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5 September 2018

To: All Councillors

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a meeting on **Thursday 13 September 2018 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely



Sandra Lamb
Head of Corporate Services

AGENDA

1. APOLOGIES/SUBSTITUTES

Please advise Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

12 July 2018

3. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING.**

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

To answer questions from Members who have given the appropriate notice.

Page No.

6. CAR PARK MANAGEMENT – REVIEW OF CHARGES

4 - 12

To receive a report detailing feedback comments in respect of the proposed increase in the level of charges on the Council's pay and display car parks and consider approval of the implementation of the new charges with effect from 1st January 2019.

7. HOUSING AND ACCOMMODATION FOR AN AGEING POPULATION: A STRATEGY FOR DERBYSHIRE

13 - 53

To consider endorsement of the latest draft of the new housing and accommodation strategy for older people in Derbyshire being produced by Derbyshire County Council in partnership with the nine Derbyshire District and Borough Councils.

8. DRAFT SUPPLEMENTARY PLANNING DOCUMENT: CONVERSION OF FARM BUILDINGS DESIGN GUIDANCE

54 - 89

To receive an updated report on the draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document (SPD) and consider approval of a formal period of public consultation on the document prior to its formal adoption as a SPD. Also, to consider delegation of authority to the Head of Regeneration and Policy to take it forward to formal adoption.

9. DRAFT SUPPLEMENTARY PLANNING DOCUMENT: LANDSCAPE CHARACTER AND DESIGN

90 - 174

To consider approval and formal adoption of the Landscape Character and Design Supplementary Planning Document (SPD) attached as Appendix 1 to the report.

10. DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2018 - 2021

175 - 186

To consider approval of the publication of the revised Derbyshire Dales Local Development Scheme 2018-2021 with immediate effect.

11. DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2018

187 - 241

To consider a recommendation that the revisions to the Council's current Statement of Community Involvement be subject to a period of six weeks public consultation. Also, in the event that no objections are received, to consider delegation of authority to the Head of Regeneration and Policy to take it forward to formal adoption.

Members of the Committee - Councillors Jason Atkin, Richard Bright, Sue Bull, Martin Burfoot, Albert Catt, Ann Elliott, Chris Furness, Susan Hobson (Vice Chairman), Vicky Massey-Bloodworth, Tony Morley, Dermot Murphy, Joyce Pawley, Mike Ratcliffe, Lewis Rose OBE, Andrew Statham, Colin Swindell, Jo Wild (Chairman)

Substitutes - Councillors Deborah Botham, Jennifer Bower, David Chapman, Tom Donnelly, Richard FitzHerbert, Steve Flitter, Alyson Hill, Angus Jenkins, Jean Monks, Garry Purdy, Irene Ratcliffe, Mark Salt, Jacquie Stevens, John Tibenham, Philippa Tilbrook,

COMMUNITY AND ENVIRONMENT
13 SEPTEMBER 2018

Report of the Head of Community and Environmental Services

CAR PARK MANAGEMENT – REVIEW OF CHARGES

PURPOSE OF REPORT

This report provides feedback on comments received in respect of the proposed increase in the level of charges on the Council's pay and display car parks and recommends the implementation of revised car parking charges with effect from 1st January 2019.

RECOMMENDATION

1. That comments received in respect of the proposed levels of parking charges referred to in the body of this report and detailed in Appendix 1, are considered,
2. That having regard to the comments received the proposed level of parking charges detailed in Appendix 2 be introduced with effect from 1st January 2019, and
3. That a final notice of intent to vary charges, in accordance with section 35C of the Road Traffic Regulation Act 1984 and Part V of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, is published.

WARDS AFFECTED

All

STRATEGIC LINK

1 BACKGROUND

1.1 A report was presented to this Committee on 12th July 2018 which sought to review the level of charges on the Council's pay and display car parks. The Committee resolved that parking charges now be revised to broadly reflect those previous increases in RPI, together with the forecast increase in RPI for 2019. Both the current and proposed pay and display parking charges are shown in Appendix 2 to this report

1.2 Procedure for making a variation to the Schedule of Charges

The Council may vary the charges to be paid in connection with the use of off-street parking places under the provisions of section 35C of the Road Traffic regulation Act 1984. The statutory procedure for variation of charges at off-street parking places is set out in Part V of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the 1996 Regulations").

Section 25 of Part V of the 1996 Regulations provides that the Council must publish a notice in a local newspaper at least 21 days before changes are to come into force. The notice must contain the following information:-

- The date the variation is to come into force
- The identity of every parking place to which the notice relates
- The charges payable at the date the notice is given and the charges that will be payable when the notice comes into force.

A copy of the notice must also be displayed in each of the parking places to which the notice relates

1.3 How the Council has followed procedure

General details of the proposed variation in charges were published in an advert in the Derbyshire Times on 9th August 2018. Copies of the text of the newspaper notice were put up at each of the car parks affected by the proposed variation. Copies of the proposed Variation to the Schedule of Charges, together with the Off-Street Parking Places Order 2013 (as amended) were deposited at the Town Hall, Bank Road, Matlock and made available for inspection.

Whilst the statutory procedure for varying the schedule of charges alone does not require the Council to consult with the Police, Highway Authority and others, the Committee agreed to notify all relevant parties as part of the process described above. An initial 21 day notice, advising of the Council's intention to implement a variation in charges and inviting comment, was published, such that any comments received may then be brought back to members for consideration, before a formal notice of variation is prepared and published in accordance with the 1996 Regulations.

The following bodies were consulted by letter:-

- Derbyshire Constabulary
- Highway Authority (Derbyshire County Council)
- Freight Transport Association
- Road Haulage Association
- AA
- Derbyshire Fire and Rescue Service
- Derbyshire Ambulance Service
- Local Bus Companies
- Chambers of Trade and Commerce
- Town and Parish Councils and Parish Meetings

2 RESPONSE TO CONSULTATION

2.1 5 responses have been received in respect of the published notice. The comments contained in those responses are detailed in Appendix 1 to this report and may be summarised as follows:

- *That the high parking tariffs, coupled with high business rates and rents, are forcing shops to close and that tourists and shoppers are deterred from visiting the town (Ashbourne) because the parking charges are so high.*

There are numerous studies relating to the decline of the traditional high street, with high rents and business rates certainly being cited as principle factors affecting high-street traders. Other key factors cited are the shift to on-line shopping and consumer demand for more sociable high street pursuits, such as cafes, restaurants, and health and beauty salons. Constraints on consumers' disposable income are similarly cited, though recent figures for car parks usage would indicate that town centre footfall remains high, suggesting that parking charges have not, in recent years, had an adverse effect on visitor numbers to the Derbyshire Dales.

- *That our parking charges are higher than those in Leek, Belper, Buxton and Uttoxeter, prompting locals to shop elsewhere.*

The previous report provided an analysis of parking charges levied by other authorities within our peer review family group, together with those of neighbouring authorities and other popular visitor destinations. Whilst the levels of charging in Leek, Belper and Uttoxeter are less than in the Derbyshire Dales (with Buxton being broadly similar), our charges have always been set to reflect demand made by day visitors and tourists. The table, reproduced as appendix 3 to this report, shows that our proposed level of charging remains commensurate with other similar visitor destinations. Local residents continue to have access to free parking before 11am and after 4pm each day.

- *That lower parking charges would be preferable to the current residents free parking concession scheme, which provides free parking for residents before 11am and after 4pm, whilst most shops trade between 9am and 6pm.*

The Residents Free Parking Concession Scheme remains hugely popular with the majority of Derbyshire Dales' residents, such that it provides an annual value to its participants of more than £3.7m. The respondent suggests that many empty car park spaces appear after 11am, which suggests that the badge is used prolifically before that time. Our own on-site surveys have confirmed that spaces are predominantly occupied by non-paying motorists prior to 11am, with a swift transition to paying customers after that time. As stated earlier, usage figures for pay and display parking indicate that footfall remains high and, with regard to resultant pay and display revenue, the majority is generated from visitors to the area. All pay and display revenue is directed to maintaining the Council's off-street parking facilities as well as sustaining improvements to the local environment, for the benefit of both local residents and visitors alike.

- *That Blue Badge Holders be given free parking between the hours of 11am and 4pm to encourage resident badge holders to visit town centres and their businesses at a time when the centres are less crowded.*

The Blue Badge Scheme provides for those motorists who have disabilities which impair mobility. It is not intended to provide financial assistance in respect of parking and is not means tested. The Council has previously addressed issues relating to mobility difficulties by providing dedicated reserved spaces in convenient locations within its car parks. In addition, an extension of 1 hour's parking beyond the paid for time is given to Blue Badge holders, which is intended to take into account both the lost time associated with acquiring a pay and display ticket and the extra time required by those with impaired mobility in returning to their vehicles following planned activities. Resident Blue Badge holders may also use their Free

Parking Concession Badge to make use of dedicated spaces without charge before 11am and after 4pm daily

- *That the extra money raised through increasing parking fees should be used to reopen the toilet facilities at Monsal Head.*

The future of public conveniences was the subject of a separate review, considered by the Council in March of this year. As a result of that review negotiations are underway to transfer the facilities at Monsal Head into private ownership for future commercial use, with a condition that publicly accessible toilets will be provided.

- 2.2 In light of these considerations, it is suggested that the proposed level of parking charges, detailed in Appendix 2, may be made without further modification.

3 RISK ASSESSMENT

3.1 Legal

The power for the Council to vary charges is contained in section 35C of the Road Traffic Act 1984 (as amended). By following the procedures identified in the body of the report, there is a low level of legal risk attached to implementing the recommendations proposed in this report.

3.2 Financial

The proposed levels of parking charges will increase fees in line with the increase in the retail price index. Income received will be used to fund expenditure on car parking as well as the increasing costs of local environmental improvements such as street cleaning, verge mowing and the provision of parks and public open spaces. The financial risk arising from this report is assessed as high.

4. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5. CONTACT INFORMATION

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6. BACKGROUND PAPERS

Community & Environment Report – Review of Charges 12 July 2018

7. ATTACHMENTS

- Appendix 1 – Comments Received in respect of Proposed Variation of Charges
- Appendix 2 – Table of Current and Proposed Charges
- Appendix 3 – Comparison of Charges: Other Local Authorities

BACK TO AGENDA

COMMENTS RECEIVED IN RESPECT OF PROPOSED VARIATION OF CHARGES

Does DDDC want people to trade in Ashbourne? The rates are high, the rents are high - granted, not in your control - and businesses continue to close. How many empty premises in the centre of town? It has been heard on many occasions that parking is not customer friendly in Ashbourne. Combine that with closing the public toilets and charging at the one remaining toilet in the centre of town. It is a perfectly constructed disincentive to tourist trade. Having had cause to communicate with DDDC over the Ashbourne Sheep Fair, I feel that more effective use of time by existing staff would reduce the wage bill for the Council, thereby releasing funds to reduce costs, or even remove costs, for parking and toilet facilities, encouraging tourism and the consequent viability of the businesses in the town. *(Chairman , Sheep Fairs Ltd. & Chairman , Alkington and Hungry Bentley Parish Council).*

The proposed charge increase for parking is in my opinion a real crushing blow for Ashbourne, not only are you proposing parking increase, but also charging for the toilets. In and around Derbyshire we have some of the most expensive charges. This town is dying fast. We have at least 5 or 6 empty shops, if this increase goes ahead we will see more businesses close down. Visitor numbers will drop even more. Yes residents do have the free parking permit from 4 pm until 11 am, but shops do not open between the hours of 6 pm to 9 am. All the proposed changes will mean that more and more residents will begin to shop out of town, where they can get much better tariffs for parking, so Ashbourne will no longer exist as the little jewel it once was. *(Local Resident)*

I feel I had to put pen to paper after reading about the proposed increase to the parking charges in the Derbyshire Dales.

I live, work & shop in the various towns in the Derbyshire Dales all these towns now have a lot of empty shops, a perfect storm is happening on our high street and in all towns around the country Banks are closing, more people are working from home, high shop rents and online shopping and now, in the Derbyshire Dales extortionate parking charges.

I do have a local parking permit which I do use but feel I would rather pay an acceptable amount than have one of these.

I have read that these changes are going to cost the council £28,000 and the money raised after these charges are put up will be used to repair any damage to the car parks as well as keeping the local parks mown etc surely the £28,000 could be used for this instead.

We already have the highest car parking charges in the area Leek, Belper, Buxton and Uttoxeter are much cheaper. I know we live in a tourist area, but it is the local residents and business people that are suffering from these increases and why when you serve local people they tell you they choose to do their shopping in these other towns.

From where I work in Ashbourne we can see the car park with its empty spaces after 11.00am, would it not be better to lower the charges and have more people coming into town and maybe get some locals back.

When the new parking charges come into force if you are a couple wanting to browse around town, have lunch, do some shopping, you stay for 4 hour £5, visit the toilets 40p or go to Leek £1.90 for 3 hours and free after 3.30pm to all.

I'm sure this letter will be ignored but I love this area and want to see it vibrant and enjoyed by all and the council to stop wasting money how much does it cost for the parking attendants, emptying of the machines and the bank charges for card payments plus the £28,000 for putting up the charges maybe the cheaper option is Free Parking for all.

(Local Resident)

I write on behalf of Matlock Town Council following their meeting in which they discussed the proposed revision to Car Parking charges.

They have asked that I write to inform you that as the District Council proposes to increase car parking charges, this Council suggests that blue badge holders be given free parking.

This will assist blue badge holder residents between the hours of 11am and 4pm and encourage them to visit town centres and their businesses at a time when the centres are less crowded, and facilitate easier access for them.

We hope that this will be taken into consideration when setting the charges.

(Matlock Town Council)

Having visited the Monsal Head car park today I felt I had to comment on your proposals to increase parking rates. If you do choose to increase the fees then the extra money should be used to reopen the toilet facilities. It is outrageous that they are closed, particularly as the signpost from the Monsal trail remains, leading to many disappointed walkers who may climb to the top only to find the toilets out of use.

