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South Derbyshire Local Plan : Adopted May 1998

Setting the Scene

- 1.1 The District of South Derbyshire covers an area of approximately 33,000 hectares (112 sq. miles). It is bounded by the City of Derby to the north, Burton upon Trent to the west and Ashby-de-la-Zouch to the east.
- 1.2 Swadlincote is the main focus of the area, serving as an employment, shopping and service centre. The rest of the district is mostly rural in character. Extensive tracts of countryside are interspersed with a number of villages and settlements, some of which, like Repton and Shardlow, are of historic value. Melbourne is one of the larger villages along with Etwall, Linton, Hatton and Willington.
- 1.3 Plan No.1 shows South Derbyshire in its regional setting. It can be seen that the district is criss crossed by several important roads, including the A38 and A6 Trunk Roads, giving access to the national motorway network. The River Trent and the Trent and Mersey Canal also meander through the area.
- 1.4 Over the past decade, South Derbyshire has witnessed many changes. The population has continued to grow and now stands at about 76,000. Extensive new development has taken place in Swadlincote, despite the run down of mining and pottery manufacture. Derelict land has been reclaimed and major improvements have been made to the appearance and amenities of the town centre. Elsewhere, development has been controlled to preserve the character of the rural settlements and to protect the countryside.
- 1.5 Looking ahead, pressure for further change is likely to result from the newly constructed A50; from the establishment of the National Forest in the south of the district which will bring new opportunities for environmental improvement and recreation development; and from the recently expanded Toyota Motor Corporation Car Manufacturing Plant at Burnaston. Investment on the scale made by Toyota is of national significance and its impact is being felt not only in South Derbyshire and neighbouring Burton upon Trent and Derby, but across the Midlands.
- 1.6 The Local Plan has an important role to play in striking a "balance" between the interests of development and the interests of conservation. The widespread development potential which now exists, represents a major opportunity which will need to be exploited if the long term prosperity of the district is to be secured. However, this must be done in a manner which is sympathetic to the aspirations of local communities and respects the environment.

Scope and Purpose of the Local Plan

- 1.7 The purpose of the South Derbyshire Local Plan is to set out the District Council's approach to the development, management and use of land to the year 2001. The Plan Area covers the whole of the administrative district of South Derbyshire as illustrated on Plan No.2 which also shows the Parishes which constitute South Derbyshire.
- 1.8 The South Derbyshire Local Plan is a statutory Local Plan prepared under the provisions of the Town and Country Planning Act 1990 and the Planning and Compensation Act 1991. It has four main functions:
 - (i) to develop the policies and general proposals of the Derbyshire Structure Plan and to relate them to specific areas of land as shown on the Proposals Map;

- (ii) to provide a detailed and comprehensive basis for the promotion and control of development;
- (iii) to provide a detailed basis for co-ordinating and directing development and other uses of land;
- (iv) to bring local planning issues before the public.

1.9 The Local Plan is required to include policies in respect of:

- * the conservation of the natural beauty and amenity of the land;
- * the improvement of the physical environment; and,
- * the management of traffic.

Relationship of the Local Plan to other plans and policies

- 1.10 The Town and Country Planning Act 1971 introduced a two tier system of Structure and Local Plans which together form the Development Plan for the area. The Town and Country Planning Act 1990 re-enacted this system, although the Planning and Compensation Act 1991 introduced changes to the way in which it operates. The role of development plans in the decision making process has been reinforced to require development control decisions to accord with the Development Plan unless material considerations indicate otherwise. In most cases the local planning authority is responsible for determining applications for planning permission. Under Section 78 of the Town and Country Planning Act, 1990, an applicant may appeal to the Secretary of State for the Environment against a local planning authority's decision to refuse planning permission or to grant it subject to conditions, or failure to notify its decision within 8 weeks or within a longer period that may have been agreed between the applicant and the authority. In certain instances the Secretary of State may require an application to be referred to him/her for decision although such action is usually taken only if planning issues of more than local importance are involved.
- 1.11 The South Derbyshire Local Plan forms part of the Development Plan for the area along with the Derbyshire Structure Plan, prepared by the County Council and Local Plans for minerals and waste disposal which the County Council is now required to prepare.
- 1.12 The Derbyshire Structure Plan became operative in May 1990, following approval by the Secretary of State for the Environment. The Plan establishes the overall level of growth for each district in Derbyshire during the period 1987-2001 and sets out broad guidelines for the location of new development and other uses of land.
- 1.13 The South Derbyshire Local Plan is required to conform generally to this Plan.
- 1.14 In 1983, the County Council adopted the South and South East Derbyshire Green Belts Local Plan. The Plan establishes the boundaries of Green Belts to the south east of Derby and between Burton upon Trent and Swadlincote and includes policies to control development. In general, there is a presumption against development of an urban character.
- 1.15 The policies of the South and South East Derbyshire Green Belts Local Plan have been incorporated in the South Derbyshire Local Plan with amendments made to reflect the recommendations of the Inspector at the Local Plan Inquiry.

