Amber Valley Borough
Local Plan

Submission Local Plan
March 2018
1. **Introduction**

1.1 This document comprises the Submission Local Plan, which has been submitted to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

1.2 The Submission Local Plan follows the publication of the Pre-Submission Local Plan in November 2017 and the receipt of representations following the 6 week publication period up to 14 December 2017.

1.4 The representations received following publication of the Pre-Submission Local Plan cannot be considered by the Borough Council and have been forwarded to the Secretary of State, alongside the Submission Local Plan and supporting documents.

1.5 The Submission Local Plan includes a spatial portrait of and a spatial vision for Amber Valley and a number of strategic objectives. It sets out a spatial strategy, up to 2028, in relation to the scale and location of housing and economic growth in the Borough and includes a number of site specific proposals for housing development, business & industrial development and mixed-use development, together with policies in relation to a range of issues.

1.7 The Submission Local Plan also sets out how the policies and proposals will be implemented and monitored to assess their effectiveness.

1.8 Whilst a number of the policies and proposals in the Submission Local Plan are cross referenced, they need to be read in conjunction with each other to ensure a complete understanding of the Plan.

1.9 When the Local Plan has been adopted, the Development Plan for Amber Valley will consist of the following documents:

- Amber Valley Borough Local Plan
- Derby & Derbyshire Minerals Local Plan
- Derby & Derbyshire Waste Local Plan
- Neighbourhood Plans

1.10 The Submission Local Plan is accompanied by a Sustainability Appraisal (SA) Report and an Infrastructure Delivery Plan.

1.11 The SA Report presents information on the economic, social and environmental effects of implementing the policies and proposals in the Local Plan and the appraisal methodology adopted to identify these effects.
1.12 The Infrastructure Delivery Plan sets out the transport, physical, social and green infrastructure required to support the housing and economic growth which the policies and proposals in the Local Plan are intended to support.

1.13 Paragraph 157 of the National Planning Policy Framework (NPPF) refers to the need for local plans to be drawn up over an appropriate timescale, preferably 15 years and to take account of longer term requirements. The Borough Council acknowledges that the Local Plan period will only extend to 2028. In these circumstances, the Borough Council is committed to an early review of the Local Plan, following adoption.
2 What Have We Done So Far?

2.1 The preparation of a new Local Plan for Amber Valley follows the Borough Council’s withdrawal of the Local Plan Part 1 The Core Strategy in December 2015. However, extensive consultation has previously taken place on options for housing and growth at a strategic scale and in relation to other issues that were to be addressed in the Core Strategy. This included consultation on Issues and Options (2010), Options for Housing Growth (2011) and a Preferred Growth Strategy (2012), prior to the Submission of the Core Strategy in 2013.

2.2 The Core Strategy process was also informed by a range of evidence, including that undertaken or commissioned jointly by the local planning authorities within the Derby Housing Market Area (HMA) (Amber Valley, Derby & South Derbyshire). Much of this evidence remains relevant and up to date in the context of the preparation of a new Local Plan, but the Borough Council has undertaken and/or commissioned further evidence to inform the new Local Plan, where appropriate. A list of the all the relevant evidence is set out at Appendix 2.

2.3 Given the key factor in the decision to withdraw the Core Strategy in December 2015, namely the lack of sufficient confidence that the Borough Council would be able to demonstrate a five year housing land supply when the Examination was due to be resumed, the process of preparing a new Local Plan has involved re-visiting the range of potential housing sites, as set out in the Strategic Housing Land Availability Assessment (SHLAA) for Amber Valley. This included issuing a ‘call for sites’, inviting landowners/prospective developers to submit details of sites with potential for housing (or other) development. Officers have also identified other potential housing sites, including those previously considered through the Core Strategy process, sites previously submitted through the Strategic Housing Land Availability Assessment (SHLAA).

2.4 The Borough Council undertook engagement with a range of technical and other bodies, in relation to the assessment of potential housing sites identified through the ‘call for sites’ or otherwise and the responses received from this engagement informed the conclusions as to the sites to be identified for development in the Draft Local Plan.
2.5 On 17 March 2017, the Borough Council published the Draft Local Plan, for the purposes of public consultation, in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2.6 Regulation 18 requires that:-

'(1) A local planning authority must

a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and

b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

(2) The bodies or persons referred to in paragraph (1) are

a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;

b) such of the general consultation bodies as the local planning authority consider appropriate; and

c) such residents or other persons carrying on business in the local planning authority’s area from which the local planning authority consider it appropriate to invite representations.

(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).'

2.7 Further details of the consultation process on the Draft Local Plan and the Borough Council’s response to the representations received were set out in the Regulation 19 Statement of Consultation and Publicity, which accompanied publication of the Pre-Submission Local Plan.

2.8 On 2 November 2017, the Borough Council published the Pre-Submission Local Plan, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
2.9 Regulation 19 requires that before submitting a local plan to the Secretary of State under section 20 of the Act, the local planning authority must:

   a) make a copy of the each of the proposed submission documents and statement of the representations procedure available in accordance with regulation 35 and

   b) ensure that statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies invited to make representations under regulation 18 (1).'

2.10 Further details of the representations received following publication of the Pre-Submission Local Plan, including a summary of the main issues raised by the representations, are set out in the Regulation 22 Statement of Consultation, which has accompanied the submission of the Local Plan to the Secretary of State.
3. **Spatial Portrait Of Amber Valley**

3.1 Amber Valley covers an area of over 265 square kilometres and is made up of the four market towns of Alfreton, Belper, Heanor and Ripley, as well as many villages and other smaller settlements. The western part of the Borough is primarily rural in nature with villages and the market town of town of Belper surrounded by attractive countryside.

3.2 The eastern part of the Borough is more urban in nature and includes the other market towns of Alfreton, Heanor and Ripley. The majority of the Borough’s 122,300 residents live in the four market towns, all of which have experienced economic and social difficulties as a result of the decline of their traditional industries. However, Belper has benefited from its location within the Derwent Valley Mills World Heritage Site and has seen considerable investment through new housing and environmental improvements, as well as becoming increasingly attractive.

3.3 Amber Valley benefits from having good transport connections to other parts of the country. The A38 links the Borough to Derby to the south and to the M1 (junction 28) to the north. The A6 also links to Derby to the south and links to Matlock to the north, whilst the A610 links to Nottingham and the M1 (junction 26) to the south east. The Borough is also well served by the national rail network, including stations at Alfreton, Belper and Langley Mill (serving Heanor) with local services to Derby and Nottingham as well as limited direct services to London and other parts of the country.

3.4 The Borough’s accessibility makes it an attractive location for commuters, as well as opening up opportunities for shopping and leisure activities in other towns and cities. The decline in the Borough’s traditional industrial base has also led to former employment sites being redeveloped for housing, particularly in Belper, increasing patterns of out-commuting.

3.5 Whilst unemployment levels remain lower than national and regional averages, this masks pockets of higher unemployment, particularly in the eastern wards within Alfreton, Heanor and adjoining settlements.

3.6 The Borough’s attractive and diverse landscape, architecture and important heritage features enable many of those living and working in Amber Valley to benefit from a high quality environment with a wide range of flora and fauna. However, other parts of the Borough have suffered from the impact of past land uses and activities on the environment and a balance must be struck between encouraging new development and protecting the environment.
4.1 **Spatial Vision For Amber Valley**

By 2028, Amber Valley will have healthy, vibrant and sustainable communities with a wide range of quality facilities and services for all sectors of the population. Residents will enjoy an excellent quality of life and the Borough will be an attractive place for people to live, work and visit. These communities will be safe and all will be able to live and visit these areas without the fear of crime.

4.2 Most new growth will be concentrated in the most sustainable locations outside the Green Belt, be of a high quality of design, improve the vibrancy of these areas and respect their local distinctiveness. The creation of a new mixed use development at land north of Denby will have made a significant contribution to meeting the Borough’s housing needs.

4.3 There will be a network of pedestrian and cycling linkages across the Borough to improve footfall and access recreational areas, improved areas of public open space and a wide range of services. Improvements to the transport infrastructure will have been carried out and all new development will be well served by public footpaths, cycle routes and public transport to reduce dependency on the car and make best use of existing infrastructure.

4.4 More affordable housing will be provided with new housing designed to provide for the needs of all sectors of the community. Existing traffic congestion that currently exists within all of the four market town centres will have been reduced and the quality of the environment in the town centres will have been improved.

4.5 The Derwent Valley Mills World Heritage Site covers a corridor running through Amber Valley from Derby City to Derbyshire Dales. Belper, the only town in the East Midlands that lies within a World Heritage Site, will have tourist based employment opportunities to replace lost manufacturing jobs based on the textile industry. The character and appearance of the town will have been improved through initiatives to restore historic buildings, improve areas used by the public and ensure that new development is of the highest standard of sustainable design which protects the Outstanding Universal Value of the World Heritage Site, attracting inward investment.

4.6 Town and District Centres, local centres, villages and the rural landscape in the Borough will be enhanced and protected from unsustainable and unsympathetic development and access to these areas by means other than the car will be improved. Existing village facilities will be preserved and new development will have been provided where it had assisted in meeting the needs of the community.
4.7 A wide range of environmentally friendly businesses will be created and existing businesses will be encouraged to grow. The quality of employment sites will be improved and the Borough will have a lower unemployment rate.

4.8 Areas and buildings of architectural or historic interest and their settings, including the Derwent Valley Mills World Heritage Site and the Borough’s Historic Parks and Gardens at Kedleston Hall, Belper River Gardens and Belper Cemetery will be preserved and enhanced and protected from unsympathetic development.

4.9 All important green open spaces and areas of nature conservation interest in the Borough, including the Derwent Valley corridor and the Ecclesbourne Valley will be protected and enhanced wherever practical.

4.10 All open space, parks, recreational areas, leisure facilities, community facilities and cultural facilities will be of the highest standard and these together with natural greenspace and woodland will be easily accessible by pedestrians and cyclists. These will form part of a network of green infrastructure. As far as possible, all local communities will have access to local facilities without having to use the car. This will include ensuring that new development is located and designed to minimise car journeys to support local communities.

4.11 All areas of the Borough will have access to high quality communications infrastructure fit for the 21st century.
5 Strategic Objectives

5.1 The strategic objectives for the Local Plan have been derived through an analysis of local issues and evidence, including through previous public consultation in relation to the Core Strategy, in order to meet the needs of those who live, work and visit the Borough. A table outlining which policies will assist in meeting these objectives can be found in the Policy Objectives Matrix on pages 11-12 of the Local Plan.

1) To achieve sustainable design and construction by promoting high quality design and facilitating reductions in resource consumption and waste, whilst maximising opportunities for renewable energy generation and utilisation where appropriate.

2) To foster economic development by improving the quality and accessibility of employment land and infrastructure within the Borough, including the regeneration of brownfield land and to reduce socio-economic inequalities through the regeneration of deprived communities.

3) To promote the growth and viability of the market towns of Alfreton, Belper, Heanor and Ripley in a way that is consistent with the role and function of these towns.

4) To enable the provision of a sufficient number of decent, affordable and well-designed dwellings to meet the housing needs of all local communities.

5) To promote the principles of community safety by supporting initiatives that engender reductions in local levels of crime and fear of crime in the Borough.

6) To improve the health and wellbeing of local people and promote equality and cohesion within and between communities in the Borough, by increasing opportunities for local people to participate in a range of leisure, cultural, sport and community activities and providing access to the natural environment, particularly for children and young people.

7) To protect and enhance the environmental quality and local distinctiveness of spaces and places in the Borough in relation to landscapes and heritage, including, but not limited to, the Derwent Valley Mills World Heritage Site and the Special Landscape Area.
8) To protect, maintain, restore, enhance and create areas of nature conservation and woodland in the environment, with a focus upon enhancing wildlife corridors and networks of habitats, preventing further fragmentation and extending the connectivity of habitats.

9) To ensure that a network of easily accessible and high quality open spaces, parks, recreational areas, leisure facilities, community facilities, sports facilities, green infrastructure and cultural facilities is maintained and enhanced in the Borough.

10) To provide and support improvements to the transport network, including the provision of infrastructure that creates opportunities for non-motorised transport, increases public transport accessibility and mitigates against the creation of traffic congestion.

11) To aim to ensure that local services, facilities and employment opportunities in the Borough are accessible to all local communities.

12) To ensure that new development is directed away from areas at highest risk of flooding, and to maintain, enhance and where necessary remediate the quality of surface and groundwater resources.
## Policy Objectives Matrix

<table>
<thead>
<tr>
<th>Local Plan Objectives</th>
<th>Local Plan Policies</th>
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<tbody>
<tr>
<td><strong>Objective 1</strong></td>
<td>R1, EN1, EN15 - EN17</td>
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<tr>
<td>To achieve sustainable design and construction by promoting high quality design and facilitating reductions in resource consumption and waste, whilst maximising opportunities for renewable energy generation and utilisation where appropriate.</td>
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<tr>
<td><strong>Objective 2</strong></td>
<td>SS4 - SS5, SS11, ED1 - ED13</td>
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<td>To foster economic development by improving the quality and accessibility of employment land and infrastructure within the Borough, including the regeneration of brownfield land and to reduce socio-economic inequalities through the regeneration of deprived communities.</td>
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<td><strong>Objective 3</strong></td>
<td>SS1, SS5 - SS8, ED9</td>
</tr>
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<td>To promote the growth and viability of the market towns of Alfreton, Belper, Heanor and Ripley in a way that is consistent with the role and function of these towns.</td>
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<tr>
<td><strong>Objective 4</strong></td>
<td>SS2 - SS3, SS11, HGS1 - HGS15, H1 – H8, IN13</td>
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<td>To enable the provision of a sufficient number of decent, affordable and well-designed dwellings to meet the housing needs of all local communities.</td>
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<tr>
<td><strong>Objective 5</strong></td>
<td>EN14, EN17, IN13</td>
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<td>To promote the principles of community safety by supporting initiatives that engender reductions in local levels of crime and fear of crime in the Borough.</td>
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<tr>
<td><strong>Objective 6</strong></td>
<td>IN4 - IN5, IN8 - IN10, IN13</td>
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<td>To improve the health and wellbeing of local people and promote equality and cohesion within and between communities in the Borough, by increasing opportunities for local people to participate in a range of leisure, cultural, sport and community activities and providing access to the natural environment, particularly for children and young people.</td>
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<tr>
<td><strong>Objective 7</strong></td>
<td>SS9, SS11, EN2 - EN10, IN3</td>
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<td><strong>Objective 10</strong></td>
<td>IN1, IN11 - IN13</td>
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<td>To provide and support improvements to the transport network, including the provision of infrastructure that creates opportunities for non-motorised transport, increases public transport accessibility and mitigates against the creation of traffic congestion.</td>
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<tr>
<td><strong>Objective 11</strong></td>
<td>IN1, IN6 - IN7</td>
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<td>To aim to ensure that local services, facilities and employment opportunities in the Borough are accessible to all local communities.</td>
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<td><strong>Objective 12</strong></td>
<td>EN1, EN11 - EN13</td>
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6  Spatial Strategy Policies

6.1  Presumption In Favour of Sustainable Development

6.1.1  The National Planning Policy Framework (NPPF) emphasises the need for local planning authorities to approve applications for development that comply with an up to date Local Plan, and refuse development that conflicts with it unless other material considerations indicate otherwise.

6.1.2  It goes on to state that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area
- local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted
- policies in local plans should follow the approach of the presumption in favour of sustainable development, so that it is clear that development which is sustainable can be approved without delay.

6.1.3  The Spatial Strategy in the Local Plan reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will take a positive approach by supporting development proposals wherever possible, where these can help to improve the local economy, physical and social infrastructure and protect and/or enhance the environment and where relevant supporting policies are included within neighbourhood plans.

Policy SS1

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework, provided the application is in accordance with the policies of this Local Plan. It will work proactively with applicants to find solutions, so that proposals can be approved wherever possible, and to secure development that improves the economic, social cultural and environmental conditions in the Borough. Planning applications that accord with the policies in this Local Plan (and
with policies in adopted neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole or specific policies in that Framework indicate that development should be restricted.

6.2 Housing Need & Housing Land Provision & Distribution

National Policy

6.2.1 The National Planning Policy Framework (NPPF) requires local planning authorities to boost significantly the supply of housing by:

- using their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for the market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period

- identifying and updating an annual supply of specific deliverable sites sufficient to provide a five year supply of housing against their housing requirements, with buffers to allow for a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land

- identifying a supply of specific, developable sites or broad locations for growth, for years 6-10 and where possible, for years 11-15

- for market and affordable housing, illustrating the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing, describing how they will maintain delivery of a five year supply of housing land to meet their housing target; and

- set this out their own approach to housing density to reflect local circumstances.
6.2.2 The NPPF emphasises that local authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies. It also refers to encouraging the effective use of previously developed (brownfield) land provided that it is not of environmental value.

6.2.3 The NPPF also states that planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities may be the most effective means to achieve the principles of sustainable development.

6.2.4 The Town and Country Planning Association has recognised that well planned new communities, in the form of new Garden Cities, suburbs or villages, provide an opportunity to create high quality, sustainable places. Such development should deliver a range of house types, including social and affordable housing; provide a mix of employment and other uses as well as housing; provide new open space; be accessible by a range of means of transport; provide a high quality of design that respects the character of the local landscape and preserve existing natural features.

**Housing Need**

6.2.5 In 2012, the local planning authorities within the Derby Housing Market Area (HMA) (Amber Valley, Derby and South Derbyshire) jointly commissioned a Housing Requirements Study for the Derby HMA. The Study followed initial work undertaken jointly by the three authorities, as part of the preparation of their respective Core Strategies, to consider options for housing growth across the Derby HMA. The aim of the Study was to help the three authorities to consider in further detail how much housing should be planned for up to 2028.

6.2.6 In 2013, the Derby HMA authorities then commissioned an update of the Strategic Housing Market Assessment (SHMA) for the Derby HMA, previously undertaken in 2008.

6.2.7 The updated SHMA drew on the findings of the 2012 Housing Requirements Study, together with further information from the 2011 Census and subsequent population estimates and population and household projections, as well as economic forecasts. The updated SHMA concluded that an additional 35,354 dwellings were required in the Derby HMA between 2008 and 2028, including 8,326 additional dwellings within Amber Valley.
6.2.8 The conclusions of the updated SHMA were initially tested at the Examination into the submitted Amber Valley Local Plan Part 1: Core Strategy in 2014, along with a further paper which considered more recent evidence regarding migration trends, to test if the underlying projections on which household growth was projected remained sound, as well as providing a sensitivity analysis of the projections in the updated SHMA and considering alternative scenarios for household formation.

6.2.9 Following the 2014 Examination, an objectively assessed housing need for 33,388 additional dwellings across the Derby HMA was established, adjusted to cover the period 2011 to 2028. This was broken down within the Derby HMA as follows:-

Amber Valley 7,395 dwellings
Derby 16,388 dwellings
South Derbyshire 9,605 dwellings.

6.2.10 The established housing need for the Derby HMA was subsequently tested through the Examinations into the submitted South Derbyshire Local Plan Part 1: Core Strategy (2015) and Derby City Local Plan Part 1: Core Strategy (2016). Following these Examinations, the established figure of 33,388 dwellings has been maintained and is reflected in the respective Core Strategies for South Derbyshire and Derby City, which have now been adopted.

6.2.11 The South Derbyshire Core Strategy, which was adopted in March 2016, includes provision for a minimum of 12,618 dwellings between 2011 and 2028. This provision reflects the established housing need arising in South Derbyshire itself (9,605 dwellings), as well as providing a contribution of 3,013 dwellings towards meeting unmet housing need arising in Derby. The contribution in relation to Derby recognises the limited capacity (11,000 dwellings) within the City to accommodate additional housing growth to fully meet established housing need within the City (16,388 dwellings) between 2011 and 2028.

6.2.12 The Derby City Core Strategy, which was adopted in January 2017, includes provision for 11,000 dwellings between 2011 and 2028, reflecting the limited capacity for further housing growth within the City within this period.
6.2.13 The adoption of the South Derbyshire and Derby Core Strategies means that within Amber Valley, provision will need to be made for a minimum of 9,770 additional dwellings between 2011 and 2028, in order to fully meet the objectively assessed need for the Derby HMA over this period. This would reflect the housing need arising in Amber Valley itself (7,395 dwellings), as well as providing a contribution of 2,375 dwellings towards meeting the unmet housing need arising in Derby. A minimum target of 9,770 additional dwellings was agreed by the Borough Council in January 2016, for the purposes of preparing a new Local Plan.

6.2.14 In November 2016, the Borough Council commissioned an Addendum Update to the 2013 Derby HMA Strategic Housing Market Assessment (SHMA). The purpose of the Addendum was to consider whether there was any further evidence that might point to a different housing need figure for Amber Valley, to inform the new Local Plan. The Addendum Update involved the following:-

- a review of the impact of the 2014-based Sub-National Household Projections and the 2015 Mid-Year Population Estimates
- an analysis of the expected growth in the working population of the Borough arising from the 2014-based Sub-National Household Projections and a comparison with the findings of the employment forecast which underpinned the preparation of the 2016 Employment Land Need Study commissioned by the Borough Council
- a review of the latest evidence on market signals
- an updated assessment of affordable housing needs, taking account of the latest data.

6.2.15 The Addendum Update concluded that, taking into account the range of further evidence, the housing need in Amber Valley between 2011 and 2028 equates to between 7,123 and 7,242 dwellings and given that this is very similar to the previously established need for 7,395 dwellings, considered that the further evidence does not suggest a meaningful change in the position and that it would therefore be reasonable to conclude that the joint evidence for the Derby HMA continues to support a need for 7,395 dwellings.
Housing Land Provision & Distribution

6.2.16 In planning for the provision of housing development to reflect the minimum target, having regard to the objectively assessed housing need in Amber Valley and to make a contribution towards unmet need arising within Derby City, the Borough Council has considered whether the previous focus for development should continue to reflect that previously set out in the Core Strategy.

6.2.17 The principal focus for housing and economic growth in the Core Strategy was one of urban concentration, directing the majority of new housing development towards locations within and surrounding the four urban areas of Alfreton, Belper, Heanor and Ripley, where there is the greatest range of services and facilities and the potential to maintain and secure sustainable patterns of development. The Core Strategy also proposed new housing development on the edge of the Derby urban area and a strategic mixed-use development on land north of Denby, with more limited housing development in the Borough’s villages and other rural settlements, to reflect the needs of and opportunities arising within those communities and to ensure that they can offer an appropriate range of services and facilities, consistent with their scale and function.

6.2.18 Whilst this focus for growth was established in the Core Strategy following earlier consultation on a range of options and is therefore still considered to be appropriate, there is a need to consider whether it can be retained in the new Local Plan, having regard to the scale of housing required to meet identified need and the opportunities available for development on additional sites required to meet that need.

6.2.19 In planning for a minimum of 9,700 dwellings between 2011 and 2028 in Amber Valley, the Borough Council has taken into account the following:-

- dwellings completed since 1 April 2011
- existing planning permissions or resolutions to grant planning permission for housing development
- making an allowance for housing development on small brownfield sites (sites with an estimated capacity for under 10 dwellings), including changes of use or conversions of buildings to housing from other uses, which cannot be readily identified in advance (known as ‘windfall’)
- sites already identified for housing development in a Neighbourhood Plan.
The table at Appendix 1 shows that as at 1 August 2017, 7,527 dwellings had either already been built since 1 April 2011 or can be expected to come forward up to 2028. This means that the Borough Council needs to identify additional sites in the Local Plan to provide at least a further 2,243 dwellings, in order to meet the minimum target of 9,700 dwellings up to 2028.

The Borough Council has previously established a range of potential housing sites through the Amber Valley Strategic Housing Land Availability Assessment (SHLAA). The SHLAA was updated in 2013 to inform the preparation of the Core Strategy, but following the withdrawal of the Core Strategy in 2015 and the subsequent decision to prepare a single Local Plan, the Borough Council issued a ‘call for sites’ in January 2016, inviting landowners/developers to confirm previous submissions of potential sites through the SHLAA and/or to put forward additional potential sites.

In total, 129 potential sites were either submitted through the ‘call for sites’ process, or otherwise identified by the Borough Council as potential sites through discussions with relevant landowners/developers, with 4 additional potential sites being identified through representations on the Draft Local Plan.

The assessment of the potential sites, in terms of their suitability and deliverability for housing development, has taken into account the economic, social and environmental benefits from development, including the provision of physical, social and green infrastructure, as well as environmental constraints, including the Derwent Valley Mills World Heritage Site and its defined buffer zone; the setting of Kedleston Hall Historic Park and Garden; other heritage assets; areas of high quality landscape or importance for nature conservation; areas at risk from flooding and the impact of new development on the transport network.

The assessment of the potential sites has also been informed by a range of further evidence either undertaken or commissioned by the Borough Council since the withdrawal of the Core Strategy in 2015, namely:-

- an updated Employment Land Need Study – this has identified sites previously proposed for new business and industrial development which could be brought forward for housing development
- a Landscape Sensitivity Study – this has assessed the relative sensitivity to development of land around the Borough’s urban areas, villages and other settlements
- an updated Strategic Flood Risk Assessment (SFRA) – this has updated the previous SFRA from 2009
- heritage assessments - each of the potential sites has been considered in relation to the potential impact of development on heritage assets.

6.2.25 The Borough Council has considered whether to undertake or commission a review of the Green Belt boundary within Amber Valley, to inform the assessment of potential housing sites. It was concluded in July 2016 that a review should not be carried out at that time and that a more appropriate approach would be to await the outcome of the assessment of potential sites against other relevant planning considerations. Subject to there then being a need to consider further sites, i.e. if sufficient suitable and deliverable sites outside the Green Belt could not be identified, an assessment would then be undertaken in relation to any potential sites within the Green Belt which would otherwise be considered to be suitable for development and capable of being delivered by 2028, to see whether any ‘exceptional circumstances’ could be demonstrated to justify amending the Green Belt boundary, having regard to the purposes of Green Belt as set out in the NPPF.

6.2.26 The Borough Council has also undertaken engagement with a range of technical and other bodies in relation to the potential sites, having regard to the potential benefits from and constraints to development and the feedback from this engagement has informed the assessment process.

6.2.27 The Borough Council has concluded that there are 19 additional sites which are suitable for housing development, capable of delivering development within the Plan period and which reflect the principles of sustainable development. The sites are identified as Housing Growth Sites in Chapter 7 of the Pre-Submission Local Plan (policy HGS1).

6.2.28 A number of representations have been received following consultation on the Draft Local Plan, in relation to suggested additional/alternative sites to be included as proposed Housing Growth Sites. These include a number of the potential sites submitted in response to the Council’s ‘call for sites’ in January 2016 and which were given careful consideration in the process of preparing the Draft Local Plan.

6.2.29 The Borough Council does not consider that any additional or alternative sites should be proposed as Housing Growth Sites and included in Pre-Submission Local Plan. This is based on the conclusions that:

a) sufficient sites have already been identified to meet housing need and that are considered to be suitable in principle for development and able to deliver development within the Plan period
b) those additional or alternative sites already considered prior to the Draft Local Plan, including via the ‘call for sites’ process, have already been considered as to their suitability and the subsequent representations received following consultation have not provided any compelling information to alter the conclusions reached in respect of those site, or in respect of any other sites that have not previously been submitted to the Council for consideration through the Local Plan process.

6.2.30 The proposed Housing Growth Sites include land north of Denby, which has previously been identified for mixed-use development in the Adopted Amber Valley Borough Local Plan 2006 and which was proposed to be included in the Core Strategy, albeit with a different mix of housing and other uses. However, it is now proposed to include a larger area of land for development in the Pre-Submission Local Plan, including land currently within the Green Belt, in order to enable the delivery of a comprehensive mixed use development scheme in this location. The Pre-Submission Local Plan therefore proposes an amendment to the Green Belt in this location and the Borough Council considers that there are ‘exceptional circumstances’ to justify this amendment, having regard to the purposes of Green Belt as set out in the NPPF. The ‘exceptional circumstances’ are set out in more detail in the supporting text to policy SS10 in the Pre-Submission Local Plan.

6.2.31 A number of representations were received following consultation on the Draft Local Plan, stating that the Borough Council should have undertaken a comprehensive review of the Green Belt boundary within the Borough to inform the Draft Local Plan, given the extent of housing need within the Borough and the range of constraints to development on a number of sites outside the Green Belt and that the Council should not be proposing to the Green Belt boundary, in advance of a comprehensive review. Some of these representations also relate to suggested additional/alternative sites within the Green Belt, to be included as proposed Housing Growth Sites.

