

Environment

# ENVIRONMENT

## Introduction

- 5.1 The environment of South Derbyshire is extremely varied, reflecting the urban and rural character of the district. It includes areas of high environmental quality, especially in the Trent Valley, the Ticknall/Calke area and on the southern fringes, around Netherseal and Lullington. Large parts of the South Derbyshire Coalfield, centred on Swadlincote, continue to experience the problems associated with derelict land and poor environmental quality.
- 5.2 Public awareness of the need to protect and enhance the quality of the environment is growing. Large scale development in sensitive locations or which damages areas of landscape or ecological value is no longer acceptable. Land use policies must weigh and recognise these priorities in the public interest. In other words, whilst the Local Plan must provide for development, it should also take account of the need to protect the natural and built environment. Development should be sustainable, meeting the needs of the present without compromising the ability of future generations to meet their needs, and minimising the irreversible loss of natural resources.
- 5.3 It is clear that some of the pressures for development in South Derbyshire are likely to be focused on particular locations - the urban fringes of Derby, along the route of the A50 Stoke-Derby Link Road, along the corridor of the A38 in the narrow and sensitive gap between Burton upon Trent and Derby, and in the attractive villages and settlements of the district. Unrestrained development will damage the character and appearance of the countryside, which it is important to protect for its own sake, and lead to the coalescence of settlements. It will also deflect investment from the urban areas of Swadlincote and Derby where investment is required to assist in the regeneration process and act as a stimulus for environmental improvement.
- 5.4 The First Derbyshire Structure Plan (1980) established Green Belts to the south east of Derby and between Burton upon Trent and Swadlincote in order to limit continuing urban expansion around the larger towns whilst maintaining the separate identity of the smaller settlements. The South and South East Derbyshire Green Belts Local Plan (1983) established the boundaries of the Green Belts and included policies to control development. Arrangements for the continued operation of this Local Plan are contained in Section IV which follows.
- 5.5 The area of open countryside around the southern and western fringes of Derby which is not protected by Green Belt policies together with the A38 corridor especially around the Toyota site, are likely to be the subject of significant development pressures. The A50 Stoke-Derby Link Road is also expected to attract development proposals, particularly at its junctions with the strategic road network. The general area consists of attractive open countryside which must be protected from development which would adversely affect its open character. The importance of environmental conservation and the protection of features which make South Derbyshire attractive is essential in pursuing satisfactory economic performance. It is these features which provide an important incentive for the attraction of new business activities and their key personnel into the district.
- 5.6 There are five areas of particularly high landscape quality in the district containing such features as mature woodland, parkland and attractive, undulating countryside. It is important to ensure that these areas are protected by special planning policies designed to conserve the best of the rural landscape.

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- 5.7 Agricultural land quality also remains an important consideration, along with environmental and economic factors, when determining applications for planning permission. It is necessary for the best and most versatile agricultural land, which is a national resource, to be protected from irreversible development. The agricultural industry, generally, is undergoing many changes at the moment because of EC and national policies aimed at reducing agricultural surpluses. Nevertheless, it is important to ensure that agricultural development which is the subject of planning control, does not damage or is not detrimental to the amenity and character of the countryside. (Measures to promote the rural economy and to assist in farm diversification are contained in the Employment Proposals of the Plan).
- 5.8 The South Derbyshire Coalfield has historically been the subject of extensive mineral workings for both coal and clay. Over the last twenty years or so, as collieries have closed and the pottery industry has contracted, much has been done to reclaim these areas of dereliction. In 1978, Central Government granted the district Derelict Land Clearance Area status which confers enhanced levels of grant aid for reclamation projects. Derelict land has been reclaimed at Sandpit Field, Midway for play space, at Hearthcote Road, Swadlincote for industrial/business use and at Elmsdale Road, Hartshorne and New Street, Church Gresley for potential housing development.
- 5.9 Despite these initiatives, other environmental improvement measures are required to enhance the image of the area, improve living conditions and attract new businesses, whilst creating opportunities for tourism, recreation, agriculture, forestry and wildlife conservation. The Council will undertake a programme of measures to improve the environment. Such measures will include tree planting, hard and natural landscaping, wildlife habitat creation, provision of appropriate street furniture, off-street car parking and improvements to surface treatment, in conjunction with other agencies as appropriate.
- 5.10 Priority will be given to the following areas:-
- (i) The South Derbyshire Coalfield, particularly the Swadlincote urban area and the main approaches to the town;
  - (ii) The boundaries of existing employment areas;
  - (iii) The development of a wildlife/recreational corridor utilising derelict railway land and open areas extending into the urban area.
- 5.11 The District Council will consult with a wide range of organisations in the preparation and implementation of environmental improvement schemes. Wherever possible, native species will be used in tree planting and landscaping schemes and management agreements for maintaining valuable new and existing wildlife habitats will be entered into by the Council.
- 5.12 In Swadlincote, a characteristic of the urban form is the "green lungs" of open land which permeate into the central area. These areas help to maintain the identity of the separate communities which make up the urban area and compensate for the relatively dense patterns of development. Similar open spaces or breaks in development, albeit on a smaller scale, are found in many of the villages and settlements of the Northern and Southern Parishes. These areas contribute to the environmental quality of South Derbyshire and need to be safeguarded from development.

