 Even with increasing car ownership, public transport remains essential to substantial numbers of households without cars or to those members of households where the family car is not available to them. The need is as great in rural areas as it is in towns.

7.32 The Council considers it important to develop a comprehensive network of passenger transport services to meet the needs of the whole community but in particular those of women, children and people with disabilities in order to help prevent social isolation. Rural settlements often have infrequent bus services, which can exacerbate problems of rural isolation for those without access to a private car. The maintenance and, where possible, the enhancement of these bus services, serving local communities is considered essential to the regeneration and future well being of the area.

7.33 The Council does not normally subsidise bus services, but does financially assist certain groups of bus passengers through the issue of bus passes. Wherever possible and appropriate, the Council will seek improvements to public transport services and facilities in conjunction with development proposals.

7.34 The Council supports the increased use of rail as a mode of transport to reduce reliance on the private car. Currently, the only passenger
railway station in the Plan area is at Dronfield. This station reopened with District and County financial assistance. Financial support of peak hour services between Chesterfield and Sheffield continues. The Council considers that significant potential exists to increase the number of services operating from Dronfield. The Council will support proposals that seek to achieve this aim.

7.35 The Council also welcomes initiatives to develop and extend rail services within the district as a whole. The County Council has undertaken a feasibility study to investigate the possibility of providing a railway station in the Clay Cross area. Where appropriate, the District Council will seek improvements to public transport provision through Section 106 Obligations in conjunction with proposals for new development.

T6 Public Transport

Public transport facilities will be improved wherever opportunities arise. This will be primarily through the development control process, but may also include environmental improvement schemes and traffic management. New developments should be designed in such a way as to ensure that, wherever possible, public transport facilities are within convenient distance of the whole site. In conjunction with proposals for development, the Council will seek to negotiate S106 Obligations to secure, where appropriate, the provision of, or financial contributions towards, measures to improve public transport services.

Rail Freight

7.36 PPG13 sets out that local authorities should seek to identify and protect sites and routes that could help in facilitating a transfer of freight movement from road to rail. Proposals for new development adjacent to railways can increase opportunities for moving freight by rail. In conjunction with such proposals, the Council will seek to negotiate the provision of suitable facilities to enable the transportation of freight by rail.

T7 Rail Freight

In conjunction with proposals for development adjacent to railway lines, the Council will seek to negotiate the provision of suitable infrastructure to facilitate the transportation of freight by rail.

Disused Transport Routes

7.37 PPG13 encourages local authorities to protect redundant transport routes for either the re-establishment of their former use for passenger or freight movement, or for the provision of new footpath or cycle routes.

7.38 The legacy of coal mining has left a number of disused rail routes throughout the district. These could be put to beneficial use once again in order to increase freight movement by rail, and reduce the number of journeys made by road. The Council will liaise with Network Rail and the Strategic Rail Authority in respect of the protection and re-use of rail routes for the purpose of encouraging the increased movement of freight by rail.

7.39 A number of former transport routes are already in use as recreational trails within the district, including the Five Pits Trail and the former Beighton-Staveley Railway which forms the southern spur of the Trans Pennine Trail. The route of the Chesterfield Canal is currently being restored, and sections are being utilised by the Trans Pennine Trail and the National Cycle Network. The Council will continue to support the re-use of further routes when the opportunities arise. Proposals for the re-opening of former transport routes should recognise that such routes are now often important for their nature conservation value.

T8 Disused Transport Routes

The Council will protect disused transport routes from development which would prejudice either the re-establishment of their original use for passenger or freight movements or, where appropriate, their re-use for recreational purposes.

Car Parking

7.40 PPG13 sets out national maximum parking standards for various forms of land use and development. It advises that car parking provision for developments which are either readily accessible to public car parking or which are well served by public transport should be significantly below the maximum standards. The Council has revised its car parking standards, in accordance with the guidelines set out in PPG13 and RSS8. (See Appendix 4).
7.41 PPG13 also encourages local authorities to consider the need for more rigorous standards, where this could help to reduce dependency on the car.

7.42 As part of the objective of promoting sustainable forms of development, the Local Plan, as guided by PPG13, seeks to reduce the adverse impact of transport on the environment. Despite increasing car ownership, the reliance on the car for work and other journeys needs to be discouraged where there are effective alternatives. Parking provision for new development and other on or off-street parking proposals sought by the Council will reflect the need to balance the legitimate operational requirements of any development with wider environmental considerations.

7.43 In a predominantly rural area however, private car usage will remain an important means of travel for a significant part of the resident population. The provision of adequate car parking will continue to have a direct effect on the attractiveness of facilities and town centres to users. It can, in extreme cases, influence the viability of commercial undertakings. Similarly inadequate parking provision within residential areas causes congestion and other environmental disbenefits.

7.44 Many residential areas were not designed for current levels of car ownership and usage. Every opportunity will be sought to alleviate the problem through increasing off-street parking by taking full advantage of redevelopment proposals. Schemes for the careful management of on-street parking will also be considered along with other traffic management measures.

7.45 The growth in car ownership has led to an increasing awareness of the need to mitigate the worst effects of increased traffic movements. The existing availability of car parking has a major influence on the choice of means of transport. To assist the provision of good quality alternative forms of transport the Council will seek to use financial contributions to fund improvements in public transport and the provision of facilities for cycling and walking. In order to help sustain the vitality and viability of the district’s major shopping and commercial centres the Council continues to provide free car parking in Clay Cross, Dronfield, Eckington and Killamarsh.

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T9 Car Parking Provision

In considering proposals for development, the Council will have regard to the maximum parking standards set out in Appendix 4. In cases where development is proposed in locations which are either readily accessible to public car parking or which are well served by public transport, the Council will seek to ensure that levels of additional car parking provision are significantly below the maximum standards.

7.46 In Dronfield, the extension of the existing car park to the east of the railway station onto the remainder of the former goods yard will encourage greater use of the station through park and ride initiatives, and will also provide much needed additional off-road parking spaces to serve the adjoining Chesterfield Road and Sheffield Road commercial area, thus improving the vitality and viability of this area. Network Rail has indicated that the current parking area is adequate for the current amount of passenger travel. Therefore, current temporary uses operating from the site will be allowed to continue until such time as the site is required for car parking.

T10 Car Park, Dronfield Station

Planning permission will be granted for the development of the remainder of the former goods yard to the east of Dronfield station for the provision of public car parking, when the need arises. In the meantime, temporary uses may be appropriate.
Introduction

8.1 Recreation and leisure activities have been gaining in popularity in recent years because of increased leisure time, higher disposable income and greater accessibility to facilities. This trend is expected to continue and should be met with an appropriate level of supply. The North East Derbyshire Local Plan has an important role to play in ensuring that there is sufficient recreation space to meet the District’s demand. This includes the provision, safeguarding and enhancement of formal sports facilities, children’s play space, large informal open spaces, leisure activities such as golf courses and equestrian facilities, and routes, trails and pathways that provide access to the countryside.

National Guidance

8.2 Planning Policy Guidance Note 17: Sport, Open Space and Recreation (July 2002) has a wider scope than its predecessor. The guidance has a determined approach and states it is essential that local authorities ensure that community needs for open space, playing fields and sport and recreation facilities are met. It states that open space standards are best set locally and should be included in development plans, national standards cannot cater for local circumstances. Local authorities are advised to maintain an adequate supply of open space and sports and recreation facilities, by ensuring that existing land and/or buildings are not built on unless they can be shown to be surplus to requirements. New facilities should have regard to sustainable development principles and take into account particular locational requirements in respect of specific types of facilities or areas.

Regional Spatial Strategy

8.3 The Regional Spatial Strategy for the East Midlands (RSS8) (March 2005) includes a policy on regional priorities for sports and recreation facilities. The policy states local authorities should work with County based sport partnerships and Sport England to ensure there is adequate provision of sports and recreation facilities.

8.4 The adopted Joint Structure Plan contains several leisure policies. It states that provision should be made for leisure facilities that are capable of being served by a range of transport modes, located close to centres of population and accessible to all members of the population. The impact of new leisure and tourism related facilities must be acceptable in terms of their impact on other land uses, the local community and the volume of traffic generated would be in keeping with the capacity of the local network.

Sports Initiatives Operating within North East Derbyshire District

8.5 The former coalfield wards of North East Derbyshire have been designated as a Sports Action Zone (SAZ), an initiative that aims to use sport to combat social exclusion, promote community development and sustain cultural diversity, by increasing the level and quantity of sports facilities and encouraging participation in sport.

8.6 Sport England’s Facilities Planning Model assesses the relationship between the supply and demand for sports facilities in an area. The model was used to assess sports hall, artificial turf pitches and swimming pool provision in the District and found that there was an unmet demand for two artificial turf pitches, which has been resolved through the redevelopment of Tupton Hall Secondary School and Sharley Park Multi-Use Games Area.

8.7 Derbyshire Sport is a partnership that includes all the Local Authorities in Derbyshire, including this Council, with the aim to further the provision for, and participation in, sport and recreation in Derbyshire and the Peak District National Park. Derbyshire Sport aims to identify a minimum standard of recreation provision for Derbyshire to replace the National Playing Fields Associations ‘Six Acre’ Standard.
Open Space Standards

8.8 It is necessary to have a standard to determine the current level of open space and recreation provision in the District against that required. A widely acknowledged measure of open space provision for local community recreational use has been the National Playing Fields Association (NPFA) standard of six acres (2.4 hectares) per 1000 population. The figure comprises:

a) Children’s Use, 0.8 hectares (2 acres); which includes outdoor equipment playgrounds for children and casual or informal play space within housing areas; and

b) Sports Use, 1.6 hectares (4 acres); comprising pitches, bowling greens, tennis courts and other facilities such as athletic tracks, which are all available for public use.

8.9 These figures are recognised as a national standard and therefore do not necessarily reflect local need provision. Local circumstances such as demographic characteristics and levels of mobility can influence the amount of demand for open space. Based on work carried out by Derbyshire Sport (including playing pitch assessment and facilities strategy) the Council will prepare a local recreation standard, which will be available through the preparation of the Local Development Framework. In addition to this, the Council will prepare a Supplementary Planning Document to include more detailed information about the recreation standard and its implementation.

8.10 It is also important to make the best possible use of existing facilities. The District Council actively encourages and supports the dual use of school facilities as a means to provide additional recreational open space and redress distribution inadequacies.

Existing Recreation Facilities and Open Space

8.11 The protection of open space within the built up framework of the settlements is an important objective of the Local Plan, especially in Conservation Areas and adjacent to listed and historic buildings. If unchecked, the gradual loss of open space and recreation facilities could cumulatively lead to a change in the character of settlements as well as reducing recreational and amenity opportunities of the local population. The Local Plan will seek to guard against such loss throughout the whole District.