(Visitor)

PROPOSED INCREASE IN PARKING CHARGES FROM JANUARY 2019

Tariff	Current Charge	Tariff	Proposed Charge	% Increase
Overnight	£1.00	Overnight	£1.00	0.0%
1 Hour	£1.30	1 Hour	£1.50	15.4%
2 Hours	£2.20	2 Hours	£2.50	13.6%
3 Hours	£3.30	3 Hours	£3.80	15.1%
4 Hours	£4.40	4 Hours	£5.00	13.6%
DAY	£5.50	DAY	£6.00	9.1%
COACH (per 3 hrs)	£5.00	COACH (per 3 hrs)	£5.50	10.0%

Parking Charges at Rural locations with Public Convenience levy (from August 2018)

Tariff	Current Charge	Tariff	Proposed Charge	% Increase
Overnight	£1.20	Overnight	£1.20	0.0%
1 Hour	£1.50	1 Hour	£1.70	13.3%
2 Hours	£2.40	2 Hours	£2.70	12.5%
3 Hours	£3.50	3 Hours	£4.00	14.3%
4 Hours	£4.60	4 Hours	£5.20	13.0%
DAY	£5.70	DAY	£6.20	8.8%
COACH (per 3 hrs)	£6.00	COACH (per 3 hrs)	£6.50	8.3%

Estimated overall percentage increase based on Tariff Transactions in 2017/18: 13.43%

Appendix 3

Authority	Tariff					Coach per hour
	1	2*	3	4	All Day	
Brighton & Hove	£4.00	£8.00	£4.00	£15.00	£25.00	-
Bournemouth	£2.50	£5.00	£7.50	£10.00	£18.00	£1.00
Christchurch	£2.40	£4.80	£7.20	£10.20	£18.00	-
York	£2.30	£4.60	£6.90	£9.20	£13.00	-
Cheshire West & Chester	£3.00	£4.50	£3.50	£6.00	£10.00	-
Great Yarmouth	£2.20	£4.40	£1.00	£10.00	£25.00	£1.73
Allerdale	£1.60	£3.70	£5.30	£3.70	£9.50	-
Rother	£1.50	£3.50	£5.00	£7.00	£12.00	£3.50
Harrogate	£1.60	£3.20	£4.80	£6.40	£11.00	-
Bath & N.E.Somerset	£1.60	£3.10	£4.30	£5.40	£12.50	-
Blackpool	£1.20	£3.00	£5.00	£5.50	£14.00	£1.50
Cornwall	£1.80	£3.00	£4.50	£6.00	£10.00	£1.00
East Riding	£1.40	£3.00	£4.60	£5.40	£7.50	-
North Norfolk	£1.50	£3.00	£4.50	£6.00	£7.00	-
Scarborough	£2.00	£3.00	£4.00	£5.00	£9.00	£2.00
South Lakeland	£1.50	£3.00	£4.00	£5.00	£5.00	-
Taunton & Deane	£1.60	£3.00	£3.60	£4.80	£9.60	-
West Somerset	£1.50	£3.00	-	£4.50	£6.00	£0.00
Weymouth & Portland	£2.00	£3.00	£4.00	£5.00	£8.00	£1.50
Chesterfield	£1.40	£2.70	£3.00	£4.40	£5.00	-
Fylde	£1.40	£2.50	£2.90	£3.40	£4.50	£0.00
Lancaster City	£1.50	£2.50	£3.00	£3.80	£11.00	£0.13
South Hams	£1.30	£2.50	£3.70	£4.90	£7.50	£1.60
Torbay	£1.50	£2.50	£4.00	£4.50	£10.00	-
DDDC (Proposed)	£1.50	£2.50	£4.00	£5.00	£6.00	£1.83
Mendip	£1.20	£2.40	£3.40	£4.50	£6.70	-
Craven	£1.20	£2.30	£3.50	£4.50	£8.00	£2.50
Ryedale	£1.40	£2.30	£2.70	£4.00	£5.50	-
DDDC (Current)	£1.30	£2.20	£3.30	£4.40	£5.50	£1.67
Eden	£1.40	£2.10	-	£3.30	£4.80	-
East Devon	£1.00	£2.00	£3.00	£4.00	£12.00	-
High Peak	£1.40	£2.00	-	£3.40	£6.20	£1.30
Lewes	£0.80	£1.80	£2.60	£3.50	£2.20	-
Mid Devon	£1.10	£1.80	£2.10	£2.40	£3.60	-
Derbyshire County	-	£1.60	-	£3.00	£4.80	-
East Lindsey	£1.00	£1.50	-	£3.00	£8.00	-
Staffordshire Moorlands	£1.00	£1.50	£1.90	£2.40	£2.40	-
Wyre	-	£1.50	-	£2.40	£6.00	-
Malvern Hills	£0.50	£1.40	-	£2.00	£3.00	-
East Dorset	£0.60	£1.00	£2.00	£3.00	£9.00	-
Amber Valley	£0.60	£0.90	-	£2.70	£5.20	-
PDNPA	£1.50	-	-	£3.50	£4.50	£2.00

* The above table has been ranked using the most popular 2 hour period of stay.

COMMUNITY AND ENVIRONMENT COMMITTEE
13 SEPTEMBER 2018

Report of the Head of Housing

HOUSING AND ACCOMMODATION FOR AN AGEING POPULATION: A STRATEGY FOR DERBYSHIRE

PURPOSE OF REPORT

Derbyshire County Council (DCC) is working in partnership with the nine Derbyshire District and Borough Councils to produce a new housing and accommodation strategy for older people in Derbyshire. DCC have circulated the latest draft of the strategy for consultation. This report sets out the main issues identified in the report and seeks Members comments.

RECOMMENDATION

That Members endorse the draft strategy

WARDS AFFECTED

All wards

STRATEGIC LINK

Enabling the development of appropriate housing and support services contributes to the District Council's priority of providing housing which meets local needs.

1 REPORT

- 1.1 Derbyshire has an ageing population and evidence tells us that there are growing numbers of older people seeking a wider mix of housing choices to meet their expectations of living well in later life, including being supported to live in their current home for as long as possible, to moving to housing designed specifically for older people, both to buy and to rent. The strategy document outlines the strategic vision for a range of housing and accommodation choices and support suited to meet the requirements of an ageing population
- 1.2 The latest statistics highlight that 21.1% of the population Derbyshire is currently aged 65 and over and the population aged 75 and over will increase by 65% between 2018 and 2035. The population aged 90 and over will more than double by 2035. Other factors, such as an increasing prevalence of people living with one or more long term health condition, increasing frailty, social isolation, fuel poverty and affordability of housing are key factors affecting the mix of housing required by older people.

- 1.3 Research suggests that older people have increasing expectations regarding the quality of housing that is designed to be better suited to an ageing population as well as access to a wide range of facilities and amenities. Therefore, it is important that agencies provide a number of different housing and accommodation types across a range of tenures that help support the diverse needs of Derbyshire's older population. The strategy provides a high level overview of the type of housing and accommodation required to support an ageing population across Derbyshire.
- 1.4 The strategy development has been informed by the voices and views of older people in Derbyshire, alongside national research which suggests that developing attractive 'downsizing' or 'rightsizing' options can encourage individuals to move to a property that meets their needs and supports them in later life as well as a range of practical assistance for those people who wish to 'stay put'. The strategy outlines a range of good practice examples and details the different types of housing that will help to address the needs of older people within Derbyshire. The strategy also considers the range of integrated and co-ordinated support that needs to be available to older people to enable them to maintain health and improve wellbeing.
- 1.5 DCC are aiming to gain Cabinet approval for this high level strategy towards the end of the calendar year, leaving time for consultation on the strategy with key stakeholders. DCC are also proposing to develop a technical annex which provides a district by district analysis of future housing requirements. This piece of work is currently in development and will also be subject to further consultation.

2 RISK ASSESSMENT

2.1 Legal

There are no legal considerations arising from this report.

2.2 Financial

There are no financial considerations arising from this report.

3 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4 CONTACT INFORMATION

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5 BACKGROUND PAPERS

**Appendix 1: Housing and accommodation for an ageing population:
a strategy for Derbyshire**

BACK TO AGENDA

Housing and accommodation for an ageing population: a strategy for Derbyshire

DRAFT

Prepared by the Housing LIN for Derbyshire County Council and partners.



Executive summary

This document outlines the strategic vision for a range of housing and accommodation choices and support suited to meet the requirements of an ageing population.

Derbyshire has an ageing population and evidence tells us that there are growing numbers of older people seeking a wider mix of housing choices to meet their expectations of living well in later life, including being supported to live in their current home for as long as possible to moving to housing designed specifically for older people, both to buy and to rent.

The latest statistics highlight that 21.1% of the population is currently aged 65 and over and the population aged 75 and over will increase by 65% between 2018 and 2035. The population aged 90 and over will more than double by 2035. Other factors, such as an increasing prevalence of people living with one or more long term health condition, increasing frailty, social isolation, fuel poverty and affordability of housing are key factors affecting the mix of housing required by older people.

Derbyshire has an East/ West split, with the west of the county being predominantly rural comprised of small villages and market towns. In the East of the County, there is a higher population density, centred on key towns such as Chesterfield. Therefore implementing this strategy will require a localised approach reflecting differing local circumstances and priorities.

Research suggests that older people have increasing expectations regarding the quality of housing that is designed to be better suited to an ageing population as well as access to a wide range of facilities and amenities. Therefore, it is important that we provide a number of different housing and accommodation types across a range of tenures that help support the diverse needs of Derbyshire's older population. This strategy provides a high level overview of the type of housing and accommodation required to support an ageing population across Derbyshire. An initial review of future need for specialised housing and accommodation for older people indicates that there is:

- An estimated undersupply of housing for older people reflecting in particular an under supply of retirement housing available to buy.
- An estimated undersupply of housing with care (often referred to as extra care housing), both for rent and for sale in all areas.
- Minimal additional net need for residential care provision.
- An estimated undersupply of nursing care beds in all areas.

The strategy development has been informed by the voices and views of older people in Derbyshire, alongside national research which suggests that developing attractive 'downsizing' or 'rightsizing' options can encourage individuals to move to a property that meets their needs and supports them in later life as well as a range of practical assistance for those people who wish to 'stay put'.

The strategy outlines a range of good practice examples and details the different types of housing that will help to address the needs of older people within Derbyshire.

The strategy also considers the range of integrated and co-ordinated support that needs to be available to older people to enable them to maintain health and improve wellbeing.

A number of strategic recommendations are outlined at the end of this document and these will be taken forward across Derbyshire in partnership with key stakeholders.

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Introduction

This strategy seeks to:

- Provide a comprehensive understanding of the nature of current housing and accommodation provision for older people.
- Identify the requirements and aspirations of older people in later life specifically in relation to housing and accommodation.
- Identify the need for housing and accommodation suited to an ageing population, including for different types of housing such as extra care housing and retirement housing for rent and for sale.

This strategy will result in a well-balanced approach to widening housing choices for older people will include:

- Providing a range of support and adaptation services to assist older people to remain living in their existing homes.
- Matching different housing options to identified need in particular locations/communities to ensure there is a mix of housing options (dwelling and tenure) developed and available to meet future need.
- Developing a range of new age-designated housing, for rent and for sale, that will encourage and attract downsizing.
- Applying [HAPPI principles](#) as far as possible both to new build designed for older people specifically and to a proportion of mainstream market housing.
- Adapting and improving existing sheltered housing where feasible.
- Having a mix of care and support delivery models.
- Improved use of technology that enables and supports lifestyle choices and meets care/support needs where appropriate and desired by older people.

It should be noted that there is also a Specialist Accommodation and Support Strategy which is currently being developed and there is also a Housing, Accommodation and Support Strategy for individuals aged 18-64 that are supported by Derbyshire Adult Care. This strategy and the other two strategies need to be read as a suite of documents.

Vision

This strategy is based on the following vision to support Derbyshire's ageing population:

Derbyshire is a place that meets the housing needs and aspirations of older people by working in partnership across organisations. This is so that older people can make informed choices and decisions about their homes and housing options to support their independence and enable them to live in a safe, accessible and warm home for as long as they wish, with support and adaptations as required. A range of housing options will be available, including support services and specialist housing.

This is a shared vision of all the local authorities in Derbyshire and their partners. It guides the delivery of this strategy to create a wide range of housing and accommodation choices suited to meet the requirements of an ageing population.

Context

There are a range of local and national factors which need to be reflected in a strategic approach to increasing and widening the range of housing and accommodation suited to an ageing population.

There is a growing realisation of the impact of demographic change and an urgency to address what this means for older people's housing, accommodation and support.

Many older people want to stay in their own homes as long as possible; this will require support to enable older people to continue to live independently including advice, housing adaptations and technology enabled care.

However, much existing specialised accommodation for older people is 'sheltered housing' for rent, some of which is now quite dated and lacks the space standards and facilities now accepted as necessary to support people to successfully 'age in place'.

The average age of people living in such older people's housing has moved increasing in the last 20 years bringing higher levels of need for support and care that the design of these buildings does not always allow for.

New types of housing with care have emerged over the last ten years which offer the possibility of supporting higher levels of dependency whilst enabling older people to have a home of their own, for rent or for owner occupation in an environment that supports an active older age.

Older people have increasing expectations regarding the quality of housing that is designed to be better suited to an ageing population as well as access to a wide range of facilities and amenities.

The majority of older people in Derbyshire are homeowners (73%) and for those that wish to move to more suitable accommodation; they are likely to want to be able to purchase alternative housing. Many people will be reluctant to move into rented accommodation in older age.

Research locally and nationally indicates that relatively few older people wish to move to live in residential care.

The national priority for health and social care is to support more people at home and this is referenced in the [National Memorandum of Understanding](#) developed between ADASS, the Local Government Association and the Department of Health.

There is growing emphasis on avoiding hospital admissions and facilitating effective hospital discharges particularly where suitable housing (or lack of it) plays a significant role. Whilst Derbyshire has performed well in relation to delayed transfers of care it is recognised that housing plays a significant role in preventing admissions, reducing the length of stay in hospital and enabling timely discharge.

The Derbyshire Sustainability and Transformation Plan (STP), [Joined Up Care Derbyshire](#), which is a 'place based' plan for the future of health and social care proposes to move more services from acute hospital care to community based

services. This approach can only be successful if there is a suitably trained workforce available to keep people safe and well. The pressures on the care workforce need to be taken into account in deciding how to develop specialist housing and accommodation for older people.

As part of Joined Up Care Derbyshire's Place work stream, **Place Alliances** are emerging and in Derbyshire these alliances replicate district and borough local authority areas. Place Alliances will co-ordinate the delivery of high quality care in the community and people's homes, working across organisational boundaries targeting those with frailty and other long-term conditions. The alliances are a key forum where districts and borough colleagues will be able to work in partnership with NHS, county council and other local agencies to support people to remain independent and at home for as long as possible.

In addition to Place Alliances, local **Wellness Hubs** are also being developed at a district and borough footprint to co-ordinate preventative health interventions, including falls prevention, housing advice and personal finance support. Wellness Hubs will support partnership working to address the wider determinants of health.

The **Derbyshire Health and Wellbeing Strategy** is currently in development, the importance of maximising the benefits of housing through the planning system and working in partnership to make sure that individuals live in a healthy home environment are recognised. Moving forward key elements of this strategy will support this priority and the Health and Wellbeing Board will be engaged as part of the governance that supports the delivery of this strategy.

Within [Derbyshire's Council Plan 2017-2021](#) there is a commitment to 'restart our £30m Care Programme' and an outcome for 'happy healthy people and families with solid networks of support, who feel safe and in control of their personal circumstances'. This strategy will help achieve this outcome and provide a direction of travel to support the implementation of the Care Programme alongside a broader partnership approach in which our partners will be fully engaged.

Derbyshire County Council is an [enterprising council](#) and the authority is currently exploring creative ways to deliver better services for less and ensuring that the Council's operating model is fit for purpose to achieve its ambitions and address the challenges that lie ahead. Being an enterprising council means:

- Value for money is at the heart of everything that we do
- We are efficient and effective
- We focus on getting the best results for our residents whether that's by the Council delivering a service itself or by an external organisation – there's no one size fits all
- We have a bold, innovative and commercial mind set
- We do things 'with' local people rather than 'to' them and we value fairness, openness and partnership
- We are proud of Derbyshire and are ambitious for our public services.

During 2017-18, Adult Care spent £236.2 million on social care services for adults. The largest proportion of this was on services for older people. Expenditure is

divided into eight areas: Residential Care, Nursing Care, Community Services (Home Care and Day Care), Direct Payments, Assessment and Care Management, Supported Accommodation and other services.

The **One Public Estate (OPE) programme** is an established national programme delivered in partnership by the Local Government Association and the Cabinet Office. The focus of OPE is on collaboration and addressing national issues at a local level. It aims to create well connected places where communities can live, work and access the services they need. It is a whole system approach that considers how new housing developments will impact on health and education services in the area and what employment opportunities exist or can be developed in the locality. OPE projects might lead to housing provision, more effective and efficient services (through single point hubs) and closer integration with neighbouring authorities and public organisations. Derbyshire is currently hosting the East Midlands programme and is actively exploring OPE opportunities across the county.

Derbyshire's ageing population

In 2016, Derbyshire and its district and borough partners undertook a [Housing and Health Needs Assessment](#), which looked at a range of housing issues across all age bands. The data and learning from this report has helped shaped the direction of travel for older people's housing across Derbyshire. This work informed a subsequent best practice review and this strategy. A summary of the key statistics from this and other resources are included below:

Demography

Derbyshire has a population of 785,765 people, of which 166,026 are aged 65 and over. This is 21.1% of the population.

By 2039 the population of Derbyshire which is aged 65 and over will increase by 58.5%.

The population aged 75 and over across Derbyshire will increase by 65% between 2018 and 2035. In Amber Valley and High Peak the increase will be over 70%. In South Derbyshire the increase will be over 80%. Analysis by borough is shown in table 1.