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- 5.13 In 1990, the Countryside Commission announced proposals for the establishment of a National Forest on the mixed farming landscape between the ancient Needwood and Chamwood Forests. The defined area (announced in December 1991) covers a total of 194 square miles and includes the towns of Burton upon Trent, Ashby-de-la-Zouch and Coalville. Roughly a quarter of the Forest area lies within South Derbyshire, including the Southern Parishes, Swadlincote and the area south of a line from Bretby Lane to Melbourne. Foremark and Staunton Harold reservoirs are included, as is part of the village of Melbourne.
- 5.14 The National Forest Company is responsible for developing this major initiative in partnership with other interested organisations and has produced a Business Plan and Forestry Strategy to guide the establishment of the Forest. Within an area of predominantly rural land about a third of the Forest will be planted with trees - mostly broadleaf species. It will create a new landscape for work, recreation and wildlife and provide an important, alternative use for surplus agricultural land. The project has been warmly welcomed by the District Council which has assisted in the establishment of the Rosliston Farm Forestry Centre.
- 5.15 The National Forest Company stress that the scale of the project should not be underestimated and there must be active involvement by the private and public sectors if it is to succeed. Planting will be encouraged through incentive schemes provided by the National Forest Company, the Forestry Authority and the Ministry of Agriculture, Fisheries and Food. Appropriate levels of planting will also be sought in association with development proposals. Throughout South Derbyshire generally, the District Council will also seek to ensure that trees which make a significant contribution to public visual amenity are protected from damage or loss.
- 5.16 A wide range of heritage features, historic buildings and wildlife habitats are located in the district and many are under threat from development and other pressures, including changes in farming practices. The maintenance of an interesting and diverse range of wildlife and water habitats, supporting rich plant and animal communities is important, not only in view of their scientific, ecological and educational value, but also because they constitute a fundamental component of the rural environment and countryside scene.
- 5.17 Derbyshire County Council in association with the Derbyshire Wildlife Trust has compiled a Wildlife Sites Register which is recognised by local authorities in Derbyshire as the principal means of identifying sites of wildlife significance. Sites located within South Derbyshire are listed in Appendix C. The County Council has also compiled a register of Regionally Important Geological Sites which identifies important sites for protection and useful sites for educational purposes.
- 5.18 The traditional buildings of South Derbyshire are predominantly red brick with a strong surviving tradition of timber framing and the occasional use of local stone. Plain clay tiled roofs predominate alongside slate and some surviving thatched roofs. As such, its character is rather different to the remainder of Derbyshire, reflecting the transition between the stone tradition of the upland areas towards the Pennines and the gentler topography of the Midland Plain and its clays.
- 5.19 The district has a large number of buildings and settlements of architectural and historic interest. There are over 700 listed buildings and twenty one conservation areas have been designated. These are considered to be a major asset. Their benefit can be measured in terms of their contribution to the quality of life for local residents, as tourist attractions (such as Shārdlow and Melbourne) and as an important resource worthy of care and investment.

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- 5.20 South Derbyshire also has a large number of sites of archaeological interest some of which are Scheduled Ancient Monuments and as such, are afforded statutory protection. The County Council's Sites and Monuments Record provides the basis for identifying scheduled and other sites, including historic parks and gardens. At present, the district has four entries on the national register of historic parks and gardens compiled by English Heritage. These are at Calke Abbey, Elvaston Castle, Melbourne Hall and Swarkestone Hall.
- 5.21 The Environment Agency has a wide range of powers to prevent and control environmental problems. However, these are not always adequate to protect against all of the potential problems surrounding development, and rarely offer preventative measures. Many of these concerns are material in the consideration of applications for planning permission. Accordingly, Environment Policy 2 aims to protect and improve water courses and their environmental corridors against flooding. Severn Trent Water Ltd have also identified possible difficulties around some of their sewage works where development will need to be carefully controlled. A policy of identifying cordon sanitaires is being adopted by Severn Trent Water Ltd. As and when these are notified to the Local Planning Authority, they will be used as a material consideration in assessing planning applications.
- 5.22 Although the East Midlands International Airport is located in North West Leicestershire, it has a considerable influence on the district in terms of housing, employment, transport and the environment. Parts of South Derbyshire fall within the East Midlands International Airport Safeguarded Zone which means that planning applications for certain types of development are subject to the consultation procedures set out in Government policy advice. The Airport also has an effect on the district in terms of aircraft noise. Proposals for noise sensitive developments in the Melbourne/Kings Newton area should recognise that aircraft noise may become a consideration in terms of the location, scale, or need for appropriate sound insulation in accordance with PPG24.

### **Derbyshire Structure Plan**

- 5.23 The Structure Plan contains policies to conserve and improve the environment and its inherent features, reflecting the importance attached to safeguarding and enhancing the natural and built environment for the enjoyment of the people of Derbyshire and visitors to the county, as well as an education resource. The South Derbyshire Coalfield is identified as a priority area for environmental improvement. Policies for reclamation stress the importance of employment generating uses or uses which improve the general environment and/or the provision of recreational, social and community facilities. The County Council's "Countryside Strategy" and 'Greenwatch Environmental Strategy' provide a more detailed interpretation of the Structure Plan's environmental policies and enable the measures of various agencies to be co-ordinated.

### **Objectives of the Local Plan**

- 5.24 The objectives of the Local Plan are:-
- (i) to protect and enhance the open countryside and the quality of the landscape;
  - (ii) to preserve the identity, character and environmental quality of South Derbyshire's villages and rural settlements;
  - (iii) to maintain the progress which has been made in environmental improvement in the district;

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- (iv) to preserve or maintain the best and most versatile agricultural land; and,
- (v) to conserve and enhance features of heritage and natural history interest.

### ENVIRONMENT POLICY 1 : DEVELOPMENT IN THE COUNTRYSIDE

- 5.25 A. OUTSIDE SETTLEMENTS NEW DEVELOPMENT WILL NOT BE PERMITTED UNLESS:
- (i) IT IS ESSENTIAL TO A RURAL BASED ACTIVITY; OR
  - (ii) UNAVOIDABLE IN THE COUNTRYSIDE; AND
  - (iii) THE CHARACTER OF THE COUNTRYSIDE, THE LANDSCAPE QUALITY, WILDLIFE AND HISTORIC FEATURES ARE SAFEGUARDED AND PROTECTED.
- B. IF DEVELOPMENT IS PERMITTED IN THE COUNTRYSIDE IT SHOULD BE DESIGNED AND LOCATED SO AS TO CREATE AS LITTLE IMPACT AS PRACTICABLE ON THE COUNTRYSIDE.

5.26 This policy applies:

- (i) outside the urban area of Swadlincote and villages where Housing Policies 1-6 apply and,
- (ii) outside of sites where Employment Policies 2, 5 and 7 apply.

5.27 In the interests of preserving the countryside and protecting the best agricultural land, new development in the countryside requires careful control. Special circumstances such as the need for housing for a farm worker who must live on an agricultural holding, are necessary to justify isolated houses in the countryside. Some forms of development such as roads, reservoirs and power lines, have of necessity to be located in the countryside and in these cases, particular care is necessary to ensure that they are integrated as sympathetically as possible into the landscape and their impact reduced as much as possible.