8.12 There are several different types of recreation facilities and open spaces that perform different roles. The main distinction can be made between formal and informal recreation. The Council will seek to protect all forms of recreation and open space from inappropriate development. All formal recreation sites, allotments and Urban Green Space (larger informal open areas that contribute to the form and character of the settlement) located within Settlement Development Limits and all formal recreation sites and allotments outside Settlement Development Limits have been identified on the Proposals Map.

Informal Recreation

8.13 Informal recreation and open space can perform a variety of functions which include, defining and separating urban areas; improving quality of life for communities; promoting health and wellbeing; providing habitats for flora and fauna; providing a community resource and promoting visual amenity. This category includes all types of general open space and includes incidental open spaces associated with housing estates, highway verges and small pockets of open space.

8.14 The Proposals Map does not identify all informal recreation sites within the District. However, such sites are included within the Council’s Recreation Survey and will be incorporated within the North East Derbyshire Recreation Standard. Therefore, the Council will seek to protect all forms of identified informal recreation provision from inappropriate development.

Formal Recreation

8.15 Formal recreation can provide people with opportunities to engage in active sports, often in a social setting. The category includes
pitches, courts, greens, athletic tracks and training areas; indoor sports facilities such as leisure centres and swimming pools; school playing fields where they include facilities; equipped children’s play space and parks with formal recreation facilities. The full curtilage of these sites has been identified on the Proposals Map which includes areas of open space around the edges of pitches and children’s play space.

8.16 The main indoor facilities within the District are the sports centres at Clay Cross, Dronfield and Killamarsh, together with the swimming pool and gym at Eckington.

8.17 The purpose of this designation is to safeguard against the loss of existing recreational facilities located within Settlement Development Limits, especially if there is an identified under supply in the parish.

R2 Formal Recreation Facilities
Planning permission will not be granted for development that would result in the loss of formal recreation space, as identified on the Proposals Map, unless:

(a) an assessment has been undertaken that clearly shows the land or buildings to be surplus to requirements; or

(b) alternative provision is made that is at least as accessible to current and potential users and at least equivalent in terms of size, usefulness, attractiveness and quality. Such an alternative should be available prior to the loss of the existing facility; or

(c) the proposed development is ancillary to the recreational use of the site and does not adversely affect the quality of the sites in terms of its recreational use; or

(d) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to outweigh the loss of a recreational facility; or

(e) the proposed development only affects land that is incapable of performing a recreational function.

Urban Green Space
8.18 Urban Green Spaces are larger informal open spaces that contribute to the form and character of the settlement often providing a pleasant setting or view. Urban Green Space can be divided into 5 sub categories: Parks and Commons, Green Routeways, Woodland, Churchyards and Cemeteries and Amenity Areas.

8.19 The purpose of this designation is to recognise and maintain the contribution these sites make to the character of the settlement and protect such open spaces from inappropriate development. Urban Green Spaces located within Settlement Development Limits have been identified on the Proposals Map. Countryside policies apply to larger informal open spaces located outside Settlement Development Limits.

R3 Urban Green Space
Planning permission will not be granted for development that would be detrimental to the openness, character and/or appearance of Urban Green Space as identified on the Proposals Map, and its ability to contribute to the character of the settlement.

Allotments
8.20 Allotments, when in active use, form an important facility in the District and are essential to many that have little or no garden space relating to their homes. However, in some settlements the amount of allotment space has exceeded the demand of recent years. In such areas, it may be possible to combine the users of one or two underused sites, thereby allowing for the development of redundant sites. However, it is important to retain a flexible supply of allotment space in order to accommodate fluctuating demand.

R4 Allotments
Planning permission will not be granted for proposals that would result in the loss of an allotment site as identified on the Proposals Map unless:

(a) it can be demonstrated that the site is no longer in active use and is unlikely to be required in the future; or

(b) if in active use, a suitable replacement site of at least equal value can be provided nearby, in a location that is accessible by the users of the allotments.

Providing and Improving Facilities through New Development
8.21 One of the main sources of new recreation space including equipped children’s play facilities, and the improvement of existing facilities is through the development of new housing estates.
8.22 Priority will be given to the provision of children’s play space to meet the needs arising from new residential development, since the District already has a shortage of existing facilities. However, this does vary across the Plan area.

8.23 Children’s play space should be provided in conjunction with new development for family housing. Any 2 or more bedroomed dwelling, unless specifically designed for elderly persons including sheltered housing, is capable of being occupied by a family.

8.24 Based on the NPFA’s standard of 0.8 hectares per 1000 population for the provision of children’s play space, the Council will seek the on-site provision of 20 square metres of children’s play space per family dwelling. This will include the provision of equipment to suit the size and characteristics of the site, although the minimum size for a children’s play area will be 1000 square metres. For smaller developments of between 10 and 50 dwellings, or if the site is otherwise unable to accommodate the play space to the required standard within its boundary, the Council may seek provision of off site play space or a contribution to existing facilities in the vicinity of the site, based on the standard of 20 square metres per family dwelling.

8.25 Where the development of a site is split into phases or two developers are developing in adjacent locations, there is a requirement to combine play space into one central location. If adjacent development sites are individually for fewer than 50 family dwellings, but combined provide 50 dwellings or more, then the policy would prevail to require a play area to be provided jointly in a central location.

8.26 Larger and centralised children’s play areas, well placed in relation to the footpath network, are preferred. They allow a wider range of play activities while providing scope for more imaginative design and landscaping to minimise the impact on neighbouring properties. Play space needs to be safely accessible by being close to where children live and should not involve crossing a main road. The NPFA recommend that play areas should be located within 400m of the home, and the Council will seek to achieve this standard for on site provision. The equipment should be appropriately located and suitable landscaping used to reduce the impact on neighbouring properties. However, landscaping should not cause detriment to the safety and surveillance of the play area.

8.27 New facilities, typically children’s play areas are normally dedicated to the Council by means of a Section 106 Obligation. Consideration will be given to the use of planning conditions rather than a Section 106 Obligation where this is sufficient to guarantee proper provision.

**R5 Providing for Children’s Play Space through New Development**

As part of new housing developments of 10 or more family dwellings, or which are 0.3 hectares or greater in size, the Council will seek the provision of children’s play space facilities of 20 square metres per family dwelling. This provision should be made on site unless:

(a) the proposal is for fewer than 50 family dwellings and cannot achieve the minimum size of a play area of 1000 square metres; or

(b) the proposal cannot reasonably accommodate the facility within the site boundary.

In these cases the Council will seek a contribution to off site provision or enhancement of existing facilities and the following criteria must be met:

(c) the alternative site must be related in scale and kind to the proposed development; and

(d) a financial contribution and/or additional facilities/equipment of equal value to the provision of 20 square metres play space per family dwelling is made.

8.28 Provision of recreation facilities and open space through the use of planning conditions and Section 106 Obligations is not exclusive to residential development and could be used, where appropriate, in association with educational or employment proposals.

8.29 The most up to date North East Derbyshire Recreation Survey will be used to assess whether new or additional provision is needed if existing facilities will not be sufficient to serve new development.

**New Recreation Facilities**

8.30 The development of new facilities attracting a significant number of people should be accessible by a choice of transport modes and be accessible to all members of the community in order to promote social inclusion. Attention should be given to security and personal safety in order to maximise the use of facilities. The use of previously developed sites should be encouraged as a preference to the development of greenfield
sites. Urban fringe areas provide a valuable resource for the provision of sport and recreation in situations where there is an absence of land in urban areas to meet provision. Where planning permission is granted for recreation development on such land, proposals should be accessible by walking, cycling and public transport as alternatives to car use. New recreational facilities should be attractive, accessible, well maintained and safe.

8.31 Proposals for new and replacement changing facilities and sports pavilions must be of a scale and design in keeping with the character of the area, and situated appropriately to ensure that they are not detrimental to residential and visual amenity.

**R6 Proposals for New Outdoor Recreational Uses**

Proposals for new outdoor recreational use will be permitted provided that the development, scale and siting of associated facilities are in keeping with the character of the area and are not visually or environmentally intrusive.

8.32 Planning Policy Statement 6: Planning for Town Centres (PPS6) (March 2005) applies a sequential approach to the location of town centre uses, which includes leisure uses. This states that all options in the town centre should be thoroughly assessed before less central sites are considered for development for town centre uses. Therefore, proposals for new indoor recreation facilities should be located within the Settlement Development Limits in order to ensure that they are accessible to a wide range of users and by a choice of transport modes. Sites on the edge of settlements, but outside the Settlement Development Limit, will be considered if they can be accessed by a choice of transport modes and there are no suitable sites available within the Settlement Development Limit. The District Council will support the extension and improvement of existing facilities at Clay Cross, Dronfield, Eckington and Killamarsh.

**R7 Proposals for New Indoor Recreation Facilities**

When considering proposals for new indoor recreation facilities, sites on the edge of settlements and sites well related to the built framework will only be granted planning permission if no suitable site can be identified in the Settlement Development Limit and they are accessible by a choice of transport modes.

**Specialist and Noise Generating Recreational Activities**

8.33 A number of specialist activities including rifle shooting, clay pigeon shooting, motor bike riding, go-c carting, model air craft flying and war games are increasing in popularity. These activities give a great deal of enjoyment to many people, and are often carefully controlled by Codes of Conduct issued by governing bodies.

8.34 Suitable sites for these activities can be found on degraded land, former mineral sites, adjacent to existing noise generators, such as a main road, or in locations screened by banks and trees.

8.35 In considering proposals for specialist activities there is a need to have regard to the impact of the activity on the site, adjacent land and nearby residents. Particular regard will be paid to any audible and visual disturbance, traffic generated and the impact on sites important for nature conservation. The visual impact of any buildings and structures on the immediate surroundings will also be taken into account.

8.36 Conditions may be imposed or a Planning Obligation sought to ensure that the specialist and noise generating activities can co-exist with sites which are important for historic and nature conservation interests. Where appropriate, land management agreements will be drawn up in consultation with the relevant governing body.

**R8 Specialist and Noise Generating Recreational Activities**

Proposals for specialist and noise generating sports will be permitted, provided that there will be no significant audible, visual or physical detriment to the existing landscape, sites of nature conservation or historic interest and the amenities of occupiers or users of adjoining land, through the operation of the activity or through the attraction of large numbers of people.

**Equestrian Activities**

8.37 In North East Derbyshire equestrian activities are popular, especially in the rural west of the District and parts of the northern area. Proposals for stables for both private and commercial use have become an increasingly common form of development, assisted by the fragmentation of former farm holdings. High standards of design, construction and maintenance of buildings and care of land are necessary to ensure that equestrian activities do not have an adverse effect on the countryside and that horses are well housed and cared for.
8.38 A distinction should be made between commercial, and private or personal equestrian development since they serve different demands and have different impacts upon their environment. For example, commercial stables are generally larger, attract significant traffic and can generate demand for a dwelling.