6.2.32 Although paragraph 83 of the NPPF states that local authorities should only alter Green Belt boundaries in exceptional circumstances, through the preparation of review of a Local Plan, there is no explicit reference to a requirement that the whole of the extent of the Green Belt boundary within a local authority area should be reviewed, prior to any proposal being brought forward for a boundary amendment in one or more specific location within a local authority area.
Other than in relation to land north of Denby, the Borough Council does not consider that there are any other sites where ‘exceptional circumstances’ have been demonstrated to justify any other amendments to the Green Belt boundary. However, the Borough Council acknowledges the need to undertake a comprehensive review of the Green Belt boundary within Amber Valley, in the context of a subsequent review of the Local Plan.

Appendix 1 shows that in total, the proposed Housing Growth Sites could provide around 3,536 additional dwellings up to 2028 and together with dwellings already completed since 2011 and already committed or planned for, would provide an overall total of 11,063 additional dwellings between 2011 and 2028.

Appendix 1 also shows that in relation to the requirement to establish and maintain at least a 5 year supply of housing land, the proposed Housing Growth sites could provide, in total, 2,101 additional dwellings by 31 March 2023. Together with dwellings expected to come forward on sites already committed or planned for, this would provide an overall total of 5,702 dwellings up to 31 March 2023.

Appendix 1 sets out the two methods that can be used to deal with any shortfall in housing land supply. The ‘Sedgefield’ method seeks to make up any shortfall within the next five year period, whilst the ‘Liverpool’ method is a residual approach where the shortfall is made up across the remaining Plan period. Applying the ‘Sedgefield’ approach gives a housing land supply equivalent to 5.03 years as at 1 August 2017, whilst the ‘Liverpool’ approach gives a supply equivalent to 6.02 years at the same date.

The Borough Council has identified a reduction of the number of empty properties within Amber Valley as one of its key priorities. The Borough Council actively seeks out empty properties so they can be brought back into use for residential purposes and to help reduce the need to increase the housing stock by building new properties. However, many of these empty properties cannot be readily brought back into use, for a variety of reasons. Some are associated with business premises and will only be occupied where this would not present any security risk to the business. Other empty properties are undergoing demolition, remodelling or conversion, are subject to legal processes, or are on the market for sale and therefore despite the proactive approach to bringing empty properties back into use, these will not be able to make a significant contribution to meeting future housing need in Amber Valley.
6.2.38 The Borough Council is also committed to maximising opportunities for development on previously developed (brownfield) land. However, given the extent of housing need up to 2028 and the decreasing opportunities that are available on brownfield sites, it is inevitable that a significant proportion of new development will have to take place on greenfield land.

6.2.39 Taking into account completions since 2011, commitments and planned development as at 1 August 2017 and the proposed Housing Growth Sites, the provision and distribution of housing development in the Draft Local Plan maintains the focus of urban concentration as previously proposed in the Core Strategy, whilst the scale of provision above the minimum target of 9,770 dwellings provides flexibility in the event that sites do not come forward as anticipated.

Policy SS2

The Borough Council will support the delivery of new housing, economic growth and diversification through the following spatial strategy.

Provision will be made for a minimum of 9,770 additional homes (net) from 2011-2028 through a range of accommodation to meet the needs of the whole community and to ensure that the local economy builds on its existing and growing strengths, whilst respecting areas of the Borough that are sensitive in terms of ecological value, flood risk, pollution, landscape and heritage assets and their settings.

Most of this growth will take place in and surrounding the four urban areas of Alfreton, Belper, Heanor and Ripley and on the edge of Derby and as part of a comprehensive mixed use development on land north of Denby Bottles. A limited amount of growth will also take place at villages in accessible and sustainable locations that promote the vitality and viability of communities, maintain their rural character and individual settlement identities.

6.3 Settlement Hierarchy

6.3.1 In addition to the proposed Housing Growth Sites in the Pre-Submission Local Plan, there is a need to include appropriate policies for the consideration of other proposals for housing development, which would support the principles of sustainable development and which would support the spatial strategy in relation to the scale and distribution of housing provision, as set out in policy SS2.
6.3.2 Whilst recognising that the Borough’s four urban areas (and the urban area of Derby) contain the greatest number and range of services and facilities to support new housing development and that most development should continue to be provided in and adjoining those urban areas, the scope for villages and other settlements in Amber Valley to accommodate further housing development has been considered through an assessment of the services and facilities across those villages and other settlements.

6.3.3 Over 40% of the resident population of Amber Valley live in one of the four main urban areas within the Borough (Alfreton, Belper, Heanor and Ripley) and the range of services and facilities which serve that population is similarly concentrated in those urban areas. On this basis, the Borough Council has concluded that any settlement hierarchy should include the four urban areas within the first or highest tier.

6.3.4 In assessing the range of services and facilities available in those settlements outside the four urban areas, the Borough Council concluded that this should include those services and facilities which could make a significant contribution to maintaining or establishing a sustainable community. The Borough Council also concluded that the most straightforward approach would be one that reflects the number of those services and facilities available within each settlement and to apply a minimum threshold to determine how the settlements should be defined in a hierarchy. This approach means that those settlements which are most accessible in terms of sustainable modes of transport and that have the most facilities and services are considered to be capable in principle of accommodating a higher level of growth and will be included in a higher tier within a settlement hierarchy. Conversely, those settlements with only a limited number of services and facilities are seen as being suitable for only a limited amount of growth and should be in a lower tier in the hierarchy.

6.3.5 On this basis of the above conclusions, three categories of settlement have been identified to be included within a settlement hierarchy, as follows:

Urban Areas

These comprise the four market towns within the Borough (Alfreton, Belper, Heanor and Ripley), together with the adjoining settlements which make up the urban area in each case.
Key Villages

These include those villages within the Borough which, outside of the urban areas, provide the greatest number and range of services and facilities and services to support local communities.

Other Villages and Settlements

These include those villages and other settlements with a more limited range of services and facilities.

6.3.6 Based on the settlement hierarchy, policies are included in the Pre-Submission Local Plan to support an appropriate scale of housing growth within each group of settlements within the hierarchy. Policy SS3 identifies those villages with the greatest number of services and facilities as ‘Key Villages’, whilst those with less facilities are identified as ‘Other Villages & Settlements’. Policies relating to development proposals for settlements within each of the groups within the hierarchy and within the countryside, outside settlement boundaries, are included in Chapter 8 of the Pre-Submission Local Plan (policies H1-H3).

Policy SS3

In addition to the proposed Housing Growth Sites, as set out in policies HGS1 to HGS15 the Borough Council will support the provision and distribution of housing development in accordance with the following Settlement Hierarchy:-

Urban Areas:

Alfreton (including Alfreton, Leabrooks, Riddings, Somercotes and Swanwick)
Belper (including Belper and Milford)
Heanor (including Heanor, Langley Mill and Loscoe)
Ripley (including Ripley, Codnor and Waingroves)
Derby (edge of urban area within Amber Valley)
Key Villages:

Ambergate
Crich
Denby Village
Denby Bottles/Rawson Green
Duffield
Fritchley
Heage
Holbrook/Bargate
Holloway
Horsley
Horsley Woodhouse
Ironville/Codnor Park
Kilburn
Kirk Langley
Sawmills
Smalley
South Wingfield

Other Villages and Settlements:

Alderwasley
Bullbridge
Cowers Lane
Crosshill
Denby Common
Hazelwood
Idridgehay
Langley Common
Lea
Lower Hartshay
Mackworth
Makeney
Mapperley
Mugginton
Pentrich
Quarndon
Shipley
Street Lane
Turnditch
Weston Underwood
Whatstandwell
Windley

Countryside:

Outside the built framework of the Urban Areas, Key Villages & Other Villages & Settlements.
6.4 **Business & Industrial Land Provision & Distribution**

6.4.1 The National Planning Policy Framework (NPPF) emphasises the importance of securing economic growth to create jobs and prosperity, building on the country’s strengths and meeting the challenges of global competition and a low carbon future. The Government wants the planning system to do everything it can to support sustainable economic growth and significant weight should be placed on the need to support economic growth through the planning processes.

6.4.2 To maintain and improve the local economy, it is essential that sufficient land is available for new business and industrial development, to meet the needs of existing businesses wishing to expand or relocate and to attract new businesses, as well as to provide new employment opportunities for existing and future residents of the Borough.

6.4.3 An Employment Land Review was originally commissioned in 2008 by the three authorities in the Derby HMA. This Review assessed the quality of existing business and industrial areas and land allocated for such uses, across the Derby HMA and concluded that although Amber Valley had a sufficient quantity of existing and proposed business and industrial land, many of these sites were of poor quality and the Review suggested that these sites could be de-allocated and identified for other purposes.

6.4.4 In 2013, an update of the 2008 Review was commissioned by the Derby HMA authorities. This update concluded that the issue regarding the poor quality of many of the existing and proposed business and industrial sites in Amber Valley was still apparent. Based on the recommendations of the 2013 Review, the Core Strategy proposed that a minimum of 75 hectares of new business and industrial land should be provided in Amber Valley, for the period 2008 to 2028.

6.4.5 Following the withdrawal of the Core Strategy and the commitment to prepare a new single Local Plan, the Borough Council commissioned a further review of business and industrial land in March 2016, focusing solely on Amber Valley.

6.4.6 The updated Employment Land Need Study has assessed the need for additional land for business and industrial development in the Borough over the Plan period (and beyond), having regard to need and to potential supply.
In relation to need, the Study recommends that the rate of historic take-up of business and industrial land be used as the basis for establishing how much land is required to meet need up to 2028 (and beyond). Based on the average annual take-up of 2.7 hectares between 1992 and 2016, 45.90 hectares would therefore be required over the Plan period 2011 to 2028. However, taking into account land that has already come forward for new business and industrial development between 1 April 2011 and 31 March 2016 (2.73 ha), the net requirement from 1 April 2016 would be 43.17 hectares.

The Study also recommends that the Local Plan should have an additional buffer (equivalent to 5 years based on the average of 2.7 hectares per annum) to reflect a choice of sites by size, quality and location and to provide a continuum of supply beyond the Plan period. This would equate to an additional 13.5 hectares over the Plan period between 2011 and 2018 and would increase the requirement to 59.40 hectares over this period.

In relation to potential supply, the Study recommends that a number of the sites identified for new business and industrial development in the Adopted Local Plan 2006 be excluded from the new Local Plan, namely:

- Cotes Park East, Somercotes 11.26 ha
- Cotes Park Lane, Cotes Park West, Somercotes 0.51 ha
- Keys Road, Alfreton Trading Estate, Alfreton 0.47 ha
- Adams Close, Heanor Gate Industrial Estate, Heanor 2.17 ha
- Nottingham Road, Ripley 5.40 ha

The Study considers that these sites a) are unlikely to come forward for business and industrial development within the Plan period (or at all) and could therefore potentially be allocated for other uses, or b) are retained by individual companies to meet their specific needs and should not be regarded as generally available.

Based on the exclusion of the sites listed at paragraph 6.4.9 above, the conclusions of the Study lead to a potential supply of 55.05 hectares, from 1 April 2016. This would comprise the remaining sites identified for business & industrial development in the Adopted Local Plan 2006 together with two sites where planning permission has been granted for mixed-use development, including an element of employment uses (B1/B2/B8), namely at Lily Street Farm, Derby Road, Swanwick (14.42 ha) and at Shipley Lakeside, Shipley (1.27 ha).
6.4.12 However, the Study has included in the potential supply figure the area identified in the Adopted Local Plan 2006 at land north of Denby (Cinderhill) for business and industrial development (30 ha). This was proposed to be reduced to 6 hectares in the revised mixed use development proposals for this land in the Core Strategy, but following the submission of further proposals for mixed-use development in this location, there is now considered to be potential for 12 hectares of land for new business and industrial development in this location. In addition, the Study does not take into account land identified for employment uses in the Ripley Neighbourhood Plan at Butterley Brick, Peasehill Road, Ripley (8 ha).

6.4.13 The net effect of adjusting the figures to reflect paragraph 6.4.12 above is to reduce the potential supply to 45.05 hectares from 2016 to 2028. This would be sufficient to meet the net requirement of 43.17 hectares from 2016 to 2028, although this would not be the case, should an additional buffer be included. The updated position as at 1 April 2017, taking into account the deletion of land at Bullsmoor, Belper (3.80 hectares) and including additional development at Denby Hall (5.46 hectares), reduces the potential supply to 41.25 hectares and the remaining requirement to 37.71 hectares.

6.4.14 The Borough Council considers that it would not be appropriate to include a buffer, despite the recommendation in the Study. The ‘call for sites’ process did not identify any potential new sites for business and industrial development, other than those referred to in paragraph 6.4.11, which have already received planning permission. The ‘call for sites’ process did identify the potential for around 2.43 hectares of land for business and industrial development, within a submission for a larger area of land at Nottingham Road, Ripley, including proposals for housing development. However, this land is within the Green Belt and other than in relation to land north of Denby, the Council has considered that there are no other sites where ‘exceptional circumstances’ have been demonstrated to justify any other amendments to the Green Belt boundary. It is therefore unrealistic at the present time to expect any additional sites to come forward for business and industrial development. It is also anticipated that the following the adoption of the new Local Plan, the Borough Council will be expected to commence an early review of the Plan, given that it will only extend to 2028. This early review will provide the opportunity for a further assessment of the need for and supply of land for new business and industrial development, well in advance of 2028.
The proposed Economic Growth Sites set out in Chapter 7 of the Draft Local Plan (policy EGS1) would provide in total 33.25 hectares of land for new business and industrial development. Together with land already developed since 2011 (8.19 ha) and the land identified for employment uses in the Ripley Neighbourhood Plan (8 ha), this would be more than sufficient to meet a requirement for at least 45.90 hectares over the Plan period.

In addition to the proposed Economic Growth Sites, opportunities will also arise in other locations, including within existing Business & Industrial Areas (policy ED3) and in Town, District and Local Centres (policy SS5), including land identified as Mixed Use Development Areas (policies ED1-4).

Policy SS4

The Borough Council will support economic development and diversification across the Borough, in accordance with the spatial policies of the Local Plan, by allocating as necessary land to support economic growth in appropriate and sustainable locations.

Provision will be made for a minimum of 45.90 additional hectares (net) of land for new business and industrial development from 2011-2028, to support economic growth and future employment needs, including high quality sites.

Other Locations To Support Economic Growth

The Borough’s four Town Centres of Alfreton, Belper, Heanor and Ripley are the focus of much of the economic activity in Amber Valley, outside existing business and industrial areas.

The National Planning Policy Framework (NPPF) states that local plans should promote competitive town centre environments, recognising how town centres are at the heart of communities and ensuring that they are resilient to future economic changes by providing customer choice and a diverse retail offer that reflects the individuality of the town centres.

In 2011, the Borough Council commissioned a Retail Study for Amber Valley, in order to assess the performance and future retail prospects of the four Town Centres. The Study also identified trends in food and non-food retailing and the implications of these trends, as well as shortfalls in and opportunities for retail development in the Borough. The Study also considered the future role of Langley Mill as a Local Centre.
6.5.4 The Retail Study concluded that the retail performance across the four town centres varied considerably and concluded that a clear focus on improving the ‘health’ of Heanor town centre and to a lesser extent Alfreton and Ripley town centres (in terms of improving the quality and diversity of their retail offer) was required over the Plan period.

6.5.5 In relation to Langley Mill, the Retail Study concluded that having regard to recent investment in the form of a new supermarket and other local shopping and other facilities, it should be upgraded to District Centre status.

6.5.6 The other Local Centres within the Borough (Codnor, Duffield, Leabrooks and Somercotes), together with more limited neighbourhood facilities elsewhere in the Borough, provide a range of more local shopping and other services and facilities to serve local communities. Development proposals which help to consolidate these services and facilities should be supported.

Policy SS5

Development proposals for retail, office, leisure, entertainment and cultural facilities will be permitted where they would maintain and enhance the vitality and viability of the Borough’s Town Centres, District Centre and Local Centres.

The four Town Centres of Alfreton, Belper, Heanor and Ripley will be the preferred location for the provision of the majority of new retail, office and other uses appropriate to a town centre which attract large numbers of people.

Within each Town Centre, the Borough Council will seek to ensure that new retail and other town centre uses:-

a) support a balanced approach to the planned level of housing and employment growth for each town

b) facilitate improvements to the accessibility of the town centre, including from surrounding rural areas

c) positively contribute to the mix and diversity of uses within the town centre, without undermining their primary retail function

d) support the appropriate re-use or regeneration of land and premises

e) maintain or enhance the quality of the built environment, having regard to local character, townscape and cultural heritage.
The District Centre of Langley Mill will serve its immediate hinterland and the wider service and employment needs of the local community, including through the provision of new retail and other uses which support its economic growth and regeneration.

The Local Centres of Codnor, Duffield, Leabrooks and Somercotes will serve the needs of their immediate hinterlands, including through limited new retail and other community facilities.

In addition to provision within the Town Centres, District Centre and Local Centres, neighbourhood based retail and other provision will be permitted where it would help to consolidate and improve existing provision, or serve new housing development.

6.6 Development in Town Centres

6.6.1 The Town Centres boundaries for Alfreton, Belper, Heanor and Ripley were defined in the Adopted Amber Valley Borough Local Plan 2006 to steer new shopping and other development appropriate to a town centre towards these locations.

6.6.2 The NPPF sets out the national planning policy advice on town centre and retail developments. Importantly, the NPPF still incorporates the key sequential and impact tests, which were key principles incorporated in the cancelled PPS4.

6.6.3 The 2011 Retail Study re-affirmed the Town Centre boundaries for Alfreton and Ripley but suggested minor amendments to the boundaries for Belper Town Centre, to exclude an area of land containing non town centre uses and for Heanor Town centres, to exclude a supermarket site and retail park on the western edge of the centre.

6.6.4 It is not proposed to identify any specific sites for new retail development in any of the four Town Centres but to take a more flexible approach towards supporting development proposals within the centres, against a range of suitable criteria. Specific sites are however identified as Mixed Use Development Areas in Belper Town Centre in Chapter 9 of the Pre-Submission Local Plan (policies ED1-3).
Policy SS6

Within the Borough’s Town Centres, as shown on the Proposals Map, development will be permitted for A1 (Shops) use and other uses appropriate within a town centre - A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), A5 (Hot Food Take Aways), C1 (Hotels), C2 (Residential Institutions), D1 (Non-Residential Institutions), D2 (Assembly and Leisure) and Sui Generis, where the proposals:-

a) would sustain or enhance the vitality and viability of the town centre

b) can be satisfactorily accessed by both private and public transport.

The conversion of vacant retail, office or other floorspace at upper floor level to residential use will be permitted. Residential development at ground floor level will also be permitted, providing it can be demonstrated that this would not have an adverse impact on the vitality and viability of the town centre.

In the case of proposals within defined Primary Shopping Frontages which would result in the loss of an existing retail use at ground floor level, the criteria in policy SS7 will also need to be satisfied.

6.7 Primary Shopping Frontages

6.7.1 The NPPF refers to the need for local plans to define the extent of town centres and primary shopping area, based on a clear definition of primary and secondary frontages within town centres, as well as the need to establish policies making clear which uses will be permitted in such locations.

6.7.2 The primary shopping frontages in Alfreton, Belper and Ripley Town Centres were previously established in the Adopted Amber Valley Borough Local Plan 2006. These were based on pedestrian priority areas, with the emphasis being on retaining a high proportion of shops within these frontages, in order to maintain their role as the principal location for shopping in each Town Centre. It is proposed to retain these primary shopping frontages in the new Local Plan, subject to the recommendation in the 2011 Retail Study to slightly extend the primary shopping frontage in Belper to include additional retail uses along the western side of Strutt Street. It is also proposed to introduce a new primary shopping frontage in Heanor Town Centre based on Market Street and Market Place, as recommended in the Retail Study, to resist the loss of any more retail uses in these parts of the Town Centre.
6.7.3 Within the primary shopping frontages, development proposals for the change of use of existing retail units, including vacant retail units (use class A1) to other uses appropriate within a town centre, will need to be carefully considered in terms of their potential impact on the vitality and viability of the town centre to the point that such applications will only be permitted in exceptional circumstances.

**Policy SS7**

Within the Primary Shopping Frontages within each Town Centre, as shown on the Proposals Map, the change of use from A1 (Shops) uses to other uses appropriate within a town centre - A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), A5 (Hot Food Take Aways), C1 (Hotels), C2 (Residential Institutions), D1 (Non-Residential Institutions), D2 (Assembly and Leisure) and Sui Generis, will only be permitted where the proposals would not undermine the primary role of the frontage as the principal shopping location within the town centre.

The Borough Council will require any applications to be accompanied by a report from an independent consultant that the property has been vacant and actively marketed as a property to be used for A1 (Shops) use for at least 12 months at a competitive rent.

6.8 Development On The Edge Of Or Outside Town Centres

6.8.1 The NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses in locations outside town centres. Town centre locations should be the preferred location, followed by edge of centre locations and out of centre sites only being considered if suitable sites within or on the edge of a town centre are not available. Preference should then be given to any edge of centre or out of centre proposals which that are well connected to a town centre.

**Policy SS8**

Following a sequential approach to site selection, priority will be given to town centre locations and then edge-of-centre locations for major new retail, leisure and office development and out-of-centre locations will only be appropriate if no other suitable sites are available either within or on the edge of a town centre.

When considering edge-of-centre and out-of-centre proposals, developments should not have an adverse impact on existing, committed and planned public and private investment in the centre or the vitality and viability of the town centre as a whole.
In respect of the development of retail, leisure and office development outside town centres, planning applications will need to be supported by an impact assessment if the development is over 2,500 sq. m and a Transport Assessment, if it has been requested by the Highway Authority.

6.9 Green Belt

6.9.1 The NPPF emphasises the importance of continuing to protect Green Belt from inappropriate development and that established Green Belt boundaries should only be altered in exceptional circumstances. The NPPF also states that when reviewing Green Belt boundaries, local planning authorities should take into account the need to provide sustainable patterns of development.

6.9.2 The Borough Council remains committed to protecting the Green Belt within Amber Valley, which largely surrounds the urban areas of Belper, Heanor and Ripley and extends to the southern boundary of the Alfreton urban area. However, the Pre-Submission Local Plan proposes to amend the existing Green Belt boundary to delete land from the Green Belt to the north of Denby, in association with proposals for a strategic mixed use development scheme. The ‘exceptional circumstances’ that the location considers arise to justify the proposed amendment to the Green Belt boundary are set out in detail in paragraphs 6.10.1 to 6.10.13 in the Pre-Submission Local Plan.

Policy SS9

Within the Green Belt, as shown on the Proposals Map, planning permission will only be granted where very special circumstances can be demonstrated, or where the proposals relate to one or more of the following categories of appropriate development, which would preserve the openness of the Green Belt and would not conflict with any of the purposes of including land within the Green Belt:

a) buildings associated with agriculture or forestry

b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries

c) the extension or alteration of a building, providing this would not result in disproportionate additions over and above the size of the original building

d) the replacement of a building, providing the new building is in the same use and not materially larger than the one it would replace

e) limited infilling in villages and limited affordable housing on ‘rural exception’ sites in accordance with policy H5
f) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact than the existing development on the openness of the Green Belt and the purpose of including land within it than the existing development

g) mineral extraction

h) engineering operations

i) local transport infrastructure, providing this can demonstrate a requirement for a Green Belt location

j) the re-use of existing buildings, providing that the buildings are of permanent and substantial construction

k) development brought forward under a Community Right to Build Order.

Proposals that would enhance the beneficial use of the Green Belt, including by improving access, retaining or enhancing the landscape, visual amenity and biodiversity, or improving damaged or derelict land, will be supported, providing they do not conflict with any other relevant policies in the Local Plan.

6.10 Amendment to the Green Belt

6.10.1 It is proposed to amend the Green Belt boundary to delete land from the Green Belt to the north of Denby, in association with proposals for a strategic mixed use development scheme in this location. The land proposed to be deleted from the Green Belt comprises a) land to the north of the area included in the Adopted Amber Valley Borough Local Plan 2006 for mixed use development and b) land to the west of the A38. A plan showing the areas of land to be deleted from the Green Belt is included in Appendix 3.

6.10.2 The Adopted Amber Valley Borough Local Plan 2006 included proposals for mixed use development of up to 300 dwellings and a minimum of 30 hectares for business and industrial uses, on land north of Denby (known as Cinderhill). The Core Strategy proposed to retain this same area of land for mixed use development, but proposed to revise the mix of uses, to include 1,800 dwellings and 6 hectares of business and industrial land.
6.10.3 The revised proposals were examined as part of the Core Strategy Examination in 2014. Although the Inspector subsequently wrote to the Borough Council to advise that he intended to suspend the Examination, he concluded that from all of the evidence presented in relation to the land north of Denby, it was capable in principle of being a sound and realisable large-scale allocation, subject to some policy modifications. He did however conclude that the suggested timescale for securing completed dwellings appeared to be over-optimistic, given the likely lead times necessary to obtain outline planning permission, complete appropriate agreements/undertakings, approve the necessary remediation programme for derelict and contaminated land, resolve land ownership issues (noting that the proposals related to land with 17 different ownerships and that a compulsory purchase order might be required) and dispose land to housebuilders, who would then need to obtain reserved matters approvals and deliver the necessary early stages of infrastructure.

6.10.4 Given the Inspector’s conclusions, the Borough Council has considered whether it can be confident that the proposals, as put forward in the Core Strategy, can be delivered through the new Local Plan.

6.10.5 It has not previously been possible to secure, by agreement, the support of all the relevant landowners in respect of the proposals for the land north of Denby and it has therefore been likely that the Borough Council would have had to use its compulsory purchase powers to secure all of the land required for development. This process would require a back to back agreement with a prospective developer, given the Borough Council’s limited financial resources and any objections to a Compulsory Purchase Order (CPO) from one or more landowners would need to be considered by the Secretary of State, who might conclude that it would be appropriate to hold a public inquiry to hear any objections. This raises the prospect of a lengthy delay to the delivery of development and could indeed prevent development from taking place, in the event that a CPO was not confirmed by the Secretary of State.

6.10.6 Any development in this location would also need to meet the essential requirement to deliver the remediation of the tar pits, as well as other derelict and contaminated land, together with securing a range of necessary improvements to transport and other infrastructure required in conjunction with new development.
The Borough Council has received, through the ‘call for sites’ process, a submission which promotes all of the area of land previously proposed for mixed use development in the Adopted Local Plan 2006 and proposed to be retained in the Core Strategy, together with additional land to the north of this area and to the west of the A38. The promoter of this wider area of land considers that it has the potential to deliver, in total, around 3,000 additional dwellings and 12 hectares of land for new business and industrial development.

The promoter anticipates that around 1,100 dwellings could be delivered within the Plan period, i.e. up to 2028, together with all of the proposed 12 hectares for business and industrial development and that this scale of development could be wholly contained within the area previously identified for development in the Adopted Local Plan 2006 and the Core Strategy. However, the promoter has also advised that this scale of housing and business and industrial development, within the Plan period, could only be delivered by including the wider area of land in the Local Plan. This position is based on the need to generate sufficient land value to meet the abnormal costs associated with development in this location and to provide the necessary return to enable any scheme to be commercially viable. The promoter has referred in particular to the costs of remediating the tar pits, as well as the improvements that would be required to existing transport infrastructure to address the additional traffic movements generated by new development, including the provision of a new junction on to the A38, which the promoter considers to be an essential element of any necessary improvements.

The inclusion of the larger area of land north of Denby in the Pre-Submission Local Plan would require an amendment to the existing Green Belt boundary and the Borough Council needs to demonstrate that there are ‘exceptional circumstances’ to justify such an amendment, having regard to paragraph 83 of the NPPF.