Table 1: Derbyshire population aged 75+ to 2035

Local Authority	2018	2020	2025	2030	2035
Amber Valley	12,300	13,400	16,900	19,000	21,000
Bolsover	7,000	7,500	9,000	10,000	11,100
Chesterfield	9,900	10,600	12,800	14,200	15,600
Derbyshire Dales	8,600	9,400	11,600	12,900	14,200
Erewash	11,100	11,800	14,300	15,700	17,400
High Peak	8,300	9,000	11,300	12,800	14,300
North East Derbyshire	11,100	12,200	14,900	16,300	17,500
South Derbyshire	7,800	8,700	11,300	13,100	14,700
Derbyshire	76,100	82,600	102,100	114,000	125,800

Source: 2014 based subnational Population Projections, ONS.

By 2039 nearly three in every ten people in Derbyshire will be aged 65 and over (249,000 people). The population aged 90 and over will more than double by 2035, from 7,800 in 2017 to 18,100 in 2035.

Over the next 20 years, in relation to the 'older, older' population, Amber Valley will have nearly 4,500 more over 85s, the biggest population increase in districts and boroughs; Bolsover has the lowest population increase of 1,850.

Nationally, life expectancy is predicted to increase (although this has slowed) and this will be reflected in Derbyshire. This will increase the proportion of people that are older in Derbyshire. Projections are only available at England level (table 2), not by local authority but we can expect Derbyshire to broadly follow a similar pattern.

Table 2: 2014-based principal projection and high and low life expectancy variants for England, in 5, 10 and 20 years' time

	2014 Baseline	5 years (2019)	10 years (2024)	20 years (2034)
Males	79.3	80.6 (80.3-80.9)	81.7 (81.2-82.3)	83.5 (82.1-84.8)
Females	83.0	84.0 (83.7-84.3)	84.9 (84.4-85.4)	86.4 (85.1-87.6)

Source: Office of National Statistics, 2014

The [Health Profiles 2017](#) indicates that life expectancy at birth varies across Derbyshire, with males in Bolsover expected to live for 77.6 years, compared to 80.5 years in Derbyshire Dales. Similarly for females, life expectancy in Bolsover is 81.4 years, compared to 84.0 years in Derbyshire Dales.

[The Derbyshire Joint Strategic Needs Assessment \(2017\)](#) indicates that male life expectancy at 75 years is 9.7 years for individuals living in Bolsover, compared to 11.4 years for a male living in North East Derbyshire. Female life expectancy at 75 years is 12.0 years for individuals living in Bolsover, compared to 13.2 years for Derbyshire Dales.

Healthy Life Expectancy for both males and females in Derbyshire is currently before state retirement age at 63.5 years for males and 63.8 years for females.

Population characteristics

Dementia

The positive correlation between the incidence of Dementia and age means that Derbyshire will see a dramatic increase in people with Dementia. The actual number of people with Dementia in Derbyshire aged over 65 in 2016 was 9,344. The estimated number for 2017 is 11,295. (The difference is accounted for by people who have not yet been diagnosed). According to [POPPI statistics](#), it is estimated that by 2030 17,275 people will be living with Dementia, an increase of 53%.

Frailty

According to [POPPI statistics](#), there is currently estimated to be 17,000 people with frailty and this will increase to 25,500 by 2034. Frailty increases the risk of adverse health outcomes including falls, less mobility, less independence, hospitalisation, disability and death.

Tenure

According to the [2011 Census](#), older people in Derbyshire live across a full range of tenures, with the same proportion nationally that are owner occupiers (73%). This does vary slightly across the districts and boroughs, with a much higher percentage in social rented accommodation in Bolsover, Chesterfield and North East Derbyshire. Private rented is slightly higher in Derbyshire Dales and High Peak.

Amber Valley has the highest number (9,143) and South Derbyshire the highest percentage (78%) of owner occupiers. Bolsover has both the lowest number (4,825) and percentage (64.7%) of owner occupiers. Bolsover has the highest percentage (28.3%) in the social rented sector, North East Derbyshire the highest number (2,708). Derbyshire Dales has both the highest number (482) and percentage (5.7%) in the private rented sector.

Living alone

According to the [2011 Census Summary Profile](#) in Derbyshire 28.9% (96,233) of people live in one person households. For people aged 65 and over this increases to 56.9% (43,270). Chesterfield has the highest percentage (59.4%) and second highest number of one person households occupied by people aged 65 and over with Amber Valley having the highest number (6,718).

Older people in poverty/fuel poverty

The [2015 Index of Multiple Deprivation \(IMD\)](#) states that 14% of older people in Derbyshire live in low income households and this equates to over 22,300 older people. In addition low income households are at much greater risk of being in fuel poverty. According to the Public Health Outcomes Framework 9.8% of households in Derbyshire are in fuel poverty. Therefore, approximately 7,500 older people households in Derbyshire experiencing fuel poverty and the number may be higher as older people are likely to be over represented within this cohort.

These vulnerable older people are likely to require additional support to maintain their properties to maximise their health and wellbeing and independence.

Rurality

Derbyshire has an East/ West split across the County in terms of rurality, as shown on the map in Annexe 1. Areas such as High Peak and the Derbyshire Dales are more rural and therefore many older people in these areas live in smaller villages and can be some distance away from hospitals and other health or social care services. Whereas, in the East of the County there are a mix of small towns and villages, alongside larger towns such as Chesterfield that provide a range of health and care services. The [Index of Multiple Deprivation 2015](#) considers barriers to housing and services and the pattern of results for this domain is vastly different from the main deprivation index. Of the 13 highest ranking Lower Super Output Areas (LSOAs) in Derbyshire, seven are within Derbyshire Dales. This is likely to reflect the high house prices and long distances to travel to key services in rural parts of the County.

Affordability

[Median house price](#) varies significantly by district, with houses in Bolsover costing on average £124,000, compared to property in the Derbyshire Dales which sells for an average of £245,000. Although home ownership rates are relatively high amongst older people in Derbyshire at 73%, varying house values mean that older people will have very different levels of housing equity with which to fund a move to more suitable housing for sale. The minority of older people who live in rented housing will require affordable rented housing suited to an ageing population's needs. Therefore developing a range of older people's housing options across a mix of tenures will be important.

Social care and health needs

There are currently 13,239 people resident in Derbyshire who are current clients of Adult Care services.

Derbyshire has an East-West split, with the West of the County being predominantly rural comprised of small villages and market towns. In parts of High Peak and Derbyshire Dales, which fall within the Peak District National Park, travel time to key services can be lengthy. In the East of the County, there is a higher population density, centred on key towns such as Chesterfield. Deprivation and health inequalities are more commonly a factor in the eastern areas of the county.

Older people's needs across Derbyshire

Whilst the analysis in the previous section considers Derbyshire as a whole, consideration of Older People's housing and support needs is most appropriately undertaken at a district and borough level as this allows some of the variation in terms of need and demand for services across the county to be fully analysed. Below is a district by district summary outlining some of the key factors which need to be considered when planning future housing, accommodation and support needs:

Amber Valley

Amber Valley has the largest population in Derbyshire at 124,645 people and 21.7% of its inhabitants are aged 65 or over, this is 26,993 people.

Parts of Amber Valley border Derby City, which is important in terms of health provision at the acute hospital in the city, it is also the preferred location of a range of other services that operates across Derbyshire.

The district is comprised of a number of small towns and rural areas, it covers a large geographical area so rurality is an issue in the West and North of the district.

Amber Valley has the highest number of people providing unpaid care in Derbyshire according to the 2011 Census.

Key statistics

- 3,312 people provide 50 hours of more informal care per week.
- There are 2,234 current service users aged 65 and over in receipt of Adult Care Services.
- 1,853 people over the age of 65 are living with Dementia and this is projected to increase to 3,368 by 2035, an increase of 81.8%.
- 12.8% of total households are single persons aged 65 and over living alone, this is 6,718 households.
- 755 care home beds with nursing and 479 care home beds are currently available in 33 settings.
- 13 private home care agencies work alongside Direct Care's domiciliary care service.

Bolsover

Bolsover has a population of 78,082 people, of which 19.8% are aged 65 and over.

Although population density is lower than Chesterfield, it is one of the highest in the county.

Bolsover is also the most deprived of Derbyshire's districts, according to the Index of Multiple Deprivation (2015).

The main industry in Bolsover for a long time was coal mining. This has had a direct effect on the prevalence of certain health conditions in the area, particularly respiratory disease.

According to the 2011 Census, Bolsover has a relatively high proportion of its population as carers, ranking sixth in England and Wales for the percentage of the

population who are unpaid carers, seventh for those who provide 20-49 hours a week of care and 17th for those providing 50 or more hours a week of care.

Key statistics

- 2,689 people provide 50 hours of more informal care per week.
- There are 1,773 current service users aged 65 and over in receipt of Adult Care Services.
- 1,029 people over the age of 65 are living with Dementia and this is set to increase to 1,725 by 2035, an increase of 67.6%.
- 13.4% of total households are single persons aged 65 and over living alone, this is 4,411 households.
- 457 care with nursing beds and 269 care home beds are currently available in 20 settings.
- 12 private home care agencies work alongside Direct Care's domiciliary care service.

Chesterfield

Chesterfield has a population of 104,420 people and being a comparatively small geographic area, has by far the highest population density in the county.

According to the IMD, Chesterfield is the second most deprived part of Derbyshire. Within the IMD's Health Deprivation and Disability domain there are 87 LSOAs in Derbyshire that fall within the most deprived 20% nationally. Whilst all districts contain at least one such area, 40% of these LSOAs are within Chesterfield.

Key statistics

- 3,358 people provide 50 hours of more informal care per week.
- There are 2,028 current service users aged 65 and over in receipt of Adult Care Services.
- 1,494 people over the age of 65 are living with Dementia and this is set to increase to 2,437 by 2035, an increase of 63.1%.
- 13.5% of total households are single persons aged 65 and over living alone, this is 6,318 households.
- 468 care home with nursing beds and 498 care beds are currently available in 29 settings.
- 14 private home care agencies work alongside Direct Care's domiciliary care service.

Derbyshire Dales

Derbyshire Dales has a population of 71,288 and as such is the smallest population of Derbyshire's districts, despite covering the largest geographical area.

26.2% of the population is age 65 or over, the highest percentage of all Derbyshire's districts

The low population density and older population makes the commissioning and provision of services and accommodation for older people more challenging.

Derbyshire Dales has one of the highest proportions of people providing unpaid care, although numerically this is the lowest number of people across the county.

According to the 2011 Census, the district ranks highest in England and Wales for the proportion of people providing 1-19 hours a week of care and eighth overall for total care provision.

Key statistics

- 1,542 people provide 50 hours of more informal care per week.
- There are 1,083 current service users aged 65 and over in receipt of Adult Care Services.
- 1,279 people over the age of 65 are living with Dementia and this is set to increase to 2,254 by 2035, an increase of 76.2%.
- 15.1% of total households are single persons aged 65 and over living alone, this is 4,656 households.
- 532 care home with nursing beds and 332 care beds are currently available in 26 settings.
- 15 private home care agencies work alongside Direct Care's domiciliary care service.

Erewash

Erewash has a population of 114,891 people and covers a fairly small geographic area bordering Derby City to the west and extending very near to Nottingham to the east. The two main towns, Ilkeston and Long Eaton are both on the east of the district. Like in Amber Valley, this geography may lead to some variability in where people may wish to access service provision and some of this may be out of county.

Erewash contains the most deprived LSOA in Derbyshire; Hopewell North, lies within Ilkeston North Ward and covers part of the Cotmanhay area. It ranks within the top 1% most deprived areas in England.

Key statistics

- 1,542 people provide 50 hours of more informal care per week.
- There are 1,953 current service users aged 65 and over in receipt of Adult Care Services.
- 1,279 people over the age of 65 are living with Dementia and this is set to increase to 2,254 by 2035, an increase of 68.9%.
- 15.1% of total households are single persons aged 65 and over living alone, this is 4,656 households.
- 586 care home with nursing beds and 556 care beds are currently available in 34 settings.
- 17 private home care agencies work alongside Direct Care's domiciliary care service.

High Peak

High Peak has a population of 91,662 people, the third lowest population of Derbyshire's districts.

High Peak occupies the second largest geographical area meaning that like the Derbyshire Dales it has a comparatively low population density. The sparse population distribution can make the provision of services which meets the needs of a rural community a challenge.

The proportion of people aged 65 and over in High Peak is 20.3%.

The proximity of parts of High Peak to Stockport, Manchester and Macclesfield and the fact that Glossopdale is covered by Tameside and Glossop Clinical Commissioning Group adds further complexity to the co-ordination and integration of services within this area as there is significant out-flow to other areas for health provision.

Key statistics

- 2,034 people provide 50 hours of more informal care per week.
- There are 1,275 current service users aged 65 and over in receipt of Adult Care Services.
- 1,226 people over the age of 65 are living with Dementia and this is set to increase to 2,232 by 2035, an increase of 82.1%.
- 12.7% of total households are single persons aged 65 and over living alone, this is 4,962 households.
- 266 care home with nursing beds and 560 care beds are currently available in 27 settings.
- Seven private home care agencies work alongside Direct Care's domiciliary care service.

North East Derbyshire

North East Derbyshire has a population of 100,423 people. It has the second highest proportion of people aged 65 and over at 24.0% when compared to other Derbyshire districts. Like Bolsover this is an area with a strong background in mining so there is also a significant number of people with long-term health conditions. Unlike Bolsover, the area has a much older population profile.

Key statistics

- 3,011 people provide 50 hours of more informal care per week.
- There are 1,595 current service users aged 65 and over in receipt of Adult Care Services.
- 1,621 people over the age of 65 are living with Dementia and this is set to increase to 2,762 by 2035, an increase of 70.4%.
- 14.0% of total households are single persons aged 65 and over living alone, this is 6,049 households.
- 402 care home with nursing beds and 368 care beds are currently available in 19 settings.
- 370 day care places are currently available at three locations provided by Direct Care. There are a further 44 centres provided by external providers.
- 15 private home care agencies work alongside Direct Care's domiciliary care service.

South Derbyshire

South Derbyshire has a population of 100,334 people and has the lowest percentage of people aged 65 and over at 17%. It is projected that this part of Derbyshire will see the largest increase in population. The district borders both Derby City and Burton-on-Trent so as with other parts of the county a large number of people may access services outside of Derbyshire. Parts of South Derbyshire are rural and there are small villages throughout the area. South Derbyshire is the district with the lowest proportion of people providing unpaid care.

Key statistics

- 2,022 people provide 50 hours of more informal care per week.
- There are 1,213 current service users aged 65 and over in receipt of Adult Care Services.
- 1,174 people over the age of 65 are living with Dementia and this is set to increase to 2,311 by 2035, an increase of 96.8%.
- 10.4% of total households are single persons aged 65 and over living alone, this is 4,072 households.
- 374 care home with nursing beds and 501 care beds are currently available in 35 settings.
- 15 private home care agencies work alongside Direct Care's domiciliary care service.

Supply of specialised housing and accommodation

When considering current supply and future demand for older people’s housing, accommodation and support across Derbyshire, the strategic approach is best considered across four broad accommodation types:

- **Housing for older people:** social sector sheltered and age-exclusive housing and private sector leasehold retirement housing. This will include schemes, for rent and for sale, with on-site staff support, those with locality-based support services and schemes with no associated support services.
- **Housing with care:** includes extra care schemes, often called ‘assisted living’ in the private sector, with 24/7 care available on-site and housing schemes that offer bespoke care services, even if these are not full on-site 24/7 care, across both the social and private sector.
- **Residential care:** residential accommodation together with personal care, i.e. a care home.
- **Nursing care:** residential accommodation together with nursing care i.e. a care home with nursing.

The following tables set out the current supply of the range of specialised housing and accommodation for older people across Derbyshire.