8.39 Commercial equestrian proposals should be located on existing farms or other rural building complexes to aid rural diversification. The creation of large building complexes in sensitive rural areas will be resisted. The impact of the traffic generated on the rural road network and the potential highway safety conflict between horse riders and other users of the road network will be taken into account when deciding planning applications. A turning area should be provided as part of any proposed equestrian development in order to ensure that vehicles can exit from the site safely in forward gear.

8.40 The cumulative impact of introducing an increasing number of built structures into the open countryside will be taken into account when considering proposals for new private and commercial equestrian development.

R9 Equestrian Development

New equestrian development will be permitted provided that:

(a) it does not, either in its own right or cumulatively, detract from the open character or amenity of the countryside, harm sites of nature conservation or historic value or affect the amenity of an adjoining residential area; and

(b) it is well located in relation to the local bridleway network and the adequacy of the nearby bridleway routes are taken into account.

In addition to the above, new commercial equestrian development will be required to satisfy the following criteria:

(c) it is closely related to an existing farm holding or group of buildings; and

(d) the access to the site, and the local road network is capable of serving the proposed development without detriment to highway safety or amenity to both vehicular and equestrian traffic.

Golf

8.41 Golf is a specialist recreational activity already well catered for in the District. However, demand for additional golf facilities continues. The reclamation and restoration of former colliery and opencast sites or other derelict and despoiled land have provided opportunities for golf course provision in the recent past.

8.42 The artificial appearance of certain golf course features such as bunkers and flat greens can be an inhibiting factor to full assimilation into the landscape. Careful landscaping of golf courses, especially the use of native species can be of particular benefit by assisting in the creation of wildlife habitats and making a positive improvement to the landscape. Golf courses often incorporate water features that can provide both valuable habitats and a valuable supply for irrigation; thereby reducing the impact of such development on water resources.

8.43 Golf courses often have a need for associated facilities such as club houses and parking. The re-use of existing rural buildings can greatly assist in the assimilation of the new use with the countryside. Within the Green Belt, proposals for new golf courses will not be permitted where they involve substantial new buildings in excess of basic operational requirements.

8.44 Golf driving ranges can often be more obtrusive in the landscape than golf courses. They have a more urban appearance with driving booths, high safety fencing and often floodlighting. They are not well suited to the open countryside and will normally be expected to be located in association with exiting settlements or as part of an existing golf course.
R10 Golf Courses and Driving Ranges

Proposals for new golf courses and driving ranges will be permitted provided that they:

(a) respect the natural topography, vegetation and landscape character of the locality;
(b) utilise where possible existing groups of buildings;
(c) respect the existing rights of way network and do not create any physical danger to pedestrians or neighbouring property; and
(d) do not cause unacceptable disturbance or loss of amenity through noise, traffic or external lighting to neighbouring residents and uses.

In addition to the above, golf driving ranges should be well related to the built framework of settlements with Settlement Development Limits or in association with an established golf course.

Access to the Countryside, Leisure Routes and Rights of Way

8.45 The Countryside Rights of Way Act 2000, gives people a right of access to walk over large areas of open countryside and common land. The District has an extensive network of statutory Rights of Way, including footpaths, bridleways and byways. They provide considerable opportunities for people to enjoy the countryside. Where they exist within settlements they can provide good links between areas of housing, places of employment, shops and community facilities. It is important to ensure that development does not have an adverse impact upon the integrity of these routes.

8.46 In the north of the District the main recreational routes are the Trans-Pennine trail and the Cuckoo Way, which is the restored towpath of the Chesterfield Canal. In the south of the District, the main recreational route is the Five Pits Trail which runs through the parishes of Grassmoor, North Wingfield, Holmewood and Pilsley.

8.47 It is important that maximum benefit is gained by these longer distance routes through their full integration with the comprehensive network of more local public footpaths, ensuring that they are accessible to all members of the community and link settlements to the countryside and existing facilities.

8.48 The Council will support the use and improvement of all public rights of way and encourage additional provision and links as opportunities arise and safeguard them against development likely to prejudice their integrity.

8.49 If an alternative route for a footpath is sought an application for a footpath diversion must be made. Approval of a planning application affecting the route of a footpath cannot be implemented without first obtaining and implementing a diversion order.

R11 Development Affecting Public Rights of Way

Trails and Long Distance Routes will be supported and their routes safeguarded from development likely to affect their integrity.

Planning permission will not be granted for development that would lead to the loss of or prejudice the use of a statutory right of way, unless an acceptable alternative route can be provided. The alternative should be no less convenient or attractive to its users and be provided prior to the closure of the existing right of way.

The Chesterfield Canal

8.50 The Chesterfield Canal is a route of ‘national strategic significance’ (IWAAC Review of Waterway Restoration and Development Priorities Report 2001) passing through Nottinghamshire, Derbyshire and South Yorkshire. The regeneration of abandoned waterways is recognised as a means of delivering widespread benefits to local economies which include the re-use of previously developed land, the creation of wildlife habitats, the restoration of historic environments, the provision of tourist and leisure facilities and the creation of job and business opportunities.

8.51 The Chesterfield Canal Partnership, formed in 1995, is a working group whose membership includes British Waterways, The Canal Trust and the Local Authorities through which the canal passes. The Partnership ensures a co-ordinated approach to the restoration, protection and management of the canal route.

8.52 The restoration of the canal sections in Nottinghamshire and Rotherham are now largely complete. Over the Plan period the focus will be on the Derbyshire section of the Canal, which runs through the north eastern part of this District, past the western side of Renishaw and through Killamarsh. The Chesterfield Canal Partnership aims to restore to navigation the canal route between Mill...
Green, Staveley (in Chesterfield Borough) and Killamarsh which will link with the restored canal in Rotherham and Nottinghamshire. This is an ambitious undertaking because this section of the canal is mostly disused and derelict and parts of the original route through Killamarsh have been built on. In the past the Council has sought financial contributions from developments adjoining the canal to be used in the restoration work. This allows a development to be associated with the Chesterfield Canal restoration. Wherever appropriate, the Council will also seek financial contributions from future development.

8.53 The Chesterfield Canal Partnership is continuing to investigate the best option for taking the route through Killamarsh. The Killamarsh Route Sub-Group (a sub-group of the Chesterfield Canal Partnership) was established in April 2002 with the task of commissioning and overseeing a study to analyse the social, environmental and economic costs and benefits of five previously identified possible routes to Killamarsh, its residents, and the whole canal. During summer 2004, private consultants were appointed to undertake this study, and through this work they identified a sixth possible route. Extensive public consultation was undertaken and a preferred route was identified. More work needs to be done (including engineering studies) to determine the precise line of the alternative route. In order to protect this route from development that would prejudice its implementation, it is appropriate to identify the route on the Proposals Map.

8.54 The restoration of the canal should be taken into account when deciding planning applications that could affect both the preferred route through Killamarsh and the original line of the canal. The original route of the Chesterfield Canal through Killamarsh is important even if this part of the route is not made navigable as it provides a distinctive heritage, open space and leisure facility. For this reason, the original route apart from the section that has been lost to residential development, has been identified on the Proposals Map.

8.55 Proposals to restore the canal will be considered favourably provided that they are in accordance with the objectives of the Chesterfield Canal Partnership and protect or enhance the environmental and wildlife value of the canal and its setting. In particular, proposals to restore the canal in Killamarsh should be in accordance with the findings of the studies of alternative routes.

R12 The Chesterfield Canal

The original route of the Chesterfield Canal will be safeguarded from development likely to prejudice its future restoration and its existing function of providing a quality Urban Green Space and leisure route.

The preferred alternative route through Killamarsh (as identified on the Proposals Map) will be safeguarded from development that is likely to prejudice its implementation.

Proposals for development associated with the recreational, leisure, nature conservation and historical potential of the Chesterfield Canal will be permitted along its route.

Country Parks

8.56 Country Parks can contribute towards recreation and leisure provision for local communities and can contribute towards biodiversity and nature conservation objectives.

8.57 Past colliery reclamation schemes at Williamthorpe and Grassmoor have created two Country Park facilities and there are proposals to create a third at Westthorpe. There are two further major recreation facilities in the form of reservoirs controlled by Severn Trent Water Limited at Ogston and Linacre. A wide range of formal and informal leisure activities can be carried out at these locations.

8.58 The Council will support the provision of further informal and formal recreation facilities including Country Parks, particularly where these arise from future reclamation schemes. Such facilities should be founded upon sound principles of countryside management and respect and complement the surrounding landscape.

R13 Country Parks

Planning permission will be granted for the change of use of land for Country Park proposals, provided that:

(a) appropriate landscaping measures preferably including native species are undertaken; and

(b) the local highway network can support the demands of the traffic generated as a result of the development.
Introduction

9.1 The provision of education, community and health facilities conveniently located throughout the District is essential to serve the needs of the population. Facilities are provided by a variety of organisations from the public, private and voluntary sectors. The North East Derbyshire Local Plan has a facilitating role to play in the provision of community facilities by:

a) safeguarding sites identified by the County Council to meet their statutory requirements;

b) negotiating with developers for the provision of, or contribution towards, community facilities needed as a result of large developments; and

c) seeking to prevent the loss of existing community facilities which serve an important local need.

9.2 The Plan also has a co-ordinating role of ensuring that the infrastructure requirements of proposed future development in the District can be met by the utilities companies, and considers the future demand for development by sectors such as the telecommunications industry, renewable energy and Her Majesty’s Prison Service.

National Guidance

9.3 Planning Policy Statement 7: ‘Sustainable Development in Rural Areas’ (July 2004) (PPS7) is firmly based upon the principles of sustainable development and clearly distinguishes between the policy approach to be applied to rural settlements and to the largely undeveloped countryside that separates towns and villages. The guiding principle in the countryside is that development should both benefit economic activity and maintain and enhance the environment.

9.4 Planning Policy Guidance Note 8: Telecommunications (PPG8) (August 2001) gives guidance on planning for telecommunications development, including radio masts, towers, antennas, radio equipment, public call boxes, cabinets, poles and overhead wires. The aim of the guidance is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact of their development to a minimum.

9.5 Planning Policy Statement 22: Renewable Energy (PPS22) (August 2004) emphasises the Government’s commitment to cutting Carbon Dioxide emissions by 60% by 2050 and to maintaining reliable and competitive energy supplies. It states that the development of renewable energy schemes, alongside improvements in energy efficiency and the development of combined heat and power schemes will make a vital contribution to this aim. In this respect, it stresses the Government’s target to generate 10% of UK electricity from renewable energy sources by 2010. The need for renewable energy schemes should be balanced against the possible adverse effects on the landscape.

