

Supplementary Planning Document and Development Brief for Land Between the A6 and the River Derwent, Belper prepared by Amber Valley Borough Council

Adoption Statement

This statement has been prepared in accordance with Regulation 11 of the Town and Country Planning (Local Planning) (England) Regulations 2012

1. Introduction

The Supplementary Planning Document (SPD) provides guidance and further detail as to the use and development of land located between the A6 and the River Derwent at Belper.

2. Date of Adoption

The Supplementary Planning Document was adopted on 17th December 2012.

3. Modifications

A draft Supplementary Planning Document was made available for consultation during the period 23 July to 3 September 2012. Modifications have been made to the draft SPD in accordance with Section 23(1) of the Planning and Compulsory Purchase Act 2004 to take account of representations made in relation to the document and other relevant matters. A list of the modifications is attached as a Modifications Document at Annex 1.

4. Application for Judicial Review

Any person with sufficient interest in the decision to adopt the Supplementary Planning Document may apply to the High Court for permission to apply for a judicial review of that decision. Any such application must be made promptly and in any event not later than 3 months after the date on which the Supplementary Planning Document was adopted, that is by 17th March 2013.

5. Availability of Documents

The adopted Supplementary Planning Document and an Adoption Statement including a list of the modifications is available for inspection at the Council's web site at www.ambervalley.gov.uk, Belper library, Belper cash office or the Council offices in Ripley during normal opening times.

Annex 1

Supplementary Planning Document and Development Brief for land between the A6 and the River Derwent, Belper adopted by Amber Valley Borough Council on 17th December 2012

Modifications Document

This document sets out the specific modifications made to the draft SPD in its transition to a final adopted document. Minor editorial, typographical and grammatical changes have not been identified.

Aa indicates deleted text Aa indicates new text

Draft SPD – Reference and page number	Modification made	Reason
1. Introduction, page 3	Additional wording setting out the context for the SPD	To improve the clarity of the SPD and set out its relationship with the World Heritage Site
2. The Design Led Approach, page 7	Additional wording regarding the historic setting of the SPD location	To improve the clarity of the SPD and set out its relationship with the World Heritage Site
2. The Design Led Approach, page 7	Additional wording explaining the role of a masterplan	To clarify the need for a masterplan and how it should be prepared
2.1 Essential Requirements: Design, page 7	Insertion of a new Requirement (new R1): <i>R1 The SPD area must be planned legibly and to a scale and massing that is appropriate to its setting and character. A masterplan of the site allocated under Local Plan Policy ER1c will be required at the pre-planning stage. The masterplan should be prepared in collaboration with the local community. Within the overall context of the SPD, the masterplan will need to reflect the following Design Requirements R.2 to R.9, as well as demonstrate viability of the overall scheme.</i>	To clarify the need for a masterplan and how it should be prepared
2.1 Essential Requirements: Design, pages 7 - 8	Additional wording relating to design and character and renumbering	To improve and clarify the design guidance
3 issues, page9	Amended wording	To highlight opportunities provided by the site

3.1 World Heritage Site, page 9	Append the Character Appraisal	To ensure the Character Appraisal forms part of the SPD
4 Sustainability, page 11	Amended wording	To provide more detailed guidance on sustainability
R9 Sustainability, page 11	Omit reference to 'green roofs' and renumber R10	Green roofs may not be visually appropriate in this part of the WHS
R10 Sustainability, page 12	Replace R.10. Developers will be expected to show how sustainable construction methods and energy efficiency are taken into account in the masterplan, in accordance with the Design Requirements with new <i>R11 Developers will be expected to show how sustainable construction methods, and energy efficiency and management are taken into account in the masterplan, in accordance with the Design Requirements. This includes showing that consideration has been given to ways to design-out waste at source. Building designs should show how they contribute towards sustainable management of waste. The choice of building materials should reflect the need to contribute to zero carbon development for example incorporating recycled/recyclable material wherever possible.</i>	To provide additional guidance on sustainable construction
R11 Master Plan, page 13	Amend, renumber to R12 and add: <i>In preparing the master plan, consideration must also be given to how it will impact on and integrate with the wider area covered by Local Plan Policies TC1 and LC4.</i>	To clarify the guidance on the masterplan
R12 Building form relating to development, page 14	Delete R12 R.12. New buildings should have a vertical, rather than horizontal emphasis without competing with the town's large mill buildings and they should be of a high standard of design. The requirement to provide views of the river valley and the ridgeline behind from within the development militates against large horizontal buildings. Replace with new <i>R13 New buildings should have a vertical, rather than horizontal emphasis without competing with the town's large mill buildings and they should be of a high standard of design. Valued industrial buildings should continue to dominate in terms of scale and visibility.</i>	To clarify and improve design guidance and link to the Character Appraisal;