Table 3: Residential and nursing care home provision, older people (beds)

Local Authority	No. of homes (Nursing)	No. of beds (Nursing)	No. of homes (Residential)	No. of beds (Residential)
Amber Valley	17	755	16	479
Bolsover	11	457	9	269
Chesterfield	10	437	15	455
Derbyshire Dales	10	425	12	322
Erewash	14	586	16	489
High Peak	5	235	20	553
North East Derbyshire	9	402	10	368
South Derbyshire	8	351	16	501
Derbyshire	84	3,648	114	3,436

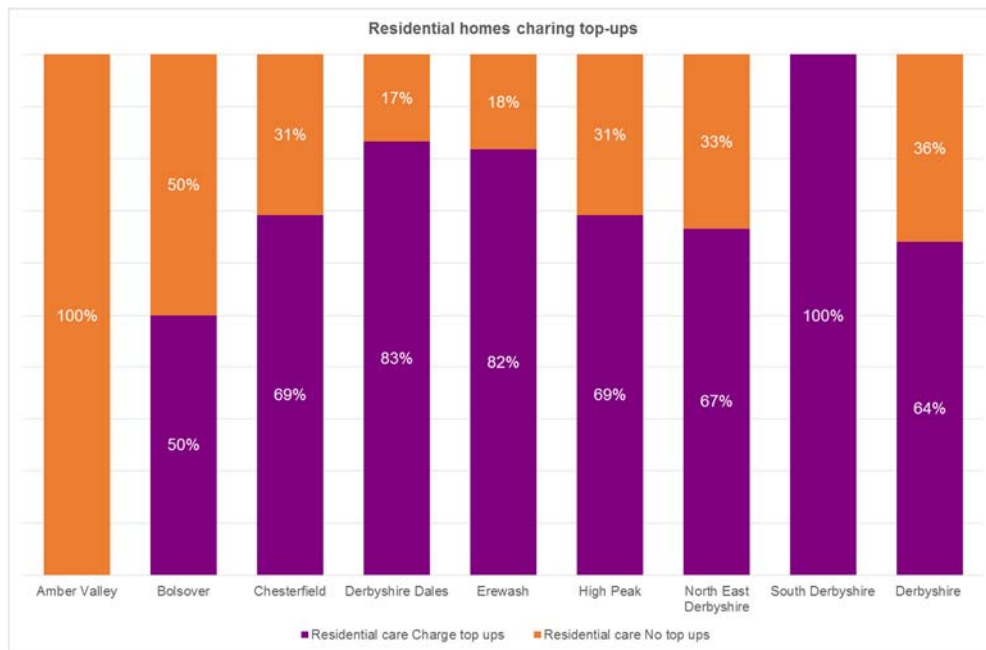
Source: DCC Adult Care Commissioning and Contracts Team, June 2018

Table 4: Residential and nursing care home permanent admissions per 100,000 population.

Local Authority	No. of permanent admissions to residential and nursing care aged 65+	Rate per 100,000 population aged 65+	Rate is above/ below Derbyshire average
Amber Valley	176	656.4	↓
Bolsover	166	1078.8	↑
Chesterfield	195	910.7	↑
Derbyshire Dales	123	663.4	↓
Erewash	189	831.6	↑
High Peak	149	807.9	↑
North East Derbyshire	160	667	↓
South Derbyshire	142	802.3	↑
Derbyshire	1300	787.9	

Source: DCC Service Trends (data for 12 months March 2017- March 2018)

Charts 1 and 2: Percentage of residential and nursing homes charging 'top-up' fees.



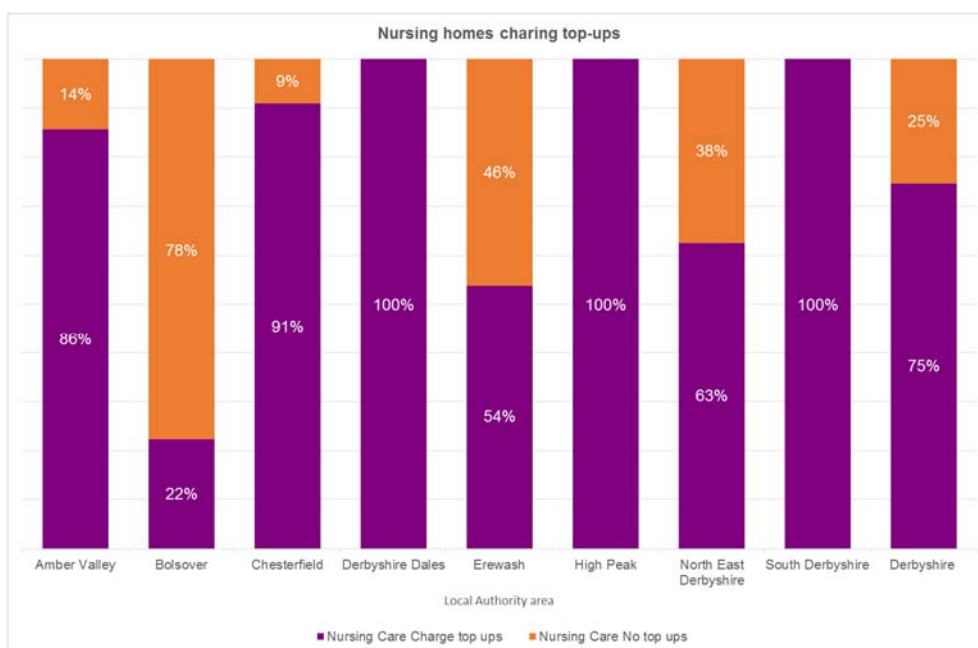


Table 5: Housing with care provision (units), 2018

Local Authority	Units	Owner Occupied	Shared Ownership	Rental
Amber Valley	52	0	17	35
Bolsover	0	0	0	0
Chesterfield ¹	55	0	0	55
Derbyshire Dales ²	164	142	0	22
Erewash	61	0	21	40
High Peak ³	98	34	14	50
NE Derbyshire	60	8	10	42
South Derbyshire	213	149	11	53
Derbyshire	743	363	103	297

Notes:

- Care services are available 7am to 10pm only in 31 of these units at one site
- One site has an additional 2 beds, under contract for respite
- One site, that will provide 31 units, is currently under construction

Source: Adult Care DCC Commissioning Team, for Best Practice Review 2017

Table 6 shows the current supply of older people's housing schemes for rent and for sale (excluding housing with care) in Derbyshire.

Local Authority	Total
Amber Valley	3,279
Bolsover	2,702
Chesterfield	1,193
Derbyshire Dales	1,281
Erewash	1,872
High Peak	792
North East Derbyshire	2,493
South Derbyshire	751
Derbyshire	14,363

Source: EAC/District Councils, June 2018

A full assessment of future estimated need for specialised housing and accommodation for older people, across each District in Derbyshire, will be

undertaken as pre-cursor to the development of an implementation plan. Due to the degree of variation between district and borough authority areas in Derbyshire and local contextual factors that will influence future need, this assessment will be undertaken with the district and borough authorities.

An initial review of future need for specialised housing and accommodation for older people, including discussion with district and borough councils, indicates that to 2035:

- There is an estimated undersupply of housing for older people reflecting a likely under supply of older people's housing for sale (private retirement housing).
- There is an estimated undersupply of housing with care, both for rent and for sale in all areas.
- There is minimal additional net need for residential care provision. In most areas there is no net additional need for residential care provision.
- There is an estimated undersupply of nursing care beds in all areas.

Older people's perspectives

This strategy draws on evidence available locally and nationally regarding the preferences and aspirations of older people in relation to their housing and accommodation requirements.

Local evidence

A survey of older people was undertaken by Derbyshire County Council in 2017 and brought together social care; district and borough councils; health and voluntary sector stakeholders to reflect the whole range of housing needs for older people in Derbyshire.

The key messages from this survey are summarised below.

- 24% of respondents did not feel that their current home will meet their future needs. When asked why:
 - 72%, stated that mobility in and around the home was the biggest issue
 - 49% said that too much maintenance would be required; and,
 - 44% said their house was too big.
- When asked if they should require care in the future what their preference would be in relation to where and how that care would be provided,
- 69% would prefer to stay in their existing home with care and support provided from a care provider with 30% preferring support from family and friends.
- 39% would move to a smaller home. 33% indicated that they would consider moving to housing with care.
- 82% felt that it was important to them if they cannot stay in their own home that they would choose to stay in their home town/village.
- 93% of respondents said that it was important to live near to public transport links and amenities in your old age.
- In relation to information and advice about suitable alternative housing options in the local area, 37% were informed and 35% uninformed. 35% felt fairly or very informed.
- In relation to information specifically available regarding 'downsizing' options 28% felt very or fairly informed but 34% felt fairly or very uninformed.
- Over half of the respondents (55%) felt informed about adaptations to enable them to remain living in their own home. 28% (45) felt fairly or very uninformed.

The key messages from focus groups and interviews conducted by DCC with older people, to complement the survey, are summarised below:

- It is important that housing options aimed at older people are affordable for different socio-economic groups.
- A majority of older people wish to be supported, if required, to remain living in their existing homes.
- Many people were concerned about loneliness and isolation amongst older people.

- In relation to people who were potentially interested in moving to alternative housing better suited to their requirements as they age, important factors were:
 - Two bedroomed properties need to be a minimum to allow additional support
 - Ensuite facilities
 - Need to be near shops, doctors, pharmacy
 - A need for affordable housing developments with suitable homes for older people
 - Provision of bungalows or ground floor flats
- Those people who were familiar with extra care housing identified the following:
 - This model works really well, the café is the social hub, with a warm welcome.
 - Extra care is a good option, with all facilities in one place.
 - It provides the ability to easily socialise with people if you wish to.
 - Security can be an important issue for many people and you feel safe in Extra Care facilities.
- Other factors that participants considered to be important were:
 - ‘Future proofing’: the need to plan in a timely way for your future housing requirements
 - A lack of availability of suitable properties for older people.
 - Location of any new housing designed for older people needs to be near chemists, doctors, shops and transport links.
 - Moving home: the need for help with paperwork of moving and the cost.
 - More support being available to stay in your existing home.

National evidence

National evidence based on published [research and reports](#) tends to corroborate the local evidence in relation to older people’s preferences and requirements.

The actual demand amongst older households aged 65 and over to move and to ‘downsize’ will be influenced by a range of factors that influence the decision to move. In this context ‘downsizer’ homes may be defined as mainstream or ‘general needs’ housing, i.e. non-age designated housing, as well as housing designed and designated specifically for older people, that are suited to the requirements and aspirations of older people. The most prevalent reasons, according to [research by the National House Builders Federation](#), for moving given by older people are most typically:

- To have a home that is easier to maintain.
- To have a home with reduced running and maintenance costs.
- To have your home more suited to you as you grow older.
- To have cash left over from the sale of the home.
- To move to a property that is in a better state of repair.
- To move to a smaller property.

The underlying factors that influence a decision to move/downsize can be more nuanced. Some of the most significant factors influencing the lifestyle decisions to move amongst older people include:

- A desire to remain living locally in people's existing communities and retaining support networks.
- Good quality, accessible design; this is good for everyone – not just older people.
- Attractive interiors and modern fixtures and fittings; for example, a Bake Off oven.
- Homes that allow them to be used when a person's mobility reduces and so facilitate 'ageing in place'.
- The importance of community life; housing isn't just about bricks and mortar, but communities. The implication is about designing communities and places, not just new houses.
- Downsizing needs to also mean 'rightsizing' (and in some cases 'upsizing'). People 'don't want to live in shoeboxes'. People want sufficient space (e.g. two bedrooms), access to a garden and space for keeping pets.
- Flexibility including more choice to rent privately as well as part-own, and 'try before you buy' options.

Policy and practice considerations

National policy context

There has been relatively limited UK Government policy in relation to supported and older people's housing over the last ten years.

The role of housing, including for older people and vulnerable groups, as a determinant of health has been reflected in recent policy. The [statutory guidance](#) around the implementation of the Care Act (2014) asserts that:

'Housing is therefore a crucial health-related service which is to be integrated with care and support and health services to promote the wellbeing of adults and carers and improve the quality of services offered.'

Councils are required to have regard to ensuring sufficient capacity and capability to meet anticipated needs for all people in their area needing care and support – regardless of how they are funded with housing options at the centre. Older people's and supported housing can play a vital part of promoting wellbeing. It offers positive solutions for those with care needs who want to continue living in and remaining independent for as long as possible in an environment suited to their changing needs. Living in well-designed housing, including specialised housing designated for older people, can be instrumental in improving the health and wellbeing of many people.

The role of the Homes and Community Agency (HCA) regulation is anticipated to be extended for Registered Providers (RPs) in relation to the combined rent and service charges in sheltered and extra care housing, under the Government's 'sheltered rent' funding proposals. The details of this [additional regulatory requirement](#) on RPs is yet to be made clear.

The Care Quality Commission's most recent [guidance](#) on regulated activities for providers of supported living and extra care housing clearly sets out their expectation to see housing and care services provided by separate organisations.

This relative policy vacuum has been filled by a range of 'informal' policy, guidance and research (see below) which has created a clear sense of what high quality desirable housing for an ageing population looks like both for rent and for sale.

Housing for an ageing population: contemporary practice

The preferences of older people are not always well supported by the choices available in the current housing market. A variety of housing alternatives are required that focus on providing attractive housing offers that support healthy, longer-term independent living and build greater personal and community resilience, thereby reducing pressures on social care and health services in the longer term.

The overall trend in the provision of housing and care for older people has been geared, over the past decade or more, to shift care provision from institutional

settings toward more independent housing typologies that integrate housing and support for older people into the community.

There is a relatively recent evidence about the value of extra care housing. A scoping review by [Bligh et al \(2015\)](#) found convincing evidence that extra care housing (ECH) can delay admission into a care home by providing alternative accommodation at the point where someone has to leave their original home and as a means of enabling them to live independently for longer.

A [recent evaluation by Aston University](#) measured the impact of an ExtraCare Charitable Trust Well-being Service (an informal drop-in service for preventive health care and day-to-day chronic illness support) on 162 new extra care housing residents. Findings reported include: reduced costs to the NHS; reduction in the duration of unplanned hospital stays; reduction in GP visits; significant cost savings to social care; and reduction in depressive symptoms.

Similarly there is evidence in relation to the value of other housing designated for older people, such as sheltered housing for rent.

A review of the [research about sheltered housing commissioned by the National Housing Federation](#) says, 'the weight of evidence through case studies, audits and research, shows that there is an unequivocal health gain to be made through the provision of all forms of retirement housing'. All evidence indicated 'a substantial improvement in health, a diminution in the volume of care and support required and a greater sense of security and well-being'.

Nationally, housing specifically for older people accounts for just 6 per cent of existing stock and of just 7,000 of the 155,000 homes built in 2014/15. [The Personal Social Services Research unit](#) projected demand for supported housing in Great Britain 2015 to 2030. They estimated that, to keep pace with demographic pressures, the number of supported housing units for older people will need to rise from 460,000 in 2015 to 625,000 in 2030, an increase of 35%.

'[Housing our Ageing Population: Panel for Innovation](#)' (HAPPI) has arguably been the single most important 'unofficial' policy driver affecting the future for older peoples housing and associated services. This is a developing body of work with three reports so far and a fourth published in May 2018. If housing for older people, including sheltered housing and extra care housing, is to reflect the aspirational needs and expectations of current and future older people in Derbyshire, the development and adoption of more aspirational designs for all forms of housing for older people is necessary, reflecting the HAPPI principles.

The [HAPPI reports](#) have highlighted a series of inspirational case studies and examples of housing that reflect the needs and aspirations of an ageing society, suggesting that:

- we should all plan ahead positively, creating demand for better choice through a greater range of housing opportunities.
- housing for older people should become an exemplar for mainstream housing and meet higher design standards for space and quality.