9.6 Planning Policy Statement 23: Planning and Pollution Control (PPS23) (October 2004) states the importance that the Government attaches to the need to control and minimise pollution. It advocates the precautionary principle to ensure protection of the environment. It states that the planning system plays a key role in protecting and improving the natural environment and in determining the location of development which may give rise to pollution and to mitigating the adverse effects of potentially polluting developments.

Regional Spatial Strategy

9.7 The Regional Spatial Strategy for the East Midlands (RSS8) (March 2005) states that it is essential to seek ways of reversing the decline of services available to the rural population.

Derby and Derbyshire Joint Structure Plan (January 2001)

9.8 The Joint Structure Plan contains policies about the use and application of renewable energy and in particular solar energy, the reuse and recovery of value from waste, and the treatment and disposal of hazardous waste. The Joint Structure Plan does not contain a specific policy about telecommunications development.
9.9 Derbyshire County Council is responsible for producing a Waste Local Plan that contains specific policies about the management and disposal of waste throughout Derbyshire.

Community Facilities

9.10 As settlements evolve and develop, there is a need for the community facilities and other operational facilities, such as schools, fire stations and health care facilities within the settlements to reflect these changes. Throughout the Plan area, Derbyshire County Council has identified a number of sites which it requires to be safeguarded for educational purposes. This includes the provision of new schools, school extensions and school playing fields. All of the sites are identified on the Proposals Map as ‘Sites for Educational Use’ and the land will be safeguarded for their designated use.

CSU1 Sites for Educational Use

The District Council will safeguard the following sites, as indicated on the Proposals Map, from development that could prejudice their use for identified educational purposes:

1. Flaxpiece Road, Clay Cross
   Replacement Junior School
2. Broadleys, Clay Cross
   School Playing Fields
3. Milton Avenue, Mickley
   School Playing Fields
4. Blacks Lane, North Wingfield
   Replacement Infant School
5. Hague Lane, Renishaw
   Primary School Site Extension
6. Sheffield Road, Unstone
   Replacement Primary School
7. Spinkhill Lane, Spinkhill
   Replacement Primary School

9.11 North Eastern Derbyshire Primary Care Trust has identified several areas of need for healthcare facilities within the Plan area, although no specific sites have been identified for the location of the facilities mentioned below. Throughout the District, there is a need for appropriate premises from which to provide drug and substance abuse services and advice and, where thought necessary, the extension of GP premises in order to accommodate an increase in the services being provided.

9.12 Within the north of the District, the Primary Care Trust has identified a need for the extension of outpatient, day services and rehabilitation beds in Dronfield, Eckington and Killamarsh.

9.13 In the south of the District the Primary Care Trust has identified a need for a new general practice medical care centre in Clay Cross. This forms part of the approved Town Centre Redevelopment Scheme.

9.14 The provision of other community facilities, such as village and community halls, youth centres and places of worship, for use by residents of the District is also important. It is acknowledged that newly built community facilities are often provided as part of wider development proposals and secured by a Section 106 Obligation.

9.15 The prison population in England and Wales has risen considerably over recent years and has resulted in overcrowding across the entire prison estate. The Prison Service has identified the Derbyshire area as a priority area of search for a new prison to meet the need for additional places. Circular 03/98 identifies the sort of site search criteria used by the Prison Service.

CSU2 Purpose Built Community Facilities

Proposals for purpose built community facilities including healthcare and medical centres, village and community halls, and places of worship and prisons, will be permitted provided that:

(a) it is well related to the community that it serves; and

(b) the amenities of neighbouring residents are not adversely affected by the siting, scale and nature of the proposal and the amount of traffic likely to be generated.

9.16 As well as providing for new community facilities, it is important to safeguard existing facilities such as village halls and meeting rooms that can serve a variety of functions, especially in the rural parts of the District where settlements are more dispersed.
CSU3 Protection of Existing Community Facilities

Planning permission will only be granted for the change of use or redevelopment of buildings, which have functions serving the community if either:

(a) appropriate alternative provision is made or already available; or

(b) it can be demonstrated that the facility is no longer required or financially viable.

Public Utilities

9.17 In order to sustain existing and facilitate future development there must be an adequate provision of utilities. Utilities can include the generation and supply of electricity, supply and reclamation of water, supply of gas, surface water drainage, the collection, disposal and treatment of waste and the provision of telecommunication services. The demands of new development should be co-ordinated with the existing and future capabilities of the utilities companies and agencies in renewing and extending their service networks. Development will not be permitted unless infrastructure required to service development is available or the provisions of infrastructure can be co-ordinated to meet the demand generated by new development.

9.18 The Council will seek to ensure that all new development can be suitably drained of surface and foul water. Whilst this is generally easy to achieve within built up areas, it can become more problematic in rural areas which are generally remote from the mains sewerage system. Alternative foul drainage arrangements should not give rise to contamination of water bodies, or any other significant water problems.

9.19 Traditional surface drainage systems are designed to carry water away quickly and hence do not allow rainwater to filter steadily through the watercourse. Sustainable Drainage Systems (SDS) mimic natural drainage processes to control surface water run-off as close to its origin as possible, before it enters the watercourse. Surface water run-off can contribute to the risk of flooding and SDS can help to control this process.

9.20 SDS can help reduce the environmental impact of development. Their use provides a significant contribution towards achieving sustainable development. The District Council will encourage proposals for new development to include methods to minimise water use and surface water run-off. Such methods include:

a) rain water recycling as a preventative measure;

b) vegetated landscape features with smooth surfaces and a gentle downhill gradient to drain water evenly off impermeable surfaces; and

c) the use of permeable and porous surfaces (i.e. pavements) to allow rainwater and run-off to infiltrate into permeable material below ground to store prior to discharge.

CSU4 Surface and Foul Water Drainage

Planning permission for development will only be granted where it can be:

(a) adequately drained of surface water and where possible incorporates sustainable drainage principles, unless it can be demonstrated that their use would be inappropriate; and

(b) adequately drained of foul water or contaminated surface water without giving rise to pollution.

In cases where drainage cannot be achieved via connection to the mains sewerage system, applicants must demonstrate that an acceptable alternative is available, which will not adversely affect the local environment, amenity or public health.

9.21 The operations undertaken at sewage treatment works may, by their very nature be incompatible with other land uses. The Council will, when considering planning applications for development in the vicinity of sewage treatment works, seek the advice of the statutory sewerage undertaker and Environmental Health as to the potential impact of the sewage treatment works upon the occupiers and users of the proposed development.
Pollution and Contaminated Land

9.22 Pollution can occur in terms of air, water, noise and land. The history of North East Derbyshire as a location for minerals extraction and heavy engineering has provided circumstances where these types of pollution have occurred and have subsequently left an inheritance of contaminated land. It is important that the quality of both groundwater and surface water supplies are protected from contamination.

9.23 PPS23 states that the principle of sustainable development means that, where practicable, previously developed sites including those affected by contamination, should be recycled for new uses. Such recycling can provide the opportunity to address the threats posed by contamination to health and the environment. The guidance also advises on the need to identify, at the earliest possible stage of the planning process, whether or not a site is contaminated and that the primary responsibility for providing such information should be with the developer.

9.24 The Council has a statutory duty under the Environmental Protection Act 1990 to identify sources of contamination and determine whether any particular site is contaminated. The Council has produced a Contaminated Land Inspection Strategy which sets out how the Council will go about identifying contaminated land and measures to be taken for its reclamation, to fulfil the provisions of the Environmental Protection Act 1990. The strategy lists the Council’s aims in dealing with contaminated land as:

a) to protect human health
b) to protect controlled waters
c) to protect designated ecosystems
d) to prevent damage to property
e) to prevent any further contamination to land
f) to encourage voluntary remediation, and
g) to encourage re-use of previously developed land.

Proposals for the redevelopment of sites likely to be contaminated should be accompanied by a detailed assessment that will:

(a) identify the nature and extent of the contamination;
(b) set out the necessary remedial or mitigation measures required; and
(c) demonstrate that effective measures will be undertaken to protect the quality of surface and ground water supplies during all stages of the development.

Renewable Energy

9.25 Renewable energy is the term used to describe energy flows that occur naturally and repeatedly in the environment, utilising energy from such sources as the wind, the sun, the oceans, the fall of water or the use of waste fuel. Organic matter derived from plants and trees known as bio-mass, can also be considered as a renewable energy source. Renewable energy sources offer the potential to reduce harmful emissions to the atmosphere, especially greenhouse gases, and to achieve greater diversity and security of future energy supplies. The Government aims to generate 10% of electricity from renewable sources by 2010 and 20% by 2020.

9.26 The East Midlands Renewable Energy Planning Strategy identified solar energy as the most significant renewable energy resource in Derbyshire. As well as solar energy, there may be the opportunity to generate energy from wind turbines, landfill gas, waste incineration and hydro-electric plants in the District. The Council will support the use of renewable energy sources, but will have regard to their environmental implications, especially within sensitive areas.
**CSU7 Renewable Energy**

Planning permission for renewable energy installations will be granted provided that:

(a) the impact of the proposal on the character and amenity of the environment is acceptable, especially with regard to sensitive areas such as the Green Belt, Special Landscape Areas, Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, Historic Parks and Gardens and other significant areas of historic landscape, sites of natural history importance and built up residential areas;

(b) sufficient measures can be undertaken to reduce any visual or noise disturbance or possible electrical and radio interference; and

(c) any ancillary buildings are kept to a minimum and are designed and sited to limit the visual impact on the landscape.

**Telecommunications Development**

9.27 The District is an area of high demand for the development of telecommunications equipment due to its topography with uninterrupted lines of sight and proximity to major concentrations of population. The Plan Area is also well related to major transport routes, particularly the M1 and A61 and the Midland Mainline. As a consequence of these characteristics, there has been pressure for the development of masts and other related telecommunications equipment in the District. Although the telecommunications industry has a statutory duty to provide a service to the public under the Telecommunications Act 1984, the need for telecommunications equipment should be balanced against the need to protect the best and most sensitive landscapes in the District from inappropriate development. Each telecommunication system has different characteristics and may require particular locations in order to work effectively, regard should therefore be given to any technological constraints on the location and proposed development.

9.28 The Council will encourage the location of equipment on or within existing buildings, the sharing of existing masts and mast sites and the re-use of redundant telecommunication sites. A register of existing masts is maintained by the Council in order to encourage and facilitate mast or site sharing.

**This is expected to take precedence over the use of new sites.** Development in visually, environmentally or strategically sensitive areas such as Special Landscape Areas, the Green Belt, Conservation Areas, Historic Parks and Gardens and Sites of Special Scientific Interest will be resisted, unless it can be demonstrated that there is no suitable alternative location in a less sensitive area. The operator will also be expected to provide justification of the need for the proposed equipment and its significance as part of the national network in such circumstances.