Having regard to a) the five purposes of including land within Green Belt, as set out in paragraph 80 of the NPPF and b) the range and extent of economic, social and environmental benefits that could be provided through a large-scale, comprehensive mixed-use development scheme, the Borough Council considers that there are ‘exceptional circumstances’ to justify an alteration to the Green Belt boundary in this location.
In respect of the purposes of including land within Green Belt:-

- the proposals would not compromise the need to preserve the setting and special character of any historic town, as although Belper to the west of the site has a number of Listed Buildings and an extensive Conservation Area, these do not relate to the eastern part of the urban area

- the proposals would not result in the unrestricted sprawl of any large built up areas, or lead to any neighbouring towns merging into one another - a distance of around 1.5 km would be retained between the proposals and the nearest urban area to the north and east (Ripley) and the proposals could deliver appropriate additional landscaping to reinforce and enhance existing field boundaries, to ensure a strong new defensible Green Belt boundary - whilst the proposals would result in a narrowing of the gap between Denby/Kilburn and the edge of the urban area of Belper to the west, the provision of a link road between a new A38 junction and the A609 could provide a strong defensible boundary, reinforced by additional landscaping, as appropriate

- the proposals would result in only limited encroachment into the countryside, primarily to the north, where much of the land has been subject to opencasting of coal and although this land has been restored, it is not of high environmental quality

- the proposals would also contribute to regeneration, through securing the remediation of derelict and contaminated land.

In relation to economic, social and environmental benefits:-

- the proposals would deliver a new A38 junction, which (together with other improvements to transport infrastructure) would not only reflect the need to address an increase in traffic movements associated with new development, but would also provide a direct access to the strategic highway network, thus making the site more attractive for new business and industrial development and therefore increasing potential job opportunities, as well as improving connectivity for local residents and businesses in Belper and helping to relieve existing traffic movements on the A6 between Belper and Derby, through the provision of a link road between a new A38 junction and the A609
• the proposals would secure a range of new social and community infrastructure, including new and/or expanded schools and new sports and recreational facilities and/or improvements to existing facilities

• the proposals would enable the remediation of the tar pits and other derelict and contaminated land within the site, as well as having the potential for improvements to biodiversity.

6.10.13 For the reasons set out in paragraphs 6.10.1 to 6.10.12, it is proposed to delete 80 hectares of land from the Green Belt to the north of Denby, in conjunction with the inclusion of 167 hectares of land in the Pre-Submission Local Plan as a Housing Growth Site/Economic Growth Site (policies HGS1, HGS15 and EGS1 in Chapter 7). This is on the basis of the delivery of 1,100 additional dwellings and 12 hectares of land for new business and industrial development within the Plan period i.e. up to 2028, with this scale of development being provided wholly within that part of the site previously proposed for mixed use development in the Adopted Local Plan 2006 and which was proposed to be retained in the Core Strategy. Those parts of the site comprising the land proposed to be deleted from the Green Belt will be safeguarded for development beyond the Plan period i.e. after 2028.

6.10.14 The area proposed to be deleted from the Green Belt (80 hectares) represents less than 1% of the total area of land currently designated as Green Belt in Amber Valley (8650 hectares).

Policy SS10

Land is proposed to be deleted from the Green Belt at land to the north and west of Denby Bottles/Rawson Green, as shown on the Proposals Map

6.11 Countryside

6.11.1 The NPPF refers to the need for the planning system to contribute to protecting and enhancing the natural environment. Strict controls are required to control new building development in the open countryside away from existing settlements or outside areas allocated for development in development plans.
6.11.2 Careful control therefore needs to be exercised over development proposals in the countryside outside the built framework of or adjacent to settlements, in order to maintain the openness of the countryside, whilst recognising the need to accommodate development which is necessary to sustain the rural economy, or which is otherwise essential within a countryside location. In relation to housing development, new isolated homes in the countryside will only be permitted where special circumstances can be demonstrated, having regard to the guidance in paragraph 55 of the NPPF.

Policy SS11

In the countryside, outside the built framework of or adjacent to settlements, new development will be permitted where it:-

a) is essential in conjunction with the requirements of agriculture or forestry, or

b) involves sustainable development which will enhance or maintain the vitality of rural communities, or

c) would improve the viability, accessibility or community value of existing services and facilities in settlements remote from service centres provided by the towns and larger villages, or

d) constitutes affordable housing on 'rural exception' sites and meets the criteria in policy H5

New isolated homes in the countryside will only be permitted where special circumstances can be demonstrated.

All forms of development in the countryside will be required to be of an appropriate scale or character and to not have a significant adverse impact on the character or amenity of the locality and where possible, should be located within or adjacent to existing buildings to retain the openness of the countryside and minimise visual impact. Where the proposals would result in the loss of a heritage asset, it will need to be demonstrated that the public benefits of the proposals would clearly outweigh any harm.
7 Growth Site Policies

7.1 Housing Growth Sites

7.1.1 The Pre-Submission Local Plan proposes a number of sites as Housing Growth Sites. The proposed sites are all considered to be suitable for housing development, capable of delivering development within the Plan period and to reflect the principles of sustainable development. In total, the sites are expected to provide around 3,536 additional dwellings up to 2028.

Policy HGS1

The following sites, as shown on the Proposals Map, are identified for new housing development:

<table>
<thead>
<tr>
<th>Site Description</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cotes Park, Birchwood Lane, Somercotes</td>
<td>210</td>
</tr>
<tr>
<td>Amber Valley Rugby Club, Lower Somercotes, Somercotes</td>
<td>200</td>
</tr>
<tr>
<td>Somercotes Hill, Somercotes</td>
<td>180</td>
</tr>
<tr>
<td>Belper Lane, Belper</td>
<td>65</td>
</tr>
<tr>
<td>Leafy Lane, Heanor</td>
<td>12</td>
</tr>
<tr>
<td>Newlands/Taylor Lane, Heanor</td>
<td>500</td>
</tr>
<tr>
<td>Thorpes Road, Heanor</td>
<td>35</td>
</tr>
<tr>
<td>Whysall Street, Heanor</td>
<td>76</td>
</tr>
<tr>
<td>Hall Road, Langley Mill</td>
<td>80</td>
</tr>
<tr>
<td>Asher Lane Business Park (North), Ripley</td>
<td>85</td>
</tr>
<tr>
<td>Asher Lane Business Park (South), Ripley</td>
<td>92</td>
</tr>
<tr>
<td>Butterley Hill, Ripley</td>
<td>100</td>
</tr>
<tr>
<td>Moseley Street, Ripley</td>
<td>10</td>
</tr>
<tr>
<td>Radbourne Lane (North), Mackworth</td>
<td>600</td>
</tr>
<tr>
<td>Radbourne Lane (South), Mackworth</td>
<td>70</td>
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<tr>
<td>The Common, Crich</td>
<td>65</td>
</tr>
<tr>
<td>Duffield Depot, Derby Road, Duffield</td>
<td>16</td>
</tr>
<tr>
<td>Wessington Lane, South Wingfield</td>
<td>40</td>
</tr>
<tr>
<td>Land north of Denby</td>
<td>1,100</td>
</tr>
</tbody>
</table>

Total 3,536
Proposals for housing development will be permitted on these sites, subject to the provision of or financial contributions towards necessary infrastructure to support new development and mitigate any impact of development on the community and environment, as required by policy IN13, as well as satisfying the criteria set out in other relevant policies of the Plan.

Where there are particular issues relating to individual sites, development proposals will also need to meet the specific requirements in relation to that site, as set out in policies HGS2 to HGS15.

Cotes Park, Birchwood Lane, Somercotes

7.1.2 This site lies to the north-east of the settlement of Somercotes, to the north of Birchwood Lane, with existing residential properties along Birchwood Lane forming the southern boundary to the site. Cotes Park Industrial Estate and Pennytown Ponds Local Nature Reserve are situated to the north of the site, with an area of allotments to the west. The site itself mainly comprises a number of fields currently in agricultural use, with a small woodland in the north-western corner of the site. A public footpath runs along the northern and eastern and boundaries of the site and extends through the site in its north-western corner.

7.1.3 Although this site currently benefits from an outline planning permission for new business & industrial development, the 2016 Employment Land Need Study concludes that the site is not an attractive location for potential new businesses and the landowner has indicated a clear preference for the site to be developed for housing. The site is readily accessible to local services and facilities and although close to an existing Local Nature Reserve, it is considered that this can be safeguarded through an appropriate design of development, involving the retention of existing woodland within the site and providing a suitable area for protected species and a link to the Local Nature Reserve to the north of the site (Pennytown Ponds).
Policy HGS2

Land is identified at Cotes Park, Birchwood Lane, Somercotes as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 210 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:

an appropriate design that:

i) takes into account the potential for any pollution or nuisance associated with existing or any new business and industrial uses adjacent to the site, in order to protect residential amenity

ii) retains existing woodland within the site and provides a suitable area to accommodate protected species and to establish a link for those protected species to the Local Nature Reserve at Pennytown Ponds, immediately to the north west of the site.

iii) takes into account potentially unstable land.

Amber Valley Rugby Club, Lower Somercotes

7.1.4 This site comprises two rugby pitches, a two-storey clubhouse and areas of hardstanding used for informal parking. The site is located to the south easterly edge of the settlement of Somercotes. The land is bound to the north and east by grass scrubland, to the west by the existing residential properties on Norman Road, and to the south the B600 Lower Somercotes Road including a group of residential properties known as Furnace Row. Further south lies a large concrete works site.

7.1.5 Outline planning permission for housing development on this site was refused by the Borough Council in November 2016. The reason for refusal related to insufficient information being available at that time regarding the need to remediate existing contaminated land within the site. An appeal against this decision by the applicant has subsequently been dismissed. Notwithstanding the outcome of the appeal, the principle of development for housing is considered to be acceptable, subject to the need for a strategy to be agreed to secure the full remediation of the contaminated land. The potential impact of development in relation to landscape sensitivity and biodiversity will need to be addressed through an appropriate design.
Policy HGS3

Land is identified at Amber Valley Rugby Club, Lower Somercotes, Somercotes as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 200 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:-

a) the provision of a replacement rugby facility on a suitable alternative site, prior to the redevelopment of the existing site for housing, to ensure continuity of sports provision

b) the full remediation of existing contaminated land within the site, to an agreed strategy and scheme of work which will protect residents and soil, groundwater and other environmental conditions both on and off the site

c) an appropriate design that takes into account the conclusions of the Amber Valley Landscape Sensitivity Study

d) takes into account potentially unstable land.

Somercotes Hill, Somercotes

7.1.6 This site lies immediately to the east of Somercotes. It comprises of land used for agriculture, with field boundaries which include trees and hedgerows. The areas to the north and east of the site comprise of open fields. To the south the site is bordered by residential development fronting Somercotes Hill comprising of semi-detached properties.

7.1.7 The site is readily accessible to local services and facilities and employment opportunities and is not within an area of high landscape sensitivity.
Policy HGS4

Land is identified at Somercotes Hill, Somercotes as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 180 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to be of an appropriate design that meets the following specific requirements:-

a) the provision of a multi-user route within the site to link with the proposed Strategic Greenway along the former Pinxton Canal towpath

b) takes into account the conclusions of the Amber Valley Landscape Sensitivity Study

c) the provision of a Phase 2 Intrusive Ground Investigation to assess the extent of any potential contamination within the site, with appropriate remediation of any contamination identified

d) takes into account potentially unstable land.

Belper Lane, Belper

7.1.8 This site consists of agricultural and grazing fields. The site slopes downwards from north to south, with the highest area in the north-west corner. The site is bounded by residential development to the east and south with a recreational ground also located on the southern boundary. Open countryside extends to the north and west. There are immediate views down across the site from Holbrook Road and from the east, from Chevin Road across the Derwent Valley. The site comprises the southern part of the site previously identified as a proposed Housing Growth Site in the Draft Local Plan.

7.1.9 Full planning permission for housing development (118 dwellings) in relation to the site identified in the Draft Local Plan was refused by the Borough Council in September 2017. The reason for refusal was that the proposals would harm the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site, through the erosion of the rural landscape and that the public benefits of the proposals did not outweigh that harm.

7.1.10 The Borough Council has subsequently received a further application for full planning permission, based on a reduced site area to that identified in the Draft Local Plan and the previous application. The further application proposes 65 dwellings and relates to the southern part of the previous application site as identified in the Draft Local Plan.
It is acknowledged that the development of this reduced site area would have an adverse impact on the significance of Derwent Valley Mills World Heritage Site, that it is partly within an area of high landscape sensitivity and may include best and most versatile agricultural land. However, the site is readily accessible to local services and facilities and employment opportunities and is considered to be well-related to the existing pattern of built development within Belper. It is also considered that the environmental impacts of development can be mitigated through an appropriate design and masterplan for the development of the site. In particular, this will need to establish which parts of the site should be retained as open land and the arrangements to safeguard and maintain that land, in order to reduce the impact on the Outstanding Universal Value (OUV) of the World Heritage Site, the setting of other heritage assets and on landscape sensitivity.

Policy HGS5

Land is identified at Belper Lane, Belper as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 65 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:

an appropriate design and masterplan, informed by a visual sensitivity study, that:

i) protects the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site, as well as taking into account the contribution that the site makes to the significance of Belper and Milford Conservation Area, any Listed Building(s) and any other heritage asset(s) adjacent to the site

ii) takes into account landscape character, reflecting the classification of this site as of being of secondary importance in Derbyshire County Council’s Areas of Multiple Environmental Sensitivity (AMES), as well as the conclusions of the Amber Valley Landscape Sensitivity Study.

Newlands/Taylor Lane, Heanor

This site is located on the north western edge of Heanor. It comprises of open fields and a network of public footpaths. There is a large horseshoe shaped area of woodland to the north of the site. The southern, south western and eastern boundaries of the site are bordered by residential development which is pocketed with areas of employment to the west. A Local Wildlife Site and an area identified as a potential Local Wildlife Site are located to the north of the Newlands part of the site.
7.1.13 This site was previously included in the Submitted Core Strategy in 2013 and was subject to Examination in 2014. The site is readily accessible to local services and facilities and employment opportunities and is considered to be well-related to the existing pattern of development within Heanor. Although the site is located less than 100m from a Local Nature Reserve and partly within an area of high landscape sensitivity, it is considered that the environmental impacts of development can be mitigated through an appropriate design and masterplan for the development of the site.

Policy HGS6

Land is identified at Newlands/Taylor Lane, Heanor as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 500 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:-

an appropriate design and masterplan that:-

i) retains, enhances and makes adequate provision for management of public open space and areas of nature conservation interest, including the Bailey Brook Marsh Local Wildlife Site, land identified within the potential Local Wildlife Site (north of Bailey Brook) and Loscoe Dam adjacent to the site

ii) takes into account landscape character, reflecting the classification of this site as of being of secondary importance in Derbyshire County Council’s Areas of Multiple Environmental Sensitivity (AMES), as well as the conclusions of the Amber Valley Landscape Sensitivity Study

iii) takes into account the potential for any pollution or nuisance associated with existing business and industrial uses adjacent to the site, in order to protect residential amenity

iv) takes into account potentially unstable land.

Whysall Street, Heanor

7.1.14 This site comprises an area of land within Heanor town centre previously safeguarded in the Adopted Amber Valley Borough Local Plan 2006 for the provision of the Heanor Inner Relief Road. Large parts of the site are currently used for car parking, together with other vacant or underused land. The majority of the land is within the ownership of Derbyshire County Council and the Borough Council. Retail and other town centres uses lies to the south of the site on Market Street, with residential development to the north of the site.
7.1.15 This is a brownfield site, which is readily accessible to local services and facilities and employment opportunities and is considered to be well-related to the existing pattern of development within Heanor. Although development has the potential to affect the setting of a number of Listed Buildings, it is considered that any potential impacts can be addressed through an appropriate design and masterplan for the development of the site. Given its town centre location, the site may be suitable for the provision of bungalows and/or older persons’ accommodation.

Policy HGS7

Land is identified at Whysall Street, Heanor as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 76 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:-

an appropriate design and masterplan that:-

i) ensures a comprehensive development scheme to maximise the efficient use of land for development

ii) takes into account the contribution that the site makes to the significance of any Listed Building(s) and any other heritage asset(s) adjacent to the site

iii) takes into account potentially unstable land.

Hall Road, Langley Mill

7.1.16 This site is located to the north of Hall Road and east of Cromford Road/Plumptre Road. Residential development on Cromford Road/Plumptre Road forms the western boundary of the site, with a range of employment uses to the south of the site accessed off Hall Road. Land historically subject to waste disposal lies to the east of the site, beyond which is the A610 which also runs to the north of the site. The site itself comprises two fields used for agricultural purposes.

7.1.17 This site was previously included as one of the Proposed Changes to the Core Strategy in 2014, following Examination. The site is reasonably accessible to local services and facilities and employment opportunities and is considered to be well-related to the existing pattern of development within Heanor.
Policy HGS8

Land is identified at Hall Road, Langley Mill as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 80 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:

a) a financial contribution towards the provision of a cycleway along Cromford Road to provide a link to the Cromford Canal

b) the provision of a Phase 2 Intrusive Ground Investigation to assess the extent of any potential contamination within the site, with appropriate remediation of any contamination identified

c) safeguards the route of the Derwent Valley Aqueduct within the site from development

d) takes into account potentially unstable land.

Asher Lane Business Park (North), Ripley

7.1.18 This site is on the northern edge of Ripley, bounded by Asher Lane to the west, existing business and industrial uses to the south, Butterley Reservoir to the east and by open fields to the north. The site contains a number of industrial buildings.

7.1.19 The site is a brownfield site, which was previously included in the Proposed Changes to the Core Strategy in 2014, following Examination. The site is readily accessible to local services and facilities and employment opportunities.

7.1.20 However, the close proximity of the site to Butterley Reservoir may require existing safety measures in relation to the reservoir to be upgraded, as a direct consequence of development. The site is within 100m of a Local Wildlife Site and a significant part of the site (45%) is within Flood Zones 2. Development could potentially also impact on the setting of Butterley Railway Signal Box (Grade 2 Listed Building) and on archaeological remains within a small part of the site.
7.1.21 As part of the site lies within Flood Zone 2, there is a need to demonstrate evidence through the application of the Sequential Test, as identified in the National Planning Policy Framework (NPPF) and national planning practice guidance in relation to flood risk, to justify the site being included in the Local Plan. The Sequential Test has been applied and it is considered that this demonstrates that the development of the site would be appropriate in principle, whilst acknowledging that a detailed Flood Risk Assessment will be required in conjunction with any planning application in relation to the site. The Sequential Test is set out within a Technical Paper accompanying the Pre-Submission Local Plan. However, it is considered that the potential environmental impacts could be mitigated by an appropriate design for the development of the site.

Policy HGS9

Land is identified at Asher Lane Business Park (North), Ripley as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 85 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:-

a) an appropriate design that takes into account:-

i) the potential risk of flooding from the Butterley Reservoir immediately adjoining the site and which retains appropriate access to the reservoir dam and spillway to enable its on-going inspection and maintenance

ii) the proximity of Local Wildlife Sites immediately adjacent to the site

iii) the conclusions of the Amber Valley Landscape Sensitivity Study.

b) a financial contribution towards the provision of a multi-user route on Butterley Lane.

c) the provision of a Phase 2 Intrusive Ground Investigation to assess the extent of any potential contamination within the site, with appropriate remediation of any contamination identified

d) takes into account potentially unstable land.
This site is on the northern edge of Ripley, bounded by Asher Lane to the west, Butterley Lane to the south, Butterley Reservoir to the east and by existing business and industrial uses to the north. The site comprises former industrial land. The disused route of the Cromford Canal passes in a tunnel (Butterley Tunnel) beneath the site. The site is within 100m of a Local Nature Reserve and a Local Wildlife Site, partly within Flood Zones 2/3 (13%) and a small part of the site is within an area of high landscape sensitivity. There is an area of woodland within the southern and eastern parts of the site, which adjoins the Local Nature Reserve and Local Wildlife Site to the south of the site.

The site is a brownfield site, which was previously included in the Proposed Changes to the Core Strategy in 2014, following Examination. The site is readily accessible to local services and facilities and employment opportunities.

However, the close proximity of the site to Butterley Reservoir may require existing safety measures in relation to the reservoir to be upgraded, as a direct consequence of development. Development could also potentially impact on the Butterley Tunnel (part of the disused Cromford Canal) which runs beneath the site.

As part of the site lies within Flood Zones 2/3a, there is a need to demonstrate evidence through the application of the Sequential Test and Exception Test, as identified in the National Planning Policy Framework (NPPF) and national planning practice guidance in relation to flood risk, to justify the site being included in the Local Plan. The Sequential Test and Exception Test have been applied and it is considered that this demonstrates that the development of the site would be appropriate in principle, whilst acknowledging that a detailed Flood Risk Assessment will be required in conjunction with any planning application in relation to the site. The Sequential Test is set out within a Technical Paper accompanying the Pre-Submission Local Plan. However, it is considered that the potential environmental impacts in relation to the site could be mitigated by an appropriate design for the development of the site, including to avoid any development on those parts of the sites within Flood Zones 2/3a and retain existing woodland within the southern part of the site, to protect Butterley Tunnel from any risk of damage from development, including to ensure the preservation of that part of the tunnel which is a designated Scheduled Monument and to address potentially unstable or contaminated land.
Policy HGS10

Land is identified at Asher Lane Business Park (South), Ripley as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 92 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:-

a) an appropriate design that:-

i) retains existing woodland within the southern part of the site

ii) takes into account the potential risk of flooding from the Butterley Reservoir immediately adjoining the site and which retains appropriate access to the reservoir dam and spillway to enable its on-going inspection and maintenance as well as avoiding any development on those parts of the site within Flood Zones 2/3a

iii) takes into account the proximity of the Local Wildlife Site immediately adjacent to the southern boundary of the site

iv) takes into account the conclusions of the Amber Valley Landscape Sensitivity Study

v) safeguards the route of the disused Cromford Canal within the site from development

b) a financial contribution towards the provision of a multi-user route on Butterley Lane

c) the provision of a Phase 2 Intrusive Ground Investigation to assess the extent of any potential contamination within the site, with appropriate remediation of any contamination identified.

d) protects Butterley Tunnel from any risk of damage from development, including to ensure the preservation of that part of the tunnel which comprises part of the Scheduled Monument

e) takes into account potentially unstable land.
Butterley Hill, Ripley

7.1.26 This site comprises the western part of the former Butterley Engineering Works, the eastern part having previously been redeveloped for housing. The site retains some of the former buildings associated with its previous use, although much of the site is now derelict. The disused route of the Cromford Canal passes in a tunnel (Butterley Tunnel) beneath the site. Butterley Hill forms the northern and western boundaries of the site, with the elevated section of the A610 providing the southern boundary to the site, beyond which is a Local Nature Reserve. To the south east of the site lies open land comprises part of the Derbyshire Constabulary headquarters site. This open land is identified for housing development in the Ripley Neighbourhood Plan.

7.1.27 This is a brownfield site, which is reasonably accessible to local services and facilities and employment opportunities and is well related to the existing pattern of development within Ripley. The site is within 100m of a Local Wildlife Site and development could also potentially impact on the significance of the Scheduled Monument, Listed Buildings and other heritage assets within the site. Development could potentially also impact on the Butterley Tunnel (part of the disused Cromford Canal) which runs beneath the site. Part of the site is also within an area of high landscape sensitivity. However, it is considered that the potential environmental impacts could be mitigated by an appropriate design for the development of the site, including to ensure the protection of the various heritage assets within the site, to protect Butterley Tunnel from any risk of damage from development, including to ensure the preservation of that section of the tunnel which comprises part of the Scheduled Monument and to address potentially unstable or contaminated land. It is anticipated that the potential capacity of the site for housing development will be restricted by the requirements for an appropriate design.
Policy HGS11

Land is identified at Butterley Hill, Ripley as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 100 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:

a) an appropriate design and masterplan that:-

   i) protects the Scheduled Monuments, Listed Buildings and other structures and other heritage asset(s) within the site and their settings

   ii) takes into account the proximity of the Local Wildlife Site immediately adjacent to the southern boundary of the site and the potential to expand this designation into the site

   iii) safeguards the route of the disused Cromford Canal within the site from development

   iv) protects Butterley Tunnel from any risk of damage from development, including to ensure the preservation of that part of the tunnel which comprises part of the Scheduled Monument

   v) takes into account potentially unstable land.

b) the provision of a Phase 2 Intrusive Ground Investigation to assess the extent of any potential contamination within the site, with appropriate remediation of any contamination identified.

Radbourn Lane (North), Mackworth

7.1.28 This site is located to the west of Radbourne Lane, adjoining the boundary between Amber Valley and Derby. The majority of the site is in agricultural use, interspersed with hedgerows and trees along field boundaries. The southernmost part of the site comprises a woodland, beyond which is a large-scale housing development currently under construction on land previously identified in the Adopted Amber Valley Borough Local Plan 2006. There are residential and other properties on either side of Ashbourne Road (A52), which forms the northern boundary of the site, with the centre of Mackworth Village beyond to the north of the A52. There are various commercial uses on land to the north west of the site, whilst open fields also in agricultural use lie beyond the western boundary of the site.
This site is readily accessible to local services and facilities and employment opportunities, although there are a number of environmental constraints to development. Part of the site may include best and most versatile agricultural land and development of the site could have an adverse impact on air quality within Derby City. The site is within an area of high landscape sensitivity. Development has potential to have an adverse impact on the significance of a number of heritage assets, including Kedleston Hall Registered Park & Garden (Grade 1), a Scheduled Monument (Mackworth Medieval Settlement), Mackworth Conservation Area and a number of Listed Buildings, including Church of All Saints (Grade 1). However, it is considered that the environmental constraints could be addressed through an appropriate design for the development of the site. The scale and location of development also offers the potential to contribute towards significant infrastructure improvements, including a new primary school within the site, as well as significantly assisting in delivering the agreed contribution towards unmet housing need arising within Derby.

Policy HGS12

Land is identified at Radbourne Lane (North), Mackworth as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 600 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to be consistent with a comprehensive masterplan and be of an appropriate design that meets the following specific requirements:

a) informed by a visual sensitivity study, to take into account the contribution that the site makes to the significance of Kedleston Hall Registered Park & Garden, Mackworth Conservation Area, the Listed Buildings and any other heritage assets

b) the provision of or financial contributions towards improvements to the highway network to offset the impact of development, including in relation to the A38(T)

c) the retention and improvement of the existing footpath within the site, to provide a multi-user route to link with the existing route to the south of the site

d) takes into account landscape character, reflecting the classification of part of the site as of being of secondary importance in Derbyshire County Council’s Areas of Multiple Environmental Sensitivity (AMES), as well as the conclusions of the Amber Valley Landscape Sensitivity Study

e) the provision of a new primary school within the site, together with a financial contribution towards the enhancement of existing secondary school provision in the locality.
Radbourne Lane (South), Mackworth

7.1.30 The site lies adjacent to the Mackworth residential estate on the western edge of the built up area of Derby, immediately to the south of an area currently being developed for housing. The site comprises agricultural fields interspersed with hedgerows and trees along the boundaries. This site is also located to the north and west of Radbourne Lane, adjoining the boundary between Amber Valley and Derby and is predominantly in agricultural use. The large-scale housing development currently under construction on land previously identified in the Adopted Amber Valley Borough Local Plan 2006, lies immediately to the north of the site. Open fields also in agricultural use lie beyond the western boundary of the site.

7.1.31 This site was previously included as one of the Proposed Changes to the Core Strategy in 2014, following Examination. The site is readily accessible to local services and facilities and employment opportunities, although there are a number of environmental constraints to development. Development of the site would lead to the loss of best and most versatile agricultural land and development could also have an adverse impact on air quality within Derby City. The site is within an area of high landscape sensitivity. However, it is considered that the environmental constraints could be addressed through an appropriate design. This would also need to ensure that the function of the existing open land between Markeaton and Mickleover, which is designated as a Green Wedge in the Derby City Local Plan – Part 1 Core Strategy, can be protected. Development in this location would also assist in delivering the agreed contribution towards unmet housing need arising within Derby.

Policy HGS13

Land is identified at Radbourne Lane (South), Mackworth as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 70 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meets the following specific requirements:-

a) an appropriate design that:-

i) retains and improves the existing footpath within the site, to provide a multi-user route to link with the existing route to the north of the site

ii) takes into account landscape character, reflecting the classification of part of the site as of being of secondary importance in Derbyshire County Council’s Areas of Multiple Environmental Sensitivity (AMES), as well as the conclusions of the Amber Valley Landscape Sensitivity Study
iii) protects the function of the Green Wedge within between Mackworth and Mickleover (within Derby City)

b) the provision of or financial contributions towards improvements to the highway network to offset the impact of development, including in relation to the A38(T).