	<i>In the context of the Character Appraisal in Appendix 2, the requirement to provide views of the river valley and the ridgeline behind from within the development, large horizontal buildings may not be appropriate.</i>	
Essential Requirements: Impact of development on local infrastructure, page 14	Add new Requirement <i>R14 Proposals for development will have to be assessed against their impact on local infrastructure including sewers, surface water drainage, utilities, waste disposal and on the social infrastructure of the town.</i>	To apply local infrastructure requirements to all new development
R13 Retail Local Impact Tests, page 15	Add, amend and renumber to R15 R15 Any proposals for large retail development will have to be assessed against any local impact <i>on vitality and viability as well as the special character and heritage of Belper. In particular, impacts on:</i> A. The historic industrial and other buildings, spaces and other features of this part of the World Heritage Site <i>and Belper and Milford Conservation Area that could positively contribute to the attractiveness and appeal of the retail area.</i> B. Town centre vitality and viability, including local consumer choice and trade in the town centre <i>for a period of up to five years after the implementation of the proposal.</i> C. <i>Local infrastructure under Requirement R14 above.</i> D. The amenity of adjoining residents including noise and other <i>pollution or disturbance</i> , parking and servicing. E. The visual impact of the proposed building on views both into and out of the town. F. The ability of the local economy to maintain and increase tourism and other visits to the town centre and the WHS	To clarify the retail requirements and their relationship with retail policy and evidence
R14 Retail, page 15	Insert new wording and renumber R16 Provision will be made for up to 1,200 sq m of shopping floorspace for comparison (non-food) goods. <i>There is a limited requirement for convenience goods (food etc) floorspace and so no specific provision will be made for this. Any convenience goods floorspace that comes forward on the site should be relatively modest in scale.</i> The Amber Valley Retail Study concludes that	To clarify the retail requirements and their relationship with retail policy and evidence

	<p>clothes retailing is under provided in Belper and so the use of a substantial amount of this new floorspace for clothing retail would be desirable. Other non-food retail such as DIY supplies may also be acceptable.</p>	
<p>8 Traffic and Movement, page 20</p>	<p>Delete: With regard to vehicle access for the development area, access via Derwent Street alone is unlikely to be acceptable. A continuation of the road from the Morrisons roundabout through to Derwent Street is likely to be required. A new service road into the land north of Derwent Street will be required and consideration should be given to connecting this service road via a new access road back to Bridge Street. Replace with <i>8.4 It will be important to provide good access to the development area for both pedestrians and vehicles. Increased use of Derwent Street is likely to encourage more right turns from Bridge Street, which would increase delays to other traffic. Access arrangements should be set out in the masterplan and should show how the development site can be integrated with the Morrisons area and with Bridge Street and the rest of the town centre. The challenge will be to provide access that serves the site well, which provides a pedestrian friendly environment but which also recognises and does not harm the important setting in the World Heritage Site.</i></p>	<p>To clarify access considerations and when and how they should be planned in detail</p>
<p>R26, Traffic generated from new development, page 22</p>	<p>Delete: R-26. Traffic generation and its impact on the highway network will have to be carefully assessed. In particular, proposals would have to demonstrate how the impact of development on existing traffic levels on the A6 will be mitigated and how traffic generated would be accommodated within the wider highway network. Replace with <i>R27 A robust transport assessment must be prepared for any development proposals. Traffic generation and its impact on the highway network will have to be carefully assessed. In particular, proposals would have to demonstrate how the impact of development on existing traffic levels on the A6 will be mitigated,</i></p>	<p>To clarify and improve guidance on transport assessment and the need for a Travel Plan</p>