9.29 It is expected that telecommunications operators should use sympathetic design to minimise the impact of their proposals on the environment. Applications for telecommunications equipment will be expected to include, where appropriate, adequate screening and landscaping, ensure appropriate siting and select a design, material and colour of equipment that will minimise its impact on the surrounding landscape.

**CSU8 Telecommunications**

Telecommunications development will be permitted provided that:

(a) there is an operational need for the development in the proposed location that cannot be met by mast or site sharing or co-location that represents the optimum environmental solution, the re-use of a redundant telecommunications or broadcasting site, or the possibility of locating the equipment on or within an existing building or structure;

(b) where the development is located within a visually or environmentally sensitive area, the developer should demonstrate that there are no suitable alternative sites available and that due to technical requirements, the equipment cannot be located in a less sensitive area and serious harm to the environment can be avoided; and

(c) the siting, external appearance, material, colour of the equipment, and its screening with appropriate landscaping, (consistent with operators legal obligations and technical requirements) minimises the impact of the development on the surrounding landscape.
10.1 The Government attaches great weight to monitoring the performance of Local Plans as part of its plan, monitor and manage approach to land use planning. PPG12 states that a commitment to an on-going programme of monitoring policy effectiveness is essential in being able to assess the strengths and weaknesses of a local plan so that a reliable and auditable basis is established from which to review the Plan. The Regional Spatial Strategy for the East Midlands (RSS8) (March 2005) also makes a strong commitment to on-going monitoring of Plan policies. Therefore it is important that monitoring of the Local Plan is compatible with regional indicators.

10.2 There is a need to monitor the Local Plan to measure its success or otherwise in meeting national, regional and county guidance and policies.

10.3 A monitoring system will provide a clear framework for measuring progress in implementing the Local Plan. The main mechanism for implementing the plan will be through the determination of planning applications. Other action may include the preparation of development briefs or Supplementary Planning Documents as necessary.

10.4 The following table, based on Local Plan objectives, identifies performance indicators and a list of relevant policies that may contribute to achieving the objectives.

10.5 Information on some indicators is already collected regularly, such as the proportion of new homes built on brownfield land, which is used as a Best Value indicator. However, in other cases mechanisms to collect information will have to be established. This information could be used in the preparation of future RSS Annual Monitoring Statements.
## Monitoring and Implementation Table

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<tr>
<td>To tackle crime and make the District safer</td>
<td>• Design of development to include crime prevention measures</td>
<td>GS10, BE2, BE3, H12</td>
</tr>
</tbody>
</table>
| To promote equality of opportunity by ensuring new development is accessible to all sections of the population | • Number of applications that include Access Statements
  • % of Housing Needs Survey requirements met
  • Number of new multi-user routes identified and developed | GS12, H6, H7, H8, H9, H10, T5 |
| To promote healthy communities and lifestyles | • Number of new routes identified, implemented and improved for walkers and cyclists and number of new cycle stands
  • Area of land identified for recreation and leisure purposes lost to development
  • Area of land for new Children’s Playspace arising from development proposals
  • % of development located within 100m – 1000m of cycle routes and public transport | GS1, T5, T6, R2, R5 |
| To protect and conserve the environment | • Area of land of designated nature conservation sites lost to development
  • Area of new land identified for sites of nature conservation purposes
  • Number of listed buildings on Buildings at Risk register
  • Number and/or % of Conservation Areas with a Conservation Area Character Appraisal | NE4, NE5, NE6, NE7, NE8, BE6, BE7, BE8, BE9, BE10, BE11, BE12, BE13 |
| To ensure that development reflects the principles of sustainable development | • % of new housing built on previously developed land  
• % of new housing developed at a minimum of 30 dwellings per hectare  
• % of development located within 600m of public transport points (bus stops, railway stations)  
• % of new business/industrial development built on previously developed land  
• % of development located within or on the edge of existing urban centres | GS1, GS5, GS6, GS7, E1, H1, H2, H3, H12, SH3, SH4, SH5, SH6, T6 |
| To work towards a clean and well maintained District | • Length of Greenway routes developed  
• Area of land planted/number of planting schemes as part of development proposals | NE7, NE8, T5, T8 |
| To ensure that development reflects the principles of good design | • Use of Landscape Character Assessment in determining planning applications  
• Number of applications accompanied by a design statement | NE1, BE1, BE9, BE11, H12 |
| To regenerate the economy and help to build communities by creating investment and employment opportunities | • Area of employment land approved and developed between 1991 – 2011  
• % of employment development take up on former Biwaters and Avenue sites | E1, E2, E3, E4, E5 |
| To improve housing provision and maintenance | • Number of residential dwelling approvals and completions between 1991 – 2011  
• Number of affordable housing approvals and completions between 1991 – 2011  
• % of Housing Needs Survey requirements met | H1, H6, H7, H8, H9, H10 |
Appendix 1

Map of Structure Plan Sub-Areas
Appendix 2

Sustainability Appraisal

Introduction

The Government’s sustainable development objectives are identified in the “Sustainable Development Strategy: A Better Quality of Life” (DETR 1999). The four objectives are:

a) Social progress that recognises the needs of everyone.

b) Effective protection of the environment.

c) Prudent use of natural resources.

d) Maintenance of high and stable levels of economic growth and employment.

The planning system, and in particular development plans, can make a significant contribution to the achievement of the Government’s objectives for sustainable development. This sustainability appraisal will be used to illustrate the extent to which the key objectives, policies and proposals in the Local Plan reflect the principles of sustainable development.

Government Guidance

The expectation for local planning authorities to carry out a full environmental appraisal of their development plan is set out in Planning Policy Guidance Note 12 (PPG12). The appraisal process is one that involves identifying, quantifying, weighing up and reporting on the environmental impact of local plan policies and proposals. Sustainable development is not restricted to environmental concerns. PPG12 states the appraisal methodologies can be extended to incorporate economic and social issues in addition to environmental issues, therefore creating a wider appraisal.

The Government published “Environmental Appraisal of Development Plans: A good practice guide” in 1993, which sets out a general framework for local authorities to apply to particular local circumstances. The publication “Planning for Sustainable Development: Towards Better Practice” (DETR 1998) encourages the extension of the appraisal to cover sustainable development objectives and not just environmental concerns.

PPG11, “Regional Planning”, published in October 2000, emphasises that Regional Planning Bodies should carry out a sustainability appraisal as an integral part of the preparation of the Plan. The DTLR published a good practice guide on the “Sustainability Appraisal of Regional Guidance” in 2000. This sets out a number of sustainability objectives and targets against which each policy can be appraised.

Based on the above, in 2000, The East Midlands Regional Assembly produced “A Step by Step Guide to Sustainability Appraisal” which provides further guidance on the Regionally agreed objectives and targets that can be used in the appraisal of Plan policies. Alongside this document, a checklist of objectives has been produced which consider social, economic and environmental themes. These objectives are broadly consistent with the Council’s objectives and priorities, which seek to raise the social, economic and environmental well being of the district’s residents. Based on the above documents, a set of objectives for use in the appraisal of this Local Plan has been devised.

Methodology

The Council has assessed the policies and proposals of the Local Plan against the following nine objectives. The first three objectives seek to address social factors, the next four address environmental factors and the final three address economic factors. They are as follows:

Social Objectives
1. To tackle crime and make the district safer.
2. To promote equality of opportunity by ensuring new development is accessible to all sections of the population.
3. To promote healthy communities and lifestyles.

Environmental Objectives
4. To protect and conserve the environment.
5. To ensure that development reflects the principles of sustainable development.
6. To work towards a clean and well-maintained district.
7. To ensure that development reflects the principles of good design.

Economic Objectives
8. To regenerate the economy and help to build communities by creating investment and employment opportunities.
9. To improve housing provision and maintenance

These objectives have firstly been assessed against the Government's four sustainable development objectives as described above to ensure their consistency with these.

Each of the objectives includes a number of criteria. Each policy will be considered against the criteria to determine whether the policy is taking the objective forward or helping to achieve the objective. Therefore, the criteria act as an indicator to determine the performance of policies against the objectives.

The effects the criteria have in taking the objective forward can be classified as follows -

✔✔ Significant positive effect
Policies perform positively against the majority of the criteria

✔ Positive effect
Policies perform positively against at least one of the criteria

- Neutral effect
A policy has neither a positive or negative effect

☒ Negative effect
Policies perform negatively against the majority of the criteria

☒☒ Significant negative effect
Policies perform negatively against all the criteria

Comments on Sustainability Appraisal

This section provides a summary of policies and proposals in each chapter of the Local Plan and their performance with regard to sustainability.

Natural Environment

As would be expected, the policies in this chapter perform well against the majority of the environmental objectives and thus achieve their overall aim. The policies have a neutral effect on achieving both the social and the economic objectives.

Built Environment

The policies of this chapter perform well against the Local Plan’s environmental objectives. The performance against the social and economic objectives is not so clear cut, but still indicates a positive approach to these objectives.

Employment

The policies generally perform very well against the objectives, with the majority having a positive or very positive effect on achieving at least two thirds of the objectives. Although a couple of the allocations are on greenfield land, the locations have been chosen to minimise the effect on the environment and to relate well to existing development, in accordance with the sequential approach to site selection. It is accepted that Policy E9 – Employment Development in the Countryside and Policy E12-Camping and Caravan Sites allow developments, which are not easily accessible to the majority of the population. However, some modest and appropriate development is necessary to maintain and improve the vitality and viability of rural areas and to promote rural diversification.

Housing

All policies have been found to be beneficial in delivering the requirements of the majority of the objectives. The sites allocated for residential development have all been systematically assessed against PPG3 site selection criteria to ensure that they meet the aims of sustainable development.

Town Centres and Retailing

The policies within this chapter have all been devised and formulated in order to promote and achieve the aims of sustainable development. However, Policies SH10 and SH11 permit certain developments in the countryside, which are not accessible to the majority of the population and therefore fail on sustainability grounds. It is considered, however, that such developments can be justified because they seek to provide a valuable service to the rural communities and promote rural diversification in accordance with Government guidance.
Recreation and Leisure

The policies of this chapter generally support and help to achieve the overall objectives of the Plan, particularly the social and environmental objectives.

Community Facilities, Services and Utilities

The policies of this chapter generally help to achieve the overall sustainable objectives of the Plan. These policies are particularly strong in terms of protecting and enhancing the environment.