Last year's English Local Government Association's report [Housing our ageing population: Learning from councils meeting the housing need for our ageing population](#) focusses on good practice by local authorities in relation to meeting the housing needs of older people. Key themes identified from this work, which help to inform this strategy, are:

- **Having a clear vision: promoting awareness and changing attitudes.** This is about councils shaping housing markets to deliver good quality, well located, and inclusively designed housing for older people.
- **Planning for an ageing population.** This involves using a mix of demographic data; planning tools alongside localised contextual information and what older people say.
- **Delivering and enabling new housing for older people across the public and private sectors.** This includes encouraging and supporting private sector retirement housing development which can help to meet the future housing needs of older home owners.
- **Promoting an integrated approach to housing, care and health.** The report states that sensitive and well-designed housing aimed at people with complex care needs and/or dementia can be a highly effective alternative to residential care. None of the local authority showcased in this report were developing directly or facilitating additional *residential care* capacity.
- **Sustaining older people in mainstream housing.** This refers to commissioning and providing home improvement agency type services across council boundaries which offers scope for economies of scale.

A strategic approach to housing an ageing population in Derbyshire

Older people's housing and accommodation: A typology

The evidence of what is needed to meet older people's future housing and accommodation requirements is complex suggesting that a sophisticated mix of housing types and approaches will be required over the next ten to twenty years.

A typology, i.e. a way of describing and understanding housing/accommodation options for an ageing population, is set out in Figure 1. This is based on the [DWELL programme](#). This shows the range of housing and accommodation options in relation to addressing the needs of an ageing population. This range covers general needs (mainstream) housing, specialist housing (i.e. housing specifically for older people) and care-based provision (residential/nursing care, hospital based care).

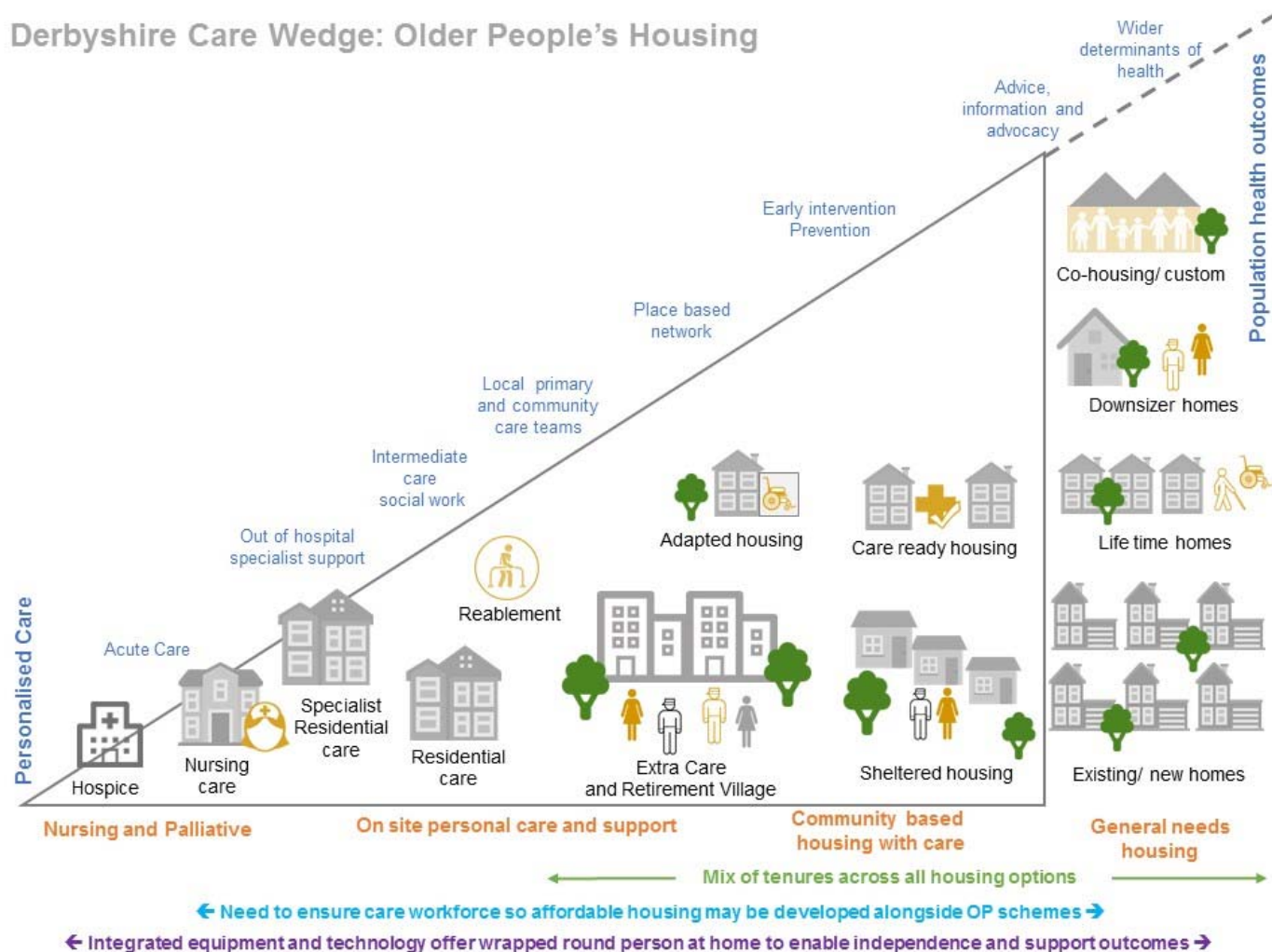
This typology is suggested as a *guide* to specifying the housing and accommodation requirements for Derbyshire that are indicated by the evidence base, specifically estimated housing and accommodation need and what older people say they need and want, including:

- General needs housing: existing housing/adapted housing
- General needs housing: new mainstream housing including [Lifetime Homes](#) wheelchair adapted homes. This includes the potential for 'inter-generational' housing.
- Age designated housing and contemporary 'sheltered'/retirement housing.
- Extra care housing
- Co-housing schemes
- Retirement villages
- Housing/accommodation that is suited to the needs of people living with dementia and other complex needs.

Whilst the typology set out in Figure 1 clearly identifies housing types for downsizing purposes, the evidence from older people in Derbyshire and elsewhere indicates that all the different general needs and specialist forms of housing will present downsizing opportunities if they are sufficiently well designed and located to respond to what are the different motivations for downsizing at different ages.

Figure 1. Older people's housing and accommodation: A typology

Derbyshire Care Wedge: Older People's Housing



Older people's housing and services: Contemporary practice examples

Contemporary practice examples in relation to older people's housing and services are considered as potentially applicable to Derbyshire. For new build examples, the focus is on HAPPI compliant design and the creation of future proofed, aspirational living environments. In relation to remodelling existing older people's/sheltered housing the focus is on the extent to which HAPPI design principles can be applied to create rejuvenated housing and associated service models that are relevant and attractive to older people.

Age specific housing for people aged 60 and over across all tenures;

New build developments



Examples of new build developments in urban settings and/or involving reusing sites of former sheltered housing schemes are **Ocean Housing's** Prince Charles house in St Austell, Cornwall and **Birmingham City Council's** 'downsizer' bungalow model. These development and housing models vary in scale, Price

Charles House has 31 apartments for rent whilst the 'downsizer' bungalows in Birmingham tend to occupy relatively small sites and are for rent and for sale. Both examples have the following common features:

- Designed to HAPPI principles
- Care ready
- Aspirational housing in urban settings;
- Extensive use of technology to support lifestyle and support/care needs
- Promote health and wellbeing through design and provision of communal space and/or activity.





‘New Grounds’ - the **Barnet Older Women’s Co-Housing (OWCH)** mixed tenure scheme built to HAPPI principles - won the national 2017 Housing Design Awards this month. The OWCH complex has 17 leasehold flats and eight for social rent. Such has been the demand that there are currently no vacancies. Residents said:

“We are carving out a path for others in our age group to follow. We hope they have an easier journey than ours, now we have shown the way. The senior co-housing community could enrich the last years of many, and reduce pressures on health and care services, if local authorities, planners, policy makers and housing developers helped to remove the many obstacles society puts in its way”.

Making best use of existing older people’s housing

Examples of remodelled sheltered housing schemes include **Derwentside** Housing’s Castle Court (below right), a remodelled sheltered housing scheme on the site of a previous care home in County Durham. The intention has been to:

- Redesign and refashion existing sheltered housing
- Improve age friendliness
- Extend the building’s useful lifespan
- Focus on making sheltered housing a more attractive housing choice with a focus on the ‘pull’ factors



Age specific housing that offers a range of care and support options;



New build developments

Newcastle City Council has developed ‘assisted living’ schemes for older people using both regeneration opportunities and making use of sites previously occupied by outdated sheltered housing or other forms of housing. These are relatively small in scale, approximately 40 to 50 units, that are designed to HAPPI standards and intended to be either ‘care ready’ or to be used as extra care housing depending on local needs and circumstances.

Making best use of existing older people's housing

North Tyneside Council has over 1,000 tenants aged over 60 living in sheltered accommodation. This accommodation includes 26 sheltered housing schemes (10 of these have adjacent bungalows) and six group dwelling developments. North Tyneside Homes (NTH) embarked on a transformative refurbishment and building programme of its entire sheltered housing stock. The buildings will meet Lifetime Homes Standards, have state of the art equipment, be fully accessible, be adjustable to the changing conditions of the tenant and will be dementia friendly.

Alongside the programme to transform the built environment the sheltered housing service has been rebranded and marketed and is now: North Tyneside Living (NTL). This is to give a refreshed, modern image of future housing for older people. The service delivery model aims to optimize the benefits of these environments, and to support tenants to age-in-place. The model that has been evolving is preventative and enabling; and where necessary provides early intervention through partnership arrangements giving access to health and social care services



There will be some incidence of dementia in any housing development for older people and the design should consider good practice in terms of the physical design and operational management for dementia. The [Alzheimer's Society](#) has worked with the sector and produced a useful dementia-friendly housing charter. While [Guinness Care and Support](#) has adopted an organisation wide approach to improving support for people living with dementia whether they live in older people's housing or general needs housing. There are several different approaches to accommodating older people with mild to moderate levels of dementia in extra care housing. These range from small dedicated units or wings specifically for this group, to clusters of flats with shared communal facilities, to a pepper-potted approach where individual care needs are simply catered for within their flats.



Llys Jasmine is managed by **Wales and West Housing** in partnership with Flintshire County Council. It comprises 61 apartments (33 one bedroom, 28 two bedroom) and two two-bedroom bungalows for residents aged 65 and over with care and support needs. Fifteen of the purpose-built apartments are specifically designed for people with dementia and located in one area of the site. The scheme was built on the site of an existing Flintshire Council traditional sheltered housing scheme. It incorporates a range of design features, across the scheme, aimed at assisting people with dementia.

The **Belong approach** in North West England promotes village-type communities as opposed to traditional care homes, where the maintenance of residents' independence is key. The villages include apartments for sale or rent; as well as 'households' in which 10



to
of

12 residents who need higher levels of care live. *Belong* households are designed so that the communal areas are open-plan; this reduces dependence on memory and promotes an environment in which residents are encouraged to take part in preparing and serving meals. *Belong* villages are also open to the public; the village centre has facilities such as a bistro and hair salon, and 'experience days' invite members of the public (including those with dementia) to come to events such as film screenings and exercise classes at the village. *Belong* invests heavily in dementia training and has its own Admiral Nurse, yet its marketing and branding around dementia is discreet and the villages are intended to be inclusive of people with a range of needs. *Belong* can thus be seen to advocate an integrated approach to dementia within Extra Care Housing. The philosophy is that the care should be brought to the place where the person is living wherever possible - whether it be in a household, in one of the apartments, or to their own home in the surrounding area - rather than that people should be moved through a series of 'placements' as their needs increase.

Supporting people to remain in their existing homes: 'staying put'

Whilst this strategy seeks to widen housing choices for older people, a majority of older people typically wish to remain living in their existing homes. This strategy is designed to support that preference.

The home and related support services are central to improving health and promoting the wellbeing of some older people as they typically spend so much time at home. Key features of the right home environment (both permanent and temporary) are:

- It is warm and affordable to heat;
- It is free from hazards, safe from harm and promotes a sense of security;
- It enables movement around the home and is accessible, including to visitors
- There is support from others if needed

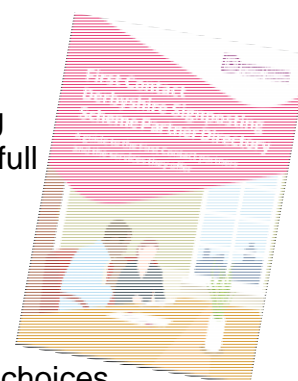
There are a range of initiatives which can support people to make informed choices about their present / future accommodation needs to maintain good health and wellbeing and support people to stay in their own home. These initiatives and approaches are set out below.

Making Every Contact Count

Partners recognise the importance of making every contact count in relation to housing choices and housing options. A range of health and social care professionals, alongside other local authority officers or partners in the voluntary sector visit individuals in their own homes. These members of our workforce play an important role in enabling preventative approaches that allow people to stay safe and well in their own home, but they can also provide advice and information which may encourage an individual to move to a house that better meets their needs early on in their care and support journey.

Advice and Information

Whilst there are various sources of information available regarding housing and care options, there is not one single place where the full range of information is available from. Only one district council, Derbyshire Dales, has a Housing Options service for older people, but there is potential for this to be replicated should appropriate funding models be developed.



Developing comprehensive advice and information about housing choices and options is an objective of this strategy and to ensure that this information is up to date and accessible to older people.

Falls Prevention

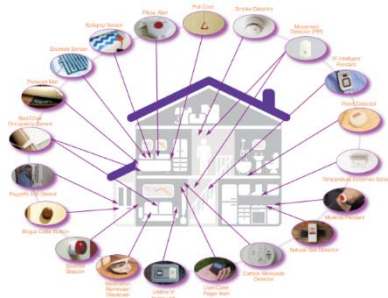
Falls and fall-related injuries are a common and serious problem for older people. According to [NICE research](#), people



aged 65 and older have the highest risk of falling, with 30% of people older than 65 and 50% of people older than 80, falling at least once a year.

The [Derbyshire Falls Pathway](#) recognises that ensuring a safe home environment can reduce the risk of an older person falling at home. Low cost interventions such as additional hand/grab rails, improved lighting can help prevent falls and support someone to remain independent in their own home.

Assistive Technology



An integrated assistive technology offer is an important element of the housing, health and social care service model which can support and enhance older people's options and improve health and being. It's an integral part of the solution for coping with a changing demographic profile, reduction in available workforce and an increased prevalence of limiting long-term illness/disability among the general population.

Assistive Technology can support individuals to live at home and complement traditional care. Assistive Technology services are more cost effective than registered care or nursing accommodation, offering better outcomes and increased satisfaction for people with long-term care needs.

Derbyshire County Council is currently exploring through the Enterprising Council approach how the range of technology utilised by eligible Adult Care clients can be increased and form part of a personalised package care. This will form a complimentary piece of work to this strategy as there are clear interdependencies.

Equipment and Minor Adaptations

The Integrated Community Equipment Service provides a range of simple, often low cost equipment to allow individuals to remain independent at home.

The Derbyshire Handy Van Service provides practical support to help older and vulnerable people to live independently in their own homes. The service is available to people aged 60 and over.

Disabled Facilities Grant

Disabled Facilities Grants (DFGs) are grants provided by local housing authorities to fund essential home adaptations. These can give disabled people better freedom of movement into and around their homes (e.g. stairlifts, ramped access) and provide access to essential facilities within the home (e.g. level access showers). DFG's are a mandatory grant which is means tested for adults but not for children.

They are delivered in a partnership between the County Council, housing authorities and the Home Improvement Agency. The delivery differs in each district/borough area as service delivery has emerged. The main types of adaptations funded are:

- Shower/bathroom adaptations
- Through floor lifts
- Vehicle hardstanding

- Kitchen adaptations
- Conversion of outbuildings
- Garage conversions
- Extensions

Repairs

Access to public funding for repairs is limited, with only a small proportion of the Councils in Derbyshire able to offer grants or loans to fund repairs. The countywide Home Improvement Agency (HIA) is able to support residents to access charitable and other forms of funding available to eligible households.