The Common, Crich

7.1.32 This site lies immediately to the west of The Common, adjoining the southern extent of existing built development within Crich. An area of woodland forms the western boundary to the site, beyond which lies open land designated as a Site of Special Scientific Interest. Open fields also in agricultural use lies beyond the southern boundary of the site.

7.1.33 This site is reasonably accessible to local services and facilities and employment opportunities and is considered to be well related to the existing pattern of development within Crich. Although the site is adjacent to a Site of Special Scientific Interest (SSSI) at Crich Chase and could potentially have an adverse impact on the significance of Woodbank House (Grade 2 Listed Building), it is considered that these potential environmental constraints could be addressed through an appropriate design for the development of the site. This design will need to identify the extent of a suitable buffer within the western part of the site between the SSSI and any new built development.

Policy HGS14

Land is identified at The Common, Crich as a Housing Growth Site, as shown on the Proposals Map. The site is estimated to have potential for 65 dwellings. In addition to the requirements set out in policy HGS1, any proposals will need to meet the following specific requirements:-

an appropriate design that:-

i) protects the existing Site of Special Scientific Interest (SSSI) immediately adjoining the western boundary of the site, by identifying the extent of a suitable buffer within the western part of the site between the SSSI and any new built development.

ii) takes into account the contribution that the site makes to the significance of the Listed Building immediately adjacent to the site

iii) takes into account the conclusions of the Amber Valley Landscape Sensitivity Study.
Land North of Denby

7.1.34 The site comprises a mix of brownfield and greenfield land, some of which has been previously used for open cast coal and clay extraction. Some of the site has been restored/naturally regenerated to agricultural land. The southern boundary of the site is bordered by residential development, with land to the north of the site boundary consisting of open fields. Street Lane forms the eastern boundary of the site. The western boundary comprises the proposed route of a new link road between the A609, to the south east of Belper and a proposed new junction on to the A38. The site is known to have contamination in some areas as a result of previous site uses over a long period. In particular, acid tar waste/ash waste was disposed of in the voids left from clay extraction forming what are now known as the tar pits. Park Hall Farm, a Grade 2* listed building is situated in the centre of the site. The site incorporates a large part of existing Local Wildlife Sites.

7.1.35 This site includes the area of land previously identified in the Adopted Amber Valley Borough Local Plan 2006 for a comprehensive mixed use development scheme and which was also proposed for mixed use development in the Submitted Core Strategy in 2013 and subject to Examination in 2014. In addition, the site includes land to the north and west, which is located within the Green Belt. The site as a whole is reasonably accessible to local services and facilities and employment opportunities. Development also has the potential to affect the significance of Park Hall Farm (Grade 2* Listed Building). It is considered that ‘exceptional circumstances’ can be demonstrated to justify an amendment to the Green Belt boundary in relation to this site, having regard to the purposes of including land within Green Belt and given the range of economic, social and environmental benefits that could be secured through a large-scale comprehensive mixed-use development scheme. This is set out in more detail at paragraphs 6.10.10 to 6.10.14 in Chapter 6. It is also considered that the potential environmental constraints could be addressed through an appropriate design for the development of the site. This will need to include identifying those parts of the site that should not be developed, including land immediately to the north of existing residential properties on Northfield.
Policy HGS15

Land north of Denby is identified as a Housing Growth Site and as an Economic Growth Site, as shown on the Proposals Map. Within the Plan period, the site is estimated to have potential for 1,100 dwellings and 12 hectares of business and industrial development. In addition to the requirements set out in policy HGS1, any proposals will include a comprehensive masterplan for a mixed use development scheme, to include phasing of development in accordance with an agreed sequence or timescale and to be of an appropriate design that meets the following specific requirements:

a) the full remediation of existing derelict and contaminated land within the site, to an agreed strategy and scheme of work which will protect residents and other users of the site and soil, groundwater and other environmental conditions both on and off the site

b) the delivery of at least 12 hectares of land for new business and industrial development

c) the timely provision, at agreed stages of the development, of appropriate improvements to the surrounding road infrastructure, including a new junction on to the A38(T) to serve the site, together with a link road between the new junction and the A609 to serve Belper

d) the provision of a new primary school within the site, together with a financial contribution towards the enhancement of existing secondary school provision in the locality

e) the provision of a new local centre to provide local shopping and other community facilities

f) safeguarding the disused transport route within the site as a potential multi-user route for pedestrians and cyclists

h) the protection and enhancement of existing footpaths and other historic routes within the site and the provision of links to existing route networks within and adjacent to the site

i) the protection and enhancement of the Local Wildlife Sites within the site

j) the protection of the Grade 2* Listed Building at Park Hall Farm within the site and taking into account the contribution that the site makes to the significance of the Listed Building

k) taking into account the conclusions of the Amber Valley Landscape Sensitivity Study

l) takes into account potentially unstable land.
7.2 Economic Growth Sites

7.2.1 The Pre-Submission Local Plan proposes a number of areas of land as Economic Growth Sites. These include land previously identified for Business & Industrial Development in the Adopted Amber Valley Borough Local Plan 2006, other than those areas which the 2016 Employment Land Need Study has concluded should not continue to be identified for these purposes, together with land where planning permission has been granted for mixed-use development, including an element of business and industrial uses (Lily Street Farm, Swanwick and Shipley Lakeside, Shipley). The Economic Growth Sites comprise 33.25 hectares of land for new business and industrial development and together with land already developed since 2011 (8.19 hectares) and 8 hectares of land identified for employment uses in the Ripley Neighbourhood Plan, provide a total of 49.44 hectares of business and industrial land, up to 2028.

Policy EGS1 The following sites, as shown on the Proposals Map, are identified for new business and industrial development:-

<table>
<thead>
<tr>
<th>Site</th>
<th>Area (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lily Street Farm, Swanwick</td>
<td>14.42</td>
</tr>
<tr>
<td>Shipley Lakeside, Shipley</td>
<td>1.27</td>
</tr>
<tr>
<td>Alfreton Trading Estate, Somercotes</td>
<td>1.70</td>
</tr>
<tr>
<td>Denby Hall, Denby</td>
<td>3.86</td>
</tr>
<tr>
<td>Land north of Denby</td>
<td>12.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>33.25</strong></td>
</tr>
</tbody>
</table>

Development will be permitted for B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution) uses on these proposed sites, providing the proposals satisfy the various criteria set out in all the other relevant policies in the Plan and in relation to Land North Of Denby, to the specific requirements set out in policy HGS15.
8 Housing Policies

8.1 Housing Development Within Urban Areas & Key Villages

8.1.1 Paragraphs 6.3.3 to 6.3.5 in Chapter 6 of the Pre-Submission Local Plan refer to the conclusions of the assessment of the services and facilities across villages and other settlements within the Borough.

8.1.2 Those villages with the greatest number of services and facilities are identified as ‘Key Villages’ in policy SS3. Together with the Borough’s four Urban Areas, the Key Villages are considered to be the most sustainable locations for housing development, including for the conversion of existing dwellings to provide additional dwellings, or of existing buildings to housing from other uses; the extension to or replacement of existing dwellings; new dwellings, where the land is not specifically identified for any other purposes in the Pre-Submission Local Plan and proposals for affordable housing on ‘rural exception’ sites.

8.1.3 In addition to the proposed Housing Growth Sites listed in policy HGS1 and covered by site specific policies HGS2 to HGS15 in Chapter 7 of the Pre-Submission Local Plan, development should be located within the built framework of the Urban Areas or Key Villages (defined as the limits of continuous or contiguous development forming the existing built up area of a settlement), or adjacent to the settlement, where it can be demonstrated that the scale and nature of the proposals would constitute sustainable development.

Policy H1

In addition to the proposed Housing Growth Sites as set out in policies HGS1 to HGS15, housing development will be permitted on land within the built framework of the following Urban Areas and Key Villages:

Urban Areas:

Alfreton (including Alfreton, Leabrooks, Riddings, Somercotes and Swanwick)
Belper (including Belper and Milford)
Heanor (including Heanor, Langley Mill and Loscoe)
Ripley (including Ripley, Codnor and Waingroves)
Derby (edge of urban area within Amber Valley)
Key Villages:

Ambergate
Crich
Denby Village
Denby Bottles/Rawson Green
Duffield
Fritchley
Heage
Holbrook/Bargate
Holloway
Horsley
Horsley Woodhouse
Ironville/Codnor Park
Kilburn
Kirk Langley
Sawmills
Smalley
South Wingfield

including

- the conversion of existing dwellings to provide additional dwellings or of existing buildings to housing from other uses
- the extension to or replacement of existing dwellings
- new dwellings, where the land is not specifically identified for any other purposes in the Local Plan or proposals for affordable housing on ‘rural exception’ sites, which meet the criteria in policy H5 of the Local Plan

Housing development in the form of any of the above will also be permitted on land adjacent to the built framework of Urban Areas and Key Villages, where it can be demonstrated that its scale and nature would constitute sustainable development.

All proposals will also need to satisfy the relevant criteria in policy EN17,

8.2 Housing Development Within Other Villages & Settlements

8.2.1 The conclusions of the assessment of the services and facilities identifies those settlements with more limited services and these settlements are referred to in policy SS3 in Chapter 6 as ‘Other Villages & Settlements’.
8.2.2 The provision of new dwellings should therefore be more limited to the infilling of small gaps within existing groups of houses, within the built framework of the settlement, or to small scale development adjacent to the settlement, where it can be demonstrated that this would improve the viability, accessibility or community value of existing services and facilities in the settlement.

Policy H2

Housing development will be permitted on land within the built framework of the following Other Villages & Settlements:-

Alderwasley
Bullbridge
Cowers Lane
Crosshill
Denby Common
Hazelwood
Idridgehay
Langley Common
Lea
Lower Hartshay
Mackworth
Makeney
Mapperley
Mugginton
Pentrich
Quarndon
Shipley
Street Lane
Turnditch
Weston Underwood
Whatstandwell
Windley

including

- the conversion of existing dwellings to provide additional dwellings or of existing buildings to housing from other uses
- the extension to or replacement of existing dwellings
- new dwellings, providing the development is in the form of infilling of small gaps within existing groups of houses and where the land is not specifically identified for any other purposes in the Local Plan, or proposals for affordable housing on ‘rural exception’ sites, which meet the criteria in policy H5.
Housing development in the form of any of the above will also be permitted on land adjacent to the built framework of Other Villages and Settlements, where it can be demonstrated that this would improve the viability, accessibility or community value of existing services and facilities in the settlement.

All proposals will also need to satisfy the relevant criteria in policy EN17,

8.3 Housing Development Outside Settlements

8.3.1 Outside the built framework of or adjacent to settlements, strict controls are required to control new housing development, to maintain the openness of the countryside, whilst recognising the need to accommodate development which is necessary to sustain the rural economy, or which is otherwise essential within a countryside location, with new isolated dwellings only being provided where special circumstances can be demonstrated, having regard to the guidance in paragraph 55 of the NPPF.

Policy H3

In the countryside, beyond the built framework of Urban Areas & Key Villages and Other Villages & Settlements or land adjacent to the built framework, housing development will be permitted for

- the conversion of existing dwellings to provide additional dwellings or of existing buildings to housing from other uses, or the extension to or replacement of existing dwellings

- proposals for affordable housing on 'rural exception' sites, which meet the criteria in policy H5

New isolated dwellings will only be permitted where special circumstances can be demonstrated

All proposals will also need to satisfy the relevant criteria in policy EN17.

8.4 Housing Types, Mix & Choice

8.4.1 The NPPF states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, including older people and people with disabilities.
The 2016 Derby HMA Strategic Housing Market Assessment (SHMA) Addendum Update for Amber Valley provides an updated analysis in relation to the required mix of housing from that previously presented in the 2013 SHMA. In relation to market housing, the Addendum Update suggests the following mix:

1-bed properties 0-5%
2-bed properties 35-40%
3-bed properties 45-50%
4-bed properties 10-15%.

In relation to affordable housing, the following mix is suggested:

1-bed properties 30-35%
2-bed properties 35-40%
3-bed properties 20-25%
4-bed properties 5-10%.

The SHMA Addendum Update provides an up to date analysis of the potential housing need for older people (aged 75+ years), which concludes that around 1,334 dwellings would be required between 2011 and 2028, based on the latest population projections. It also provides an analysis the potential need for specialist housing and identifies a requirement for a further 27 dwellings over the Plan period, again based on the latest population projections.

Policy H4

The Borough Council will seek to secure a mix of new housing on development sites which takes account of:

a) the findings of the Strategic Housing Market Assessment
b) the latest local housing needs evidence
c) any imbalance in the existing mix of housing within settlements
d) the housing needs of elderly and disabled people, such as bungalows and suitable flatted accommodation at sustainable locations and through the provision of adaptations, where required.
e) the local circumstances relating to the site and the viability of the development.

The Borough Council may, where appropriate, seek to negotiate with developers to ensure adequate provision in relation to site layout, car parking provision and access to services.

Any proposals will also need to satisfy the criteria in policy EN17.

8.5 Affordable Housing

8.5.1 The National Planning Policy Framework (NPPF) states that local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF. It goes on to state that where local planning authorities have identified that affordable housing is needed, they should set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

8.5.2 The 2016 Derby HMA Strategic Housing Market Assessment Addendum Update identifies a net need for 2,228 affordable dwellings in Amber Valley between 2011 and 2028. However, in practice, the role of the planning system to make an effective contribution to meeting affordable housing needs through agreements with private developers is limited. The scope to secure an element of affordable housing on new development sites needs to be carefully weighed against other potential infrastructure and community benefits considered to be necessary in conjunction with development and the viability of developments, having regard to policy H6. Setting too high a target would lead to no affordable housing being provided, as it would make housing schemes unviable.

8.5.3 A more realistic target of up to 30% affordable housing units is therefore proposed, as a contribution towards meeting the level of need identified in the SHMA. This is the amount of affordable housing already required in the existing Local Plan and the aspiration to achieve this level of affordable housing should remain, despite this requirement leading to some developments not being able to deliver this amount of affordable housing in the current economic climate.
8.5.4 The majority of affordable dwellings will be expected to come forward on those sites identified as Housing Growth Sites in the Pre-Submission Local Plan, as well as on other sites of 15 dwellings or more, or over 0.5 hectares (whichever is the greater) which may also come forward for development during the Plan period. The Borough Council will expect developers to provide, on appropriate sites, up to 30% of new housing provision in the form of affordable housing and to establish suitable arrangements, through Section 106 Agreements, to ensure that the occupancy of affordable housing can be controlled to secure its future benefit for subsequent occupiers.

8.5.5 The NPPF also refers to the need for local planning authorities to plan for the provision of affordable housing area, including through rural exception sites where appropriate. Such sites will relate to land that would not normally be released for housing development and should be located within or on the edge of villages or other settlements.

8.5.6 Housing on ‘rural exceptions’ sites must meet a genuine local need that would not otherwise be met by the housing market and any proposals will need to demonstrate that such a local need exists. Although it is not possible to identify precisely the nature and extent of current and future local housing needs in rural areas, provision will be particularly appropriate for the following categories of people in housing need:

- households in the parish/village who are homeless or currently in accommodation which does not meet their needs
- new households either from the parish/village or with local connections
- persons who are dependants of households living in the parish/village or adjacent parishes/villages
- retired or disabled people who have lived and worked in the parish/village
- households including persons employed in the parish/village and living elsewhere
- households including persons seeking or about to take up employment or provide a rural service in the parish and who require to live locally

8.5.7 The Borough Council will normally require evidence of local need to be established through a parish or village-based survey, in conjunction with the relevant parish council.
In order to ensure that housing is affordable, the rental level or purchase price will need to be significantly lower than the levels on the open market. Consequently, schemes are only likely to be viable on low value agricultural sites where residential development would not otherwise be permitted. It will also be necessary to ensure that arrangements are made to maintain the dwellings at a low cost in perpetuity, through the control of sale or rent, to ensure continued benefit for subsequent occupiers.

Policy H5

Housing development proposals on any sites of 0.5 hectares or more (or 15 dwellings or greater) will be expected to provide up to 30% of the gross number of dwellings, in the form of ‘affordable housing’, subject to considerations of viability, having regard to policy H6.

The Borough Council will negotiate with developers in relation to the tenure mix of affordable housing provision for each site, having regard to the up to date assessment of housing need and subject to considerations of viability.

The Borough Council will negotiate with developers to secure the inclusion of an appropriate review mechanism within any agreement under section 106 of the Town and Country Planning Act 1990, to ensure the maximum level of affordable housing provision within each site, consistent with evidence in relation to viability.

Development will be permitted for affordable housing development on ‘rural exceptions’ sites, providing that:-

- it can be demonstrated that the proposals would meet a genuine local need that would not otherwise be met by the housing market
- arrangements can be made to ensure that the occupancy of such housing can be controlled to secure the benefits for subsequent occupiers
- the proposals are located within or adjoining existing villages or settlements and would satisfy the relevant criteria in policies H1-H3 and EN17.
8.6 Viability

8.6.1 The NPPF requires local planning authorities to give careful attention to viability in plan-making and states that provision for housing development, including through identified sites, should not be subject to a scale of obligations and policy burdens, such that the viability of development is threatened. In relation to affordable housing, the NPPF states that policies should be sufficiently flexible to take account of changing market conditions over time and that where planning obligations are being sought or are being asked to be revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

8.6.2 The on and off site contributions secured through planning obligations, in line with local policy requirements, can represent a significant cost to a developer in bringing a scheme forward on the ground. The Borough Council has established a Planning Viability Policy, as a basis to enable a consistent approach to be applied to the consideration of viability issues associated with development proposals.

8.6.3 The Borough Council has commissioned a Strategic Viability Assessment, to provide evidence that the policy requirements set out in the Local Plan should not threaten the development viability of the Plan as a whole. The Strategic Viability Assessment has concluded that based on the viability testing of the Draft Local Plan, the Borough Council will need to offer some flexibility to ensure a fully deliverable Plan. It states that such flexibility may need to apply to policies to reduce affordable housing levels and/or other policies. It also states that the inclusion of policy H6 in the Draft Local Plan should continue to be applied, to enable a consistent approach to the consideration of viability issues associated with development proposals.

8.6.4 Whilst the viability of development will be a material planning consideration, the primary consideration remains with the Development Plan and where viability issues are such that the policy requirements of the Development Plan cannot being fully complied with, there is a presumption against approving the proposal. However, the Borough Council needs to take a reasonable approach and consider carefully all requests made by developers for the level of on and off site contributions secured through planning obligations to be varied, on their individual merits, taking into account local planning policy requirements, the need to deliver the site, the detailed financial situation, the length of time over which the project is planned and any other local circumstances that may affect viability.
8.6.5 Additionally, lack of viability alone will not be sufficient to justify granting planning permission with reduced on and off site contributions and/or affordable housing provision. It must also be shown that the development coming forward with reduced Section 106 contributions will still help achieve the aims of the Development Plan.

Policy H6

Where necessary, the Borough Council will require the following key steps to be undertaken, to ensure a robust assessment of the viability of proposals for housing development:

a) the submission of a viability assessment in conjunction with planning applications, including sufficient detailed financial information

b) the provision of an independent appraisal by or on behalf of the Borough Council, in relation to a submitted viability assessment, including sensitivity testing where appropriate

c) subject to the conclusions of the viability assessment and the independent appraisal, the establishment of an appropriate review mechanism to enable further assessment and independent appraisal in relation to viability, prior to and/or during the development process, following the completion of an agreement under section 106 of the Town and Country Planning Act 1990 and the granting of planning permission.

8.7 Self-Build & Custom Build Dwellings

8.7.1 The Government has introduced legislation (the Self-build and Custom Housebuilding Act (March 2015) and subsequent guidance (the Self-build and Custom Housebuilding Planning Practice Guidance (April 2016) to support an increase in self-build and custom housebuilding. Local planning authorities are under a duty to keep a register of individuals and associations who have expressed an interest in acquiring serviced plots for self and custom build. The Housing and Planning Act 2016 places a further duty on local planning authorities to grant suitable development permission in respect of enough serviced plots of land to match demand on their self-build and custom build register.

8.7.2 The Local Plan therefore needs to include an appropriate policy in relation to the need to plan for sufficient self-build and custom housebuilding within the Borough.
Policy H7

The Borough Council will seek to secure the provision of sufficient opportunities to meet demand for self-build and custom build dwellings, by supporting proposals that would make a proportion of dwelling plots available for sale to self-builders or custom builders.

Proposals for 5 or more self-build or custom build dwellings in a single site location should be developed in accordance with a set of design principles to be submitted with any application and agreed by the Borough Council.

Where plots have been made available and marketed appropriately for at least 6 months and have not sold, the plot(s) may either remain on the open market or be built out by the developer.

Any proposals will also need to satisfy the relevant criteria in policies H1-H3 and EN17.

8.8 Gypsies, Travellers & Travelling Showpeople

8.8.1 There is a need to provide a minimum number of 10 pitches within the Borough to meet the specific needs of gypsies, travellers & travelling showpeople, having regard to the evidence of need as set out in the most up to date Derbyshire Gypsy & Traveller Accommodation Assessment. The process of identifying suitable sites can be taken forward in a separate Development Plan Document (DPD) but there is a need to include an appropriate policy in the Local Plan, setting out a range of criteria against which any proposals can be considered through the planning application process.

Policy H8

The Borough Council will seek to secure the provision of a minimum of 10 pitches to meet the specific needs of gypsies, travellers and travelling showpeople, as identified in the Derbyshire Gypsy & Traveller Accommodation Assessment, including on suitable sites to be identified in a Site Allocations Development Plan Document (DPD).

Development to meet the specific needs of Gypsies, Travellers & Travelling Showpeople will be permitted, providing the proposals would:-

- be readily accessible to local community services and facilities, including shops, health and education
- provide pedestrian and vehicular access to the surrounding highway network, which would not result in an unacceptable impact on highway safety or traffic volumes
• not detract from the amenities of any nearby existing housing development, or those of the proposed development

• not involve development within the Green Belt, or would otherwise not have an unacceptable environmental impact, including in relation to biodiversity, heritage assets and landscape quality/character, water or air quality, or flood risk.
9 Economic Development Policies

9.1 Mixed Use Development Areas

9.1.1 Three sites within Belper are identified as ‘Mixed Use Development Areas’ in recognition of their potential to attract a wide range of employment and other uses. The sites are all within the Derwent Valley Mills World Heritage Site and Belper & Milford Conservation Areas. The land at East Mill and North Mill includes a Grade 1 Listed Building (North Mill) and Grade 2 Listed Building (East Mill) and there are other heritage assets within the other two sites. It is therefore critical that any development proposals safeguard these various heritage assets. In relation to the land north and south of Derwent Street, any development proposals will also need to incorporate improvements to the highway network to offset the impact of any additional vehicle movements on Bridge Street (A6), as well as incorporating improved pedestrian links between existing retail units within and on the edge of Belper Town Centre.

9.1.2 Land is also identified at Alderwasley Mills, Ambergate as a ‘Mixed Use Development Area’. This site also has the potential to attract a wide range of employment and other uses, but given its location in the Derwent Valley Mills World Heritage Site and the heritage assets within the site, it is also critical that any development proposals safeguard these assets.

Policy ED1

Development will be permitted on land at East Mill and North Mill, Belper, as shown on the Proposals Map, for a mix of any of the following uses:

A1 (Shops)
A3 (Restaurants & Cafes)
A4 (Drinking Establishments)
A5 (Hot Food Takeaways)
B1 (Business)
B2 (General Industrial)
B8 (Storage & Distribution)
C1 (Hotels)
C2 (Residential Institutions)
C3 (Dwellinghouses)
D1 (Non-Residential Institutions)
D2 (Assembly & Leisure)

providing that the proposals:-
a) are of a form, scale and design which safeguards heritage assets and their setting, including listed buildings and other historical features within the site and the location of the site within the Belper & Milford Conservation Area and the Derwent Valley Mills World Heritage Site, as well as reflecting the character and sensitivity of the landscape on adjoining land immediately to the north of the site

b) satisfy any criteria in relation to specific policies for each land use.

c) demonstrate the safety of any residential development and future occupants from identified flood risks, over the lifetime of the development.

Policy ED2

Development will be permitted on land at West Mill, Belper, as shown on the Proposals Map, for a mix of any of the following uses:-

A1 (Shops)
A3 (Restaurants & Cafes)
A4 (Drinking Establishments)
A5 (Hot Food Takeaways)
B1 (Business)
B2 (General Industrial)
B8 (Storage & Distribution)
C1 (Hotels)
C2 (Residential Institutions)
C3 (Dwellinghouses)
D1 (Non-Residential Institutions)
D2 (Assembly & Leisure)

providing that the proposals:-

a) are of a form, scale and design which safeguards heritage assets and their setting, including listed buildings and other historical features within the site and the location of the site within the Belper & Milford Conservation Area and the Derwent Valley Mills World Heritage Site, as well as reflecting the character and sensitivity of the landscape on adjoining land immediately to the north of the site

b) satisfy any criteria in relation to specific policies for each land use.

c) demonstrate the safety of any residential development and future occupants from identified flood risks, over the lifetime of the development.
Policy ED3

Development will be permitted on land north and south of Derwent Street, Belper, as shown on the Proposals Map, for a mix of any of the following uses:-

A1 (Shops)
A3 (Restaurants & Cafes)
A4 (Drinking Establishments)
A5 (Hot Food Takeaways)
B1 (Business)
C1 (Hotels)
C2 (Residential Institutions)
C3 (Dwellinghouses)
D1 (Non-Residential Institutions)
D2 (Assembly & Leisure)

providing that the proposals:-

a) incorporate improvements to the highway network to offset the impact of additional vehicle movements on Bridge Street (A6)

b) incorporate improved pedestrian links between existing retail units within and on the edge of the town centre

c) are of a form, scale and design which safeguards heritage assets and their setting, including listed buildings and other historical features within the site and the location of the site within the Belper & Milford Conservation Area and the Derwent Valley Mills World Heritage Site, as well as reflecting the character and sensitivity of the landscape on adjoining land immediately to the west of the site

d) satisfy any criteria in relation to specific policies for each land use.

Policy ED4

Development will be permitted on land at Alderwasley Mills, Ambergate, as shown on the Proposals Map, for a mix of any of the following uses:-

B1 (Business)
B2 (General Industrial)
B8 )Storage & Distribution)
C1 (Hotels)
C2 (Residential Institutions)
C3 (Dwellinghouses)
D1 (Non-Residential Institutions)
D2 (Assembly & Leisure)

providing that the proposals:-
a) are of a form, scale and design which safeguards heritage assets and their setting, including listed buildings and other historical features within the site and the location of the site within the Derwent Valley Mills World Heritage Site, as well as reflecting the character and sensitivity of the landscape on adjoining land immediately to the west of the site

b) demonstrate the safety of any residential development and future occupants from identified flood risks, over the lifetime of the development

c) satisfy any criteria in relation to specific policies for each land use.

9.2 Development Within Existing Business & Industrial Areas

9.2.1 In addition to land identified as Economic Growth Sites in the Local Plan to provide new business and industrial development, there will be opportunities for the redevelopment or expansion of existing premises within industrial estates and other existing business and industrial areas within the Borough. There is a need to control the provision of other uses within these locations, in order to prevent a shortfall in land available for B1, B2 or B8 uses.

Policy ED5

Development will be permitted for B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution) uses within designated Existing Business and Industrial Areas, as shown on the Proposals Map, including the redevelopment of land and buildings or the expansion of existing premises, providing the proposals satisfy the criteria in policy EN17

Within the designated Existing Business and Industrial Areas, development will only be permitted for uses other than B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution), if the proposals:-

a) relate to land or premises not currently in B1, B2 or B8 use

b) would not lead to a shortfall in the availability of business and industrial land within the Borough.
9.3 Other Business & Industrial Development

9.3.1 There is a need to facilitate the expansion of firms within their existing site, or where suitable, adjoining land, to ensure that they can continue to grow and contribute to the development of the local economy. There is a need to ensure however that any proposals are provided within or adjacent to settlements where there is an appropriate range of local services and facilities and where the proposals would not have an adverse impact on the environment.

Policy ED6

In addition to land identified for new Business & Industrial Development (policy EGS1) and land within designated Existing Business & Industrial Areas (policy ED5), development will also be permitted for B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution) uses elsewhere in the Borough, where this involves:-

a) the redevelopment or extension of existing premises within any of these uses, or their expansion on to immediately adjacent land

b) new development within the built framework of the Urban Areas and Key Villages, as defined in policy SS3

providing that there would be no significant increase in traffic movements within residential areas and that there would be no significant adverse impact on amenity, landscape, heritage assets or biodiversity.