#### Implementation

5.28 By the use of development control powers.

### ~~ENVIRONMENT POLICY 2 : FLOOD DEFENCE~~

5.29 ~~NEW DEVELOPMENT WILL NOT BE PERMITTED:~~

- ~~A. WITHIN THE 1 : 100 YEAR FLOODPLAIN OF A WATERCOURSE AS SHOWN ON THE PROPOSALS MAP, UNLESS THE DEVELOPER UNDERTAKES TO PROTECT THE DEVELOPMENT FROM FLOODING AND TO COMPENSATE FOR ANY LOSS OF FLOOD STORAGE AND FLOOD FLOW CAPACITY;~~
- ~~B. WHERE THE DISCHARGE OF ADDITIONAL SURFACE WATER WOULD EXACERBATE EXISTING FLOODING PROBLEMS OR CREATE NEW FLOODING PROBLEMS.~~

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### Justification

~~5.30 Rivers and floodplains are fundamental parts of the water environment. River channels have a limited capacity and when this is exceeded flooding of the adjoining low-lying land known as the floodplain occurs. Floodplains convey and store flood water during such times. Development taking place in these areas may itself therefore be at risk of flooding, and may put people and property elsewhere at risk through a reduction in the flood storage and flood flow capacity of the floodplain. The area representing the 1 : 100 year floodplain as shown on the Proposals Map is indicative of land which may be subject to flooding. In assessing the impact of any proposals the District Council will pay regard to guidelines for water and sewerage published by the Environment Agency and will take account of any on or off site protection, alleviation or mitigation works proposed by the developer. Where development takes place ground floor levels should be set as a minimum of 600mm above either the maximum recorded or 1 : 100 year flood level.~~

~~5.31 The Environment Agency is responsible for protecting and improving watercourses and their environmental corridors, and providing protection against flooding. Although the Agency has a wide range of powers to prevent and control water related problems, these are not always adequate to protect against all of the potential problems surrounding development. This policy is necessary to:~~

- ~~(i) protect the watercourse's capacity to discharge and/or store flood flows without causing new, or exacerbating, existing flooding problems;~~
- ~~(ii) provide a measure of future protection against flooding;~~
- ~~(iii) prevent the overloading of the river system downstream of the proposed outfall.~~

### Implementation

~~5.32 Through the use of development control powers.~~

### ~~ENVIRONMENT POLICY 3 : AREAS OF LOCAL LANDSCAPE VALUE~~

~~5.33 WITHIN THE AREAS OF LOCAL LANDSCAPE VALUE SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NOT BE PERMITTED UNLESS:~~

- ~~(i) IT IS NECESSARY IN SUCH A LOCATION;~~
- ~~(ii) DEVELOPMENT IS WELL RELATED TO THE MAIN FEATURES OF THE LANDSCAPE;~~
- ~~(iii) THE IMPACT ON THE AREA IS MINIMISED BY APPROPRIATE SITING, SCREENING AND LANDSCAPING; AND,~~
- ~~(iv) THE DESIGN IS APPROPRIATE TO THE AREA IN TERMS OF VERNACULAR STYLE, SCALE, FEATURES AND BUILDING MATERIALS.~~

### Justification

~~5.34 The following areas have been identified within South Derbyshire as areas of high quality landscape:~~

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- ~~(i) Catton Park and Woodland~~
- ~~(ii) Grange Wood/Potters Wood, Netherseal~~
- ~~(iii) Bretby Park and Repton Shrubs~~
- ~~(iv) Calke Park and Plantations together with adjacent land to the east~~
- ~~(v) Radbourne Hall Parkland~~

- ~~5.35 These areas contain a wealth of features including mature woodland, parkland, undulating countryside, streams and ponds which give them their special character. It is important to protect these areas from development which would detract from their particular qualities. Development will not normally be permitted unless it is necessary in such a location, it is well related to the main features of the landscape and the impact upon the area is minimised by appropriate siting, design, screening and landscaping.~~

### ~~Implementation~~

- ~~5.36 By the use of development control powers.~~

### ~~ENVIRONMENT POLICY 4 : AGRICULTURAL LAND~~

- ~~5.37 DEVELOPMENT WHICH WOULD LEAD TO THE IRREVERSIBLE LOSS OF GRADE 1, 2 OR 3A AGRICULTURAL LAND WILL NOT NORMALLY BE PERMITTED.~~

### ~~Justification~~

- ~~5.38 The agricultural quality of land is a factor to be considered in the determination of planning applications along with the need to safeguard the countryside for its own sake. South Derbyshire has significant areas of grade 2 agricultural land, in a county which has well below the national average. Although at a time of large surpluses in agricultural production, it is no longer important to retain as much land as possible in agricultural production, it is nevertheless recognised that once agricultural land is built upon, return to agriculture is seldom practicable. The best and most versatile land in the district represents a national resource and should be protected from irreversible development.~~

### ~~Implementation~~

- ~~5.39 By the use of development control powers.~~

### ENVIRONMENT POLICY 5 : AGRICULTURAL DEVELOPMENT

- 5.40 AGRICULTURAL DEVELOPMENT, THAT IS SUBJECT TO PLANNING CONTROL, WILL BE PERMITTED, PROVIDED THAT:-

- (i) THE DEVELOPMENT IS OF AN APPROPRIATE SCALE AND IS SITED IN PROXIMITY TO EXISTING BUILDINGS, WHEREVER POSSIBLE;
- (ii) THE PROPOSAL DOES NOT SIGNIFICANTLY DETRACT FROM VIEWS ACROSS THE COUNTRYSIDE AND DOES NOT HAVE AN ADVERSE IMPACT ON THE LANDSCAPE OR FEATURES OF NATURAL HISTORY OR HERITAGE INTEREST;
- (iii) THE VISUAL EFFECT OF THE PROPOSAL IS MINIMISED BY APPROPRIATE ATTENTION TO DESIGN, MATERIALS, SCREENING AND LANDSCAPING;

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- (iv) THE PROPOSAL DOES NOT GIVE RISE TO AN EXCESSIVE LEVEL OF VEHICULAR MOVEMENTS, NOISE OR SMELL.