Key

✔✔ Significant Positive Effect
✔ Positive Effect
- Neutral Effect
x Negative Effect
xx Significant Negative Effect
## Sustainability Appraisal of Plan Objectives

### Government's Sustainability Objectives

<table>
<thead>
<tr>
<th>Objective</th>
<th>Objectives Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Progress which recognises the needs of everyone</td>
<td>✓</td>
</tr>
<tr>
<td>Effective protection of the environment</td>
<td>✓</td>
</tr>
<tr>
<td>Prudent use of natural resources</td>
<td>✓</td>
</tr>
<tr>
<td>Maintenance of high and stable living economic growth and employment</td>
<td>✓</td>
</tr>
</tbody>
</table>

---

### Plan Objectives

1. To promote equality of opportunity by community development
2. To encourage sustainable development
3. To ensure that development reflects the principles of good design
4. To regenerate the economy and help to build communities
### General Strategy

**Plan Objectives**

1. To improve the quality of life for people in the area.
2. To promote economic development and job creation.
3. To protect and enhance the environment.
4. To promote healthy communities and lifestyles.
5. To ensure the future viability of key services and facilities.

<table>
<thead>
<tr>
<th>Local Plan Policies</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GS1 - SUSTAINABLE DEVELOPMENT</strong></td>
<td>✓</td>
</tr>
<tr>
<td><strong>GS2 - DEVELOPMENT IN THE GREEN BELT</strong></td>
<td>✓</td>
</tr>
<tr>
<td><strong>GS3 - MAJOR DEVELOPED SITES IN THE GREEN BELT</strong></td>
<td>x</td>
</tr>
</tbody>
</table>
## Appendix 2 • North East Derbyshire Local Plan • Adopted November 2005

<table>
<thead>
<tr>
<th>Policy Area</th>
<th>Objectives 1</th>
<th>Objectives 2</th>
<th>Objectives 3</th>
<th>Objectives 4</th>
<th>Planning Obligation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak District National Park</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Settlement Development Limits</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Development in the Countryside</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Change of Use and Conversions</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Temporary Land Uses and Buildings</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Planning Obligations</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Crime Prevention</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hazardous Installations</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access for All</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Planning Obligation can be sought to achieve any of these objectives if thought necessary and reasonable, and relates in some way to the development.

*No policy is about ensuring community safety.

*Policy is about ensuring access for all members of the community to all open spaces in the district.
## Natural Environment

### Local Plan Policies

<table>
<thead>
<tr>
<th>Policy</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>F1 - Landscape Character</td>
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<tr>
<td>E2 - Special Landscape Areas</td>
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<tr>
<td>E3 - Protecting and Managing Features of Importance to Wild Flora and Fauna</td>
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<td>E4 - Sites of National Importance for Nature Conservation</td>
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<td>E5 - Other Sites of Importance for Nature Conservation</td>
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<tr>
<td>E6 - Development Affecting Nationally Important Species</td>
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</tr>
<tr>
<td>E7 - Protection of Trees and Hedgerows</td>
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</tr>
<tr>
<td>E8 - Tree Planting</td>
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</tr>
<tr>
<td>E9 - Development and Flood Risk</td>
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</tr>
</tbody>
</table>

### Plan Objectives

<table>
<thead>
<tr>
<th>Objective</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>To tackle crime and make the district safe</td>
<td></td>
</tr>
<tr>
<td>To promote equality of opportunity by ensuring new dwellings are accessible to all sections of the population</td>
<td></td>
</tr>
<tr>
<td>To protect and conserve the environment</td>
<td></td>
</tr>
<tr>
<td>To ensure that development reflects the principles of good design</td>
<td></td>
</tr>
<tr>
<td>To work towards a clean and well maintained district</td>
<td></td>
</tr>
<tr>
<td>To protect and conserve the environment of costal areas</td>
<td></td>
</tr>
<tr>
<td>To safeguard the features of quality of life and well-being</td>
<td></td>
</tr>
<tr>
<td>To maintain the quality of life and well-being</td>
<td></td>
</tr>
</tbody>
</table>

*Add local tree planting can help with noise and visual impact.*
## Built Environment

<table>
<thead>
<tr>
<th>PLAN OBJECTIVES</th>
<th>LOCAL PLAN POLICIES</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>To tackle crime and make the district safer</td>
<td>DE1 General Design Principles</td>
<td>Polcy may not promote access for disabled as a result of need to protect character of listed building.</td>
</tr>
<tr>
<td>To promote equity of opportunity by ensuring more mixed development and employment</td>
<td>DE2 External Lighting and Floodlighting</td>
<td></td>
</tr>
<tr>
<td>To promote healthy communities and lifestyles</td>
<td>DE3 Security</td>
<td></td>
</tr>
<tr>
<td>To protect and conserve the environment</td>
<td>DE4 Advertisements</td>
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</tr>
<tr>
<td>To work towards a clean and well maintained district</td>
<td>DE5 Percentage for Art</td>
<td></td>
</tr>
<tr>
<td>To assist in the implementation of the core strategy through sustainable development</td>
<td>DE6 Scheduled Ancient Monuments and Archaeological Sites</td>
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</tr>
<tr>
<td>To regenerate the economy and help to build communities</td>
<td>BF7 Alterations and works to listed buildings</td>
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</tbody>
</table>

### Comments
## PLAN OBJECTIVES

- To tackle crime and make the district safer
- To promote equality of opportunity by ensuring new development is accessible to all sections of the population
- To promote healthy communities and lifestyles
- To protect and conserve the environment
- To ensure that development reflects the principles of sustainable development
- To work towards a clean and well maintained district
- To ensure that development reflects the principles of good design
- To regenerate the economy and help to build communities by creating investment and employment opportunities
- To improve housing provision and maintenance

## BUILT ENVIRONMENT

<table>
<thead>
<tr>
<th>Plan Objectives</th>
<th>3E01 - Change of Use of a Listed Building</th>
<th>3E02 - Development in the vicinity of a listed building</th>
<th>3E10 - Demolition of Listed Buildings</th>
<th>3E11 - Development within and adjoining conservation areas</th>
<th>3E12 - Demolition of unlisted buildings and structures within a conservation area</th>
<th>3E15 - Historic Parks and Gardens</th>
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<tbody>
<tr>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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</table>
## Appendix 2 • North East Derbyshire Local Plan • Adopted November 2005

### Employment

<table>
<thead>
<tr>
<th>LOCAL PLAN POLICIES</th>
<th>E1</th>
<th>E2</th>
<th>E3</th>
<th>E4</th>
<th>E5</th>
<th>E6</th>
<th>E7</th>
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<tbody>
<tr>
<td><strong>PLAN OBJECTIVES</strong></td>
<td></td>
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<tr>
<td>To tackle crime and make the district safer</td>
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<tr>
<td>To promote equality of opportunity by ensuring new</td>
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<tr>
<td>economic activity is accessible to all sections of the</td>
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<td>To promote healthy communities and lifestyles</td>
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<tr>
<td>To protect and conserve the environment</td>
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<td>To ensure that development respects the principles of</td>
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<tr>
<td>sustainable development</td>
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<tr>
<td>To work towards a clean and well maintained district</td>
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<tr>
<td>To encourage infrastructure and investment opportunities</td>
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<td>To improve housing and employment opportunities</td>
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### Comments
### Employment

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<th>7</th>
<th>8</th>
<th>9</th>
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<tbody>
<tr>
<td>E1</td>
<td>Development in new and existing NC employment areas</td>
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<td>E2</td>
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<tr>
<td>E3</td>
<td>Employment development in the countryside</td>
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<td>E11</td>
<td>Tourist Accommodation</td>
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<tr>
<td>E12</td>
<td>Camping and caravan sites</td>
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</tr>
</tbody>
</table>

Legend: 
- Development allowed
- Development not allowed
- Development subject to conditions
## PLAN OBJECTIVES

- **To tackle crime and make the district safer**
- **To promote equality of opportunity by ensuring new provision is accessible to all sections of the population**
- **To promote healthy communities and lifestyles**
- **To protect and conserve the environment**
- **To ensure that development reflects the principles of sustainable development**
- **To work towards a clean and well-maintained district**
- **To ensure that development reflects the principles of good design**
- **To regenerate the economy and help to build communities by investment and employment opportunities creating**
- **To improve housing provision and maintenance**

### HOUSING

<table>
<thead>
<tr>
<th>Objective</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable housing within settlements with a population of 3000 or fewer</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Affordable housing alternative provision</td>
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<td>Affordable housing exception provision</td>
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<td>Special needs housing</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Sites for gypsies and travellers</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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</tr>
<tr>
<td>Design and layout of new houses</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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</table>
## Town Centres & Retailing

<table>
<thead>
<tr>
<th>Plan Objectives</th>
<th>Local Plan Policies</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>To promote healthy communities and lifestyles</td>
<td>S 1: Clay Cross Town Centre redevelopment</td>
<td></td>
</tr>
<tr>
<td>To protect and enhance the environment</td>
<td>S 2: Retail development in town centres</td>
<td></td>
</tr>
<tr>
<td>To ensure that development reflects the principles of sustainable development</td>
<td>S-3: Ground floor development within town centre</td>
<td></td>
</tr>
<tr>
<td>To ensure that development reflects the principles of good Neighbourhoods</td>
<td>S-4: Upper floor development within town centre</td>
<td></td>
</tr>
<tr>
<td>To regenerate the economy and help to build communities by improving town centre</td>
<td>S-5: Retail development in local town hall locations</td>
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</tr>
</tbody>
</table>
### TOWN CENTRES & RETAILING

<table>
<thead>
<tr>
<th>S</th>
<th>S-8 - RETAIL DEVELOPMENT N O. CST CENTRE LOCATIONS</th>
<th>S-7 - LOCAL SHOPPING FACILITIES</th>
<th>S-6 - LOSS OF LOCAL FACILITIES</th>
<th>S-5 - HOT FOOD TAKE AWAYS</th>
<th>S-10 - WEELY MARKETS AND CARS</th>
<th>S-11 - A-HM SHOPS</th>
<th>S-12 - GARDEN CENTRES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
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</tbody>
</table>

**PLAN OBJECTIVES**

- To Tackle Crime and Make the District Safer
- To Promote Equality of Opportunity by ensuring new development is accessible to all sections of the population
- To Promote Healthy Communities and lifestyles
- To Protect and conserve the environment
- To ensure that development reflects the principles of sustainable development
- To Work towards a clean and well maintained District
- To ensure that development reflects the principles of good design
- To regenerate the economy and help to build communities by creating investment and employment opportunities
- To improve housing provision and maintenance
<table>
<thead>
<tr>
<th>LOCAL PLAN POLICIES</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. CLAY CROSS DIVERSION</td>
<td>-</td>
</tr>
<tr>
<td>2. HIGHWAY ACCESS &amp; IMPACT OF NEW DEVELOPMENTS</td>
<td>-</td>
</tr>
<tr>
<td>3. TRAFFIC MANAGEMENT</td>
<td>✓</td>
</tr>
<tr>
<td>4. TRAVEL PLANS</td>
<td>✓</td>
</tr>
<tr>
<td>5. WALKING &amp; CYCLING</td>
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</tr>
<tr>
<td>6. PUBLIC TRANSPORT</td>
<td>-</td>
</tr>
<tr>
<td>7. HALT &amp; SHELTER</td>
<td>-</td>
</tr>
<tr>
<td>8. DISUSED TRANSPORT ROUTES</td>
<td>-</td>
</tr>
<tr>
<td>9. CAR PARKING PROVISION</td>
<td>-</td>
</tr>
<tr>
<td>10. CAR PARK, SPONFIELD STATION</td>
<td>-</td>
</tr>
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</table>
### Local Plan Policies