9.4 Rural Employment

9.4.1 The NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It also states that to promote a strong rural economy, plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings, as well as promoting the development and diversification of agricultural and other land-based rural businesses.

9.4.2 Opportunities to introduce new employment uses into rural areas are most likely to arise through the diversification of agricultural holdings, including the re-use of redundant farm buildings. However, the introduction of new uses into rural areas, especially where this would involve the erection of new buildings, needs to be carefully controlled to ensure that development does not detract from the character of the rural environment, particularly in terms of landscape quality, access and level of traffic movements.
Policy ED7

New development will be permitted for B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution) uses outside the built framework of Urban Areas and Key Villages, where this would assist in the diversification of the rural economy, providing that the proposals are of a scale and form that reflects the location and providing that there would be no significant increase in traffic movements within residential areas and that there would be no significant adverse impact on amenity, landscape, heritage assets or biodiversity.

9.5 Relocation Of Non-Conforming Uses

9.5.1 Within parts of the Borough, there are a number of established businesses that have operated for many years in outdated, unsightly buildings. These buildings and their uses, by virtue of their appearance, noise or smell, can seriously affect the amenities of adjoining residents, as well as contributing to problems of traffic congestion. This can be addressed by promoting the relocation of such businesses to more acceptable locations within either established or new employment areas, including industrial estates and by allowing more appropriate alternative uses or development on their existing sites.

Policy ED8

Development will be permitted for the re-use or redevelopment of existing land or buildings within B1 (Business), B2 (General Industrial) or B8 (Storage & Distribution) uses, where the current use creates unacceptable environmental problems and providing that the existing use can be suitably re-located to an alternative site.

9.6 District & Local Centres, Local Shopping Facilities & Loss Of Retail Uses

9.6.1 Amber Valley is served by a variety of local shopping facilities, including within Langley Mill (classified as a District Centre) and at Codnor, Duffield, Leabrooks and Somercotes (classified as Local Centres), as well as smaller parades of shops and individual units. Further development of these facilities will help to maintain a range of local shopping opportunities, providing such facilities are not of a scale and type which could undermine the vitality and viability of the Borough’s four Town Centres, District Centre or Local Centres and would not have any unacceptable impact on residential amenity, car parking provision or highway safety.
9.6.2 There may also be pressure for the change of use of existing local shops to other uses, particularly in rural settlements and where it can be demonstrated that such facilities provide an important service to the local community, any proposals for change of use should be resisted.

Policy ED9

Retail development in District and Local Centres will be permitted, consistent with the scale and function of the centre, providing that the proposals, either individually or cumulatively, having regard to recently completed developments and outstanding permissions, would not materially harm the vitality and viability of existing Town Centres, District or Local Centres

Policy ED10

Development of local shopping facilities to serve the day to day needs of local communities will be permitted, providing that the proposals:

- would not lead to unsustainable trip generation or undermine the vitality & viability of any District or Local Centres
- would not detract from the amenities of any nearby residential development.

Policy ED11

Development proposals that would result in the loss of retail uses in District & Local Centres will only be permitted where:

- the current use can be demonstrated to be no longer viable
- the unit has been sufficiently and actively marketed for a range of retail uses
- the proposed use would not harm the vitality and viability of the centre as a whole
- the proposals would not have any unacceptable impact on residential amenity, car parking provision or highway safety.

9.7 Restaurants and Cafés (A3), Drinking Establishments (A4) and Hot Food Takeaways (A5)

9.7.1 Proposals within Use Classes A3-5, including Restaurants and Cafes (A3), Drinking Establishments (A4) and Hot Food Take Aways (A5), can have a particular impact on the environment, especially within residential areas. It is therefore essential that all such proposals can be provided without any adverse environmental impact.
Policy ED12

Development proposals for Restaurants and Cafés (A3), Drinking Establishments (A4) and Hot Food Takeaways (A5) will be permitted, providing that the proposals would meet the relevant criteria in policies SS6-8 and EN17.

Conditions may be imposed on planning permissions to limit the hours of opening and/or to require the installation of efficient ventilation systems/sound insulation, in order to protect residential amenity.

9.8 Tourism

9.8.1 The importance of tourism in the economy of Amber Valley has grown significantly in recent years. The increasing range of jobs supported by tourism includes hotel and other tourist accommodation, retailing, catering, leisure attractions and transport services.

9.8.2 Particular opportunities for further tourism development are likely to arise in the rural areas of the Borough, as the economy continues to diversify away from a dependency on farming, including the re-use of existing agricultural and other buildings for tourist accommodation. There is also potential in Belper and the Derwent Valley to further develop the role of tourism in the local economy, linked to the conservation of the area’s built heritage, as well as in other part of the Borough.

9.8.3 Development proposals for tourism development and uses should therefore be supported, providing they are located and designed in such a way as to complement, rather than detract from, the quality of the environment, both in urban and rural areas.

9.8.4 Demand for touring caravan and camping sites within Amber Valley is high, reflecting the attractiveness of both the Borough and adjoining areas. Proposals to either extend existing sites or provide new sites should therefore be supported, subject to ensuring that such development is located where it would not have an adverse environmental impact, particularly in relation to landscape quality and character.

Policy ED13

Tourism development, including uses within classes C1 (Hotels), D1 (Non-Residential Institutions) and D2 (Assembly & Leisure), will be permitted, including proposals for the conversion of existing buildings, the expansion of existing facilities on to immediately adjacent land and the provision of new touring camping or caravanning sites or the extension of existing sites, providing that there would be no significant adverse impact on residential amenity, landscape, heritage assets and their setting, or biodiversity.

10.1 Renewable Energy Developments

10.1.1 The NPPF states that local planning authorities should have a positive strategy to promote energy from renewable and low carbon sources and to design their policies to maximise renewable and carbon energy development, whilst ensuring that any adverse visual, landscape or other environmental impacts are satisfactorily addressed.

Policy R1

The Borough Council will support the provision of renewable energy, by working with providers to identify spatial opportunities for low-carbon energy development. Proposals for renewable energy development, together with any ancillary buildings or infrastructure, will be permitted, providing that:-

a) the proposals would not have an unacceptable impact on heritage assets and their setting, landscape or townscape character, biodiversity, geology, hydrology or flooding

b) the proposals would not have an unacceptable impact on local amenity, or give raise to safety concerns, in relation to glare, noise, shadow flicker, electromagnetic interference, emissions to the air or ground, odour, traffic generation and congestion.
11. Environment Policies

11.1 Managing Flood Risk & The Water Environment

11.1.1 The effect of flooding on development and the impact which new development may have on flood risk are important issues in making land use decisions. Flood risk is also expected to increase as a result of climate change. It is therefore important to ensure that new development is not subject to unacceptable levels of flood risk and that it does not increase the risk of flooding elsewhere and that wherever possible, new development can result in a reduction in overall flood risk.

11.1.2 The updated Strategic Flood Risk Assessment (SFRA) for Amber Valley (2016) defines the flood zones for Amber Valley and provides the necessary evidence to support the application of the sequential approach in considering planning applications.

11.1.3 Proposals should demonstrate that a sequential approach has been adopted to ensure that development is located in areas at the lowest probability of flooding having regard to the type of use proposed. Depending on the type of use and proposed location the exceptions test may also need to be satisfied. Where this is the case evidence will be required to show that wider sustainability benefits outweigh the flood risk, that the site is on previously developed land or there are no reasonable alternative previously developed sites, and that development will be safe and will not increase (and where possible reduce) overall flood risk. In such instances the Borough Council will work closely with the Environment Agency in order to ensure that appropriate measures to reduce flood risk locally are secured.

11.1.4 Development proposals will need to be supported by detailed Flood Risk Assessments, where appropriate, identifying and assessing the risks from all forms of flooding to and from the development and how these risks will be managed and where possible reduced, through the design and layout of development.

11.1.5 Development can also help to mitigate and manage flood risk through the incorporation of Sustainable Drainage Systems or SuDS. These systems may include surface water storage areas, flow-limiting devices, infiltration areas or soakaways. Other effective means of reducing surface water run-off include the use of trees, bushes and ‘green roofs’.
The Borough Council will seek to support proposals for flood risk management schemes bought forward during the life of the plan which reduce flood risk for local communities and contribute towards other strategic objectives set out within the Local Plan. It will work with the Environment Agency and other stakeholders to identify funding opportunities and develop flood risk management schemes and infrastructure wherever possible.

The Water Framework Directive (WFD) establishes a framework for the protection of inland and groundwater. The environmental objectives of the WFD are:

- to prevent deterioration of the status of surface waters and groundwater
- to achieve objectives and standards for protected areas
- to aim to achieve good status for all water bodies or, for heavily modified water bodies and artificial water bodies, good ecological potential and good surface water chemical status
- to reverse any significant and sustained upward trends in pollutant concentrations in groundwater
- the cessation of discharges, emissions and loses of priority hazardous substances into surface waters
- progressively reduce the pollution of groundwater and prevent or limit the entry of pollutants.

These objectives are delivered through River Basin Management Planning. The River Basin Management Plan for Amber Valley is the Humber River Basin District River Basin Management Plan and as a public body the Borough Council must have regard to it and any supplementary plans when making decisions that could affect the quality of the water environment. The Borough Council will ensure that all development contributes towards the protection and enhancement of water quality.

**Policy EN1**

The Borough Council will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. The development of sites with a sequentially greater risk of flooding will only be considered where they are essential for regeneration or to meet the development requirements of the Borough.

Development in areas at risk of flooding must:-

a) be resilient to flooding through design and layout, and/or

b) incorporate appropriate mitigation measures, such as raised finished floor levels, or where these are not possible, on-site flood defence works and/or a contribution towards or a commitment to undertake such offsite measures as may be necessary.
Suitable measures to deal with surface water arising from development proposals will be required to minimise the impact to and from new development.

All developments will be expected to be designed to achieve, where appropriate, a net decrease in surface water run-off rates, including through initiatives such as the planting of native trees and bushes and the consideration of using ‘green roofs’.

All developments will be required to manage surface water through keeping to a minimum the creation of non-permeable areas and the incorporation of SuDS, which mimic natural drainage patterns, are appropriate to the existing landscape character, are designed to improve water quality, contribute towards water recharge, improve biodiversity, and offer opportunities for recreation and connect to the existing Green Infrastructure network where possible.

Where appropriate, the Borough Council will require developers to restore culverted or straightened watercourses to a natural state in order to reduce flood risk and provide local amenity and biodiversity benefits.

Proposals for flood management or other infrastructure offering improvements that lower the risk of flooding will be supported, subject to the proposal having no other adverse effects on local amenity, or the use of buildings or land which ought to be preserved within the public interest.

Development proposals that are likely to impact on surface or ground water should consider the requirements of the Water Framework Directive (WFD). Development proposals should demonstrate that they contribute positively to the water environment and its ecology where possible and does not adversely affect surface and ground water quality in line with the requirements of the WFD.

11.2 Historic Environment

11.2.1 Amber Valley has a rich and diverse past that is still evident today through its numerous and varied heritage assets. The stately home of Kedleston Hall by Robert Adam represents a fine example of Palladian architecture and lies in the south of the Borough. The internationally important industrial heritage associated with harnessing water power in the Borough was recognised in December 2001 when the Derwent Valley Mills World Heritage Site was inscribed by UNESCO. This includes in Amber Valley former mill buildings adjacent to the River Derwent and parts of the settlements of Lea, Whatstandwell, Ambergate, Belper and Milford. The Borough also has a rich history of coal mining in the eastern part of the Borough and the former Cromford Canal, part of which is a scheduled monument, also runs through the Borough.
Examples of other listed buildings and scheduled ancient monuments of note in the Borough include Duffield Hall, Heage Windmill, Codnor Castle, Alfreton Hall and Padley Hall, Ripley.

The Borough’s four market towns each have distinctive historic characters, which it is important to retain. To the east of the Borough lie coal measures and settlements have grown up around the coal mining industry. To the west lies the Peak Fringe and Lower Derwent and to the south west lies the Needwood and South Derbyshire Claylands, giving rise to villages and hamlets evolving out of the needs of agriculture and other rural industries, resulting in very different characteristics and form. It is important to continue to conserve the local distinctiveness, through the preservation of existing local heritage assets and ensuring that new development respects the character of the locality.

The Borough has large areas of rural landscape that are of historic interest, such as the enclosure and settlement patterns of the Duffield Frith and those areas identified in Derbyshire County Council’s Areas of Multiple Environmental Sensitivity (AMES), the Ecclesbourne Valley and the Derwent Valley. These are very important areas that make up the distinctive character of the Borough that need to be protected from unsympathetic development.

The Borough Council will require applicants to provide, in conjunction with development proposals, a description of the significance of the asset(s) affected, including any contribution made by the setting of the asset(s), as well as to identify the impact of development on the significance of the asset(s). The Derbyshire Historic Environment Record is an important data source in terms of the historic environment and as a minimum, applicants will be expected to demonstrate that have consulted the data when submitting a planning application that has an impact on a heritage asset or its setting.

In cases where development proposals would result in harm to the significance of heritage assets or their setting, the Borough Council will make a balanced judgement proportionate to their significance as required by the NPPF.

Where there is evidence of deliberate neglect of or damage to a heritage asset, its condition prior to its neglect or damage state will be taken into account in the consideration of development proposals. The impacts of cumulative change are also an important consideration and will be taken into account in the decision-making process.
Non-designated Heritage Assets

11.2.8 It is important to protect designated assets in the Borough and beyond its boundary but also to recognise the importance of non-designated locally important heritage assets such buildings and features of historic interest that are not scheduled, listed or protected in any other way. The Borough Council will identify non-designated heritage assets through the Historic Environment Register, the planning process and the production of a Local List. It will also encourage the identification of non-designated heritage assets through the Neighbourhood Planning process.

Policy EN2

The Borough Council will conserve non-designated heritage assets in a manner appropriate to their significance and take into account the effect of development on them and their setting.

The Derwent Valley Mills World Heritage Site

11.2.9 The internationally important industrial heritage associated with harnessing water power in the Borough was recognised in December 2001, when the Derwent Valley Mills World Heritage Site was inscribed by UNESCO. The World Heritage Site stretches 15 miles from Matlock Bath in the north to Derby in the south. Approximately 10 miles of the site lies within Amber Valley.

11.2.10 Following inscription in 2001, a Statement of Outstanding Universal Value was agreed in 2010, which sets out the reasons for inscription. This is contained in the Derwent Valley Mills World Heritage Site Management Plan. In addition, the physical attributes which embody the values of the Site have been identified in the Management Plan. The attributes include a range of structures and also include the ‘relict’ industrial landscape.

11.2.11 The Borough Council will expect applicants to demonstrate that proposals will not adversely impact on the Outstanding Universal Value having regard to these values and attributes.

11.2.12 The Management Plan identifies the need to, amongst other things, encourage the generation of hydro-electric power within the Site, develop cycle routes, identify coach parking and provide appropriate replacement of the tea Rooms in Belper. The Borough Council will support sympathetically designed schemes that help to achieve these aims.
Policy EN3

The Borough Council recognises the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site and will seek to preserve, protect and enhance its special character, appearance and distinctiveness, in line with the Derwent Valley Mills World Heritage Site Management Plan or its successor.

In considering development proposals, the Borough Council will ensure that:-

- a Heritage Impact Assessment (HIA) is submitted to support any development proposals that are located within, or potentially impact on, the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site

- the siting, alignment, scale, massing and design of new development sustains, protects or enhances the Outstanding Universal Value of the World Heritage Site

- development within the Buffer Zone or the setting of the World Heritage Site is of an appropriate scale, massing and design, such that it would not have an adverse impact on the Outstanding Universal Value of the World Heritage Site.

- minor development does not cumulatively have a significant adverse impact on the Outstanding Universal Value of the World Heritage Site.

Listed Buildings

11.2.13 Within Amber Valley, there are 776 Listed Building records on the English Heritage database, amounting to in excess of 1,100 individual buildings or structures within the Borough. Of these 16 are grade I listed (2%), 49 are grade II* (6%) and 711 are grade II (92%). A significant number of these Listed Buildings are located within the Derwent Valley Mills World Heritage Site.

11.2.14 There are currently 28 buildings on the local Buildings at Risk register and 9 are on Historic England’s Heritage at Risk Register.

11.2.15 Listed Buildings are a finite and non-renewable resource. As well as ensuring that development proposals are appropriate to the significance of the listed building, including by ensuring that their use is the most viable use consistent with their conservation, the Borough Council will continue to take enforcement action in those cases where Listed Buildings are at risk and there are no realistic proposals to restore the building.
Policy EN4

In considering development proposals affecting Listed Buildings, or any other buildings within the curtilage of a Listed Building, or the setting(s) of the buildings, the Borough Council will:

a) support the change of use of buildings, where the proposals would contribute to the preservation of the significance of the Listed Building, paying particular attention to the impact of the proposals on any special features of architectural or historic interest and ensuring that the use is compatible with the fabric, interior, plan-form and setting of the building(s)

b) support alterations and extensions to existing buildings, where the proposals would contribute to the preservation, enhancement or better reveal the significance of the Listed Building, having regard to the elements which make up its special interest, including its character, appearance, original or long established plan-form, historic fabric and detailing

c) support new buildings within the setting of a Listed Building, where they would preserve or enhance the significance of the Listed Building, having particular regard to siting, design, form, scale, massing, materials and detailing

Development proposals that would involve the substantial or total demolition of buildings will only be permitted, where there is clear and convincing evidence that the building is wholly beyond repair and every possible effort has been made to continue its present use, or to find an alternative use, including offering the unrestricted freehold of the building on the open market, at a realistic price reflecting its condition or it can be demonstrated that the public benefits that outweigh the loss or other relevant provisions of the NPPF.

Conservation Areas

11.2.16 There are 29 Conservation Areas within Amber Valley, covering 8.9% of the Borough. They are reviewed annually and none are considered to be ‘at Risk.’

11.2.17 The Belper and Milford Conservation Area has an Article 4 (2) Direction in force which enables management of development that would otherwise be classified as ‘Permitted Development’.
Demolition of a building that makes a positive contribution to the character and appearance of a conservation area will be resisted. Applications for the loss of such buildings will be expected to be accompanied by a structural survey carried out by a conservation accredited engineer, in addition to the information required to satisfy the criteria outlined in the NPPF.

Policy EN5

In considering development proposals affecting Conservation Areas, the Borough Council will:-

a) support proposals that would make a positive contribution to the local character, distinctiveness and appearance of the Conservation Area or its setting

b) support the retention of features such as walls, hedgerows, trees and important open spaces that make a positive contribution to the character or appearance of the Conservation Area

c) support the change of use, alteration or conversion of any existing building(s), where this would respect the character and design of the existing building(s) and in the case of extensions to existing buildings, would be clearly subordinate to the original building

d) support proposals for the retention of shop fronts of architectural or historic value or advertisements that make a positive contribution to the character or appearance of the Conservation Area and for new shop fronts, security measures and advertisements, where these are of a high quality of design and would make a positive contribution to the character or appearance of the Conservation Area.

Development proposals involving the demolition of buildings/structures that make a positive contribution to the character or appearance of Conservation Area will only be permitted, where every possible effort has been made to continue the existing use, or to find an alternative use, including by offering the unrestricted freehold of the building/structure on the open market, at a realistic price that reflects its condition, or there is clear and convincing evidence that the building/structure is wholly beyond repair and it can be demonstrated that the public benefits outweigh the loss or other relevant provisions of the NPPF.

In considering all development proposals within Conservation Areas, the Borough Council will:-

1) ensure that proposed materials and finishes, including boundary treatments, are appropriate to the character and appearance of the Conservation Area
2) take into account the impact of development including important views into and out of the Conservation Area.

Archaeology

11.2.19 It is important that known archaeological or heritage features are protected from development, especially where these are identified as Scheduled Monuments. Scheduling is the selection of nationally important archaeological sites and carefully managed with the expectation that they will be passed onto future generations unaltered. There are 20 Scheduled Monuments in the Borough ranging from one of the finest stretches of Roman road in Derbyshire to a mid-C15th manor house which is considered to be the most important great house to survive from that period. It should be noted that any development that would affect a Scheduled Monument above or below ground will require Scheduled Monument Consent in addition to planning approval.

11.2.20 The NPPF states that in order to conserve and enhance the historic environment 'non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

11.2.21 In other areas of known or potential archaeological interest the Borough Council will require suitable investigations to be undertaken prior to development taking place.

Policy EN6

Development proposals will be supported where the significance of Scheduled Monuments or archaeological sites, including their setting, is sustained or enhanced. Any development that adversely impacts a Scheduled Monument, physically and/or in terms of setting, will not permitted except where the harm is demonstrably outweighed by public benefits.

Where development proposals are likely to affect non-designated archaeological sites, including sites with archaeological potential, the developer should submit sufficient information to allow the significance of the archaeological remains and the impacts of the proposals thereon to be understood. In some cases this will require archaeological desk-based assessment and/or field evaluation of the site carried out by someone who is suitably qualified. Provision should then be made for the excavation and recording of archaeological assets before demolition, disturbance or removal takes place, or for their preservation ‘in situ’, as appropriate for the significance of the particular asset.
Registered Parks and Gardens

11.2.22 The Borough Council has three Registered Historic Parks and Gardens at Kedleston Hall, Belper River Gardens and Belper Cemetery which are all fine examples of designed landscapes.

11.2.23 The registered park and garden at Kedleston was laid out by Robert Adam in the mid C18. It is considered to be of exceptional interest (grade I) and Kedleston Hall is considered to be one of the finest houses of its period in the country.

11.2.24 The River Gardens is a public pleasure garden laid out in 1905 by G Herbert Strutt, located within the Derwent Valley Mills World Heritage Site it is recognised as being of more than special interest (grade II*).

11.2.25 Belper Cemetery which was laid out by William Barron contains a particularly fine collection of tree and shrubs many of which date from the mid C19. It is considered to be of special interest (grade II).

Policy EN7

The Borough Council will require those development proposals affecting Registered Parks and Gardens, as shown on the Proposals Map, including proposals affecting their setting, to be accompanied by a Heritage Impact Assessment.

The Heritage Impact Assessment should be used to inform the development proposal and identify how any adverse impact can be removed and/or if this is not possible mitigated through siting, scale, design, landscaping and materials.

Where any adverse impacts cannot be removed or mitigated, the Borough Council will only permit development where the public benefits from the proposals would outweigh the harm or loss or other relevant provisions of the NPPF.

11.3 Protected Open Break

11.3.1 The area of open land between Alfreton, Somercotes and Swanwick has been safeguarded as a protected open break in the Adopted Amber Valley Borough Local Plan 2006, in recognition of the important role this land has in protecting the separate identities of these settlements.

11.3.2 One of the Core Planning Principles in the NPPF is for planning to take account of the different roles of different areas and it is important that this land continues to be protected as an open break between Alfreton, Somercotes and Swanwick, with development within this area continuing to be restricted to that associated with open land uses.
Policy EN8

The area of open land designated as a Protected Open Break between Alfreton, Somercotes and Swanwick, as shown on the Proposals Map, will be protected from built development to ensure maintenance of the settlements’ separate identities. Development proposals will only be permitted where they would preserve the openness of the Protected Open Break, including essential facilities for agriculture, outdoor sport, recreation, cemeteries or other open land uses.

11.4 Special Landscape Area

11.4.1 The area of land designated as a ‘Special Landscape Area’ in the Adopted Amber Valley Borough Local Plan 2006 has maintained the policy protection originally set out in the Derbyshire Special Landscape Areas Local Plan in 1985, in order to preserve and enhance the quality of the landscape, as that of finest quality in Derbyshire outside the Peak District National Park.

11.4.2 It is important to balance carefully the economic benefits of development in the Special Landscape Area with the need to continue to protect the high quality landscape and a Landscape and Visual Impact Assessment should be provided alongside any significant development proposals which would be visually prominent, so that the impact of the proposals on the Special Landscape Area can be fully taken into account.

Policy EN9

Within the area designated as a Special Landscape Area, as shown on the Proposals Map, proposals for development, including the conversion of and extensions to existing buildings will only be permitted where they would not materially adversely affect the visual qualities of the area.

Proposals which would be visually prominent will be expected to be accompanied by a Landscape and Visual Impact Assessment.

11.5 Landscape Character and Features

11.5.1 Amber Valley’s natural environment includes a diversity of landscapes that are influenced by many factors, including the underlying geology, climate, habitats, as well as human influence, both past and present.
11.5.2 The Borough’s landscapes extend from the Peak Fringe in the west of the Borough to the former coalfields in the east. These landscapes are valued by people for a variety of reasons and each is characterised by its own particular pattern of geology, landform, soils, vegetation, land use and human settlement, which helps create local distinctiveness.

11.5.3 Large developments, coupled with changes associated with farming in the Borough have the potential to alter the character of the Borough’s landscape and erode character and local distinctiveness unless handled carefully. The Local Plan will play a key role in protecting the local landscapes from unsympathetic development and directing development to the most appropriate locations.

11.5.4 Nationally important landscapes are protected through statutory designations such as National Parks or Areas of Outstanding Natural Beauty. There are no such protected landscapes in Amber Valley, although the Derwent Valley Mills and the natural landscape of the Derwent Valley are inscribed as a World Heritage Site by UNESCO. Part of the identified Outstanding Universal Value of the World Heritage Site is its landscape setting and the juxtaposition between the industrial nature of the mills and the resultant settlements against the rural landscape backdrop. Other landscape of historic importance in the Borough which survives is a very important part of its character and is greatly valued by the local community. The United Kingdom is a signatory of the European Landscape Convention (ELC), which applies to all landscape irrespective of size or perceived quality.

11.5.5 The Convention requires landscape considerations to be integrated into spatial planning policies set out in the Local Plan as well as in other cultural, environmental, agricultural, social and economic policies, with possible direct or indirect impacts on landscape.

11.5.6 The NPPF establishes national policy on a range of planning issues and (with relevance to landscape) variously addresses designated and non-designated landscapes, development in the countryside, the natural and built environment, and local character and distinctiveness.

11.5.7 The NPPF includes, as part of its core planning principles, that planning should take account of the character of different areas, recognise the intrinsic character and beauty of the countryside and contribute to conserving and enhancing the natural environment. The NPPF also states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interest and soils.
11.5.8 The scale of growth envisaged in Amber Valley over the Plan period could significantly affect the visual quality and character of the landscape in Amber Valley. The Borough Council will expect all developments to demonstrate how they accord with landscape character and local distinctiveness, and where practicable contribute towards conserving and enhancing local character.

11.5.9 A comprehensive Landscape Character Assessment has been carried out by Derbyshire County Council, which identifies the various landscape character types throughout the County. This document, The Landscape Character of Derbyshire, is a material consideration in the determination of relevant planning applications.

11.5.10 In Amber Valley there are 3 National Character Areas as defined by Natural England. These are:-

- Nottinghamshire, Derbyshire and Yorkshire Coalfield
- Derbyshire Peak Fringe and Lower Derwent
- Needwood and South Derbyshire Claylands.

11.5.11 Within these National Character Areas, Derbyshire County Council has identified 13 landscape character types. There is a need to ensure that all development proposals accord with and complement the particular character and sensitivities of the landscape in which it is located and where appropriate help to conserve and enhance its character. Particular regard should be given to the impacts on and mitigation of the following landscape characteristics:-

- landform and natural drainage patterns
- the existing land use
- the pattern and composition of existing trees, woodlands and field boundaries
- the type and distribution of wildlife habitats
- the pattern, scale and distribution of settlements and roads
- the presence and pattern of historic landscape features
- the scale, layout, design and detailing of local buildings and other traditional man made features
- the visual and perceptual qualities of the landscape.
11.5.12 Derbyshire County Council has developed the Landscape Character Assessment as a spatial framework for strategically assessing the environmental sensitivity of the landscape. This work identifies those areas of the Borough that are most sensitive with respect to the visual unity of the landscape, biodiversity, and the historic environment and which are referred to as ‘Areas of Multiple Environmental Sensitivity’ (AMES).

11.5.13 In Amber Valley the most environmentally ‘sensitive’ areas are associated with the Peak Fringe and Lower Derwent and areas associated with the parklands of Kedleston Hall and Meynell Langley in the Needwood and South Derbyshire Claylands in the south of the Borough.