Affordable Warmth

The Healthy Homes project, through the Nottinghamshire and Derbyshire Local Authority Energy Partnership, has successfully secured external funding to help vulnerable residents. Whilst the service supports all age groups there has been emphasis placed on older people.

In addition some district and borough Councils are able to provide a local offer which is dependent on funding and criteria which varies according to local priorities. The Home Improvement Agency can access funding from Foundations to help residents and can have a broader but less intensive remit than the Healthy Homes project.

Help to move

Most support and services are designed around helping someone to stay put. But older people, their families, and relevant professionals increasingly understand that often investment to help someone stay put is not sustainable and that a well-timed move to more suitable accommodation offers better outcomes.

With an increase reliance on self-serving internet based choice based lettings processes there is a concerns that even if older people can be encouraged to think about moving there is inadequate support for them to do so.

Workforce

In addition to technology, equipment and other forms of support we need to make sure an appropriately skilled and developed workforce is available to support many of the housing, care and support options outlined. Derbyshire has nearly full employment across the County, but in some geographic locations this creates a challenge in terms of recruitment and retention to key health and social care roles, such as registered nurses and domiciliary care workers. Derbyshire and its partners are working together through the [Health and Social Care Talent Academy](#), to consider innovative solutions, but it is recognised that workforce supply and availability needs to be specifically considered implementing the recommendations within this strategy.

Recommendations: housing an ageing population in Derbyshire

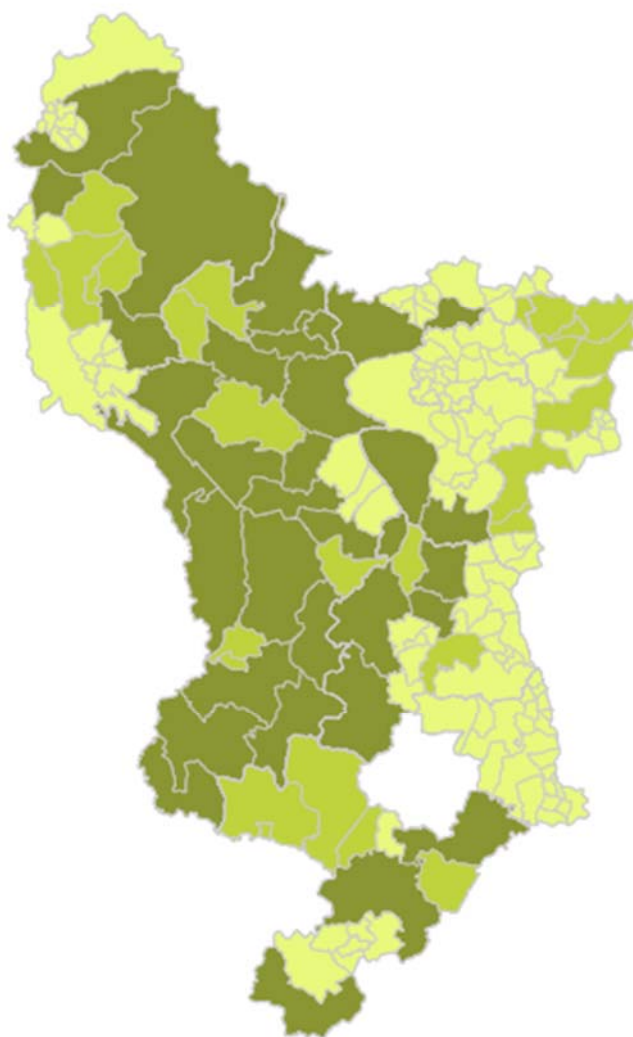
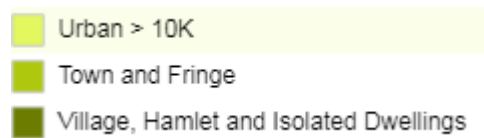
Based on the policy and practice context, the supply and demand assessment, and the key findings from the research with older people, the following recommendations are proposed:

- To meet older people's needs and aspirations develop a **mix of purpose-built housing types and tenures** that will facilitate '**downsizing**'/'**rightsizing**', creating a climate where moving in later life becomes a realistic and positive choice, including:
 - **Contemporary 'care ready' retirement housing**, for rent and for sale, that is [HAPPI](#) compliant i.e. without care on-site, but designed to enable people to age in place, to allow for decreased mobility and permit individuals to be cared for easily in their own homes should that be required. This offer can vary in size and scale making it suitable for urban and rural settings.
 - Mainstream housing developments that include well designed units to appeal to older people, i.e. that offer the features of 'care ready' housing but is part of an **inter-generational housing** offer to appeal to older people who don't want to move to age-designated housing.
 - Increase the delivery of housing with care options including **extra care housing, for rent and for sale**; however, it needs to remain a vibrant community and the benefits need to be effectively marketed to older people.
- Extend the range of information, advice and assistance available to homeowners to make adaptations and/or assistive technology as necessary to support enable ageing in place for older people wish to **remain living in their existing housing**. Whilst there are a range of projects and services which support people to remain at home, these are fragmented resulting in an individual receiving support from a range of organisations. Therefore there is scope to explore whether a county wide partnership approach could provide a more coordinated approach to the utilisation of equipment, adaptations and assistive technology to ensure that individuals are effectively supported to remain at home for as long as possible. A more co-ordinated approach would enable an individual to remain supported following a period of ill health, promote independence and contribute to preventing or delaying the need for more formal care and support away from their home.
- Identify existing **sheltered housing** schemes that can be improved to better support ageing in place for an increasing older population with growing care and support needs. Over time this is likely to mean that more people living in sheltered housing will have support needs.
- Consider decommissioning existing sheltered housing schemes that are no longer fit for purpose in terms of design and location and replace with **care ready housing** where the site can accommodate a larger footprint.
- Proactively consider the housing and accommodation requirements of the increasing number of **people living with Dementia**. This will require service providers to tailor their offer to be Dementia friendly but also the potential

development of hybrid **housing and nursing care models** that can cater for people living with Dementia with a wide range of care needs.

- Stimulate the market to encourage **a range of housing providers** to work in Derbyshire and develop the range of housing offers that older people need and aspire to live in.
- Effectively manage and work with the care home sector to support **development of sufficient nursing care capacity** and reduce the capacity of residential care to meet future need.
- **Develop the workforce to ensure availability of appropriately trained staff**, such as registered nurses or domiciliary care workers, which are locally based to support to delivery of different housing options for older people.
- Support the delivery of older people's housing by also **developing key worker housing or affordable housing options** in a mixed model approach to planning and development.
- Increase the development of '**step-down' housing-based models of care** as part of a wider reablement strategy to ensure timely discharge from hospital and/or prevent unnecessary readmissions. These can be potentially incorporated into more multi-disciplinary housing, health and care service models.
- A generational shift is underway and, over time, older people will become **increasingly sophisticated in their use of technology and social media**. Make homes technologically smarter and to maximise the use of technology, including **telecare**, to enhance the health and independence of individuals.
- Test out new **housing choices and ownership models** for people in later life including the scope to expand the use made of shared ownership aimed at older people: for example, to offer downsizing options to both 'care ready' and extra care housing.
- Identify strategic sites that can be released through the **One Public Estate** programme that can support the development and delivery of older people's housing.
- And as recognised by the recent UK [Government Homes, Communities and Local Government Select Committee](#), develop a comprehensive **information and advice service in relation to housing options for older people** that enables older people and their families to be well informed in relation to planning future moves.

Annexe 1: 2011 Rural and Urban classification (2013), Office of National Statistics



BACK TO AGENDA

COMMUNITY AND ENVIRONMENT COMMITTEE
13 SEPTEMBER 2018

Report of the Head of Regeneration and Policy

DRAFT SUPPLEMENTARY PLANNING DOCUMENT: CONVERSION OF FARM BUILDINGS DESIGN GUIDANCE

SUMMARY

This report presents a draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document (SPD) for Members consideration. This being an updated version of the previously adopted SPD (2005) which is required in light of the Adoption of the Local Plan in December 2017. Approval is sought for a formal period of public consultation on the document prior to its formal adoption as a SPD.

RECOMMENDATION

1. That the draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document (SPD), attached in Appendix 1 be approved and subject to a period of six weeks public consultation.
2. That in the event that the public consultation results in no objections to the draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document then delegated authority be given to the Head of Regeneration and Policy to take forward its formal adoption.
3. That in the event of any substantive representations being received during the public consultation on the draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document, then a further report be presented to this Committee for consideration of the representations received.

WARDS AFFECTED

All wards outside the Peak District National Park

STRATEGIC LINK

The implementation of the draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document will assist with developing a thriving district, as stated in the Council's Corporate Plan 2015-19.

1 BACKGROUND

- 1.1 Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In November 2005 the District Council formally adopted The Conversion of Farm Buildings Design Guidance Supplementary Planning Document. This has, since that time, sought to provide complementary guidance and advice for farm building owners (and/or their agents) who are seeking to find alternative uses for their farm buildings without having an adverse impact on their character and appearance. The SPD has

operated well since that time, however, following the adoption of the Derbyshire Dales Local Plan in December 2017, with revised policies that reflect current national guidance, it can no longer be used as a “material consideration” in the determination of planning applications.

- 1.2 To ensure that The Conversion of Farm Buildings Design Guidance Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to the conversion and re-use of farm buildings. In particular the draft revised document reflects the changes in the permitted development regime since 2005 and now includes a section on ‘Class Q’ which relates to changes of agricultural buildings to residential development. This section reflects the changes to the General Permitted Development Order as amended in April 2018 and the findings of recent court cases. The draft revised SPD also reflects the fact that there has also been technological developments in respect of double glazing that mean that now it may be acceptable, in appropriate circumstances, for use in barn conversions, than previously..
- 1.3 Once adopted the Supplementary Planning Document can be used in the determination of planning applications as a “material consideration”.
- 1.4 The Draft Supplementary Planning Document recognises that farm buildings are a distinctive building type in the Derbyshire Dales and that there is pressure to convert them to alternative uses. It seeks to complement the recently adopted Local Plan, in particular Key Issue One - “Protecting and Enhancing the Character and Distinctiveness of the Landscape, Towns and Villages in the Plan Area”. In addition, the Supplementary Planning Document will add detail and depth to Policies S1 – S9 in the Spatial Strategy and Policies PD1-2 in Chapter 5 Protecting Derbyshire Dales Character and Policies HC8 in Chapter 6 Healthy and Sustainable Communities.
- 1.5 A copy of the refreshed draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document is set out in Appendix 1.

2. Public Consultation

- 2.1 To enable the revised draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document to have statutory weight it is necessary for it to be subject to a minimum period of 4 weeks public consultation. This must be accompanied by a consultation statement that sets out the persons consulted, the time period of the consultation, where the documents can be seen and the details of where to send comments. A copy of the draft consultation statement is contained in Appendix Two.
- 2.2 Unlike the Local Plan there is no requirement for an Examination in Public.

3. NEXT STEPS

- 3.1 It is recommended that a six week period of public consultation be held from 14th September to 26th October 2018. Targeted contacts on the Local Plan consultation database will be informed by email and letter, comments will be invited to be made via an online survey.

3.2 The draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document is effectively a refresh of the existing document, with the exception of the limited changes as set out in the report above. It is therefore anticipated that there will be only limited public interest and as such it is considered for expediency purposes that delegated authority be given to the Head of Regeneration and Policy to adopt the SPD in the event that there are no substantive objections received during the public consultation period.

4 RISK ASSESSMENT

4.1 Legal

The Council will be following the consultation requirements set out within The Town and Country Planning (Local Planning) (England) Regulations 2012 . The legal risk is therefore low.

4.2 Financial

The costs associated with the Supplementary Planning Document are contained within current budgets. It is intended that this would be published as an online document with paper versions available on request. The financial risk is, therefore, assessed as low.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

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7 BACKGROUND PAPERS

Description	Date	File
The Town and Country Planning (Local Planning) (England) Regulations 2012 Part 5: Supplementary Planning Documents	08-03-12	http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_2012_0767_en.pdf
Derbyshire Dales Local Plan	December 2017	http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16

8 ATTACHMENTS

Appendix One: draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document
Appendix Two: Consultation Statement

BACK TO AGENDA



THE CONVERSION OF FARM BUILDINGS DESIGN GUIDANCE

DRAFT

**Supplementary Planning Document
September 2018**



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THE CONVERSION OF FARM BUILDINGS - DESIGN GUIDANCE

INTRODUCTION

In the predominantly rural district of the Derbyshire Dales, farm buildings are a common, distinctive and prevalent building type. When these buildings are not required for the purpose for which they were constructed there is pressure to convert them to alternative uses. This Supplementary Planning Document seeks to expand on existing planning policy, to provide detail and depth that may not be possible in the Local Plan. It intends to provide complementary guidance and advice for farm building owners who are seeking to find alternative uses for their farm buildings without having an adverse impact on their character, appearance and setting.



STATUS OF FARM BUILDINGS

Listed Farm Buildings

A significant number of farm buildings within the Derbyshire Dales District are listed in recognition of their special architectural and historic interest. The listing protects both the exterior and interior of the buildings from inappropriate alterations. Details of listing grades, the listing description and advice on the implications of listing can be obtained from the District Council.

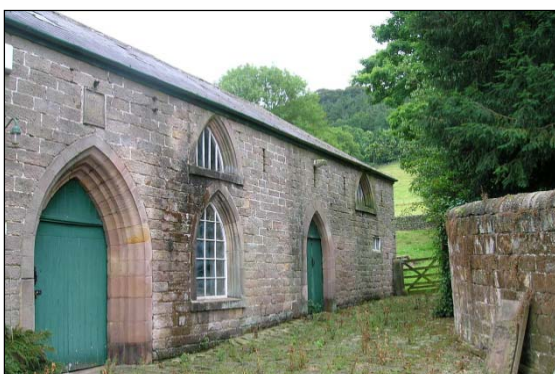
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Any works of alteration which would be considered to affect the special character or appearance of the listed building, however subtle, requires an application for Listed Building Consent to be made to the Local Planning Authority. Proposals for change of use and conversion also require an application for Planning Permission and/or Listed Building Consent.

Curtilage Listed Farm Buildings

Buildings adjacent to, or within the curtilage of a listed building may also be afforded protection by the listing of that building. Such buildings or structures are termed *curtilage listed buildings*. Using government guidance and criteria on what may constitute a *curtilage listed building*, the District Council has the power to assess whether a building or structure is deemed to be *curtilage listed*. For example, there may be instances whereby a farmhouse itself is listed and its adjacent farm buildings will be deemed, by the District Council, to be *curtilage listed*.



There may also be instances where a single farm building is listed in its own right and that others adjacent to it, or perhaps forming a group around it, may also be

deemed *curtilage listed*. The District Council is able to advise on this issue. Any works of alteration which would be considered to affect the character or appearance of the curtilage listed building, however subtle, would require an application for Listed Building Consent to be made to the Local Planning Authority. Proposals for change of use and conversion would also require an application for Planning Permission.



Unlisted Farm Buildings

Within the Derbyshire Dales there are many farm buildings and groups of farm buildings that are not listed or are not adjacent to, or within, the curtilage of listed buildings. Although they do not benefit from statutory protection they may, however, have architectural & historic merit and/or their form, grouping, massing and configuration may play an important part in their contribution within the landscape. Such buildings may also play an important part in the topography and street-scape within a designated Conservation Area. Proposals for change of use and conversion would require an application for Planning Permission.

PLANNING POLICY

The Derbyshire Dales Local Plan contains a number of relevant policies relating to the design, conversion and use of buildings. These policies form the basis of the important considerations the Council will take into account for proposals to convert and change the use of existing farm buildings. **See Appendix A**

SUSTAINABILITY

The objectives of this Supplementary Planning Document (SPD) are to provide clear guidance to owners/developers/agents etc. on the conversion of farm buildings and to ensure that any alternative use of farm buildings is sympathetic to their character, appearance and surrounding landscape.

The Council has identified a number of sustainability issues that are important when considering the conversion of farm buildings. **Appendix B** provides a checklist to help identify relevant sustainability issues that developers/applicants should address as part of (or prior to) the submission of any planning application in order to assess the relative sustainability of their proposal.