<table>
<thead>
<tr>
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</tbody>
</table>

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**Appendix 2 • North East Derbyshire Local Plan • Adopted November 2005**
### PLAN OBJECTIVES

- To tackle crime and make the district safer
- To promote equality of opportunity by ensuring new development is accessible to all sections of the population
- To promote healthy communities and lifestyles
- To protect and conserve the environment
- To ensure that development reflects the principles of sustainable development
- To work towards a clean and well-maintained district
- To ensure that development reflects the principles of good design
- To regenerate the economy and help to build communities by creating investment and employment opportunities
- To improve housing provision and maintenance

### RECREATION & LEISURE

<table>
<thead>
<tr>
<th>Activity</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
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<tr>
<td>R8 - Specialist and Noise Generating Recreational Activities</td>
<td>-</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>-</td>
<td>-</td>
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<tr>
<td>R9 - Equestrian Development</td>
<td>-</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>R10 - Golf Courses and Driving Hazards</td>
<td>-</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>R11 - Development Affecting Public Rights of Way</td>
<td>-</td>
<td>-</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>-</td>
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<tr>
<td>R12 - The Chesterfield Canal</td>
<td>-</td>
<td>✓</td>
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<td>✓</td>
<td>✓</td>
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<tr>
<td>R13 - Country Parks</td>
<td>-</td>
<td>-</td>
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</table>
## Community Facilities, Services and Utilities

### Local Plan Policies

<table>
<thead>
<tr>
<th>Policy Description</th>
<th>Objective 1</th>
<th>Objective 2</th>
<th>Objective 3</th>
<th>Objective 4</th>
<th>Objective 5</th>
<th>Objective 6</th>
<th>Objective 7</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSU1 - Sites for Educational Use</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>CSU2 - Purpose-built Community Facilities</td>
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<tr>
<td>CSU3 - Protection of Existing Community Facilities</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>CSU4 - Surface and Foul Water Drainage</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>CSU5 - Development in the Vicinity of Sewage Treatment Works</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>CSU6 - Contaminated Land</td>
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<td>CSU7 - Renewable Energy</td>
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<tr>
<td>CSU8 - Telecommunication</td>
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<td>-</td>
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<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

*Statutory duty to provide this policy.*
## Appendix 3

### Scheduled Ancient Monuments

**North East Derbyshire**

<table>
<thead>
<tr>
<th>Parish</th>
<th>Monument No.</th>
<th>Title</th>
<th>Grid Ref.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashover</td>
<td>24983</td>
<td>Stone Edge Smelt</td>
<td>SK335 669</td>
</tr>
<tr>
<td></td>
<td>(formerly 232)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brackenfield</td>
<td>177</td>
<td>Ruins of Trinity Chapel</td>
<td>SK359 594</td>
</tr>
<tr>
<td>Brampton</td>
<td>24980</td>
<td>Lead Smelt Mill</td>
<td>SK339 724</td>
</tr>
<tr>
<td>Brampton</td>
<td>31271</td>
<td>Cairnfield 390m south of Syda Farm</td>
<td>SK3144 6881</td>
</tr>
<tr>
<td>Dronfield</td>
<td>30947</td>
<td>Coke Ovens at Dronfield</td>
<td>SK369 781</td>
</tr>
<tr>
<td></td>
<td>(formerly 265)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eckington</td>
<td>252</td>
<td>Tramway Embankment</td>
<td>SK436 793</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>SK439 795</td>
</tr>
<tr>
<td>Eckington</td>
<td>30948</td>
<td>Plumbley Colliery Inc. Seldom Seen Engine House</td>
<td>SK4209 7996</td>
</tr>
<tr>
<td>Holmesfield</td>
<td>23290</td>
<td>Castle Hill moat and Bailey Castle</td>
<td>SK3188 7763</td>
</tr>
<tr>
<td></td>
<td>(formerly 114)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holmesfield</td>
<td>23298</td>
<td>Holmesfield moated site and headland</td>
<td>SK3216 7793</td>
</tr>
<tr>
<td></td>
<td>(formerly 113)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holmesfield</td>
<td>31290</td>
<td>Cairnfield, linear clearance and Ring cairn 720m north west of Moor Edge Farm</td>
<td>SK2892 7905</td>
</tr>
<tr>
<td>Holmesfield</td>
<td>31291</td>
<td>Cairnfield 615m west of Moor Edge Farm</td>
<td>SK2895 7869</td>
</tr>
<tr>
<td>Holmesfield</td>
<td>31292</td>
<td>Cairnfield &amp; embanked stone Circle 550m east of Barbrook Reservoir</td>
<td>SK2842 7727</td>
</tr>
<tr>
<td>Holymoorside &amp; Walton</td>
<td>23257</td>
<td>Longside Moor fancy barrow 650m N of Harewood Grange</td>
<td>SK3121 6864</td>
</tr>
<tr>
<td>Holymoorside &amp; Walton</td>
<td>24981</td>
<td>Red Lead Mill</td>
<td>SK325 693</td>
</tr>
<tr>
<td>Sutton-cum-Duckmanton</td>
<td>231</td>
<td>Sutton Scarsdale Hall</td>
<td>SK442 689</td>
</tr>
<tr>
<td>Wingerworth</td>
<td>140</td>
<td>Section of Rykneld Street 80 yds (70m) long N of Releadmill Brook</td>
<td>SK393 666</td>
</tr>
</tbody>
</table>
Appendix 4

Car Parking Standards

When considering proposals for the categories of development listed below, the Local Planning Authority will generally require the following maximum provision clear of the highway:

**Retail (Use Class A1)**

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Customers</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shops</td>
<td>1 space per 25 sq.m.</td>
<td>1 space per 100 sq.m.</td>
</tr>
<tr>
<td>Food</td>
<td>1 space per 14 sq.m.</td>
<td>1 space per 50 sq.m.</td>
</tr>
<tr>
<td>Non Food</td>
<td>1 space per 30 sq.m.</td>
<td></td>
</tr>
</tbody>
</table>

**Retail parks**

To be assessed as a combination of the different uses described above.

**Garden Centres**

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Customers</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 space per 30 sq.m.</td>
<td>1 space per 100 sq.m.</td>
</tr>
<tr>
<td></td>
<td>1 space per 50 sq.m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>areas generally given to public access</td>
<td></td>
</tr>
</tbody>
</table>

**Financial and Professional Services (Use Class A2)**

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Customers</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public services offices</td>
<td>1 space per 15 sq.m.</td>
<td></td>
</tr>
<tr>
<td>Betting Shops</td>
<td>1 space per 15 sq.m.</td>
<td></td>
</tr>
</tbody>
</table>

**Food and Drink (Use Class A3, A4 & A5)**

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Customers</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurants, cafes and hot food take-aways</td>
<td>1 space per 4 sq.m. dining area or public waiting space in take-aways.</td>
<td></td>
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<tr>
<td></td>
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</tbody>
</table>

**NB** Roadside (motorists) restaurants are included in this category.

**Transport Cafes**

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Customers</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 lorry space per 2 sq.m. dining area</td>
<td>1 car space per 100 sq.m.</td>
</tr>
</tbody>
</table>

**Public Houses, Licensed Clubs and bar areas of Restaurants**

<table>
<thead>
<tr>
<th>Type of Development</th>
<th>Customers</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 space per 2 sq.m. public drinking area plus 1 space per 10 sq.m. of beer gardens</td>
<td></td>
</tr>
</tbody>
</table>

**NB** Any Food and Drink development which includes residential accommodation must provide extra spaces complying with the Dwelling Houses standard.
Business Use (Use Class B1)
Administrative offices, high technology and science parks

<table>
<thead>
<tr>
<th>Staff and visitors</th>
<th>Town Centre</th>
<th>Other Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 2500 sq.m.</td>
<td>1 space per 25 sq.m.</td>
<td>1 space per 25 sq.m.</td>
</tr>
<tr>
<td>over 2500 sq.m.</td>
<td>1 space per 40 sq.m.</td>
<td>1 space per 30 sq.m.</td>
</tr>
</tbody>
</table>

Other Business (Use Class B1) and General Industrial (Use Class B2)

<table>
<thead>
<tr>
<th>Staff and visitors</th>
<th>Town Centre</th>
<th>Other Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 2500 sq.m.</td>
<td>1 space per 40 sq.m.</td>
<td>1 space per 40 sq.m.</td>
</tr>
<tr>
<td>over 2500 sq.m.</td>
<td>1 space per 90 sq.m.</td>
<td>1 space per 55 sq.m.</td>
</tr>
</tbody>
</table>

Storage and Distribution (Use Class B8)

<table>
<thead>
<tr>
<th>Staff and visitors</th>
<th>Town Centre</th>
<th>Other Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 250 sq.m.</td>
<td>1 space per 25 sq.m.</td>
<td>1 space per 25 sq.m.</td>
</tr>
<tr>
<td>250 -2500 sq.m.</td>
<td>1 space per 100 sq.m.</td>
<td>1 space per 100 sq.m.</td>
</tr>
<tr>
<td>over 2500 sq.m.</td>
<td>1 space per 200 sq.m.</td>
<td>1 space per 120 sq.m.</td>
</tr>
</tbody>
</table>

Hotels and Hostels (Use Class C1)
Hotels, boarding and guest houses

| Customers | 1 space per bedroom |
| Staff | 1 space per 10 bedrooms |

Coaches To be assessed individually but, as a minimum, satisfactory facilities should be provided, generally clear of the highway, to enable coach passengers to embark or disembark in safety and coaches must be able to enter and leave the site in forward gear.

NB (i) The bedroom total should include both guest and staff bedrooms.

(ii) Where bar and restaurant facilities are also provided, the additional parking provision for these must meet half of the appropriate Food and Drink standards.

(iii) Conference facilities: 1 space per 3 sq.m. of rooms so provided.

Residential Hostels and Community Homes

| Residents and staff | 1 space per 4 bedrooms |

Residential Institutions (Use Class C2)
Aged persons care homes

| Visitors and staff | 2 spaces plus 1 space per 4 bedrooms |

NB The bedroom total should include both resident owner and residential staff bedrooms.