### Justification

- 5.41 Agriculture in all its forms is likely to remain the land use that most influences the physical appearance and character of the countryside, even though significant areas of land are being taken out of agricultural use. The District Council recognises the importance of the agricultural industry to the prosperity of South Derbyshire and seeks to balance the growth and development of the industry with the need to protect the environment.
- 5.42 Many areas of agricultural development enjoy freedom from planning control. However, where the District Council can use its development control powers, efforts will be made to reduce the impact of agricultural development on the countryside. The careful siting, design, choice of materials and construction of buildings including those requiring details to be submitted for approval in accordance with parts 6 and 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 is necessary so as to assimilate buildings into the landscape. For example, new buildings should be sited near to existing buildings in order to reduce visual intrusion. The proposal should also not give rise to extensive vehicular movements, noise or smell so as to protect the amenity of any nearby residential properties.

### Implementation

- 5.43 By the use of development control powers.

### ~~ENVIRONMENT POLICY 6 : DERELICT LAND~~

- 5.44 ~~SUBJECT TO OTHER LOCAL PLAN POLICIES, PROPOSALS TO RECLAIM DERELICT LAND WILL BE PERMITTED.~~

### ~~Justification~~

- 5.45 ~~Derelict land is land so damaged by industrial or other development that it is incapable of beneficial use without treatment. The Derelict Land Survey (1988) indicated that there were about 230 hectares of derelict land within the District. The District Council does play an active role in initiating schemes to reclaim land by making use of the area's status as a Derelict Land Clearance Area.~~
- 5.46 ~~Proposals will be made to secure the reclamation of derelict land. Priority will be given to schemes which make land available for housing or employment generating uses, or improve the quality of the local environment, particularly in the urban area of the South Derbyshire coalfield. The National Forest presents opportunities for the restoration of derelict land to forest related uses such as forestry, recreation, tourism, access, sport and nature conservation uses.~~
- 5.47 ~~Many derelict sites especially those associated with mineral workings can have considerable ecological interest or potential. The District Council will weigh such interests against economic and other benefits to achieve a proper balance in the re-use of derelict land.~~

### ~~Implementation~~

- 5.48 ~~Through close co-operation with the relevant agencies and by taking advantage of available funding sources.~~

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### ENVIRONMENT POLICY 7 : OPEN LAND, SWADLINCOTE

- 5.49 OPEN LAND WHICH MAKES A VALUABLE CONTRIBUTION TO THE CHARACTER AND ENVIRONMENTAL QUALITY OF SWADLINCOTE AS SHOWN ON THE PROPOSALS MAP WILL BE SAFEGUARDED FROM DEVELOPMENT.

#### Justification

- 5.50 In Swadlincote, a characteristic of the urban form is the "green lungs" of open land which permeate into the central area. These areas help to maintain the identity of the separate communities which make up the urban area. In a sense, they also compensate for the relatively dense pattern of development within the wider urban area and for the legacy of opencast mining. An opportunity is thus presented to maintain both a physical and a psychological break to the urban form. It is expected that existing uses shall, for the most part, remain undisturbed, except where uses of an open character are considered acceptable.

#### Implementation

- 5.51 By the use of development control powers.

### ENVIRONMENT POLICY 8 : OPEN SPACES IN VILLAGES AND SETTLEMENTS

- 5.52 OPEN SPACES, GAPS AND LANDSCAPE FEATURES WHICH MAKE A VALUABLE CONTRIBUTION TO THE CHARACTER OR THE ENVIRONMENTAL QUALITY OF INDIVIDUAL VILLAGES AND SETTLEMENTS WILL BE SAFEGUARDED FROM DEVELOPMENT.

#### Justification

- 5.53 It is important to ensure that new development in villages and other rural settlements is sensitively related to the existing pattern of development. Open spaces, clear breaks in development and landscape features contribute to the character and environmental quality of many of South Derbyshire's villages and settlements. These sites can often be visually or historically important, particularly in conservation areas, and if they are developed the character of the settlement is lost.

#### Implementation

- 5.54 By the use of development control powers.

### ENVIRONMENT POLICY 9 : PROTECTION OF TREES AND WOODLAND

- 5.55 A. DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD LEAD TO THE LOSS OF AREAS OF WOODLAND OR SPECIMEN TREES OF VALUE TO THEIR LANDSCAPE SETTING.
- B. CONDITIONS WILL BE IMPOSED ON PLANNING PERMISSIONS TO SECURE THE PLANTING OF TREES AND WOODLANDS IN ASSOCIATION WITH DEVELOPMENT PROPOSALS.

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### Justification

- 5.56 Trees and woodlands, especially semi-natural woodland, make a valuable contribution to the environmental quality of an area. The character of many villages and settlements in South Derbyshire is enhanced by single, as well as, groups of trees. They are a vital element of the landscape and of great importance to nature conservation.
- 5.57 Planting of new trees and woodlands will be encouraged wherever possible throughout the District and particularly in the National Forest Area.
- 5.58 Threatened by development, disease and neglect, measures to ensure the continued management, protection and replacement of trees need to be pursued. Replacement trees should be of native species and of local origin, wherever possible.
- 5.59 Grant schemes aimed at encouraging the planting of trees are administered by the Forestry Authority and the National Forest Company.
- 5.60 Tree Preservation Orders will be made by the District Council to protect individual trees, groups of trees and woodlands which are of particular value now or are likely to become so in the future. Conditions will also be imposed on planning permissions to ensure that development does not damage existing arboricultural interests and to secure additional planting.

### Implementation

- 5.61 Through the use of development control powers, by the making of Tree Preservation Orders and by encouraging the use of Forestry Authority incentives for management.

### ENVIRONMENT POLICY 10 : THE NATIONAL FOREST

- 5.62 DEVELOPMENT WILL BE PERMITTED WITHIN THE AREA OF THE NATIONAL FOREST AS SHOWN ON THE PROPOSALS MAP PROVIDED IT DOES NOT CONFLICT WITH OTHER PROPOSALS OF THE LOCAL PLAN AND IS ACCOMPANIED BY APPROPRIATE TREE PLANTING.