BUILDING REGULATIONS

With any proposed conversion scheme, building regulation approval will be required for a variety of works. Requirements under the Building Regulations could have important and serious implications with conversion proposals and details. It will be expected that proposed works requiring Building Regulation approval will be designed, from the out-set, with those regulations clearly in mind. Any queries regarding the Building Regulations, and their application/impact, should be made directly to Derbyshire Building Control (or an approved Building Control consultant).

The Local Planning Authority will not view proposed changes or amendments to an *approved* conversion scheme favourably where such changes are concerned with fundamental elements controlled under the published Building Regulations.

CHARACTER AND CONTEXT

Farm buildings have a recognisable form that is apparent in a number of constructional elements. They are generally simple, linear and functional in their form, shape and design, and use local materials and uncomplicated detailing. Roofs can be long and

uninterrupted, window and door openings are few (with their locations dictated by function) and there is generally a larger ratio of blank walling to openings contributing to that unique character and appearance.



Internally, farm buildings generally comprise large open spaces, with unplastered walls, roof trusses and no ceilings. Historic evolution (or planned farmsteads) has often led to the grouping of farm buildings to form 'L' and 'U' shaped clusters around a yard. Additional service/ancillary functional buildings have often been constructed, sometimes of one or two storeys, with external stone steps to gain access to upper floors and haylofts.



The location, orientation and configuration of farm buildings are invariably associated with the farmhouse itself and, unless physically attached to it, the farm buildings are usually close by forming a hierarchical grouping. There is a common and distinctive characteristic, seen throughout the Dales area, whereby the farmhouse is the most prominent element of the farmstead grouping and usually placed or positioned adjacent to, or close to, the road serving access to the farmstead. This

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association and relationship between the farmhouse and farm buildings is an important element & attribute of the character, context & setting of farmsteads. That relationship forms and presents an intrinsic entity of farmhouse & farm buildings that make a positive contribution to the character and appearance of the farmstead, or farm grouping, and contributes significantly to their integrity and authenticity. The disconnection of that relationship through the loss or replacement of the farmhouse, or vice versa, is likely to have a negative impact on the existing, inherent character and appearance of the existing farmstead.

Furthermore, the open spaces/gaps between individual or groups of farm buildings are also considered to be an important element in the overall character and context of a farmstead and as a visual record of its historical development and evolution. These gaps or spaces allow the surrounding landscape to be glimpsed and, therefore, contribute to the character of a farm grouping. The context or agricultural setting of farm buildings is an equally important issue. Their immediate landscape is usually one of a hard surfaced communal yard (the primary openings & fenestration etc. being introspective to the functional & working yard) with the adjacent agricultural land backing directly against the buildings.

The Derbyshire Dales is diverse in its character ranging from the hard, robust and gritty northern part to the soft, fertile and gentle southern area. This diversity of landscape and materials is reflected and characterised in the buildings that are situated throughout the District. The northern area has a prevalence of stone (which dominates as a building material) whereas the south relies on its local clays to make bricks and roofing tiles. Much of the landscape of the northern area is suitable, in part, only for sheep farming and the farm buildings reflect that usage in terms of their size, form and location. The southern area is abundantly fertile with dairy farming as its chief resource. Here the buildings are of brickwork, or exceptionally (and more rarely) of timber framed construction, and their size and

form reflects a more intensified and affluent usage. Such differences and subtleties in the materials, form and usage of such buildings are integral to their character and appearance. This special character and appearance is considered to be an invaluable attribute and one that must be understood, recognised and retained in any conversion proposal.

EXTERNAL ELEMENTS

Roofs

Roofs of farm buildings are generally of the simplest form and shape (double-pitched or mono-pitched) and covered with traditional roofing materials such as stone slate, slate and clay tile (appropriate to the part of the Dales area they occupy). Some farm buildings retain their original stone ridge tiles. A common and characteristic form or shape of the buildings usually includes long uninterrupted roofs with no chimneystacks, dormers or rooflights. The often simple configuration and juxtaposition of roofs is also an important and characteristic element of farm buildings.



The timber roof structures of some farm buildings can display varying degrees of decay and damage as a result of water ingress or structural failure or fatigue. Such potential problems should be inspected, assessed and reported upon by a qualified structural engineer, with experience in inspecting old and historic buildings, and recommendations put forward. There will always be a presumption in favour of retaining as much of the existing fabric as possible and any

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proposals for roof works should reflect this presumption.

- The wholesale removal and renewal of an existing roof structure will generally be resisted (unless sound, conservation structural engineering advice and recommendations support such a proposal).
- Where roof trusses and/or roof timbers are assessed (by a conservation structural engineer) to be structurally inadequate for the roof loadings, conservation engineering proposals to strengthen the existing roof structure will be expected as opposed to a proposal to renew the roof structure.
- The introduction of roof dormers and gablets, as part of a conversion scheme, will be resisted as representing the introduction of non-original details.
- Where the requirement for additional light levels can be soundly justified, the installation of a rooflight (of the smallest size necessary) may be considered acceptable if sensitively and appropriately located. Rooflights should always be located below the centre of the roof slope and should be recessed, low-profile, 'conservation' type rooflights.
- Where the existing roof covering is of a traditional material this shall be retained and re-used and, where necessary, made up with second-hand or new materials to match the existing.
- The introduction/construction of new chimneystacks to farm buildings will be resisted as representing the introduction of non-original details/elements.
- The installation of a metal flue pipe/terminal will require very careful consideration and its location, scale, appearance & finish will be of paramount importance.
- Rainwater goods should be of a traditional material (cast-iron or timber) and designed with simple gutters that should be located on painted metal rise & fall brackets. Cast metal rainwater goods (such as aluminium) may be acceptable on unlisted farm buildings. Plastic

rainwater goods, barge-boards to gables, boxed timber soffits and fascia boards to eaves will not be considered appropriate or acceptable.

Walling

Across the Dales area farm buildings are generally constructed from limestone, sandstone (or sometimes a mixture of both) and brickwork that reflect the indigenous materials and the local building tradition of the area they are in. Exceptionally, and rarely, farm buildings may be of timber-framed construction. Occasionally, some farm buildings were part or fully rough-cast rendered.

Many farm buildings of the later nineteenth century were invariably constructed from brickwork when this material became more widely available to rural areas that had once been reliant on stone.

Farmsteads may contain detached functional service/ancillary buildings and structures of a more transient and ephemeral nature. These may be simply constructed with timber and clad with either timber boarding or corrugated metal sheeting (for both walls and roofs). Their transient nature, and in many cases their lack of maintenance, presents them as secondary or tertiary structures within a farmstead grouping. Occasionally, such a type of structure has been added onto an existing stone or brick farm building to serve a particular, functional, purpose.

Many farm buildings can display varying degrees of potential structural inadequacy. This may be apparent in cracking, bowing or leaning to various parts of the building.



Such potential problems should always be inspected, assessed and reported upon by a qualified structural engineer with experience in assessing old and historic buildings. Such information is considered to be an important pre-requisite in determining a buildings potential for conversion. Some farm buildings may require (based on recommendations by a qualified structural engineer) full or partial restraint, buttressing, shoring or propping being installed/put in place **prior** to any works taking place on the building in order to avoid the loss or collapse of any part of the existing fabric during the works.

In most cases it should be assumed that historic/traditional farm buildings have little or no foundations (in the modern sense of the term). In that regard, it is strongly advised that a detailed assessment (and trial holes) should be undertaken under the direction etc. of a qualified structural engineer as to whether (whole or partial) under-pinning will be necessary for the building/structure in order to achieve a conversion. The engineer's specific recommendations & specification for such works should be strictly adhered to.



The Local Planning Authority will not usually approve schemes that will involve substantial elements of demolition and re-building of the fabric of historic farm buildings. To ensure that this does not occur, potential conversion schemes should be accompanied by a detailed structural survey report on the building(s).



Based on this report/knowledge, a chronological methodology of conversion should be produced and established **prior** to works commencing on site to ensure that the proposed conversion is undertaken in a manner that protects the structural integrity of the building(s) during that conversion.

- A detailed structural report, and accompanying recommendations for all stabilisation methods for the building **prior to, and during**, the conversion works may be required by the Local Planning Authority as a supplement to any application for Planning Permission/Listed Building Consent.
- Schemes that propose extensive or substantial dismantling and re-building works to existing fabric will be resisted.
- Proposals whereby the large-scale reconstruction of a farm building(s) is required will be resisted.
- Where additional building materials are required, these shall match the existing in terms of their geological type, colour, size, texture and surface finish.
- Reconstituted or artificial building materials, as alternatives to the existing construction materials, would not be considered appropriate.
- Re-pointing of stonework or brickwork, on a large-scale, should be avoided, as this can/will significantly alter the character and appearance of the walling. Localised re-pointing is acceptable but only where this is carried out using a traditional lime-based mortar and the pointing technique, and method of application, is appropriate to the original construction of the building,

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- Grouting of traditional stone walls (internal or external) will be considered acceptable where this does not cause damage to, or accelerates the collapse of, any walls and does not alter the external character or appearance of the walls (experienced structural engineering advice and recommendations on the, necessary, scope and extent of such works should be sought on this issue).
- Underpinning of walls (external and internal), referred to previously in this section, may be considered acceptable where this will not cause the walls to collapse, crack or bow as a result or consequence of the excavation works required for such an operation (experienced structural engineering advice and recommendations on the, necessary, scope and extent of such works should be sought on this issue).
- The cleaning of stonework and brickwork will, generally, be resisted as it is considered that this will damage the fabric and alter the character and appearance of the farm building.
- Specifications & methodology for repairs to historic timber-framed structures/elements should be prepared by an appropriately qualified heritage professional.
- Proposals for the raising of walls (in order to raise the overall height of a roof/roof structure) to provide habitable space to a proposed first floor (or second floor) are likely to have a harmful impact on the existing character and appearance of a farm building or structure and introduce inappropriate visual/physical changes to the elevations. In this regard, such a proposal is unlikely to be supported on application.

Where planning permission is granted for the conversion of a farm building, it is important to note that that permission relates only to the **conversion** of the existing building/structure and does not authorise any demolition or re-building

beyond the scope & extent of the original application proposal(s).

WINDOW AND DOOR OPENINGS

A fundamental and important characteristic of farm buildings are the existing type, form, size, shape and detailing of door & window openings and the minimal number of door and window openings (i.e. the ratio of solid to openings) to the elevations. Door and window openings generally only exist to perform a specific function. Many farm buildings are introspective (facing onto a communal yard or area) with other elevations blank or almost blank. The form, rhythm and location of existing door and window openings can often identify the original use of a farm building and are, therefore, important distinctive elements and characteristics that should be retained and respected as part of any conversion scheme.



Existing window and door openings generally come under significant pressure to be altered as part of a proposal(s) to convert a farm building. Such alterations can significantly affect the existing character and appearance of a farm building. Other pressures/considerations include the methods and types of glazing, to both historically glazed and unglazed openings, and the formation of new door and window openings. The following guidance is given in this regard.

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- In considering the residential conversion of a farm building, it will be expected that the building owner (and their architect/agent) recognises and acknowledges the particular building type/genre they have and that the distinctive character & appearance of such building types do not readily convert to serve & function as a modern home.
- The distinctive character and appearance of the original building should be retained in any conversion scheme/proposal and, therefore, sound justification (which does not constitute harm to character & appearance) for the inclusion/insertion of any new door and window openings would need to be provided.
- Proposals for new windows, doors, openings, etc. to historically blank elevations will generally be resisted as compromising, and potentially harming, an inherent and distinctive characteristic of a farm building.
- Proposals for the enlargement or reduction in the width/height of any existing window/door opening will be resisted as being harmful to the building's existing character and appearance.
- Should an existing window opening be considered appropriate to block, then that blocking should be in-set within the structural opening to an appropriate dimension. The type and method of blocking will also be important and need to be appropriate to the building's character and appearance. Sound justification for the blocking of existing openings will always be required.
- Where new openings are considered acceptable (based on sound justification and no harm to character & appearance) they should be carefully designed in terms of their scale, proportion and detailing, with careful consideration given to their location on the building elevation(s). Furthermore, and of equal importance, the Council would need to be assured that the constructional operation & methodology of satisfactorily forming the new opening will be possible within the fabric concerned.
- Where original openings within the fabric are to be copied (based on sound justification and no harm to character & appearance), their detailing shall match the existing exactly in all respects and they must be appropriate to their new location or position.
- The provision of any escape window(s) (appropriately justified) shall be considered by the designer and discussed with the District Council at an early stage.

Windows

Most farm buildings have existing timber glazed or, exceptionally, cast-iron glazed window frames. These are predominantly of the agricultural type with a pivoting opening section (to all or upper part). This is known as a 'hopper' type window frame – the opening part usually opening inwards and restrained by a quadrant stay. In shape, they are generally horizontal rectangles, usually multi-paned and the timberwork is invariably painted.

Whilst there may be examples of modern 'storm-proof' type window frames to some farm buildings this particular window type is deemed inappropriate to historic farm buildings. Replacement with a suitable, and appropriate, window frame type

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would, therefore, be considered acceptable (subject to detailing). Proposals for the introduction of 'storm-proof' type window frames would be resisted as being inappropriate to historic farm buildings.



The palette of paint colours used seems to have been very limited - the most common colours being various shades of grey and blue-grey, black (paint or tar) and a dark dull red or dark green. All existing historic windows are single-glazed. 'Model' farm buildings (architect designed) of the mid-later 19th century may have examples/inclusions of casement windows (multi-paned) and other idiosyncratic or architecturally inspired window designs such as ovals or circles.

- The type, pattern and form of existing, traditional, window frames to a farm building are considered important attributes of its character and appearance and should, therefore, be retained.
- All existing (historic) window frames (and glazing) should be retained and repaired wherever possible.
- Where existing (historic) windows are beyond repair, they should be replaced with **exact like-for-like replicas**.
- Where windows were originally painted, they shall be re-painted and the new paint colour should be matched to the existing paint colour (see above). Where windows have

lost all traces of their paint finish, a suitable colour should be agreed with the Local Planning Authority,

- Alternative materials, such as UPVC and powder-coated metal, as a replacement for existing, historic, timber window frames, will not be considered appropriate or acceptable.
- Where specific & rare circumstances arise (and can be fully and soundly justified) the use of powder-coated metal window frames may be considered.
- Existing window cills (of stone, tile, brickwork) shall be retained and repaired.
- Existing window heads (of stone, tile, brickwork) shall be retained and repaired.
- Existing window jambs (of stone or brickwork) shall be retained and repaired.
- The depth/recess of a window frame is an important element of the character and appearance of the farm building. The depth/recess of existing window frames should be used to inform the depth/recess of any replacement/new windows.
- Where cast-iron glazed windows survive detailed proposals and methodology for their retention and repair shall be submitted as part of the proposed scheme.

The District Council considers that window frames should be constructed of timber (being the traditional material for their construction) and that the timber should be given a painted finish in accordance with historic tradition and precedent.

Listed and Curtilage-Listed Farm Buildings:

With regard to the glazing of the window frames, there is a presumption in favour of retaining single-glazing as this allows (where replacement is necessary) the most authentic and fine joinery work associated with historic window frames.

In considering alternative glazing proposals, technological developments in double-glazing, over the last ten years or

so, have produced a product ('thin double-glazing') that allows replacement window frames to fulfil a number of important criteria relating to character, appearance & detail. Whilst a presumption in favour of single-glazing remains, the Local Planning Authority will consider the use of the 'thin double-glazing', under certain circumstances, where the use of double-glazed windows is deemed not to harm, or be detrimental to, the character and appearance of the farm building. In order for the Authority to consider the use of 'thin' double-glazed windows, **all** of the following criteria should be followed -

- The window frames should be constructed from timber (either hardwood or softwood).
- The existing pattern, form, type and opening mechanism of the replacement window should match those of the existing window frame.
- All on-face dimensions of the existing window frame shall be replicated in the replacement window frame.
- The double-glazed units themselves shall be 'thin' (12mm maximum).
- Where the window frame has glazing bars, these shall be integral timber bars (i.e. not 'stick-on' bars) of the same on-face width and moulding, etc. of the existing glazing bars.
- The double-glazed units shall be putty pointed into the timber window frames (i.e. not secured with a timber bead).
- The new window frames shall have no 'trickle-vents' incorporated or projecting cills.
- The completed window frame shall be primed and painted.