11.5.14 Trees, woodlands, hedgerows, dry stone walls and other landscape features make an important contribution to the character of Amber Valley, by enhancing the quality of the landscape and providing screening for visually intrusive land uses. Landscaping proposals are an integral and essential part of the design of any substantial development and may affect the position and form of buildings and accesses. Opportunities should therefore be taken wherever possible to secure the provision of or contributions towards the continued protection and management of existing landscape features or the provision of new features. The Borough Council will continue to retain trees, woodlands, hedgerows and other landscape features wherever possible.

Policy EN10

Development will be permitted where it would protect or enhance the character, local distinctiveness and quality of the landscape and would protect or enhance existing landscape features that make a positive contribution to landscape character.

Development proposals will be expected to:-

- conserve local distinctiveness by using landscape character type to inform its design

- retain features which contribute to the landscape character of the area including hedgerows, trees, woodland, field boundaries, waterbodies and watercourses

- offset the loss or damage to existing landscape features where harm resulting from a development cannot be avoided and the impact is necessary to facilitate an otherwise acceptable scheme by the provision of alternative, replacement or additional landscape features either within the site, or in an appropriate alternative location
• incorporate mitigation measures where appropriate which are suitable to the character type

• respect the character of developed areas and rural landscapes that are of historic importance.

Where there is evidence of deliberate neglect of or damage to the landscape, the condition of the landscape prior to its neglect or damage will be taken into account in the consideration of development proposals.

Where mitigation/compensation measures lead to the creation of new habitats or features, the Borough Council will require a management scheme to be agreed for those areas.

11.6 Biodiversity

11.6.1 The NPPF states that planning should contribute to conserving and enhancing the natural environment and in pursuance of sustainable development should fully compensate for any loss of biodiversity value.

11.6.2 Amber Valley is rich in wildlife and biodiversity, which it is important to protect and to take opportunities for improvement. Particular emphasis needs to be given to land that is either statutorily protected as Sites of Special Scientific Interest (SSSI) or Local Nature Reserves, or otherwise identified as either Local Wildlife Sites or Local Geological Sites on the Derbyshire Wildlife Sites Register. Other areas of land are also important in providing corridors of movement for wildlife between different habitats.

11.6.3 There is a need to ensure that development proposals will have a minimal impact on biodiversity. Where necessary, the Borough Council will require the submission of a supporting statement in conjunction with planning applications, identifying the nature and extent of any impact and mitigating measures that need to be taken. Where proposals could affect SSSIs, these will be subject to special scrutiny including consultation with Natural England.

11.6.4 The Lowland Derbyshire Local Biodiversity Action Plan seeks to conserve and enhance Lowland Derbyshire’s existing wildlife and to redress past losses through habitat conservation, restoration, recreation and targeted action for priority species. There is therefore a need to take into account the objectives and proposals set out in the Action Plan, to conserve the diversity of plants and animals in line with commitments made at national and international level.

11.6.5 In the Derbyshire Derwent catchment area of the Humber River Basin District River Basin Management Plan the priority issues to be tackled are:-
• diffuse rural pollution
• diffuse and point source urban pollution
• impoverished biodiversity within the catchment and barriers to fish movement

and it is important that, where possible, development contributes towards addressing these issues.

11.6.6 Trees play an important role in the urban as well as the rural environment in terms of the economic, environmental and social benefits they deliver. The Woodland Trust's Access to Woodland Standard aspires that everyone should have a wood of at least 2 hectares in size within 500 metres of their home and a wood of at least 20 hectares within 4 kilometres of their home. The Natural England Access to Natural Greenspace Standard (ANGSt) recommends that everyone should have natural greenspace of at least 2 hectares no more than 300 meters (5 minute walk) from home and one accessible natural greenspace of 20 hectares within 2 km of home. These standards are material considerations in the determination of relevant planning applications and will help inform the amount of green infrastructure which is required in new development.

11.6.7 The NPPF requires that local plans identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation. The establishment of an ecological network is also in line with the Government’s Biodiversity 2020 Strategy that aims to enhance and protect biodiversity and help to support ecosystem functions such as flood storage, pollination, soil protection and creation and amenity value.

11.6.8 The Amber Valley Ecological Network, as shown on the plan at Appendix 3, includes the following elements:-

a) core sites – these are areas of high value for nature conservation and include all statutory and non-statutory designated sites including Sites Of Special Scientific Interest, Local Nature Reserves and Local Wildlife Sites
b) corridors and stepping stones – these areas help to connect and buffer core areas improving the resilience of the ecological network against climate change and habitat loss. They enable species to move between core areas and provide additional areas for species populations to establish. They are comprised of areas of undesignated land and water that includes rivers and streams, other semi-natural habitats considered likely to support wildlife and areas that have the potential to contribute to the ecological network in the future such as quarries or other areas with potential for habitat restoration.

11.6.9 The Borough Council will seek to promote and encourage opportunities to secure better management of sites, enhancement of sites and the creation of new sites to strengthen the network and increase biodiversity. Wherever possible the Council will seek to buffer sites within the network to protect them from adverse impacts in the wider environment. It is also recognised that the Ecological Network will need to develop and that additional corridors, restoration and habitat creation areas may be incorporated into the network as opportunities arise.

11.6.10 The Borough Council recognises that soil is a finite resource and fulfils many roles that are beneficial to society. It is important to seek to ensure that development avoids the best most versatile agricultural land and protect it both during and after construction. Where there is doubt about the precise classification of land, applicants will be required to provide an appropriate survey carried out by those suitably qualified, to clarify the position. Development will also be expected to protect the soil during construction, having regard to Government advice such as the Code of Practice for the Sustainable Use of Soils on Construction Sites.

Policy EN11

The Borough Council will seek net gains in biodiversity where possible and to protect and enhance biodiversity, ecological networks, priority habitats and species and geological conservation interest throughout the Borough and beyond its boundaries, by supporting development proposals.

Sites designated as of importance for nature conservation at an international or national level such as SSSI's will be conserved and enhanced where possible and inappropriate development that adversely affects them will be resisted. The degree of protection given will be appropriate to the status of the site in terms of its international or national importance.
Development will also be resisted which would result in harm to:-

- priority habitats and species
- ancient woodlands
- aged or veteran trees
- hedgerows
- Local Nature Reserves (LNR)
- Local Wildlife Sites
- Regionally Important Geological and Geomorphological Sites (RIGS), locally important Geological Sites and
- existing corridors that allow movement of wildlife between sites.

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission will be refused.

In exceptional circumstances, where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with compensation measures towards loss of habitat used only as a last resort where there is no alternative. Where any mitigation and compensation measures are required, they will be expected to be in place before development activities start that may disturb protected or important habitats and species.

All development proposals should:-

1) extend or strengthen nature conservation interest
2) contribute to the provision of coherent wildlife networks
3) de-culvert/re-meander watercourses where appropriate
4) promote the preservation, restoration re-creation and management of priority habitats and the protection and recovery of priority species
5) involve the provision of areas of natural greenspace including trees and woods, where appropriate
6) provide access to the natural environment, where possible
7) make use of lower quality agricultural land in preference to the Best and Most Versatile agricultural land (grades 1, 2 and 3a), where possible
8) where relevant, incorporate the provision of fish passes
9) minimise soil disturbance and protect and enhance soils where possible.
The Borough Council recognises the wider benefits of ecosystem services and will require and promote the protection and enhancement of biodiversity at a landscape scale including across boundaries with other local authorities.

Where necessary, the Borough Council will require the submission of an ecological report carried out by a suitably qualified person in conjunction with planning applications, identifying the nature and extent of any impact and mitigating measures that need to be taken.

Where mitigation/compensation measures lead to the creation of new habitats, the Borough Council will require a management scheme to be agreed for those areas.

11.7 Pollution

11.7.1 The NPPF advises that on the relative roles of the planning system and pollution control legislation in seeking to protect the environment from the threat of pollution. It advises that policies need to be in place to control both development that could give rise to pollution, and to protect development from harm caused by potentially polluting land uses. It also advises of the need to for development to avoid significant impacts from noise on health and quality of life and for planning policies to minimise the adverse impact of noise, without placing unreasonable restrictions on development.

Policy EN12

The Borough Council will ensure that all new development is appropriate for its location, by taking into account the effects of potentially polluting development on health, the natural environment and general amenity and the potential sensitivity of the area. New development should not lead to an increase in levels of air, water, noise, light, soil or other forms of pollution.

11.8 Derelict, Unstable & Contaminated Land

11.8.1 The NPPF states that the planning system should help to enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. The planning system should also ensure that sites are suitable for development, taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.
Policy EN13

Development will be permitted for proposals involving the reclamation and/or re-use of derelict, unstable and contaminated land, providing that where it is suspected or known that land is contaminated and/or unstable, a detailed and independent assessment is undertaken on behalf of the applicant by competent persons, to identify the nature and extent of contamination and/or instability and any remedial or mitigating measures which need to be undertaken.

The Borough Council will require the remedial or mitigating measures to be carried out as part of the development.

11.9 Hazardous Substances

11.9.1 The Borough Council is required to have regard to the prevention of major accidents and limiting their consequences in its Local Plan. There are a number of existing hazardous installations, either within or in close proximity to Amber Valley where it is important that the risk human health is not increased. These currently include installations at Cotes Park, Somercotes; Amber Business Centre, Riddings and Rough Close Works (within Bolsover district).

11.9.2 The Health and Safety Executive will need to be consulted on any development proposals within a specified distance from the installations.

Policy EN14

Proposed development involving hazardous substances or in the vicinity of a site involving the storage, use, or transport of hazardous substances will be not be permitted if there would be increased risk or consequences of major accidents.

11.10 Shop Fronts

11.10.1 The quality of design for shop fronts is considered to be of major importance, particularly in Conservation Areas. Many traditional shop fronts of a high standard of design have been replaced in the past with unsympathetic designs and materials, which undermine local distinctiveness. Opportunities should be taken to restore such traditional high quality designs wherever possible, where evidence of the original design is available, in conjunction with development proposals. Where evidence of the original design is not available, simple modern designs using high quality finishes can also make a positive contribution to the street scene.
11.10.2 External means of securing shops can seriously detract from the character and appearance of individual and groups of properties, again particularly in Conservation Areas. There is a need to ensure that any measures are carefully designed to avoid any adverse environmental impact on the shop front or the area as a whole.

Policy EN15

New shop fronts, alterations to or replacement of existing shop fronts, or shop front security measures, will be permitted, where the proposals maintain or improve the quality of design of the existing shop front, in relation to the building and its setting.

11.11 Advertisements

11.11.1 There is concern that the proliferation of directional signs can lead to visual clutter, which detracts from the character and appearance of the Borough, especially within sensitive locations such as the Special Landscape Area, Conservation Areas and the Derwent Valley Mills World Heritage Site. Strict control therefore needs to be exercised over the siting of such signs. New directional signs should either replace or be incorporated within an existing sign in the locality. The Borough Council will also consider the cumulative impact of signs in the decision-making process.

Policy EN16

New advertisements that do not compromise highway safety will be permitted, where the quality of the design is sympathetic to the site and its setting, including any buildings and in the case of proposals for directional signs, these should either replace or be incorporated within an existing advertisement in the locality.

11.12 Quality & Design of Development

11.12.1 The quality and local distinctiveness of Amber Valley’s townscapes and landscapes are important assets. They have a direct impact on quality of life and are an important influence on the local economy in terms of attracting investment and boosting Amber Valley’s further potential as a tourist destination. The Borough Council will need to ensure that new development complements and relates to its surroundings, not only in terms of how it looks, but in the way it functions, to maintain and enhance the quality of Amber Valley’s environment as an attractive, safe, accessible and sustainable place in which to live and work. All proposals should also be designed to reduce opportunities for criminal activity and anti-social behaviour.
11.12.2 High quality design reflects people's changing needs over time and requires the consideration of different needs within the local community. Development should take into account changing needs over the lifetime of development, incorporating specific accessibility and design features, to ensure the needs of Amber Valley's ageing population, as well as those with disabilities are addressed.

11.12.3 High quality design will be expected in all new developments to ensure that the development is appropriate to its setting and surroundings and to ensure that local character is reflected. Appropriate landscaping and tree planting will form an integral part of any proposals to ensure that development is better assimilated into its surroundings.

11.12.4 Requiring good design is an essential part of the National Planning Policy Framework. Design principles are also set out in a number of documents such as Building for Life 12 (BFL12). BFL12 provides a consistent approach to assessing design quality; therefore the Borough Council strongly encourages applicants to use BFL12 as a basis for pre-application discussions to ensure that the proposed development meets national policy requirements and as a method of structuring dialogue with the local community and other stakeholders. The Borough Council also encourages applicants to submit development proposals on large and/or sensitive sites for independent design review, to avoid any subjective approach to good design.

11.12.5 Due consideration should also be given to Active Design Principles developed by Sport England and supported by Public Health England for creating the right conditions within existing and proposed development for individuals to be able to lead active and healthy lifestyles.

11.12.6 Amber Valley has a substantial number of heritage assets which are of significance because of their historic, archaeological, architectural or artistic interest. Such assets require careful consideration and management in accordance with national guidance where change is proposed.

11.12.7 Trees and woodlands are important landscape, wildlife and cultural assets. Within Amber Valley there are a number of woodlands of all sizes and individual trees which are covered by Tree Preservation Orders, development will be required to protect and enhance these assets.

11.12.8 In addition, designated or important landscape, wildlife sites or species are often found within and around urban areas as well as in the wider countryside. Development should make a positive contribution to preserving and enhancing these valued assets.
Development should also make a positive contribution to the overall appearance and environmental quality of the local area through the use of appropriate good quality locally sourced materials; the support and encouragement of traditional skills; the protection and enhancement of heritage assets and the protection of important buildings, trees and environmental networks.

Open spaces can provide a number of functions such as formal and informal recreation or amenity space. They can also have a number of benefits; for example allotments which can improve health and well-being, combat obesity and increase opportunities for social inclusion. They also provide a function for food security, reducing air miles and providing habitats for wildlife.

New development can make a positive contribution to the level of open spaces in the Borough’s towns and villages and the connecting links between open spaces. Standards for the provision of open spaces are set out in policy IN5 in the Local Plan and new development will be expected to achieve at least a minimum level of this standard, whilst exploring opportunities for additional provision where appropriate and making provision for future maintenance.

Where it can be shown that on-site provision is not appropriate, the Borough Council will expect financial contribution towards the enhancement of existing provision off-site. All new developments should also be required to make provision for footpaths and cycle paths that, where possible, should be linked to the existing footpath/cycleway network.

Development should also include room for appropriate vehicular access (including for waste and emergency vehicles) and suitable provision of car and cycle parking in line within policy IN1 of the Local Plan.

Policy EN17

All development proposals should:-

a) be in scale and character with their surroundings and have a distinctive sense of character

b) be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised or improved through the provision of direct, safe and attractive pedestrian and cycling routes to enable car based travel to be reduced

c) provide additional open space, sports and recreation facilities where appropriate
d) in respect of residential development, provide adequate space for the storage of increased recycling receptacles (including community recycling schemes where appropriate) and access for refuse collection vehicles

e) not unduly affect the amenities or privacy of adjoining or adjacent properties, including through loss of light, external lighting, overshadowing, overlooking or by residential tandem development immediately behind existing properties sharing the same access

f) in respect of residential development, provide for private outdoor space where practicable

g) take account of the relationship between the development proposals and neighbouring buildings and the spaces between and around those buildings

h) use natural or high quality modern materials that reflect those used in the local surroundings

i) not involve the development of existing open land having amenity value, the established use of which contributes to the visual character of the surrounding urban area, and where built development would be visually inappropriate

j) ensure that the proposals are compatible with the principles of community safety and crime prevention

k) provide satisfactory access to the transport network

l) provide any necessary improvements required to the surrounding road network to accommodate traffic generated by the development

m) make the most effective use of land, including through the use of brownfield land where appropriate and safeguard natural resources including high quality agricultural land, geology, minerals, air, soil and water through initiatives such as the use of water butts and anaerobic digesters

n) facilitate the on-site provision of high speed broadband connectivity

The Borough Council will require all new housing development to be at a density that respects the character and appearance of the locality and makes the most efficient use of land, unless it can be demonstrated that there are significant constraints to development or the circumstances provide the opportunity to improve the character of the area through development that is at a density that differs from existing development.
12. **Infrastructure Policies**

12.1 **Transport**

12.1.1 The National Planning Policy Framework (NPPF) states that transport policy has an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. It encourages solutions that reduce greenhouse gas emissions and congestion. It also states that neighbouring authorities and transport providers should work together to develop strategies to support sustainable development.

12.1.2 The NPPF also states that developments that generate significant movement should minimise the need to travel and maximise the use of sustainable methods of transport. This also means protecting and exploiting opportunities to use sustainable methods of transport and encouraging the journey lengths for employment, shopping, leisure, education and other activities to be minimised.

12.1.3 Sustainable development which supports vibrant communities is affected not only by decisions on the location of investment and development but also by a good range of accessible and affordable opportunities for travel and transport.

12.1.4 A sustainable pattern of development requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable transport infrastructure and services. Transport infrastructure and services need to provide a range of opportunities to meet social, economic and environmental objectives, by improving accessibility, managing the need to travel, offering options for different travel needs and reducing the adverse impacts of transport. The need to travel can also be reduced by providing adequate digital infrastructure.

12.1.5 The Derbyshire Local Transport Plan (LTP) 3 2011-2026. The LTP sets out the transport strategy for the next fifteen years and includes a Delivery Plan setting out priorities and spending plans for the next 5 years. The fundamental aim of the Joint Local Transport Plan 3 is to provide attractive travel choices and a greater focus on sustainable transport modes to improve quality of life and improve environmental conditions for local residents and businesses.

12.1.6 The Pre-Submission Local Plan aims to place new jobs, services and facilities where they are easily accessible by public transport, walking and cycling and give existing and future residents a choice of how to travel. While it is recognised that car use will remain a convenient, attractive and in many areas, essential mode of travel, the approach seeks ways to minimise harm to the environment through good quality design and to encourage alternatives to single occupancy car commuting.
12.1.7 A number of the proposed Housing Growth Sites in the Pre-Submission Local Plan will require investment in transport infrastructure, to ensure make the existing and new settlements sustainable and deliverable. The Infrastructure Delivery Plan sets out the key transport infrastructure projects that will need to be delivered during the Plan period.

12.1.8 Notwithstanding the outcome of further transport studies, the Borough Council recognises that new housing and other development, alongside that which will take place in areas adjoining Amber Valley, will have a cumulative impact on the transport network. The Borough Council is committed to working constructively with neighbouring authorities and the relevant bodies to find mutually compatible solutions.

Policy IN1

A sustainable pattern of development will be achieved in Amber Valley through:-

a) promoting greater awareness of travel behaviour to encourage more informed choices about the need to travel and alternative modes of sustainable travel

b) promoting safety, security and a healthy lifestyle by maximising opportunities to walk and cycle; education; training and enforcement; design and highway maintenance and natural surveillance of bus stops, car parks, footpaths, bridleways and cycleways

c) requiring in respect of all development proposals that a Transport Statement or a Transport Assessment is provided where the highway authority consider it necessary to show the opportunities for sustainable travel have been taken up, depending on the nature and location of the site, to reduce the need for major transport infrastructure. It should show how safe and sustainable access can be achieved by all and improvements can be undertaken within the transport network to limit the significant impacts of the development

d) protecting, enhancing and creating strategic and local footpaths, bridleways, cycle routes and re-using disused transport routes

e) seeking to ensure that development is located where the need to travel can be minimised and sustainable transport modes can be maximised, whilst respecting landscape & townscape character

f) minimising emissions from transport by reducing the need to travel and promoting sustainable travel choices, including through personal, workplace and school travel planning, designing the built environment
to encourage healthy lifestyles and travel choices and promoting alternative technologies and fuels

g) promoting equality of opportunities and access to services by delivering mixed use schemes, inclusive design, good public transport provision and innovative transport initiatives for rural areas

h) working with partners to integrate public realm and green infrastructure (including sustainable drainage) into the design of transport schemes, to contribute towards improving a sense of place and quality of life by minimising congestion and the impact on the landscape and local communities in respect of noise, water and air quality, improving the legibility and ease of movement within the Borough and improving the image and experience of using public transport

i) reducing the need to travel by requiring housing, business & industrial developments and community facilities to include the provision of high speed broadband, where viable and available.

Development will be permitted where it can be demonstrated that:-

- as a priority, the proposals make adequate arrangements for sustainable transport infrastructure, by promoting sustainable and inclusive access to the proposed development by public transport, walking and cycling, including the provision of secure cycle parking and other non-car transport and promoting the use of green infrastructure networks, where appropriate
- local traffic circulation, existing rights of way and existing parking and servicing arrangements would not be adversely affected
- the highway network is, or can be made, suitable to cope with the traffic generated in terms of the number, type and size of vehicles involved, during construction and after occupation
- the proposals comply with the relevant car parking standards
- the proposals take into account good practice guidance in relation transport assessment and travel plans.

The Borough Council will negotiate with developers to secure the provision of and/or financial contributions towards off-site works, where necessary.

12.2 Disused Transport Routes

12.2.1 In order to widen transport choice, there is a need to protect former transport routes for either potential future passenger and freight movement, or for the provision of new footpath and cycleway links. Within Amber Valley, there is a disused railway route between Derby and Coxbench and there is also a need to safeguard the route of the former Cromford Canal. Allied to this, the Borough Council will endeavour to work with Derbyshire County Council to develop a
bespoke plan which depicts existing and proposed multi-user routes (Greenways) which require safeguarding.

Policy IN2

The Borough Council will protect disused transport routes, as shown on the Proposals Map, from any development which could prejudice either their future potential for re-opening, or their development as multi-user routes.

12.3 Cromford Canal

12.3.1 The Borough Council is working with a number of other organisations, through the Cromford Canal Partnership, in relation to the future management and development of the Cromford Canal. The management and development options that have been explored include minimum intervention, the development of a linear water park and destination nature reserve with increased public access, partial restoration to navigation (restoring the section between Langley Mill and Butterley Tunnel, including the Pinxton Arm but not restoring the tunnel itself or the sections to the west of the tunnel), through to full restoration to navigation. The Local Plan can support these management and development options, including by safeguarding a route from any development proposals that might prejudice the delivery of any of the options.

Policy IN3

The Borough Council will support proposals for the sensitive restoration and maintenance, to navigable status, of the route of the Cromford Canal, as shown on the Proposals Map. The Borough Council will also seek to protect the route from any development that is likely to prejudice its future restoration and maintenance.

Development will be permitted for any proposals that would:

- positively contribute to the restoration of the canal and towpath
- improve access to and along the route of the canal to encourage its use for transport, leisure and recreational purposes
- respect, improve or enhances the landscape & townscape character, setting, biodiversity and historic value of the canal

providing the proposals would not have any adverse impact on amenities by virtue of noise, odour or visual impact.
12.4 Green Infrastructure, Parks & Open Space

12.4.1 Natural England describes Green Infrastructure as a strategically planned and delivered network of high quality green spaces and other environmental features. It should be designed and managed as a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. Green Infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.

12.4.2 Access to open space provides the opportunity for physical activity and access to the natural environment and is considered to promote health, well-being and longevity.

12.4.3 Green Infrastructure can also provide many other social, economic and environmental benefits close to where people live and work including:

- space and habitat for wildlife providing access to nature for people
- climate change adaptation - for example flood alleviation and the cooling of urban areas
- environmental education
- local food production – in allotments, gardens and through agriculture.

12.4.4 There are a number of opportunities across the Borough to develop the Derbyshire Greenway network, helping to improve community access for disabled people, walking, cycling and horse riding. These multi-user routes provide traffic free paths linking communities with places of work, education and the countryside. The current and proposed routes are detailed through the East Derbyshire Greenway Strategy and are supported by the Derbyshire Local Transport Plan (LTP), the Rights of Way Improvement Plan and the Derbyshire Infrastructure Plan. Policy IN2 and the approach advocated in terms of the re-opening or re-use of disused transport routes may also play a significant role.

12.4.5 Development proposals which result in the loss of green and open space will normally be presumed to be unacceptable. However, it is acknowledged that not all green and open space is of value to the local community. In such cases an assessment will be required to identify whether the site is suitable for a different type of green space use. Permanent loss of green space will require careful consideration as this can result in increased pressure on remaining facilities or a loss of amenity or buffer functions.
12.4.6 The provision of new ancillary sports facilities, and play equipment may be supported on open space policy areas provided the development proposal improves the site and results in no significant loss of valuable open space used for recreational purposes. Appropriate development on green space may include a new play area, a multi-use games area (MUGA), a sports pavilion, or changing room improvements or extensions. Ultimately the development has to result in an overall improvement to the site, be sensitive to the local situation and provide significant benefits to the users.

Policy IN4

Green Infrastructure and open space, including public open space will be protected and provided as an integral part of development proposals, where appropriate

A strategic approach to the delivery, protection and enhancement of Green Infrastructure will be taken by the Borough Council working with partners to establish a network of Green Infrastructure corridors and assets.

Development proposals will need to ensure that:-

- existing and potential Green Infrastructure corridors and assets are protected and enhanced, giving priority to the location of new or enhanced strategic Green Infrastructure in locations for new residential development, the strategic corridors of the River Derwent, the River Erewash, disused transport routes and the Derbyshire Greenway network

- the Strategic Green Infrastructure network is enhanced (either on site or off site or through contributions as appropriate)

- links to and between the Green Infrastructure network are provided to increase access, especially in areas of identified deficit, for recreational and non-motorised commuting purposes, and to allow for the migration of species.

New or enhanced Green Infrastructure corridors and assets should be as inclusive as possible and look to make provision for more than one of the following:-

- access to employment and leisure facilities, Green Infrastructure corridors and assets, and the countryside

- physical activity and well-being opportunities for local residents such as formal sports provision

- educational resource for local residents

- biodiversity opportunities
• tackling and adapting to climate change
• enhancement of landscape character
• protection or enhancement of heritage assets and their setting
• opportunities for sustainable leisure and tourism
• enhancement of existing park facilities.

The development/change of use of existing open space, sports and recreational land, including playing fields, will only be permitted if:-

• an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

• the loss resulting from the proposed development would be replaced by enable the creation of equivalent or better provision in terms of the quantity and quality in a suitable location; or

• commensurate financial investment in open space, sports and recreational land is made elsewhere; or

• the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

12.5 Sport & Recreational Open Spaces

12.5.1 The Borough Council is committed to ensuring that there is a wide range of high quality recreational open spaces across Amber Valley, recognising that the provision, design and layout of quality recreational open space that is accessible to all sections of the community plays an important role in the quality of people’s lives within the Borough. As such, the Borough Council accepts that new residential development will generate demand and need for additional and/or upgraded recreational open space and as a result there is a requirement for the provision and/or financial contribution towards recreational open space from all new housing developments through the use of planning obligations. The scope to secure provision and/or financial contributions needs to be carefully weighed against other potential infrastructure and community benefits considered to be necessary in conjunction with development and the viability of developments, having regard to policy H6 in Chapter 8.
For the purposes of this policy, ‘Recreational Open Space’ has been defined by using the National Playing Fields Association (NPFA) (now Fields In Trust) definition of outdoor playing space, namely ‘space which is available for sport, active recreation or children’s play, which is of suitable size and nature for its intended purpose and safely accessible and available to the general public’.

This definition includes equipped children’s play areas, youth and adult playing fields, football pitches, bowling greens and tennis courts. It does not include sports facilities not available to the public, grounds of Her Majesty’s services, verges, woodlands and indoor sports centres.

Although there is a presumption that recreational open space is required within all developments of 10 dwellings or more, due to the difficulties and financial pressures of maintaining many areas of small open space, the Borough Council will not normally consider the adoption of recreational open space of less than 0.2 hectares (as would be generated by 36 dwellings). Developments of between 10 and 35 dwellings will therefore be required to make a contribution to off-site facilities, with an exception to this being made where the Borough Council has identified an acute deficiency of recreational open space or where new open space can be adjoined to an existing open space thus creating an enhanced benefit.

The Borough Council also acknowledges that there are circumstances in which developers will not need to make a provision for either on or off-site recreational open space facilities. This is the case if the development is unlikely to generate a need for recreational space because of either the type of occupancy (i.e. retirement schemes) or the cost of negotiating and administering recreational open space requirements is such that it would be uneconomic to require a contribution as is deemed the case for development of between 1 - 9 dwellings. Developments of 1 - 9 dwellings are excluded from the requirement for the provision of recreational open space either on or off-site. It is also important to recognise that the table in policy IN5 forms the basis of negotiation with developers and should not be considered in isolation, as the Borough Council will in all instances determine the requirement for new recreational open space provision based on existing needs analysis.