### Justification

- 5.63 The defined area of the National Forest covers a total of 194 square miles and includes the towns of Burton upon Trent, Ashby-de-la-Zouch and Coalville. Roughly a quarter of the forest area lies within South Derbyshire, including Swadlincote and the Southern Parishes and the area south of a line from Bretby Lane to Melbourne. The District Council has resolved to support and assist planning and implementation of the Forest and to use the project, where appropriate, for the promotion of development and tourist activities.
- 5.64 The Forest will create a new and attractive landscape for work, recreation and wildlife; contribute to the reclamation of derelict land and provide an important alternative use for surplus agricultural land. Planting will be encouraged by grants provided by a number of agencies, such as the Forestry Authority and the National Forest Company. Whilst it is desirable that planting should predominantly consist of native species, it may also be necessary to plant non-native or coniferous species in the National Forest. In most cases it will be necessary to establish management agreements in association with new tree planting.
- 5.65 Together with a Business Plan a National Forest Strategy has been published which sets down guidelines for planting related to different forms of development within the Forest

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area. In considering development proposals the Council will have regard to Supplementary Planning Guidance to be prepared based upon planting guidelines set out in the National Forest Strategy. However proposed development will be dealt with strictly in accordance with the applicable policies of the Plan and not in the first instance on the basis of the extent of incidental planting offered.

5.66 Appropriate levels of planting will be sought in association with forest related development proposals which will normally be permitted provided they do not conflict with other proposals of the Local Plan. The Forest related developments referred to in the Strategy are:

- operational activities such as car parks and interpretation facilities;
- tourism, recreation, sport and leisure facilities;
- rural forest enterprises, including visitor attractions and forest businesses (timber processing, woodland products, craft industries, tree nurseries, etc.);
- farm diversification involving land, redundant buildings and in some cases new development.

5.67 Where open space requirements can be met by planted areas, such provision will normally be in lieu of the open space required by Recreation and Tourism Policy 4. However, childrens play space has special requirements which are unlikely to be met in a woodland setting and specific provision should be made.

### Implementation

5.68 Through the use of development control powers, by the National Forest Company, the Forestry Authority and other agencies and by the private sector.

### ENVIRONMENT POLICY 11 : SITES AND FEATURES OF NATURAL HISTORY INTEREST

- 5.69 A. DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD RESULT IN:-
- (i) ANY DISTURBANCE TO SITES OF SPECIAL SCIENTIFIC INTEREST, OR NATIONAL AND LOCAL NATURE RESERVES; OR,
  - (ii) SIGNIFICANT DISTURBANCE TO OTHER SITES AND FEATURES OF COUNTY AND DISTRICT IMPORTANCE FOR NATURE CONSERVATION OR CONTAINING PROTECTED SPECIES OF WILDLIFE.
- B. WHERE ESSENTIAL DEVELOPMENT WOULD AFFECT SITES AND FEATURES OF NATURAL HISTORY INTEREST, MEASURES WILL BE TAKEN TO MINIMISE ITS IMPACT. WHERE NECESSARY, THE COUNCIL WILL IMPOSE CONDITIONS ON PLANNING PERMISSIONS OR NEGOTIATE PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO SECURE APPROPRIATE HABITAT CONSERVATION AND ENHANCEMENT.
- C. WHERE PROPOSALS FOR DEVELOPMENT WOULD BE LIKELY TO DISTURB RECOGNISED FEATURES OF NATURAL HISTORY INTEREST, APPLICANTS WILL BE REQUIRED TO SUBMIT A STATEMENT OF THE ECOLOGICAL AND/OR GEOLOGICAL INTEREST OF THE SITE, THE IMPACT OF THE PROPOSED DEVELOPMENT ON SUCH FEATURES AND AN INDICATION OF THE MITIGATING MEASURES TO BE TAKEN.

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- D. THE COUNCIL WILL IMPOSE CONDITIONS ON PLANNING PERMISSIONS OR NEGOTIATE PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO CREATE HABITATS IN NEW DEVELOPMENT.

### Justification

- 5.70 South Derbyshire is an area of varied geology and wildlife habitats where nature conservation interests make an important contribution to the quality of the environment. The District Council wishes therefore to sustain such interests against pressure for development which could damage or destroy them.
- 5.71 There are five Sites of Special Scientific Interest in South Derbyshire:
- (i) Calke Park, Ticknall
  - (ii) Hilton Gravel Pits
  - (iii) Carvers Rock, Foremark
  - (iv) Dimminsdale
  - (v) Ticknall Quarries
- 5.72 There are no National Nature Reserves in South Derbyshire; although there is a Local Nature Reserve at Elvaston Castle. The Derbyshire Wildlife Trust also manages a number of nature reserves throughout the district. The District Council will consider the establishment of local Nature Reserves in appropriate cases.
- 5.73 The Derbyshire Wildlife Sites Register is recognised by the Derbyshire Wildlife Trust and County and District Councils as the principal means of identifying sites of wildlife significance in the county. A complete list of sites included on the Register within South Derbyshire is included at Appendix C. It is considered that sites should be protected from significant disturbance. Provision must also be made for the protection of new sites which may be identified from time to time particularly where species protected under the Wildlife and Countryside Act 1981 are identified. The Register of Regionally Important Geological Sites gives similar protection to important sites.
- 5.74 The Local Plan proposals for the protection and enhancement of sites and features of natural history interest, develop the relevant environmental policies of the Derbyshire Structure Plan by the protection of the most important sites and features of natural history interest, and by ensuring that applications for development affecting such sites, are considered against both an evaluation of their characteristics and measures to minimise the impact on them. Provision is also made for continued conservation and enhancement where appropriate. The range and quality of sites and features of natural history interest will be enhanced by provision for the creation of new habitats and features within development sites where opportunities arise. In creating new habitats, species should be native and of local origin.
- 5.75 Sites which are neither recognised SSSI's, Nature Reserves or on the Wildlife Sites Register do on occasion provide habitats for species given protection under the Wildlife and Countryside Act 1981. In such circumstances, development will not normally be permitted unless adequate provision can be made for protection of habitats in accordance with the provisions of the 1981 Act.

### Implementation

- 5.76 Through the use of development control powers, by the District Council negotiating planning obligations under Section 106 of the Town and Country Planning Act 1990 and

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through the National Parks and Countryside Act 1949 which enables local authorities to establish local Nature Reserves.

- 5.77 Where appropriate management agreements on sites affected under this policy will be sought under the provisions of Section 39 of the Wildlife and Countryside Act 1981.