Sheltered accommodation

| Residents, visitors and staff | 2 spaces plus 1 space per 3 residential units |

Residential Schools, Colleges and Training Centres, Halls of Residence, Hospitals and Community Housing for Disabled Persons

To be assessed individually.
Dwelling Houses (Use Class C3)

<table>
<thead>
<tr>
<th>Type</th>
<th>Spaces per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>One bedroom dwellings</td>
<td>1 space per unit</td>
</tr>
<tr>
<td>Two bedroom dwellings</td>
<td>1.5 spaces per unit</td>
</tr>
<tr>
<td>Three bedroom dwellings</td>
<td>2 spaces per unit</td>
</tr>
<tr>
<td>Four and over bedroom</td>
<td>2 spaces per unit</td>
</tr>
<tr>
<td>Aged persons residences</td>
<td>1 space per residential unit</td>
</tr>
</tbody>
</table>

NB These units are limited to residential use by people over the national retirement age, with no provision for a warden.

Holiday residences 1 space per 1 and 2 sleeping room units, 2 spaces per 3 (and over) sleeping room units.

Caravan sites 1 space per caravan plus restaurant and bar facilities to comply with Food and Drink standards and office requirements to comply with the Business standard.

Non Residential Institutions (Use Class D1)

Medical or health service surgeries
4 spaces per consulting room or room used by a medically qualified person.

NB Veterinary surgeries are included in this section.

Crèches and day nurseries
1 space plus 1 space per 10 sq.m. (0 to 3 year old children) or 1 space per 20 sq.m. (3+ to 8 year old children) of child accommodation/internal play area plus 1 extra space where the licence is for 20 or more children.

NB (i) In addition, satisfactory facilities should be provided clear of the highway to enable children to enter and leave parked cars and minibuses in safety without vehicles reversing, unless the proposed development is in a location where vehicles can wait to set down or pick up children in safety without affecting the free and safe flow of traffic.

(ii) The higher standard (1 space per 10 sq.m.) will apply if the group age of the intended children is not stated in the application.

Day Centres
1 space per 2 staff plus appropriate turning, standing and parking facilities for coaches and minibuses.

NB Where the centre is purpose designed for people with physical impairment, all spaces should be appropriate for their use and there should be an individual assessment of the need for additional car spaces for disabled people.

Infant, primary and secondary schools
2 spaces per classroom or teaching area plus 15 spaces for use by sixth form students where appropriate.

Sufficient additional hard standing should be provided on play areas, etc. for out of hours parking by parents and mature students.

NB Facilities should also be provided to enable pupils to enter and leave parked coaches and cars safely and clear of the highway, without vehicles reversing.
Colleges of further and higher education
In developments up to 2500m² parking requirements will be assessed individually and based on the nature of the educational establishment, type and number of staff and students (e.g. full or part time) and the location of the site.

Over 2500m² - 1 space per 2 staff plus 1 space per 15 students

Art Galleries
To be assessed individually.

Museums
To be assessed individually.

Libraries
To be assessed individually.

Public or exhibition halls
1 space per 5 sq.m. public floor area.

Places of worship or religious instruction
1 space per 5 seats or 5 sq.m. public floor area.

Assembly and Leisure (Use Class D2)

Cinemas and Conference Facilities
Up to 1000 sq. m 1 space per 3 seats
Over 1000 sq. m 1 space per 5 seats

Concert halls
1 space per 3 seats or 3 sq.m. gross auditorium floor area, which ever is the greater.

Other D2 uses (including Bingo Halls, Casinos, Night Clubs, Swimming Pools and other indoor Leisure Facilities
Up to 1000 sq.m. 1 space per 5 sq.m.
Over 1000 sq.m. 1 space per 22 sq.m.

Outdoor Recreation
1. Racquet clubs
   4 spaces per court
2. Outdoor sports grounds
   15 spaces per pitch
3. Golf Clubs
   150 spaces per 18 hole course

NB  (i) 9 hole and other smaller courses will be assessed individually but not necessarily on a pro-rata basis.
(ii) Club house facilities shall be assessed on the basis at the appropriate Food and Drink standards.

4. Driving Ranges
   2 spaces per bay
5. Bowls and bowling
   15 spaces per green or 4 spaces per lane
6. Snooker Halls
   2 spaces per table
7. Camp Sites  
   1 space per pitch

8. Camping Barns  
   To be assessed individually with particular regard to whether they are readily accessible from the highway.

9. Water Sports venues and marinas  
   To be assessed individually with particular regard to intensity and type of use and whether there is only private or, alternatively, public access and participation.

10. Specialist sports facilities (e.g. dry-ski slopes)  
    To be assessed individually.

   NB Wherever restaurant, bar or office facilities are provided, these will require additional parking spaces in accordance with either the Food and Drink or Business standards.

Non Scheduled Uses

Theatres  
1 space per 3 seats or 3 sq.m. gross auditorium floor area if the seats are not permanently fixed.

Amusement Arcades or centres and funfairs  
To be assessed individually with particular regard to opening times and seasonal use.

Coin-operated launderettes and dry cleaners  
Customers 1 space per 30 sq.m.  
Staff 1 space per 100 sq.m.

Retail fuel filling stations  
Customers 1 space per 30 sq.m.  
Staff 1 space per 100 sq.m.  
Car wash 5 spaces minimum, separate from the filling and queuing lanes.

Sale and display of motor vehicles  
1 space per 40 sq.m. gross floor area whether internal or external.

Sale and display of boats and caravans  
To be assessed individually but with regard to standard for sale and display of motor vehicles above.

Taxi and vehicle hire businesses, including driving schools  
1 space per vehicle operated.

   NB If the business consists of an office for receiving orders only, the vehicles being kept elsewhere, a minimum of 1 space shall be required with additional spaces to be assessed individually.

Scrapyards, mineral storage or distribution yards, earth moving plan depots, motor vehicle breakers and plant hire firms  
To be assessed individually with particular regard to the amount of public access.

Wholesale Cash and Carry  
Below 235 sq.m. 1 space per 25 sq.m.  
Over 235 sq.m. 2 spaces plus 1 space per 30 sq.m.

Criteria Not Mentioned Elsewhere  
Abattoirs, auction rooms, car valeting, cemeteries, livery stables and riding schools, livestock markets and ambulance, fire and police stations, etc., will be assessed individually with particular regard to periods and frequency of use.
Appendix 5

Settlement Development Limits For:

Apperknowle
Barlow Commonside
Barlow Village
Cutthorpe
Holmesfield
Holymoorside
Littlemoor
Marsh Lane
Mickley
Old Brampton
Ridgeway
Unstone Green
Unstone Crow Lane
Wadshelf
Walton
Woolley Moor

The Settlement Development Limits are shown in red on the Proposals Map, however because of the scale of the Proposals Map it is not always clear exactly where the Settlement Development Limit is drawn. To resolve this a larger scale black and white plan is included on the following pages, which clearly shows where the Settlement Development Limit for each of the above named settlements is drawn. These maps do not display any other Local Plan Allocations and reference should also be made to the Proposals Map.
Affordable Housing
Affordable housing encompasses both low cost market and subsidised housing irrespective of tenure, ownership (whether exclusive or shared) or financial arrangements, that will be available to people who cannot afford to rent or buy houses generally available on the open market.

Biodiversity Action Plan (BAP)
A plan that seeks to identify locally important and rare species to improve the range and provision of species and habitats within an area.

Brownfield Land
Land that has been previously developed, in accordance with the definition set out in Annex C of Planning Policy Guidance Note 3: Housing.

Department of the Environment, Food and Rural Affairs (DEFRA)
A government department that aims to promote sustainable development across government and the country as a whole by achieving positive trends in the government’s headline indicators of sustainable development. Food, farming and rural communities are the focus of much of the Department’s work.

Derby and Derbyshire Joint Structure Plan
The strategic planning policy framework for Derby and Derbyshire up to 2011, prepared by Derbyshire County Council and Derby City Council adopted in January 2001.

Derbyshire Wildlife Sites Register (DWSR)
A register identifying sites of importance for nature conservation in the District compiled by Derbyshire Wildlife Trust and Derbyshire County Council.

Development
Defined by Section 55 of the Town and Country Planning Act (1990) as ‘the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change of use of any building or other land’.

The East Midlands Development Agency (EMDA)
EMDA was set up in 1999 as one of eight Regional Development Agencies (RDAs) in England from three main bodies - East Midlands Development Company, English Partnerships and the Rural Development Commission. RDAs were created to co-ordinate regional economic development and regeneration so the regions can improve their relative competitiveness and reduce imbalances within and between regions.

East Midlands Regional Local Government Association (EMRLGA)
The East Midlands Regional Local Government Association was formed following a merger between the East Midlands Employers Organisation (EMEO), East Midlands Regional Planning Forum and the East Midlands LGA. EMRLGA are a representative voice for this region’s Local Authorities, a key partner in the East Midlands Regional Assembly, a representative voice for the East Midlands Region and a provider of services to local authorities in the East Midlands Region.

Environment Agency (EA)
A Government Agency with legal duties to protect the environment, particularly in relation to the use and management of rivers and other watercourses.
Green Belt
Areas of land protected from most forms of development in order to maintain their openness and prevent the merging and sprawl of built up areas.

Greenfield Land
Land that has never previously been developed, including land for agricultural purposes or previously developed land with restoration conditions.

National Playing Fields Association (NPFA)
A national organisation with specific responsibility for acquiring, protecting and improving playing fields, playgrounds and play space where they are needed for those who need them.

Planning Policy Guidance Notes & Planning Policy Statements (PPG & PPS)
Documents prepared by the Government setting out national planning policy advice. PPS contain the most up to date policy advice. The Government has a program to progressively replace PPG with PPS.

Quality of Employment Land Study (QUELS)
A study of the quality of large employment sites available within the East Midlands Region. This study was prepared on behalf of EMRLGA and EMDA as a means of informing Regional Guidance.

Regionally Important Geological Sites (RIGS)
Important geological sites that are not already designated as a Site of Special Scientific Interest.

Regional Spatial Strategy (RSS) for the East Midlands
Policy guidance prepared by the East Midlands Regional Local Government Association (EMRLGA), in consultation with the Government Office for the East Midlands (GOEM) to guide spatial development in the East Midlands region.

Scheduled Ancient Monuments
Sites, buildings or other structures identified as being of national importance by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979 and afforded statutory protection under this legislation.

Sites for Educational Use
Open spaces safeguarded for educational use in the future that are designated as such by Derbyshire County Council.

Site of Special Scientific Interest (SSSI)
A site designated by English Nature as being of importance for nature conservation.

Supplementary Planning Documents (SPD)
A document setting out advice on specific topics or planning issues to support a policy or policies in a development plan. These documents will be prepared as part of the new system of Local Development Frameworks introduced by the 2004 Planning & Compulsory Purchase Act.