Within new developments open space (and green infrastructure) provision should be an integral part of the design process. It is essential that facilities, such as children’s play areas, are safe, easily observed, accessible, provide challenges but are not unsafe, and do not lead to further nuisance. The long term sustainability of the proposals is also important, and facilities should be cost effective to manage and maintain.
Policy IN5

Residential development proposals will be expected to make an appropriate contribution to open space, in line with the following principles, subject to considerations of viability, having regard to policy H6:-

<table>
<thead>
<tr>
<th>Number of new dwellings</th>
<th>Open Space Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-9</td>
<td>No provision required</td>
</tr>
<tr>
<td>10-35</td>
<td>Contribution to offsite facilities other than in exceptional circumstances</td>
</tr>
<tr>
<td>36-64</td>
<td>Provision of new open space at 56m$^2$ including children’s play facilities of 500m$^2$</td>
</tr>
<tr>
<td>65-89</td>
<td>Provision of new open space at 56m$^2$ with children’s play facilities of at least 500m$^2$ and provision for teenagers and young people of at least 600m$^2$</td>
</tr>
<tr>
<td>90+</td>
<td>Provision of open space with facilities as shown above, plus outdoor sports provision</td>
</tr>
</tbody>
</table>

- providing suitable and appropriate, on-site open space (or an equivalent contribution towards off-site provision)
- providing well designed and accessible open space and sports facilities (including children’s play space and parks) that meet the needs of the proposal and the wider community
- having due regard to the most up to date Amber Valley Parks & Open Spaces Strategy, Sports Playing Pitch Strategy and Play Strategy, as well as the Sport England Facilities Planning Model
- ensuring that open space shall be accessible to all users including those with impaired mobility
- well linked to the local footpath/cycleway network and sited on land suitable for the purpose
- maximises opportunities for natural surveillance, and be compatible with the principles of community safety and crime prevention
- be suitably equipped to meet the Borough Council’s specification
- be of a design that is easy and economical to maintain
• seeking (as appropriate)
  i) developer contributions for offsite provision in line with the cost of laying out the facilities on site and
  ii) new provision (where adopted) accompanied by a financial contribution by way of a commuted sum equivalent to the cost of maintenance for a period of 23.5 years

• ensuring that developments that provide private sports and recreation facilities enter into a community use agreement to promote and allow access by local communities.

The Council will support designation of Local Green Space through Neighbourhood Plans where the space has a special character and significance to the local community by virtue of its beauty, historic significance, recreational value or wildlife value.

12.6 Safeguarded Land for Educational Facilities

12.6.1 Derbyshire County Council has formally notified to the Borough Council a number of sites within the Borough which they wish to safeguard for either the future expansion of existing schools, or the provision of new schools or school playing fields.

Policy IN6

The Borough Council will safeguard land, as shown on the Proposals Map, from any development that could prejudice the provision of new schools at:-

• Hunter Road, Belper
• Mill Lane, Codnor
• Coasthill, Crich
• Church Street, Denby
• Hands Road, Heanor
• Newlands, Heanor
• Roper Avenue, Heanor
• Church Street, Riddings
• Ashbourne Road, Turnditch
• and school playing fields at Flowery Leys Lane, Alfreton.

12.7 Safeguarded Land for Cemetery Extensions

12.7.1 The Borough Council has identified a number of sites within Amber Valley that need to be safeguarded for the future extension of existing cemeteries.
Policy IN7

The Borough Council will safeguard land, as shown on the Proposals Map, for future cemetery extensions at:-

- Rodgers Lane, Alfreton
- Leamoor Avenue, Leabrooks
- Western Drive, Marlpool, Heanor
- Cromford Road, Aldercar
- Cemetery Road, Ripley
- Hazelwood Road, Duffield.

12.8 Community, Leisure, Health & Cultural Facilities

12.8.1 The NPPF states that local planning authorities should set out strategic priorities for their areas to deliver the provision of health, community and cultural infrastructure and other local facilities. Community facilities provide for the health and well-being, social, educational, spiritual, recreational, leisure and cultural needs of communities.

12.8.2 The provision of adequate leisure, community and cultural infrastructure is essential to the creation of sustainable communities. These facilities help to create social cohesion, and encourage people to feel a sense of pride and belonging in their local areas. Many of the Borough’s settlements are supported by community centres, village halls, post offices, public houses, libraries, allotments, sports and recreational facilities all of which help to enrich the community. There has however been a decline in the provision of some of these facilities and as such there is a need to protect such facilities from other uses unless it can be shown that there is no demand.

12.8.3 The Borough Council will expect proposals for the change of use of a built community facility to be accompanied by evidence that it has been marketed competitively for a period of not less than 12 months on the open market. Equally, any proposals to provide additional community facilities, particularly for young adults and teenagers, should also be supported in principle, especially as such facilities can play an important role in helping to reduce crime.

12.8.4 The provision of new dwellings will create an increase in demand for these facilities and it is important to ensure that suitable provision is made for this growth in the community. To ensure that needs are met the Borough Council will require the necessary facilities to be provided. The scope to secure provision and/or financial contributions in conjunction with proposals for new housing development needs to be carefully weighed against other potential infrastructure and community benefits considered to be necessary in
conjunction with development and the viability of developments, having regard to policy H6 in Chapter 8.

Policy IN8

The redevelopment and change of use of existing community, leisure, health and cultural facilities will be supported, providing that:

- an assessment has been undertaken which has clearly shown that there is no realistic interest in its retention for the current use, or for an alternative community use, and it has been demonstrated that it would not be economically viable, feasible or practicable to retain the building or site for its existing use; or

- the loss of the facility would be replaced by equivalent or better provision in a suitable location; or

- the development is for an alternative facility, the need for which clearly outweighs the loss.

The Borough Council will support proposals for new community, leisure, health and cultural facilities where:

- these are in sustainable locations and there is a clear need for such a facility

- the development would be of a scale, character and appearance appropriate to the local environment

- the development will not significantly detract from the amenity of local residents and neighbouring uses

The provision of new facilities such as formal recreation areas required as a result of new development will be provided in accordance with the requirements of the Infrastructure Delivery Plan.

12.9 Leisure Facilities

12.9.1 Amber Valley has a variety of indoor and outdoor leisure facilities which serve the local community, within both the public and private sectors. These range from more formal facilities, such as the leisure centres in each of the four main towns, to more informal recreational areas in both the urban and rural areas.
12.9.2 There is further potential to expand existing leisure facilities and to develop new facilities to extend the range and choice available to the local community. There is a need however to ensure that any proposals can be accommodated without any adverse impact on the environment. This is especially significant in rural areas, where the scale and design of provision will need to reflect local character. The Derwent and Erewash Valleys offer significant potential for informal leisure uses, but it is essential that any provision reflects the particular character of the riverside environment.

12.9.3 Any proposals within the Derwent Valley Mills World Heritage Site and Buffer Zone will also need to be carefully considered in terms of their impact on the special character of this part of the Borough.

Policy IN9

Development will be permitted for the provision of new leisure facilities, or the extension of existing facilities, where:-

- it is appropriate in location to the scale and character of the surrounding area, it does not significantly harm the amenity of neighbouring residents, and, suitable provision for transport access is made in accordance with Policy IN1

- in rural areas, the proposals are either within or immediately adjoining existing villages, are well linked to the existing footpath network and of an appropriate scale and design which reflects the character of the village and the surrounding countryside

- the proposals relate to land adjoining the River Derwent or River Erewash, they would preserve or enhance the character of the riverside environment

- the proposals relate to the Derwent Valley Mills World Heritage Site and Buffer Zone it will be required to preserve or enhance its character and appearance, having regard to the aims and objectives of the Derwent Valley Mills World Heritage Site Management Plan.
12.10  **Equestrian Development**

12.10.1 Horse riding is a popular activity, which by its nature takes place within the countryside. It does however often give rise to proposals for built development and associated activities, which can have a detrimental impact on the character and appearance of the countryside and can also give rise to increased traffic movements. There is therefore a need to balance support for the provision of horse riding facilities with the need to maintain the openness of the countryside. In particular, there is a need to exercise careful control over the form and scale of any buildings or other structures, including by granting temporary permission where necessary, to avoid a disproportionate amount of development in relation to surrounding open land.

**Policy IN10**

Development will be permitted for stables, riding centres and other facilities associated with horse riding, which can assist in diversifying the rural economy, providing that the proposals are of a form, scale and design which, individually and cumulatively, would not have a significant impact on the transport network, heritage assets or their setting, landscape, wildlife value and open character of the countryside, including by ensuring that any new buildings or structures are proportionate to the total area of the site, located (wherever possible and subject to residential amenity considerations) in close proximity to existing buildings or structures, and do not give rise to unacceptable noise and light pollution.

12.11  **Communications Infrastructure**

12.11.1 With demand for new telecommunications continuing to grow, the Borough Council are keen to facilitate this expansion whilst at the same time minimising any environmental impacts. In particular, the Council will seek to ensure that the development of modern telecommunications equipment is sympathetic to Amber Valley’s townscape and countryside. The aim is to ensure that telecommunications equipment is kept to a minimum through encouraging the sharing of existing facilities and/or proposed where this is technically possible.

12.11.2 Proposals will not be supported where there is an unacceptable visual impact upon neighbouring occupiers, particularly within residential areas. The visual impact of telecommunications equipment can be minimised through careful design, placement, colouring and landscaping. In addition, using available technologies to miniaturise and camouflage apparatus can also contribute to reducing any visual intrusion. This will help to protect the character of an area and the appearance of property.
12.11.3 The policy applies to planning applications or prior notification applications for the installation of satellite dishes, microwave antennae, radio masts, cabinet boxes and other types of telecommunications apparatus which require planning permission. When considering such applications the council will also have regard to the legal requirements placed upon telecommunications operators to provide an adequate service, and any technical and operational constraints that may be faced.

**Policy IN11**

The Council supports the expansion of electronic communications networks, including telecommunications and high speed broadband. Development proposals for the installation of telecommunications equipment will be permitted where:-

- there is no significant adverse effect on the external appearance of the building on which, or space in which, they are located
- they would not have an unacceptable impact on biodiversity, landscape character or quality, and/or townscape and heritage assets
- the possibility of sharing facilities, such as masts, cabinet boxes and satellite dishes and erecting antennae on existing buildings or other structures, has been fully explored and where practical, has been identified as the preferred location
- technologies to miniaturise and camouflage any telecommunications apparatus have been explored
- they are appropriately designed, coloured and landscaped to take account of their setting and
- there is no unacceptable impact on the visual amenities of neighbouring occupiers.

**12.12 Infrastructure Delivery & Developer Contributions**

12.12.1 The delivery of housing, employment and other development is reliant on the need to have effective infrastructure in place to deliver sustainable growth. The National Planning Policy Framework (NPPF) states at paragraph 17 that an Infrastructure Delivery Plan (IDP) should ‘proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.’
12.12.2 An adequate, up-to-date and relevant evidence base about the economic, social and environmental characteristics and prospects of Amber Valley has been provided to support the Local Plan. Paragraph 162 of the NPPF states in relation to infrastructure that:

‘Local planning authorities should work with other authorities and providers to: - assess the quality and capacity of infrastructure for transport, water supply wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.’

12.12.3 The need for improved infrastructure arising from demand associated with new development is generally provided by developers through agreements under Section 106 of the Town and Country Planning Act 1990. These agreements are used to provide new infrastructure as a result of development, but also used to mitigate other adverse impacts of development.

12.12.4 The Borough Council will seek to co-ordinate the delivery of necessary infrastructure by developers’ contributions through Section 106 agreements. The Infrastructure Delivery Plan sets out the infrastructure that is required to deliver the aims and objectives of the Local Plan.

12.12.5 The scope to secure provision of and/or financial contributions towards infrastructure, in conjunction with proposals for new housing development, needs to be carefully weighed against other potential infrastructure and community benefits considered to be necessary in conjunction with development and the viability of developments, having regard to policy H6 in Chapter 8.

Policy IN12

Infrastructure delivery will take place in a co-ordinated manner, through the Infrastructure Delivery Plan. The Borough Council will work in partnership with a number of organisations to ensure a co-ordinated approach is utilised to deliver the appropriate infrastructure needed to deliver housing and employment and improve the lives of people living in Amber Valley.

The Infrastructure Delivery Plan will include mechanisms for funding and delivery of physical, water, social, community, leisure, health, environmental, biodiversity and other infrastructure required to support new development, existing development and regeneration. Where development would harm the significance of a heritage asset or its setting, and/or landscape character, developer contributions may be required to fund works to mitigate this impact.
The Infrastructure Delivery Plan will be reviewed to encompass the changes happening in Amber Valley over the Plan period, as and when necessary. The development management process will use the Infrastructure Delivery Plan as a tool to negotiate Section 106 obligations to ensure that specific and necessary infrastructure is delivered. Where necessary infrastructure is identified by a statutory infrastructure provider to support a proposed development, and the requisite funding sought through developer contributions cannot be provided, this may not be considered to deliver a sustainable form of development.

Policy IN13

If a funding shortfall for required infrastructure is identified, this should be secured through developers’ contributions. New development should meet on and off site infrastructure requirements necessary to support new development and mitigate any impact of development on the community and environment.

Development proposals will be expected to provide a contribution towards the cost of infrastructure, in proportion to its scale, to help deliver more sustainable communities. Contributions will be collected through Section 106 obligations and/or through a Community Infrastructure Levy, if a charging schedule is introduced.

Contributions from Section 106 agreements may be pooled to meet the costs of infrastructure, where this meets the legal tests set out in the Community Infrastructure Regulations.
13. The Next Steps

13.1 Following the submission of the Local Plan and supporting documents, along with the representations received following publication of the Pre-Submission Local Plan, the Local Plan will now be subject to independent examination by an Inspector to be appointed by the Secretary of State.
<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum target provision 2011-2028</td>
<td>9,770</td>
</tr>
<tr>
<td>Net completions 1/4/2011 – 31/7/2017</td>
<td>2,174</td>
</tr>
<tr>
<td>Net planning permissions as at 1 August 2017 (4,431) (minus those on small brownfield sites (239)</td>
<td>4,192</td>
</tr>
<tr>
<td>Net resolutions to grant planning permission as at 1 August 2017</td>
<td>229</td>
</tr>
<tr>
<td>Windfall allowance 1/8/2017 – 31/3/2028 (based on annual rate of completions on small brownfield sites between 1/4/2011 &amp; 31/7/2017 - 70 per annum)</td>
<td>747</td>
</tr>
<tr>
<td>Neighbourhood Plan allocations (Ripley Neighbourhood Plan)</td>
<td>185</td>
</tr>
<tr>
<td>Remaining housing requirement (A, minus (B + C + D + E + F))</td>
<td>2,243</td>
</tr>
<tr>
<td>Proposed additional sites in Local Plan</td>
<td>3,536</td>
</tr>
<tr>
<td>Proposed provision 2011-2028 (B + C + D + E + F + H)</td>
<td>11,063</td>
</tr>
</tbody>
</table>
5 Year Housing Supply Requirement As At 1 August 2017

(need to establish 5 year supply requirement up to 31 March 2023 – table shows requirement and provision from 1 August 2017 to 31 March 2023 (5.67 years) and the position equivalent to a 5 year period)

Required Provision 1/8/2017 – 31/3/2023

A) 5 year basic annual average (for 5.67 years) 3,260 (575 x 5.67)

Plus

B) Deficit 1/4/2011 – 31/7/2017 1,466 (3,640 – 2,174)
(required completions - 575 x 6.33 (3,640) minus actual completions (2,174)

C) 20% buffer for under provision 652
(3,260 / 5)

D) 20% buffer for shortfall 293
(1,466 / 5)

E) Overall requirement for 5.67 years (A+B+C+D) 5,671

Housing Land Supply Provision As At 1 August 2017

Expected Provision 1/8/2017 – 31/3/2023

Adopted Local Plan/previous Core Strategy sites with planning permission 925
Other large brownfield sites with planning permission 918
Other large greenfield sites with planning permission 913
Small greenfield sites with planning permission 304
Small brownfield sites (windfall estimate – 70 per annum) 397
Sites with resolutions to grant planning permission (subject to S106) 144
Neighbourhood Plan sites 0

Sub-total 3,601

Proposed additional sites in Local Plan 2,101

Total supply 1/8/2017 to 31/3/2023 (5.67 years) 5,702
(5.70 years)
(equivalent to 5.03 years over 5 year period)
### UPDATED SUMMARY OF HOUSING LAND REQUIREMENT & SUPPLY AS AT 1 AUGUST 2017 (Liverpool method)

**Housing Requirement 2011-2028 And Supply As At 1 August 2017**

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Minimum target provision 2011-2028</td>
<td>9,770</td>
</tr>
<tr>
<td>B. Net completions 1/4/2011 – 31/7/2017</td>
<td>2,174</td>
</tr>
<tr>
<td>C. Net planning permissions as at 1 August 2017 (4,431)</td>
<td>4,192</td>
</tr>
<tr>
<td>(minus those on small brownfield sites (239))</td>
<td></td>
</tr>
<tr>
<td>D. Net resolutions to grant planning permission as at 1 August 2017</td>
<td>229</td>
</tr>
<tr>
<td>E. Windfall allowance 1/8/2017 – 31/3/2028 (based on annual rate of</td>
<td>747</td>
</tr>
<tr>
<td>completions on small brownfield sites between 1/4/2011 &amp; 31/7/2017 - 70</td>
<td></td>
</tr>
<tr>
<td>per annum)</td>
<td></td>
</tr>
<tr>
<td>F. Neighbourhood Plan allocations (Ripley Neighbourhood Plan)</td>
<td>185</td>
</tr>
<tr>
<td>G. Remaining housing requirement (A, minus (B + C + D + E + F))</td>
<td>2,243</td>
</tr>
<tr>
<td>H. Proposed additional sites in Pre-Submission Local Plan</td>
<td>3,536</td>
</tr>
<tr>
<td>I. Proposed provision 2011-2028 (B + C + D + E + F + H)</td>
<td>11,063</td>
</tr>
</tbody>
</table>
## 5 Year Housing Supply Requirement As At 1 August 2017

(need to establish 5 year supply requirement up to 31 March 2023 – table shows requirement and provision from 1 August 2017 to 31 March 2023 (5.67 years) and the position equivalent to a 5 year period)

### Required Provision 1/8/2017 – 31/3/2023

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirement 1/8/2017 – 31/3/2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>F)  5 year basic annual average (for 5.67 years)</td>
<td>3,260 (575 x 5.67)</td>
</tr>
<tr>
<td>Plus</td>
<td></td>
</tr>
<tr>
<td>G)  Deficit 1/4/2011 – 31/7/2017 (6.33 years)</td>
<td>1,466 (3,640 - 2,174)</td>
</tr>
<tr>
<td>(required completions - 575 x 6.33 (3,640) minus actual completions (2,174))</td>
<td></td>
</tr>
<tr>
<td>H)  5 year shortfall (1,466/10.67 x 5)</td>
<td>687</td>
</tr>
<tr>
<td>I)  Basic annual average + 5 year shortfall</td>
<td>3,947 (3,260 + 687)</td>
</tr>
<tr>
<td>J)  20% buffer (under provision &amp; shortfall)</td>
<td>789 (3,947/ 5)</td>
</tr>
<tr>
<td>K)  Overall requirement for 5.67 years (D+E)</td>
<td>4,736 (3,947 + 789)</td>
</tr>
</tbody>
</table>

### Housing Land Supply Provision As At 1 August 2017

**Expected Provision 1/8/2017 – 31/3/2023**

- **Adopted Local Plan/previous Core Strategy sites with planning permission**: 925
- **Other large brownfield sites with planning permission**: 918
- **Other large greenfield sites with planning permission**: 913
- **Small greenfield sites with planning permission**: 304
- **Small brownfield sites (windfall estimate – 70 per annum)**: 397
- **Sites with resolutions to grant planning permission (subject to S106)**: 144
- **Neighbourhood Plan sites**: 0
- **Sub-total**: 3,601

- **Proposed additional sites in Local Plan**: 2,101

**Total supply 1 August 2017 to 31 March 2023 (5.67 years)**: 5,702

*(6.83 years)*

*(equivalent to 6.02 years over 5 year period)*
<table>
<thead>
<tr>
<th>SHLAA Reference</th>
<th>Application Number</th>
<th>Decision Date</th>
<th>Application Type</th>
<th>Address</th>
<th>Projections 0-6 years</th>
<th>Total Dwellings (2017/18 to 2022/23)</th>
<th>Most recent response from landowner/developer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>17/18</strong></td>
<td><strong>18/19</strong></td>
<td><strong>19/20</strong></td>
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<tr>
<td>AVBC/2008/0096</td>
<td>AVA/1989/0461 /AVA/2011/0340</td>
<td>26-Jan-90 /07-Jul-11</td>
<td>Reserved Matters</td>
<td>Lowes Hill, Ripley</td>
<td>86</td>
<td>Green / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVA/2016/0612</td>
<td>21-Feb-17</td>
<td>Full</td>
<td>Home Farm, Coach Road, Ripley</td>
<td>30</td>
<td>Green / Brown field</td>
<td>U/C</td>
<td>0</td>
</tr>
<tr>
<td>AVA/2014/0009</td>
<td>AVA/2012/0617</td>
<td>29-Nov-12</td>
<td>Reserved Matters</td>
<td>Land at Radbourne Lane, Mackworth</td>
<td>239</td>
<td>Green / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVBC/2008/0080</td>
<td>AVA/2015/0977</td>
<td>14-Mar-16</td>
<td>Reserved Matters</td>
<td>Outseats Farm, Alfreton</td>
<td>317</td>
<td>Green / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVBC/2010/0001</td>
<td>AVA/2015/0535</td>
<td>02-Feb-17</td>
<td>Reserved Matters</td>
<td>Land at Coppice Farm, Peasehill Road, Ripley</td>
<td>349</td>
<td>Green / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVA/2008/0179</td>
<td>AVA/2014/0044</td>
<td>02-Oct-14</td>
<td>Full</td>
<td>Hands Road, Heanor</td>
<td>26</td>
<td>Green / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVBC/2008/0016</td>
<td>AVA/2006/0297</td>
<td>02-Apr-15</td>
<td>Full</td>
<td>Milford Mills, Milford</td>
<td>69</td>
<td>Brown / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVBC/2008/0146</td>
<td>AVA/2016/0088</td>
<td>19-Sep-16</td>
<td>Reserved Matters</td>
<td>Middlebrook Transport, Meadow Lane, Alfreton</td>
<td>54</td>
<td>Brown / Brown field</td>
<td>U/C</td>
</tr>
<tr>
<td>AVA/2016/1320</td>
<td>11-Jul-17</td>
<td>Full</td>
<td>Cromford Road, Langley Mill</td>
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## Large Housing Site Projections 2017/18 - 2022/23 (as at 1 August 2017)

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<th>Projections 0-6 years</th>
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<th>Most recent response from landowner/developer</th>
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# Large Housing Site Projections 2017/18 - 2022/23 (as at 1 August 2017)

## Large sites with resolutions to grant planning permission subject to Section 106 Agreement

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<th>Green / Brown field</th>
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<th>19/20</th>
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<th>22/23</th>
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<th>Most recent response from landowner/developer</th>
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<th>11+ years</th>
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## Neighbourhood Plans - allocations without planning permission

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<th>Decision</th>
<th>Application Type</th>
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<th>Dwellings</th>
<th>Green / Brown field</th>
<th>Status of site</th>
<th>17/18</th>
<th>18/19</th>
<th>19/20</th>
<th>20/21</th>
<th>21/22</th>
<th>22/23</th>
<th>Total Dwellings (2017/18 to 2022/23)</th>
<th>Response from landowner/developer</th>
<th>6-11 years</th>
<th>11+ years</th>
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<td>Allocated</td>
<td>N/A</td>
<td>Cemetery Road</td>
<td>Ripley</td>
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<td>Brown</td>
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<td>N/A</td>
<td>Allocated</td>
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## Large Housing Site Projections 2017/18 - 2022/23 (as at 1 August 2017)

### Proposed Housing Growth Sites in Draft Local Plan

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<th>Local Plan</th>
<th>Address</th>
<th>Town / Village / Settlement</th>
<th>Dwellings</th>
<th>Green / Brown field</th>
<th>17/18</th>
<th>18/19</th>
<th>19/20</th>
<th>20/21</th>
<th>21/22</th>
<th>22/23</th>
<th>Total Dwellings (2017/18 to 2022/23)</th>
<th>Response from landowner/developer</th>
<th>7-11 years</th>
<th>11+ years</th>
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</thead>
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<td>Cotes Park, Birchwood Lane</td>
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<td>Brown / Green</td>
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<td>60</td>
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<td>210</td>
<td>13/10/2017</td>
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<tr>
<td></td>
<td>Amber Valley Rugby Club, Lower Somercotes</td>
<td>Somercotes</td>
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<td>50</td>
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<td>50</td>
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<td>200</td>
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<td></td>
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<tr>
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<td>Somercotes Hill</td>
<td>Somercotes</td>
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<td>8</td>
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<td>0</td>
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**TOTAL** | 3536 | 0 | 155 | 513 | 590 | 518 | 325 | 2101 | 1435 | 0   |
### NOTES

- U/C = under construction
- Outline or O/L = Outline Planning Permission
- Full = Full Planning Permission
- Reserved Matters or RM = details following granting of outline planning permission
- Green = Greenfield site
- Brown = Brownfield site

Projections for completions based on most recent information received from landowners/site promoters, past completion rates and known constraints to development.
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<td>Estimate based on completions in previous years since 1 April 2011</td>
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<td>18</td>
<td>67</td>
<td>56</td>
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<td>103</td>
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<td>Net Completions</td>
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</table>
| Total                                                                                                                                                                                                                                                             | 207    | 218    | 266    | 267    | 441    | 563    | 671    | 1035   | 1395   | 1166   | 1013   | 634    | 3187   | 295    | Net Completions
APPENDIX 2

LIST OF SUPPORTING EVIDENCE DOCUMENTS

Studies/Reports

1. Draft Sustainability Appraisal (SA) Scoping Report 2016 & Appendices
3. Habitats Regulations Assessment 2017
4. Infrastructure Delivery Plan (IDP) 2017
5. Derbyshire County Council Infrastructure Plan 2013 Refresh
6. Housing Land Supply Update As At 1 August 2017
7. Derby HMA Housing Requirements Study 2012
8. Derby HMA Strategic Housing Market Assessment (SHMA) Update 2013
10. Amber Valley Employment Land Need Study 2016
13. Amber Valley Borough Local Plan - Strategic Viability Assessment 2017
15. Amber Valley Parks & Open Spaces Strategy 2013-18
17. Derby HMA Transport Modelling Position Statement 2015
18. Derby City Green Wedge Review 2012
20. Amber Valley Retail Study 2011
22. Derby HMA Strategic Site Options Study 2010
23. Derby Housing Market Area Water Cycle Study 2010
24. Heanor Masterplan 2010
25. Amber Valley Level 1 Strategic Flood Risk Assessment (SFRA) 2016 & Appendices
26. Derby HMA and Erewash Cleaner, Greener Energy Study 2009
27. Ripley Masterplan 2009
28. Derbyshire Gypsy and Traveller Accommodation Assessment 2015
29. Amber Valley Statement of Community Involvement 2006
30. Amber Valley Landscape Sensitivity Study 2016
31. Establishing A Settlement Hierarchy 2017
31. Historic Environment Assessments Of Potential Housing Sites 2016-17
32. Flood Risk Sequential & Exception Test – Technical Paper
These documents are available to view and download on the Borough Council’s web site at http://www.ambervalley.gov.uk

**Previous Consultation Documents**

**Core Strategy**

1. Issues and Ideas 2008
2. Issues and Ideas - Summary of Comments
3. Issues and Options 2010
4. Issues and Options - Summary of Comments
5. Have Your Say 2011 - Summary of Comments
6. Options for Housing Growth 2011
7. Options for Housing Growth - Summary of Responses
8. Development on a Strategic Scale At Denby 2012 - Summary of Responses

**Local Plan**

1. Amber Valley Borough Local Plan – Draft Local Plan 2017

These documents are available to view and download on the Borough Council’s web site at http://www.ambervalley.gov.uk