### ENVIRONMENT POLICY 12 : CONSERVATION AREAS

- 5.78 A. DEVELOPMENT WHICH WOULD HAVE AN ADVERSE EFFECT ON THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA WILL NOT BE PERMITTED.
- B. DEVELOPMENT WILL NOT BE PERMITTED UNLESS:-
- (i) FULL DETAILS OF THE PROPOSAL ARE SUBMITTED;
  - (ii) IMPORTANT VIEWS, TREES, GARDENS, OPEN SPACES AND BOUNDARIES ARE PRESERVED;
  - (iii) THE SITING AND ALIGNMENT OF NEW BUILDINGS PRESERVE HISTORIC STREET PATTERNS AND THE PROFILE OF THE TOWNSCAPE;
  - (iv) THE MASS DESIGN AND HEIGHT OF NEW BUILDINGS ARE IN SCALE WITH AND RESPECT THE ARCHITECTURE OF ADJOINING TRADITIONAL BUILDINGS AND THE DENSITY AND MIX OF USES ARE IN CHARACTER WITH THE AREA AS A WHOLE;
  - (v) BUILDING MATERIALS ARE CHARACTERISTIC OF THE LOCALITY AND SYMPATHETIC TO THOSE BUILDINGS AND STRUCTURES WHICH CONTRIBUTE TO THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.
- C. THE DEMOLITION, PARTIAL DEMOLITION, CONVERSION, EXTENSION OR ALTERATION OF AN UNLISTED BUILDING IN A CONSERVATION AREA WILL NOT BE PERMITTED WHERE THIS WILL HAVE AN ADVERSE EFFECT ON THE CHARACTER OR APPEARANCE OF THE AREA.
- D. WHERE DEMOLITION IS PERMITTED THIS WILL BE SUBJECT TO THE CONDITION OR AGREEMENT THAT SUCH DEMOLITION SHALL NOT TAKE PLACE PRIOR TO THE LETTING OF A CONTRACT FOR APPROVED REPLACEMENT DEVELOPMENT.
- E. PROPOSALS FOR SHOP FRONTS AND ADVERTISEMENTS WILL NOT BE PERMITTED UNLESS THEY PRESERVE EXISTING FEATURES WORTHY OF RETENTION AND RESPECT THE SCALE, RHYTHM, MATERIALS, COLOUR AND DESIGN OF THE BUILDING OR GROUP OF BUILDINGS OF WHICH THEY FORM A PART.

#### Justification

- 5.79 The power to designate conservation areas is given to Local Planning Authorities by Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act also places a duty upon the Local Authority to consider the designation of further areas.

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- 5.80 At present there are twenty two conservation areas in the District and these are shown on the Proposals Map. Consideration will be given to the extension of existing conservation areas and the designation of additional areas throughout the plan period. Presently, further designations at Hartshorne, Radbourne and the Trent and Mersey Canal are under consideration.
- 5.81 Advice on controls and policy considerations which should apply in conservation areas is given in PPG15. The Local Planning Authority must ensure that the historic and architectural character of such areas is preserved and enhanced. The Local Plan embodies a presumption in favour of protecting features which contribute to the special character of a conservation area, but the value of well designed new development in regenerating such areas is recognised. Development can be particularly beneficial where it takes places on a site which is derelict, or otherwise constitutes an eyesore. However, it must not automatically be assumed that development is appropriate for all such sites. In some instances it may be more appropriate to improve them as open spaces. Where development is acceptable in principle, its success in preserving or enhancing the character of a conservation area will depend upon the quality of detailed design. It is important that full and accurate details are given not only of structures as existing and proposed but also of hard and soft landscaping and boundary treatments. The use of natural materials will normally be required. In appropriate circumstances, consideration will be given to the relaxation of other adopted standards, such as those relating to car parking provision.
- 5.82 Most conservation areas will have within them buildings which are listed and thus statutorily protected in their own right. In most cases, however, a majority will be unlisted historic buildings which nonetheless individually and collectively make a significant contribution to the character of such areas, and can be considered as being of local historic interest. There will be a presumption against the demolition of such buildings. In considering proposals to alter or extend or change the use of such buildings, the District Council will seek to ensure the preservation of those elements of the building which contribute towards its special character, make it characteristic of its area or sympathetic to its neighbours.
- 5.83 Unsympathetic alterations to unlisted buildings in conservation areas are a major threat to the special character of such areas. The General Development Order permits certain alterations without the need for planning permission. Where appropriate such permitted development rights will be removed through the use of Article 4 Directions. Such directions already exist in Shardlow, Ticknall, Twyford, and Melbourne conservation areas. Further Directions will be considered throughout the plan period. Also the District Council will encourage the sympathetic maintenance and improvement of unlisted buildings in conservation areas through design guidance and in selected areas, the operation of grant schemes.
- 5.84 Melbourne and Swadlincote conservation areas have commercial centres where traditional shop fronts are an important element of their special character. Such shop fronts also survive in other conservation areas. The District Council will seek to ensure that where they exist in unaltered form that they are preserved, where they have been damaged or badly altered that they are restored, and where a new shop front is proposed that it is sympathetically designed. Similarly advertisements are prominent and these can, if badly designed, have a devastating effect on the character of a conservation area. The Local Plan will seek to ensure that a sign does not detract either from the character of the building with which it is associated or from the character of the conservation area. Consideration will be given to the number, size, colour and detailed design of signs proposed. The District Council will, where appropriate, use its powers under Regulation 6

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of the Town and Country Planning (Control of Advertisements) Regulations 1992 to serve discontinuance notices.

5.85 Parks and gardens form an important part of the character of a conservation area and their loss either in whole or part could fundamentally detract from the character of the area.

5.86 More detailed advice is contained in the District Council's booklet "Historic South Derbyshire".

### Implementation

5.87 By the use of development control powers, by the use of Article 4 Directions where appropriate, by reference to supplementary planning guidance and through grant schemes.

### ENVIRONMENT POLICY 13 : LISTED OR OTHER BUILDINGS OF ARCHITECTURAL OR HISTORIC IMPORTANCE

5.88 A. THE DEMOLITION OF A LISTED OR OTHER BUILDING OF ARCHITECTURAL OR HISTORIC IMPORTANCE WILL NOT BE PERMITTED UNLESS EVIDENCE HAS BEEN PROVIDED THAT THE BUILDING IS INCAPABLE OF BENEFICIAL USE AND IT CANNOT BE SOLD ON THE OPEN MARKET TO A RESTORING OWNER.