- 1.16 A number of statutory plans and informal policy statements have been superseded by the Local Plan. These include: the "old" County Development Plan, the Swadlincote Town Map and the Derby Fringe Town Map (all approved in 1958); the Swadlincote and Southern Parishes Local Plan which was placed formally on deposit in 1986; the Northern Parishes Village Development Policy Statement (1982) and, South Derbyshire 2001 : A Strategy for the Future (1990).
- 1.17 Supplementary Planning Guidance is referred to but not included in the Plan. This is because it is subject to review more frequently than the Plan. However, it will be subject to public consultation.
- 1.18 The South Derbyshire Local Plan will also provide the background to other District Council strategies and expenditure programmes relating, for example, to economic development, housing and recreation.
- 1.19 The Department of the Environment, Transport and the Regions (DETR) has since 1988 set down detailed national planning policies in a series of Planning Policy Guidance Notes (PPGs) and by means of Circulars, which the District Council is required to take account of as material planning considerations in considering proposals for development. Where PPGs and Circulars have been issued which post-date the Policies contained in this Local Plan (such as PPG13 Transport) due regard will be paid by the local planning authority to that guidance. When in due course the Local Plan is reviewed, more recent government guidance will be incorporated into the Plan as necessary.

Local Plan Preparation Process

- 1.20 The Local Plan was published in draft in June 1991 for public comment. A revised version was placed on formal deposit for six weeks from 18 January 1993. Objections to the deposit plan were considered at a Public Local Inquiry which was held between 16 January - 26 March, 1996. The report of the Inspector who conducted the Inquiry was published on 26 August, 1996. On 11 February 1997, the District Council's Planning Committee considered a report responding to the Inspector's Report and identifying proposed modifications to the deposit Local Plan (Minute No. PL/195 refers). The Proposed Modifications to the South Derbyshire Local Plan were placed on deposit for six weeks from 16 June, 1997. On 11 December, 1997 the Council's Planning and Economic Development Committee considered a report responding to the representations and objections received to the Proposed Modifications. Further Proposed Modifications were subsequently placed on deposit from 22 December, 1997 to 9 February, 1998, in response to which no new objections were raised. On 8 May, 1998, the South Derbyshire Local Plan was formally adopted.
- 1.21 All figures contained in this document have been reviewed to reflect the situation which pertained at March 31, 1995, that being the base date adopted by the Inspector who held the Inquiry. Other factual information has been updated to reflect developments as at 8 May 1998, the date on which the Local Plan was adopted.

How To Use the Local Plan

- 1.22 The Local Plan consists of a Written Statement and a Proposals Map.
- 1.23 The Written Statement is divided into five main sections:-

I Introduction

II South Derbyshire - An Overview

This section provides an introduction to South Derbyshire and an indication of the issues facing the district. The national, regional and Structure Plan policy context is explained along with the aims of the Local Plan and the overall development strategy.

III Policies

Policies of the Local Plan are set out on a topic basis, e.g. Housing. All topics have equal weight and position in the Written Statement is not an indication of priority. Each policy is accompanied by a justification and an indication of how it will be implemented. There is no hierarchy of policies - all relevant policies will be considered before a decision is taken on a particular development application.

IV Green Belts

The saved policies of the South and South East Derbyshire Green Belts Local Plan are contained in this section.

V Monitoring, Review and Resources

The way in which the Local Plan is to be monitored and reviewed is explained in this section. There is also an assessment of the resources that will be available to implement the policies.

1.24 The Proposals Map is a series of plans which shows how areas of land are affected by particular policies. Policies which do not relate to a specific area apply to the whole of South Derbyshire.

1.25 To ascertain the attitude of the District Council towards particular types of development, it may be helpful in the first instance to refer to the relevant section of the Written Statement. In Section III Local Plan policies are written in CAPITALS to distinguish them from other supporting material. They also have a reference number (e.g. Housing Policy 1) which appears on the Proposals Map. The Proposals Map can be used to identify proposals for a particular site or area. However, it is always advisable to consult the Local Plan as a whole.