**Area Profiles**

1. Alfreton
2. Alport
3. Belper
4. Codnor and Waingroves
5. Crich
6. Duffield
7. Heanor
8. Ironville and Riddings
9. Kilburn, Denby and Holbrook
10. Langley Mill and Aldercar
11. Ripley
12. Shipley
13. Somercotes
14. South West Parishes
15. Swanwick
16. Wingfield

The Area Profiles are available to view and download on the Borough Council’s web site at: http://www.ambervalley.gov.uk/environment-and-planning/planning/community-planning/adopted-local-plan/area-profiles.aspx
PROPOSALS MAP

Policies SS6-7, 9-10; HGS1-15; EGS1; ED1-5; EN7-9, EN11, EN14; IN2-3, 6-7;
Key Diagram
Primary Shopping Frontage Plan
Policy SS7 - Alfreton
Amendment To The Green Belt
Policy SS10

KEY
Policy - SS10
Existing Green Belt
Land proposed to be deleted from the Green Belt
Proposed Housing Growth Site
Policies HGS1, HGS2 - Cotes Park, Birchwood Lane, Somercotes
Proposed Housing Growth Site
Policies HGS1, HGS3 - Land at Amber Valley Rugby Club
Lower Somercotes, Somercotes
Proposed Housing Growth Site
Policies HGS1, HGS5 - Belper Lane, Belper
Proposed Housing Growth Site
Policy HGS1 - Leafy Lane, Heanor
Proposed Housing Growth Site
Policies HGS1, HGS6 - Newlands / Taylor Lane Heanor
Proposed Housing Growth Site
Policies HGS1, HGS10 - Asher Lane Business Park (South) Ripley
Proposed Housing Growth Site Policies HGS1, HGS12 - Radbourne Lane (North), Mackworth
Proposed Housing Growth Site
Policies HGS1, HGS13 - Radbourne Lane (South), Mackworth

KEY
Policies HGS1, HGS13
- Proposed Housing Growth Site
- Amber Valley Boundary

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Proposed Housing Growth Site
Policies HGS1, HGS15, EGS1 - Land North Of Denby
Economic Growth Sites
Policy EGS1 - Alfreton Trading Estate, Somercotes
Mixed Use Development Areas
Policies ED1 - ED3

Key Policies ED1-3
Mixed Use Development Areas
ED1 - East Mill and North Mill, Belper
ED2 - West Mill, Belper
ED3 - Derwent Street, Belper
Development Within Existing Business & Industrial Areas
Policy ED5
Development Within Existing Business & Industrial Areas
Policy ED5

Key
Policy ED5

Development Within Existing Business & Industrial Areas
Development Within Existing Business & Industrial Areas
Policy ED5
Development Within Existing Business & Industrial Areas
Policy ED5

Key
Policy ED5
Development Within Existing Business & Industrial Areas
Safeguarded Land for Educational Facilities
Policy IN6 - Hunter Road, Belper

Belper School

KEY

Safeguarded Land for Educational Facilities

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Safeguarded Land for Educational Facilities
Policy IN6 - Coassthilt, Crich

KEY

Safeguarded Land for Educational Facilities
Safeguarded Land for Educational Facilities
Policy IN6 - Newlands, Heanor
Safeguarded Land for Educational Facilities
Policy IN6 - Ashbourne Road, Turnditch
Safeguarded Land For Cemetery Extensions
Policy IN7 - Rodgers Lane, Alfreton
Safeguarded Land For Cemetery Extensions
Policy IN7 - Leamoor Avenue, Leabrooks

KEY

Safeguarded Land For Cemetery Extension
Safeguarded Land For Cemetery Extensions
Policy IN7 - Western Drive, Marlpool, Heanor

KEY

Safeguarded Land For Cemetery Extension
Safeguarded Land For Cemetery Extensions
Policy IN7 - Hazelwood Road, Duffield
### APPENDIX 4 - IMPLEMENTATION AND MONITORING TABLE

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<tbody>
<tr>
<td><strong>Spatial Strategy Policies</strong></td>
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<tr>
<td>SS1 Presumption Favour Of Sustainable Development</td>
<td>Number of planning applications refused and subsequently granted on appeal</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications and appeals</td>
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<tr>
<td>SS2 Housing Need &amp; Housing Land Provision &amp; Distribution</td>
<td>Net additional dwellings per annum</td>
<td>Minimum of 9,770 dwellings between 2011-2028 (575 per annum)</td>
<td>Early review of Local Plan</td>
<td>Annual review of housing land supply (in-house)</td>
<td>AVBC Developers</td>
<td>Proposed Housing Growth Sites Determination of planning applications Neighbourhood Plans</td>
</tr>
<tr>
<td>SS3 Settlement Hierarchy</td>
<td>Net additional dwellings within each settlement</td>
<td>No targets set</td>
<td>Early review of Local Plan</td>
<td>Annual review of housing land supply (in-house)</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>SS5 Other Locations To Support Economic Growth</td>
<td>Net additional land developed for employment generating uses</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>SS6 Development In Town Centres</td>
<td>Net additional floorspace provided for retail and other uses appropriate to within town centres</td>
<td>No target set</td>
<td>Explore reasons for low levels of activity Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<tr>
<td>SS7 Primary Shopping Facilities</td>
<td>Number of applications for uses other than A1 (Shops) refused and subsequently granted on appeal</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<td>SS8 Development On The Edge Of Or Outside Town Centres</td>
<td>Number of applications for uses other than uses appropriate to a town centre refused and subsequently granted on appeal</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
</tr>
<tr>
<td>SS9 Green Belt</td>
<td>Number of planning permissions granted for ‘inappropriate development’ Net loss of Green Belt land</td>
<td>No target set</td>
<td>Review Green Belt boundary as part of early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<tr>
<td>SS10 Amendment To The Green Belt</td>
<td>Proposed amendment confirmed</td>
<td>N/A</td>
<td>Review Green Belt boundary as part of early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC</td>
<td>Local Plan</td>
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<tr>
<td>SS11 Countryside</td>
<td>Number of planning applications refused and subsequently granted on appeal</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
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<td><strong>Growth Site Policies</strong></td>
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<td>HGS1-15 Housing Growth Sites</td>
<td>Delivery of housing on each site in accordance with policy criteria</td>
<td>Total of 3,536 dwellings on sites by 2028</td>
<td>Early review of Local Plan</td>
<td>Annual review of housing land (in-house)</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>EGS1 Economic Growth Sites</td>
<td>Delivery of business &amp; industrial development on each site in accordance with policy criteria</td>
<td>Total of 33.25 ha hectares developed for B1/B2/B8 uses by 2028</td>
<td>Early review of Local Plan</td>
<td>Annual review of supply of business &amp; industrial land (in-house)</td>
<td>AVBC Developers</td>
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<td><strong>Housing Policies</strong></td>
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<tr>
<td>H1 Housing Development Within Urban Areas &amp; Key Villages</td>
<td>Net additional dwellings within each settlement</td>
<td>No targets set</td>
<td>Early review of Local Plan</td>
<td>Annual review of housing land supply (in-house)</td>
<td>AVBC Developers</td>
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<td>H2</td>
<td>Housing Development Within Other Villages &amp; Settlements</td>
<td>Net additional dwellings within each settlement</td>
<td>No targets set</td>
<td>Early review of Local Plan</td>
<td>Annual review of housing land supply (in-house)</td>
<td>AVBC Developers</td>
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<tr>
<td>H3</td>
<td>Housing Development Outside Settlements</td>
<td>Number of planning applications refused for development contrary to policy criteria and subsequently granted on appeal</td>
<td>No targets set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<tr>
<td>H4</td>
<td>Housing Types, Mix &amp; Choice</td>
<td>Number of completed dwellings by type and size</td>
<td>No targets</td>
<td>Further update of SHMA Early review of Local Plan</td>
<td>Annual review of housing land supply (in-house)</td>
<td>AVBC Developers</td>
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<tr>
<td>H5</td>
<td>Affordable Housing</td>
<td>Net additional affordable dwellings completed</td>
<td>30% of total number of dwellings on sites of 15+ dwellings</td>
<td>Further update of SHMA Early review of Local Plan</td>
<td>Annual review of housing land supply (in-house)</td>
<td>AVBC Developers</td>
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<td>H6 Viability</td>
<td>Number of applications determined in accordance with policy</td>
<td>All applications subject to a viability assessment determined in accordance with conclusions of independent appraisal</td>
<td>Review of Planning Viability Policy Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers Independent valuers</td>
<td>Determination of planning applications</td>
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<tr>
<td>H7 Self-Build &amp; Custom Build Dwellings</td>
<td>Schemes for five or more self-build or custom build dwellings to meet agreed design principles</td>
<td>All relevant schemes to be developed in accordance with agreed design principles</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>H8 Gypsies Travellers &amp; Travelling Showpeople</td>
<td>Number of additional pitches granted planning permission</td>
<td>10 pitches provided by 2028</td>
<td>Further update of Derbyshire GTAA Identification of sites through DPD Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<td><strong>Economic Development Policies</strong></td>
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<td>ED1-4 Mixed Use Development Areas</td>
<td>Planning permission(s) granted for schemes Including suitable mix of uses and in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<td>Town centre regeneration initiatives</td>
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<tr>
<td>ED5 Development Within Existing Business &amp; Industrial Areas</td>
<td>Area redeveloped for uses other than B1/B2/B8</td>
<td>No target set</td>
<td>Review of employment land need Early review of Local Plan</td>
<td>In-house monitoring</td>
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<tr>
<td>ED6 Other Business &amp; Industrial Development</td>
<td>Net additional land/ floorspace provided for B1/B2/B8 uses in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
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<td>ED7 Rural Employment</td>
<td>Net additional land/floorspace provided for B1/B2/B8 uses</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
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<tr>
<td>ED8 Relocation Of Non-Conforming Uses</td>
<td>Number of non-conforming uses relocated to suitable alternative locations</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
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<tr>
<td>ED9-11 District &amp; Local Centres; Local Shopping Facilities; Loss Of Retail Uses</td>
<td>Net additional floorspace provided for retail uses</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
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<td>Number of planning applications refused involving loss of retail uses and subsequently granted on appeal</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
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<tr>
<td>ED12 Restaurants &amp; Cafes (A3), Drinking Establishments (A4) &amp; Hot Food Takeaways (A5)</td>
<td>Net additional floorspace provided for A3/A4/A5 use in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
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<td>ED13 Tourism</td>
<td>Number of planning permissions granted for tourism development in accordance with policy criteria</td>
<td>No target set</td>
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<td>Renewable Energy Policies</td>
<td>Number of planning permissions granted for renewable energy developments in accordance with policy criteria</td>
<td>No target set</td>
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<td>EN1</td>
<td>Managing Flood Risk &amp; The Water Environment</td>
<td>Number of planning permissions granted contrary Environment Agency or Derbyshire County Council on flood risk grounds</td>
<td>No planning permissions granted contrary Environment Agency or Derbyshire County Council</td>
<td>Comments from Environment Agency and Derbyshire County Council on planning applications</td>
<td>AVBC Environment Agency</td>
<td>Determination of planning applications</td>
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<td>Work with Environment Agency and Derbyshire County Council to resolve flood risk issues</td>
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<td>AVBC Environment Agency</td>
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<tr>
<td>EN2-7</td>
<td>Historic Environment</td>
<td>Number of heritage assets 'at risk'; Number of Listed Buildings, Conservation Areas, Registered Parks &amp; Gardens, Scheduled Monuments; World Heritage Site</td>
<td>No loss/delisting of Listed Buildings, Registered Parks &amp; Gardens, Conservation Areas, Scheduled Monuments, World Heritage Site</td>
<td>In-house monitoring</td>
<td>AVBC Developers Heritage bodies</td>
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<td>Maximise external funding opportunities to protect heritage assets Early review of Local Plan</td>
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<td>AVBC Developers Heritage bodies</td>
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<td>EN8 Protected</td>
<td>Number of planning permissions granted contrary to policy criteria</td>
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<td>Early review of Local Plan</td>
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<td>EN9 Special</td>
<td>Number of planning permissions granted contrary to policy criteria</td>
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<td>EN10 Landscape</td>
<td>Number of planning permissions granted contrary to policy criteria</td>
<td>No target set</td>
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<td>Character &amp; Features</td>
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<td>EN11 Biodiversity</td>
<td>Change in priority habitats or in areas national or local designated area of importance for nature conservation</td>
<td>No loss of priority habitats</td>
<td>Review of Lowland Derbyshire BAP Early review of Local Plan</td>
<td>Lowland Derbyshire Biodiversity Action Group</td>
<td>AVBC Developers Natural England Derbyshire Wildlife Trust</td>
<td>Determination of planning applications</td>
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<tr>
<td>EN12 Pollution</td>
<td>Number of planning permissions granted contrary to advice from AVBC Environment Manager</td>
<td>No target set</td>
<td>Work with Environment Manager to resolve issues Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>EN13 Derelict, Unstable &amp; Contaminated Land</td>
<td>Number of planning permissions granted contrary to advice from AVBC Environment Manager and/or The Coal Authority</td>
<td>No target set</td>
<td>Work with Environment Manager to resolve issues Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<td>EN14 Hazardous Substances</td>
<td>Number of planning permissions granted contrary to advice from Health &amp; Safety Executive</td>
<td>No target set</td>
<td>Work with Health &amp; Safety Executive to resolve issues Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<td>EN15 Shop Fronts</td>
<td>Planning permissions granted in accordance with policy criteria</td>
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<td>AVBC Developers</td>
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<td>EN16 Advertisements</td>
<td>Planning permissions granted in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<td>EN17 Quality &amp; Design Of Development</td>
<td>Number of developments meeting Building For Life 12 criteria</td>
<td>No target set</td>
<td>N/A</td>
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<td>IN1</td>
<td>Number of planning permissions granted in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
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<td>AVBC Developers Derbyshire County Council Highways England Transport operators</td>
<td>Determination of planning applications</td>
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<tr>
<td>IN2</td>
<td>Loss of part or all of safeguarded routes through granting of planning permission for development</td>
<td>No loss of part of all of safeguarded routes</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
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<th>Delivery Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>IN3 Cromford Canal</td>
<td>Loss of part or all of safeguarded safeguarded route through granting of planning permission for development</td>
<td>No loss of part of all of safeguarded route</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td></td>
<td>Number of planning permissions granted which contribute to restoration &amp; maintenance of canal</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
</tr>
<tr>
<td>IN4 Green Infrastructure, Parks &amp; Open Spaces</td>
<td>Loss of existing open space, sports and recreational land, including playing fields, through granting of planning permission, unless in accordance with policy criteria</td>
<td>No loss of land, unless in accordance with policy criteria</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
</tr>
<tr>
<td>Policy</td>
<td>Indicator</td>
<td>Target</td>
<td>Contingency</td>
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<tr>
<td>IN5</td>
<td>Sport &amp; Recreational Open Spaces</td>
<td>Number of housing proposals providing/making financial contributions towards sports &amp; recreational open spaces</td>
<td>All housing proposals to make provision and/or financial contributions as per site size thresholds in policy</td>
<td>Review of AVBC specification for scale and type of provision</td>
<td>Early review of Local Plan</td>
<td>AVBC Developers</td>
</tr>
<tr>
<td>IN6</td>
<td>Safeguarded Land For Educational Facilities</td>
<td>Loss of part or all of safeguarded land through granting of planning permission for development</td>
<td>No loss of part of all of safeguarded land</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
</tr>
<tr>
<td>IN7</td>
<td>Safeguarded Land For Cemetery Extensions</td>
<td>Loss of part or all of safeguarded land through granting of planning permission for development</td>
<td>No loss of part of all of safeguarded land</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
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<tr>
<td>Policy</td>
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<tr>
<td>IN8 Community, Leisure, Health &amp; Cultural Facilities</td>
<td>Number of planning permissions granted in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
</tr>
<tr>
<td>IN9 Leisure Facilities</td>
<td>Number of planning permissions granted in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>IN10 Equestrian Development</td>
<td>Number of planning permissions granted in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
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<tr>
<td>IN11 Communications Infrastructure</td>
<td>Number of planning permissions granted in accordance with policy criteria</td>
<td>No target set</td>
<td>Early review of Local Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications</td>
</tr>
<tr>
<td>IN12-13 Infrastructure Delivery &amp; Developer Contributions</td>
<td>Number of planning permissions granted that will deliver and/or provide financial contributions towards necessary infrastructure improvements</td>
<td>No target set</td>
<td>Review of Infrastructure Delivery Plan</td>
<td>In-house monitoring</td>
<td>AVBC Developers</td>
<td>Determination of planning applications Section 106 agreements Infrastructure Delivery Plan</td>
</tr>
</tbody>
</table>
GLOSSARY OF TERMS

**Adopted Local Plan:** The final confirmation of a Development Plan or Local Development Document having statutory status by a Local Planning Authority.

**Adaption:** A change or modification to suit new conditions or needs.

**Affordable Housing:** Non-market housing that includes Social Rented, Affordable Rented and Intermediate Housing (such as shared ownership) for those eligible households whose needs are not met by normal housing market. Properties are often managed by Housing Associations.

**Air Quality Management Area:** Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

**Ancient Woodland:** Land that has had a continuous woodland cover since at least 1600 AD.

**Annual Monitoring Report:** A report which reviews the progress in the preparation of the Local Plan documents against the milestones set out in the Local Development Scheme and assesses the extent to which development plan policies are being achieved.

**Biodiversity:** Encompasses the whole natural world and living things, including plants, animals, microorganisms, bacteria from all ecosystems. This includes diversity within species, between species and of ecosystems.

**Biomass:** Biological material derived from living, or recently living organisms.

**Community Facilities:** Facilities used by local communities for leisure and social purposes where the primary purpose of the facility is for the public benefit. Examples of community facilities would include, but not exclusively, village halls, community centres and meeting places, places of worship, cultural buildings, non-profit sporting facilities and play areas.

**Climate Change:** Long term change on weather patterns and increased global temperatures, which is likely to be caused by an increase in carbon emissions.
**Community Infrastructure Levy (CIL):** A levy that local authorities in England and Wales can choose to charge on new developments in their area. In areas where a Community Infrastructure Levy is in force, land owners and developers must pay the levy to the local council. The charges, set by the local council and independently examined, are based on the size and type of the new development. The money raised from CIL is used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.

**Conservation Areas:** A conservation area is an area of special architectural or historic importance, the character of which it is desirable to preserve or enhance.

**Consultation Statement:** A document which describes consultations undertaken, outlines who was consulted, how consultees were consulted, presents a summary of the main issues raised and explains how consultation has shaped the Local Plan.

**Core Strategy:** The former name of a Development Plan Document that sets out the long term vision for a local authority area, along with objectives and policies. 2012 regulations now require Local Plans to be produced.

**Density:** The intensity of development within a given area, usually measured for housing in terms of dwellings per hectare.

**Developer Contributions:** Monetary contributions which may be made by a developer as part of a legal agreement (S106 or CIL) when a planning permission is granted. The money is used to provide local facilities and infrastructure.

**Development:** Defined in the 1990 Town and Country Planning Act as “the carrying out of building, engineering, mining or other operation in, on, over or under land; or making of any material change on the use of any building or land”.

**Development Management:** The process of reviewing planning applications submitted by development companies, homeowners or businesses. The decision will normally be made in accordance with the development plan, central government guidance and advice, and any other ‘material considerations’. If the application is successful, planning permission will be granted and the development may go ahead.

**Diversification:** The establishment of new enterprise in rural locations often re-using rural buildings and land that is no longer used for agriculture.

**East Midlands Regional Spatial Strategy (EMRSS):** The EMRSS provided a broad development strategy for the East Midlands up to 2021. It set policies in relation to the development and use of land and formed part of the Development Plan for local authorities. The EMRSS was revoked in 2012.
Ecological Asset: Naturally occurring entities that provide environmental “functions” or services, including those which have no economic value but bring indirect uses or benefits that cannot be translated into a present day monetary value.

Environment Agency: A public body with the principal aims of protecting and improving the environment and promoting sustainable development.

Evidence Base: The information and data gathered by local authorities to justify the soundness of the policy approach within the Local Plan and supporting documents.

Examination: Formal examination of the Local Plan and supporting documents by an independent inspector appointed by the Secretary of State to consider if the plan is sound.

Fit For Purpose: Being suitable for the intended use and easy to use. For example, sufficient and well-designed parking located close to people’s homes with spaces wide enough to get out of the car on both sides and also adequate storage space for bins, cycles and garden equipment within residential developments.

Flood Plain: Generally flat lying areas adjacent to a watercourse, tidal lengths if a river or the sea where water flows in times of flooding.

Geodiversity: The range of rocks, minerals, fossils, soils and landforms.

Green Belt: A statutory designation of land, which fundamental aim is to prevent urban sprawl by keeping land permanently open. The five purposes of Green Belt as set out in the National Planning Policy Framework are:
- To check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special characteristics of historic towns and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Greenfield Land: Land that has not been developed before or has returned to a natural state after being developed.

Green Infrastructure: The physical environment within and between cities, towns and villages. It is a network of multi-functional green spaces, including formal parks, open spaces, gardens, woodland green corridors and open countryside.

Gypsies and Travellers: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
Gypsy and Traveller Accommodation Assessment (GTAA): The appraisal of accommodation needs for a broader definition of Gypsies and Travellers than defined above; the GTAA will include the needs of travelling showpeople or circus people (whether or not travelling together as such).

Habitats Regulations Assessment: An assessment is required to ensure that:
  o A strategy or plan either alone or in combination with other plans or projects, would not have a significant effect on a European site, and
  o Where the plan being produced is not directly connected with the management of the site for nature conservation.

Heritage Asset: A building or other structure of historic importance.

Highway: A road and/or footway.

Housing Market Area (HMA): Sub regional policy area originally designated within the revoked Regional Plan. Derby HMA is made up of Amber Valley Borough, Derby City and South Derbyshire District.

Housing Mix: The provision of a mix of house types, size and tenures on housing development sites.

Housing Need: Assessment of the suitability of present housing, the ability of households to afford market priced housing and requirements of future housing requirements.

Implementation: The delivery of measures that form part of a plan.

Independent Examination: Formal examination of a Local Plan by an independent planning Inspector appointed by the Secretary of State to consider whether a Plan is 'sound'.

Infrastructure: The network of communications and utility services such as drains, water, gas, electricity, roads and telecommunications required to enable the development of land. The term is also used to describe social and community services such as schools, public transport, shops and libraries.

Infrastructure Delivery Plan: A plan to implement the necessary social, physical and green infrastructure required to create sustainable communities in accordance with a Local Plan.

Listed Building: A building of special architectural or historic interest. The planning (Listed Buildings and Conservation Area) Act 1990 gives the Department of Culture, Media and Sport, on advice from English Heritage, powers to list buildings of special architectural or historical interest.
**Local Distinctiveness:** That which sets a locality of settlement apart from elsewhere.

**Local Housing Needs Study:** A study to help identify the specific housing needs of local people on a ward/parish basis.

**Localism:** The Localism Act (2011) introduced changes to the planning system, intended to enable people to influence and get involved in decisions which affect them in a meaningful way.

**Local Nature Reserve:** Places with wildlife or geological features that are of special interest locally. County Councils have the power to acquire, declare and manage Local Nature Reserves.

**Local Plan:** A Development Plan Document, which plans for the future development within an administrative area, drawn up by local planning authorities in consultation with communities and other stakeholders.

**Local Wildlife Site:** Areas defined and selected locally for their nature conservation value. Their selection takes into account the most important, distinctive and threatened species and habitats.

**Masterplan:** Comprehensive plans for an area of development.

**Material Consideration:** A legal term describing a matter or subject which is relevant (material) in the determination of a planning application.

**Mitigation:** Measures to avoid reduce or offset adverse effects of an external factor.

**Monitoring:** The collection and analysis of information to measure policy implementation.

**Neighbourhood Development Plan:** The Localism Act 2011 gave communities the power to established general planning policies for the development and use of land in a neighbourhood such as where new homes and offices should be built and what they should look like (within a Neighbourhood Development Plan).

**Open Space:** All open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.

**Pitch (Gypsy and Traveller Site):** A designated place for Gypsies and/or Travellers to live.

**Phasing:** Stages in the implementation of development.
Planning Permission: A requirement before most development can be carried out. To obtain planning permission a planning application must be made and determined by a Local Planning Authority.

Previously Developed Land (Or Brownfield Land): Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

The definition includes defence buildings, but excludes:
   - Land that is or has been occupied by agricultural or forestry buildings.
   - Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures.
   - Land in built-up areas such as parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed.
   - Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings).

Public Rights of Way: Routes on which the public have a legally protected right to pass and re-pass.

Rail Freight: The use of rail to transport goods.

Regeneration: Economic, social and environmental renewal/improvements to areas.

Registered Historic Parks and Gardens: Parks and gardens of historic interest in England. The register is managed by English Heritage.

Renewable Energy: Energy produced by a sustainable source that avoids the depletion of earth’s finite resources. Renewable energy sources include the sun, wind, ocean energy and biomass.

Residential Development: Any development of housing of various scales.

Safeguarding/safeguarded: To ensure that a particular feature is protected.

Scheduled Monument: A nationally important archaeological site or historic building which is given protection against unauthorised change.

Secretary of State: The most senior Government Minister responsible for the work in his/her department. Department for Communities and Local Government are the department responsible for planning.
**Section 106 Agreements:** A legal agreement which Councils can be entered into with a developer where it is necessary to provide contributions of offset negative impacts caused by construction and development. Examples include the provision of affordable housing, new open space, and funding for school places.

**Setting of a Heritage Asset:** This is defined in the National Planning Policy Framework (NPPF) as ‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’

**Site of Special Scientific Interest (SSSI):** A SSSI is one of the country’s very best wildlife and/or geological sites. SSIs include some of the most spectacular and beautiful habitats.

**Soundness:** As part of the examination, the independent planning Inspector is required to consider if a Local Plan is ‘sound’, based on it being positively prepared, justified, effective and consistent with national policy.

**Strategic Housing Market Assessment (SHMA):** An analysis of a housing market in depth, advising on the types of housing needed in different areas and the amount and pattern of need for housing, including affordable housing.

**Stakeholder:** Anyone with an interest in the Borough such as a resident, employee, employer, and visitors.

**Statement of Community Involvement (SCI):** A document which sets out how a local planning authority intends to engage and consult local communities and others in the preparation of the a Local Plan and in the consideration and determination of planning applications.

**Statutory:** A legal requirement.

**Strategic Flood Risk Assessment:** A strategic assessment of flood risk which identifies flooding from all sources across the Borough.

**Strategic Housing Land Availability Assessment (SHLAA):** A SHLAA is a technical exercise to assess the amount of land that could be made available for housing development. It is part of the evidence base that will inform the plan making process.

**Submission:** Submission of Development Plan Documents (DPDs) to the Secretary of State.

**Sustainability Appraisal (SA):** A systematic review of the policies and proposals in a Local Plan in order to evaluate their impacts on achieving sustainable development. The SA assesses the environmental, economic and social impacts of a Plan.
**Sustainable Communities**: Central Government refers to sustainable communities as ‘places where people want to live and work now and in the future’.

**Sustainable Development**: The Brundtland Report (1987) defines sustainable development as ‘Development that meets the needs of the present without compromising the ability of future generations to meet their own needs’. Sustainable Development encompasses social, environmental and economic issues.

**Sustainable Urban Drainage (SuDS)**: A sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than the conventional practice of directing run-off through a pipe to a watercourse.

**Sustainable Travel/ Sustainable Transport**: Usually means walking, cycling and public transport, which is generally less damaging to the environment than use of the private car.

**Transport Assessment/Travel Plan**: An assessment to be submitted alongside planning applications for major development, which measures the potential transport impact of proposals and identifies the interventions needed to mitigate these and to encourage access by walking, cycling and public transport.

**Travelling Showpeople**: Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently.

**Viability**: In general terms the economic circumstances which may affect the ability to deliver development.

**Vibrant**: In retail terms a location which is alive with activity.

**Vitality**: In retail terms the capacity of a centre to grow and develop.

**Watercourse**: Rivers, streams, ditches and sewers (excluding public sewers) which water flows.

**Walkable**: An area where it is easy to walk from one point to another or from housing to local facilities and public transport.

**Windfall Site**: Sites that come forward unexpectedly and have not been identified for housing through the plan preparation process.

**World Heritage Site**: A site of international heritage interest inscribed by UNESCO (United Nations Educational, Scientific and Cultural Organisation).