B. ALTERATIONS, CONVERSIONS, CHANGES OF USE, ADDITIONS OR PARTIAL DEMOLITION TO A LISTED OR OTHER BUILDING OF ARCHITECTURAL OR HISTORIC IMPORTANCE WHICH WOULD HAVE AN ADVERSE EFFECT UPON THE FABRIC OR CHARACTER OF THE BUILDING WILL NOT BE PERMITTED.

C. WHEN CONSIDERING PROPOSALS FOR DEVELOPMENT, PARTICULARLY THOSE WHICH WOULD AFFECT THE USE OF ADJOINING LAND, INCREASE TRAFFIC, OR ALTER GARDENS OR LANDSCAPE FEATURES, REGARD WILL BE PAID TO THE NEED TO PRESERVE THE SETTING OF LISTED OR OTHER BUILDINGS OF ARCHITECTURAL OR HISTORIC IMPORTANCE.

### Justification

5.89 The Secretary of State for the Environment compiles lists of buildings of special architectural or historic interest for the guidance of Local Planning Authorities and this provides the basis for control. There are more than 700 listed buildings in the district, almost 400 of which were added to the list when the area was re-surveyed between 1981 and 1987. The lists nationally continue to be updated by the Secretary of State.

5.90 The majority of listed buildings in the district are classified Grade II, of special local importance. Just under 100 are classified Grade II\* or Grade I, of special regional or national importance respectively. Whatever the grade, all are afforded the same statutory protection. In line with PPG15 there is a presumption in favour of preserving a listed building ideally intact or by adapting it to modern usage where this will not damage its special architectural and historic character. The relaxation of adopted standards will be considered in order to avoid such damage.

5.91 Throughout the district there are historic or architecturally important buildings, particularly those built in the nineteenth and early twentieth centuries, which do not meet the current listing criteria but which nevertheless are of local interest. The need to preserve these

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buildings will be taken into account when considering development proposals which affect them.

- 5.92** The District Council will continue to assist the County Council to compile a list of historic buildings at risk, and to monitor those buildings. The District Council will, where appropriate, use its powers, under Sections 48 and 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to serve emergency and, or full Repairs Notices to ensure the protection and proper preservation of buildings at risk.
- 5.93** Central Government advice makes it clear that the demolition of listed buildings should be strongly resisted and consent will only be given in exceptional circumstances. In such cases, consent will always be conditional upon appropriate recording of the building before demolition takes place. Where consent is given for proposals which include partial demolition, a detailed schedule of demolition will be required.
- 5.94** When considering proposals to alter or extend a listed building, the District Council will seek to ensure that its historic form, character and structural integrity is retained and any enlargement will not dominate the original building. Architecturally or historically important elements, whether internal or external, should remain in unaltered form and any new work should respect the character of the existing building in terms of design, materials, scale and detailing. When considering proposals to alter or extend unlisted buildings which are nonetheless of architectural or historic importance, the District Council will seek to ensure the preservation of those elements of the building which contribute to its special character, make it characteristic of its area or sympathetic to its neighbours.
- 5.95** Whilst a new use may be the key to the survival of a threatened listed or other historic building, it can also cause the destruction of its special historic or architectural character. In considering proposals for conversion to alternative uses, an assessment will be made of the degree of threat and the need to preserve the building, as well as the effect of the proposals on its historic and architectural character.
- 5.96** Conversion to use as a hotel is often to be welcomed as it can provide a suitable use for some types of historic building; and if they are carefully designed, it may be possible to make additions to historic buildings used as hotels.
- 5.97** A large proportion of South Derbyshire is rural and agricultural buildings are an important element of the district's architectural heritage. They are under threat because of changes in farming and there is considerable pressure for their conversion to alternative uses. Experience has shown that residential conversions can destroy the special interest of historic barns as effectively as demolition. The very nature of some historic agricultural buildings makes them unsuited to residential conversion. Uninterrupted roofs, blank walls, unpartitioned interiors and simple agricultural settings are at the same time their essential characteristics and the elements which must change if residential use is to be accommodated. As a result English Heritage now advises Local Planning Authorities to adopt a presumption against residential conversion in the case of listed agricultural buildings. The Council will seek to apply the principles set out in PPG's 15 and 7 to the conversion of farm buildings to residential use.
- 5.98** Large industrial buildings such as mills and warehouses present similar problems. Large, open internal spaces and settings of an industrial, commercial or rural character cannot easily be adapted to residential use without damaging alterations. The District Council will seek, in particular, to preserve the industrial and commercial character of the former warehouses and mills, and their settings, in Shardlow.

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- 5.99 Housing Policy 7 embodies a presumption in favour of the conversion of existing buildings to residential use both within villages and settlements and in the countryside. In the case of listed and other buildings of architectural or historic importance, the need to protect their character will be an overriding consideration, and residential conversions will not be permitted unless the District Council is satisfied that the special historic or architectural character of the building is not adversely affected.
- 5.100 The District Council will seek to ensure that proposals for advertisements do not detrimentally affect the character of listed or other buildings of architectural or historic importance, or their settings. The number, size, colour and design of signs should be sympathetic to the historic buildings with which they are associated or which are affected by them.
- 5.101 Gardens, whether or not they are registered or included on the Sites and Monuments Record in their own right, are important in terms of their relationship to listed or other buildings of architectural or historic interest or as significant elements in a Conservation Area. Large houses, in particular, often have a fundamental relationship to the grounds in which they are set. The loss of all or part of such setting and amenity can be a threat to their survival as a single dwelling and the retention of their original character.
- 5.102 More detailed advice is contained in the District Council's booklet "Historic South Derbyshire".

### Implementation

- 5.103 Through the use of development control powers, by reference to supplementary planning guidance and through grant schemes.