	<p><i>how traffic generated would impact on the wider highway network and how it would be satisfactorily accommodated within that network. A travel plan will also be required which should identify mitigation measures and more sustainable transport options to reduce traffic impact on the local and wider highway networks.</i></p>	
R27, R28, R29 Other Transport Priorities	<p>Delete R.27. Access for pedestrians and vehicles should be provided which connects Derwent Street with the Morrisons area and the nearby roundabout. R.28. A service road north of Derwent Street should be provided to give access to the development area. R.29. Consideration will be given to proposals for a new access road and junction with Bridge Street, north of Derwent Street. Replace with new Essential Requirement: <i>R28 Development proposals must be accompanied by plans that show how access for pedestrians and vehicles to the allocated site off Derwent Street will be integrated with the Morrisons area and the roundabout to the south and to Bridge Street to the east. These plans should form part of the masterplan and demonstrate how the access arrangements will meet the design and other wider objectives of the SPD.</i></p>	To clarify access requirements and when and how they should be planned in detail
Public Transport, page 23	<p>Delete The town centre and the new development can be well served by public transport and consideration should be given to the provision of a 'transport interchange' with access to car parking, coaches and buses, the railway station, cycle and walking routes. In addition: Replace with <i>The town centre and the new development can be well served by public transport and consideration should be given to the provision of a 'transport interchange' with access to car parking, coaches and buses, the railway station, cycle and walking routes. The location for such an interchange would have to be very carefully assessed, given all of the complex requirements and environmental considerations that relate to the SPD area. The interchange need not be permanent in nature, but be flexible in where it is located to suit seasonal events</i></p>	To provide additional guidance about a transport interchange

	<i>in the town. The assessment should include the scope for provision of an interchange elsewhere within Belper.</i>	
9 World Heritage Site	<p>Delete Mills were originally located in Belper because of the availability of 'natural' energy from the River Derwent. Proposals for new development that reflect those origins will be carefully considered. There are also opportunities to enhance the character of the WHS and its features, to improve interpretation and to encourage more visitors.</p> <p>Replace with <i>Mills were originally located in Belper because of the availability of 'natural' energy from the River Derwent. The river, river valley, woodland and meadows form the natural backdrop to the industrial heritage of the mills and associated buildings. Proposals for new development that reflect those origins will be carefully considered as will proposals that aim to generate a cluster of small business units focused on maximising the benefits of their location near the River Derwent. However, consideration must also be given to the impact of hydropower on river flows, as this will have wide scale impacts on fisheries, protected species and habitat. There are also opportunities to enhance the character of the WHS and its features, to improve interpretation and to encourage more visitors.</i></p>	To clarify guidance on 'natural energy'
R36 – R39 Desirable Requirements: Development in the SPD area, page 24	Minor changes of wording and renumber as R38 – R41	To improve the layout of the SPD
R40 – R42 Essential Requirements: World Heritage Site setting, page 25	Renumber as R35 – R37	To improve the layout of the SPD
11. Proposals and Guidance for the Belper Meadows, page 27	<p>Add new wording The success of sports teams could result in a requirement for further built infrastructure and care would have to be taken to avoid placing clubhouses, fencing and ground raising in a location where it <i>would have both an adverse impact on flood risk and be potentially unsafe</i></p>	To replace wording omitted from an earlier version

	for those using and maintaining the facilities.	
Appendix 2	Add new appendix: Character Appraisal	To ensure the Character Appraisal forms part of the SPD and can be used to illustrate design matters