## ENVIRONMENT POLICY 14 : ARCHAEOLOGICAL AND HERITAGE FEATURES

- 5.104 A. DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD RESULT IN:-
- (i) ANY DISTURBANCE TO SCHEDULED ANCIENT MONUMENTS, THEIR SETTING OR AMENITY VALUE;
  - (ii) SIGNIFICANT DISTURBANCE TO OTHER KNOWN ARCHAEOLOGICAL OR OTHER HERITAGE FEATURES OF MAJOR SIGNIFICANCE.
- B. WHERE EXCEPTIONALLY THERE IS AN OVERRIDING NEED FOR DEVELOPMENT WHICH WOULD AFFECT SITES OF ARCHAEOLOGICAL OR HERITAGE IMPORTANCE, MEASURES WILL BE UNDERTAKEN TO MINIMISE ITS IMPACT AND TO PRESERVE SITES INSITU, WHEREVER POSSIBLE.
- WHERE NECESSARY, THE COUNCIL WILL IMPOSE CONDITIONS ON PLANNING PERMISSIONS OR WILL NEGOTIATE PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO ENSURE APPROPRIATE INVESTIGATION AND RECORDING PRIOR TO, AND DURING DEVELOPMENT.
- C. WHERE THERE ARE KNOWN CONCENTRATIONS OF IMPORTANT ARCHAEOLOGICAL REMAINS, APPLICANTS FOR PLANNING PERMISSION WHICH WOULD INVOLVE GROUND DISTURBANCE WILL NORMALLY BE REQUIRED TO SUBMIT:-

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- (i) AN ARCHAEOLOGICAL EVALUATION OF THE SITE; AND,
- (ii) A STATEMENT DEMONSTRATING HOW IT IS INTENDED TO OVERCOME THE ARCHAEOLOGICAL CONSTRAINTS OF THE SITE.

### Justification

5.105 In South Derbyshire, the following archaeological sites are scheduled:-

Aston-on-Trent (Shardlow & Great Wilne, & Weston-on-Trent)	Iron Age Settlement, Cursus and other Air Photographic Marks
Aston-on-Trent	Iron Age settlement cropmark
Barton Blount	St. Chad's Church
Bretby	Bretby Castle Fortified Manor
Castle Gresley	Motte & Bailey Castle
Egginton	Monks Bridge
Hoon	Hoon Mount Platformed Bowl Barrow
Ingleby	Viking Barrow Cemetery in Heath Wood
Melbourne	Melbourne Castle Fortified Manor and earlier Medieval Manorial Remains
Osleston & Thurvaston	Sharrow Hall Moated Site and associated Road, Driveway, Dovecote, Enclosures and Ridge & Furrow
Osleston & Thurvaston	Shrunken Medieval Village and Moated Site, Thurvaston
Shardlow & Great Wilne	Crop Marks NW of Hickens Bridge
Stanton-by-Bridge/Swarkestone	Swarkestone Bridge
Swarkestone	Swarkestone Lows (tumuli)
Ticknall	Calke Park Tunnel
Ticknall	Medieval Church and Cross
Twyford & Stenson	Twyford Henge and Round Hill Bowl, Barrow
Twyford & Stenson	Cursus Settlement Site and Enclosures Cropmarks
Walton-on-Trent	Borough Hill: Slight Univallate Hillfort
Weston-on-Trent	Settlement Site

5.106 Other sites and monuments are likely to be scheduled within the plan period as a result of English Heritage's Monuments Protection Programme.

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- 5.107 The Sites and Monument Record compiled by the County Council includes scheduled and other sites of acknowledged archaeological importance. There are known concentrations of archaeological features at Melbourne and Repton.
- 5.108 It is important to consider the need to preserve, conserve, interpret and investigate archaeological and other heritage features where they are affected by development proposals. In the case of many sites, including those listed above which are scheduled, any disturbance will have an adverse affect. In other cases, the degree of disturbance will determine whether or not the feature is adversely affected. Where development proposals would be likely to affect an area of archaeological potential or an important heritage feature, the Council may request the submission of an archaeological evaluation prior to determining the application. In exceptional circumstances, where there is an overriding need for development, the District Council will ensure that its impact is minimised and that sites are recorded before and during such developments.

### Implementation

- 5.109 Through the use of development control powers, by the District Council negotiating planning obligations under Section 106 of the Town and Country Planning Act 1990 and by reference to the Sites and Monuments Record.

### ENVIRONMENT POLICY 15 : HISTORIC PARKS AND GARDENS

- 5.110 A. DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD ADVERSELY AFFECT THE CHARACTER, APPEARANCE OR SETTING OF HISTORIC PARKS AND GARDENS. PARTICULAR CARE WILL BE TAKEN TO ENSURE THAT HISTORIC PARKS AND GARDENS OF NATIONAL IMPORTANCE ARE SAFEGUARDED.
- B. WHERE THERE IS AN OVERRIDING NEED FOR DEVELOPMENT WHICH WOULD AFFECT HISTORIC PARKS AND GARDENS, MEASURES WILL BE TAKEN TO MINIMISE ITS IMPACT. WHERE NECESSARY, THE COUNCIL WILL IMPOSE CONDITIONS UPON PLANNING PERMISSIONS OR WILL NEGOTIATE PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO ENSURE APPROPRIATE INVESTIGATION AND RECORDING PRIOR TO, OR DURING DEVELOPMENT.

### Justification

- 5.111 The importance of Historic Parks and Gardens has recently been recognised by English Heritage who have compiled a register of nationally important gardens including entries within the plan area. The list is not finite and additional entries are likely in the future. In South Derbyshire the following are included on the register:

Bretby Hall  
Calke Abbey  
Elvaston Castle  
Melbourne Hall  
Swarkestone Hall

- 5.112 The District Council will assist the County Council to identify Historic Parks and Gardens of local importance for inclusion on the County Council's Sites and Monuments Record. Where appropriate, English Heritage will be asked to add the most important of these sites to their national register.

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- 5.113** It is important that Historic Parks and Gardens included on the Sites and Monuments Record are taken into account when development proposals are considered. The District Council will ensure that these sites are either protected by the exercise of planning powers or where there is an overriding need for development, provision is made for the impact of development on the site to be minimised, and for appropriate investigation and recording to take place where possible.
- 5.114** In considering the character or setting of a historic park or garden, attention will be given to the importance of built or planted elements which contribute to the design, structure or definition of the park or garden. Such features as boundary walls, gates and gateways, fences, hedges, ha-has, driveways, stops and paved areas are of particular importance.

### Implementation

- 5.115** Through the use of development control powers, by the District Council negotiating planning obligations under Section 106 of the Town and Country Planning Act 1990, and by reference to the Sites and Monuments Record and the Biological Sites Register.