Proposals for double-glazed windows, which comply with **all** of the above criteria, will be considered as part of any conversion scheme, with the important caveat that they will only be deemed acceptable if the introduction of double-glazing is considered not to harm, or be detrimental to, the building's character and appearance.

Unlisted Farm Buildings:

Whilst historic, un-listed, farm buildings still present and display a strong agricultural character and appearance, they do not benefit from statutory protection. In this regard, it is unlikely that the Local Planning Authority would raise any objection to the introduction of double-glazed windows. However, in terms of advice and guidance in relation to an application for conversion, it is considered that the above criteria are pertinent and should be utilised for un-listed historic farm buildings.

Doors



Farm buildings usually display two types of door. These are the stable type door and the fully boarded door. In most cases, these doors are hung with plain metal strap hinges (with metal hinge pins) and have simple metal latch handles. Many such doors were designed without doorframes – a rebate being formed in the stone or brickwork into which the door closes. Doorways can have segmental brick arches or flat lintels (the latter usually of timber or of stone).

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Many doors were designed to open outwards and fold back against the walling so as not to foul up the internal space. Where doorframes do exist, they are generally of stout and robust construction. In farm buildings constructed in brickwork, stone blocks were generally inserted to house the metal hinge pins and latch catch. These are an important element. Doors were, generally, always painted.

- Existing doors (and doorframes) should be retained and repaired wherever possible, including their historic ironmongery.
- Where existing doors (and doorframes) are beyond repair they should be replaced with **strictly like-for-like replicas**. Ironmongery should be re-used or replicated.
- Alternative materials such as UPVC and powder-coated metal, as a replacement for existing timber doors/doorframes will not be considered appropriate or acceptable.
- Where doors were originally painted they shall be re-painted. The new paint colour should be matched to the existing paint colour (where traces exist). Where doors have lost all traces of their paint finish a suitable colour should be suggested for approval by the Local Planning Authority.
- In some cases, proposals may be made to remove an existing door or permanently fix it back in the open position in order to install glazing (within the structural opening) to

minimise the pressure for new openings in the fabric. Such proposals will be considered, however, the design and form of the new glazed installation will require careful consideration and design detailing, including its proposed position/location within the structural opening (i.e. depth of recess etc.). It would be expected that the perimeter framing size for such installations will be the minimum required and that there would be no intermediate rails or glazing bars.

- Should an existing door opening be considered appropriate to block then that blocking should be in-set within the structural opening to an appropriate dimension. The type and method of blocking will also be important and would need to be appropriate to the building's character and appearance. Sound justification for the blocking of existing openings will always be required.

For clarity, where the insertion of glazing to such elements is proposed the following approach shall be expected.

Listed and Curtilage-Listed Farm Buildings:

Glazing, either single or double-glazed, in the form of a panel or aperture within any existing boarded timber door (or a replica new replacement timber boarded door) shall not be deemed appropriate in terms of the intrinsic character and appearance of the listed building.

Where a new glazed element is considered to be acceptable, then the Local Planning Authority will consider the use of 'thin double-glazing'. However, the use of double-glazing for new glazed elements or installations to former doorways would need to fulfil **all** of the following criteria -

- The design, form and appearance of the new element/installation shall be considered appropriate and acceptable to the buildings character.

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- The glazed element/installation should be constructed from timber (either hardwood or softwood).
- The double-glazed units themselves shall be 'thin' (12mm maximum).
- The double-glazed units shall be putty pointed into the timber frames (i.e. not secured with a timber bead).
- The new element/installation shall have no 'trickle-vents' incorporated or projecting cills.
- The completed element/installation shall be primed and painted.

Proposals for double-glazed elements, or installations to existing doorway openings, which comply with all of the above criteria, will be considered as part of any conversion scheme, with the important caveat that they will only be deemed acceptable if the introduction of double-glazing is considered not to harm or be detrimental to the building's character and appearance.



Unlisted Farm Buildings:

Whilst historic, un-listed, farm buildings still present and display a strong agricultural character and appearance, they do not benefit from statutory protection. In this regard, it is unlikely that the Local Planning Authority would raise any objection to the introduction of double-glazed elements or installations to existing doorway openings. However, in terms of advice and guidance in relation to an application for conversion, it is considered that the above criteria are pertinent and

should be utilised for un-listed historic farm buildings.

OTHER OPENINGS

Hayloft Openings (historically unglazed openings)

Many farm buildings contain (functional) openings to their elevations that were never intended to have a door or window frame. Farm buildings generally display a number of ways in which such openings were covered or closed against the weather. Those to first floor haylofts, a common feature of farm buildings, usually take the form of plain-boarded hatch doors, square or rectangular in form and usually with simple metal strap hinges and hinge pins that generally opened outwards (although some examples open inwards). In some instances, the opening has a small external rebate into which the hatch door neatly closed. On brick farm buildings, the metal hinge pins and latches to haylofts are usually fixed into a stone block incorporated into the fabric at the time of its construction. This gave a sounder fixing than into brickwork or brickwork joints.



These existing/traditional openings are considered to be important elements which contribute to the inherent character and appearance of a farm building. In this regard the following guidance is given -

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Large Openings (historically unglazed openings)

- Existing timber hatch doors should be retained and repaired wherever possible.
- Where it is proposed to utilise the opening for additional light (i.e. to install glazing), the hatch door should be fixed in the open position, unless such an element is proposed to be used for security or other purposes. The proposed new framing and glazing of such openings shall be treated as outlined and detailed in the previous section - 'Windows' & 'Doors'.
- The proposal to introduce glazing to such openings will be considered on a case-by-case basis and assessed in terms of the potential impact of the proposed glazing on the character and appearance of the building.
- Proposals for the reduction or enlargement of such structural openings will be resisted as an undesirable alteration to the existing and traditional character and appearance of the building.
- Where timber hatch doors have been historically lost, it is not desirable to make replicas for reinstatement unless the reason for reinstatement is based on security purposes.
- Where evidence of their visual form and appearance can be ascertained, without recourse to conjecture, such elements could be considered for reinstatement.



Many farm buildings contain large openings (sometimes with double doors) or open-fronted cart openings. These elements or features are considered to be important to the character and appearance of the farm building. It is considered essential, therefore, to retain the physical presence & visual character of such openings in any conversion scheme. As part of a conversion scheme, proposals may be put forward to fully glaze, or part-glaze, large openings and cart openings.

Full or part glazing to large openings and cart openings will need to be carefully considered, designed and detailed to retain and respect the original character, form and physical/visual presence of the openings. The framing and glazing of such openings should be treated as outlined in the preceding section - 'Windows' & 'Doors'.

- Where existing timber doors survive they should be repaired and retained or replaced on a strictly like-for-like basis. If it is intended to introduce glazing to the opening, then the doors should be capable of being fixed back or fixed in the open position. The permanent removal of such doors is unlikely to be considered acceptable.
- The design of the new glazed element should be carefully considered in terms of its framing & division and its relationship to the

structural opening and elevation in general.

- Alternative materials, such as upvc, will not be considered acceptable.
- The proposed recess or extent of inset for the new glazed element will be an important consideration in its design. In order to maintain the character of a large opening, it will be expected that the new glazed element is *deeply recessed* within the structural opening. This particular detail should be clearly indicated/annotated on any proposed plans/elevations.
- Where opening parts/sections (i.e. windows/doors) are proposed for incorporation within the new glazed element these will need to be carefully detailed and appropriately integrated into the overall glazing design proposal.
- Where it is proposed to only part-glaze a large opening, the treatment of the 'solid' part will require careful consideration and design appropriate to the character and appearance of the opening and building elevation(s).
- Where new, inserted, floor planes may be proposed (behind glazed openings) such elements will require careful consideration and an appropriate and acceptable design solution put forward.

Where large openings, or cart openings, are to be utilised for the parking of vehicles, consideration should be given to retaining these as open fronted buildings. The installation of new, modern, 'garage' type doors (in metal or timber) may be inappropriate and would, therefore, be resisted.

Vent Holes

Many farm buildings display ventilation holes in their external walling. These vary in form from simple narrow, vertical slots to interesting patterns (diamonds, triangles, lozenges, etc.) formed in brickwork or stonework.



They are considered to be an integral and important element of a farm buildings character and appearance and such features must, therefore, be retained in any conversion proposals.



- Proposals to seal vent holes shall be undertaken in such a way as to not alter their external character or appearance. Where vent holes have a significant visual depth and three-dimensional character, this effect must be retained in any sealing proposal.
- Proposals to unblock (historically blocked) vent holes may be considered acceptable.
- Proposals for the glazing of vent holes shall be carefully considered and designed in such a way as to not alter their visual character or appearance. Glazing should be setback in all circumstances.
- The removal, alteration and loss of vent holes and vent hole patterns, to facilitate the introduction of new window or door openings, will be resisted as injurious to their existing character and appearance.

ARCHITECTURAL & DECORATIVE FEATURES

Farm buildings can display a number of other interesting and important features that are integral and significant to their character and appearance. Such features may include: external stone steps (with integral dog kennel below); stone water troughs (and feeding troughs); roof vents; weather vanes; dove holes; cast-iron columns; gable finials & coping stones; decorative eaves and verge detailing; hooks, rings and latches affixed to external walls and date stones.



Internally, there may be animal stalls, feeding bins and hayracks. Historic ironmongery to doors, hatches and windows are also considered important elements of the building.

- On listed farm buildings and curtilage-listed farm buildings, all such features are protected under the statutory listing and their removal or alteration will not be permitted without consent.

- In any conversion scheme, it shall be expected that all such features, and any others, are retained and incorporated into the scheme wherever possible. Their removal, on the grounds of redundancy, will be resisted. Whilst not advocated, any proposals to remove, or to re-locate, such features will require sound justification in each case.
- Where such features have been lost historically, but good sound & compelling evidence of their form and detailing survives, these could be replicated/reinstated. However, conjectural reinstatement or replication will not be acceptable and should not be proposed.

NEW SERVICES

Any conversion scheme will require the supply and installation of new services such as cables, wiring, pipework vents, grilles and meters. Where these installations will, or are likely to, have an undesirable impact on the external character or appearance of the building, they shall be concealed or designed-out.

- The use or installation of externally fixed pipes, cables, vents, grilles, wires, etc. will be resisted. Where sound justification can be made for their inclusion their location, type & finish should be carefully considered.
- Pipework (for drainage and disposal) shall be located internally wherever possible. Where, with justification, pipework may need to be externally located, this should be positioned, by design, on *hidden elevations*.
- Meter boxes (for gas & electricity) shall be located internally and not be positioned on any external elevation of the building.
- On listed and curtilage-listed farm buildings, the introduction of a satellite dish would normally constitute an alien and inappropriate addition to the character and appearance of the farm building and would, therefore, be resisted. A similar view would

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be taken with regard to the introduction of security alarm boxes.

- Where there is a proposal to install solar equipment on a roof, or roofs, to a listed or curtilage-listed farm building, these will require careful consideration in terms of their type, form and layout. Such equipment can, however, have an adverse, and potentially harmful, visual & physical impact on character and appearance and, where this is deemed to be so, it is unlikely that such an installation would be considered acceptable or appropriate.

INTERIORS

Listed and Curtilage-Listed Farm Buildings

The interior spaces of most farm buildings generally consist of large open spaces, sometimes open to the roof, together with other examples of the surviving paraphernalia of their agricultural use, such as feeders, stall dividers, harness, hay racks, etc. Interiors to listed and curtilage-listed farm buildings, and their associated fixtures and fittings, are protected under the statutory listing. Interior walls were generally lime-washed (not plastered – although some examples do exist), as were, on occasion, roof timbers and floor joists. Original ground floors may be stone flagged, stone setted or brick paved. However some have been replaced over time with in-situ concrete. In some cases, original lime-ash floors survive (generally to first floors or lofts). A fundamental characteristic of lime-ash floors is their undulation which is an important natural feature of such floors.



Roof structures were seldom, if ever, ceiled and the roof trusses (usually king-post or queen-post trusses) were on view. Internal divisions were generally created by way of stone or brick walls or, in some cases, timber framed and plaster in-fill walls. Farm buildings rarely had fireplaces and, consequently, rarely had chimneystacks.

- The interior spatial quality and character of farm buildings is considered to be an important and significant attribute and retention, by design, of that interior spatial quality shall be expected in any conversion scheme,
- In connection with the above, as few new sub-divisions as possible shall be introduced as part of a conversion proposal in order to retain that spatial quality and reduce the requirement for additional new windows and door openings,
- Where new internal divisions are proposed, these should always respect the interior architectural features and spatial qualities of a farm building (and, for example, be aligned with roof trusses and bays).
- The removal, re-location or the cutting through of structural timbers (to floors, roofs and roof trusses) will not be acceptable. First floors to many farm buildings have low headroom, particularly under the tie-beam of trusses. Accurate, vertical dimensions, to assess the available headroom, should be undertaken to inform the feasibility of introducing habitable use within such spaces,
- The removal (or re-location) of roof trusses or structural beams within a farm building will be resisted as injurious to the internal character and appearance of the farm building,
- Any proposal for the lowering or raising of any existing floor level, or internal element, will be resisted as injurious to the internal character and appearance of the farm building,
- Original interior fixtures and fittings shall be retained wherever possible in any conversion scheme. Their imaginative re-use can usually enhance the interior spaces of

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converted farm buildings. Full justification must be provided if their removal is being proposed,

- The removal of original or existing floor surfaces (i.e. those considered by the Council to be of historic, architectural and archaeological importance) will be strongly resisted.
- Proposals for the lifting and re-laying of historic ground floor surfaces, and the installation of an integral damp proof membrane, *may* be considered an acceptable proposal but this would be subject to a detailed methodology, extent of excavation work and impact on potential archaeological deposits,
- The removal of lime-ash floors will be strongly resisted. Proposals for their retention and repair should be submitted with any scheme for conversion. Any proposals for their removal would need to be fully justified on structural engineering grounds (confirmed by a conservation engineer's report). Removal, because of their undulating character or cracking, will not be considered sufficient justification.
- The positioning and design of new elements, such as staircases, will require careful consideration. Over decorative or 'period-type' staircases will be resisted,
- The introduction of chimneybreasts, fireplaces and ingle-nooks will be resisted as being wholly inappropriate to the character of farm buildings,
- Metal flue terminals (for free-standing wood burning/multi-fuel stoves, ranges or boilers) should always be painted matt-black. Where such terminals project through roof coverings, they should be located on 'hidden' roof elevations,
- Where evidence of the historic introduction of a chimneystack (or stacks) can be clearly justified (and its dimensions extrapolated from existing, extant evidence), lost or decayed chimneystacks may be reconstructed (conjectural

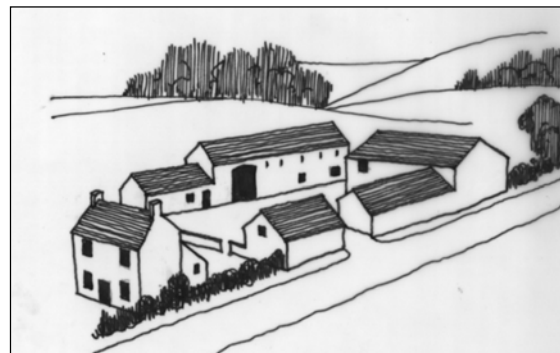
reconstruction would not be considered acceptable).

- It is desirable to locate flue terminals so that they do not project / protrude above the existing roof ridgeline. However, such elements must comply with the requirements of the Building Regulations and, in this regard, their location and height must be clearly indicated on any proposals.

Un-listed Farm Buildings

On un-listed farm buildings, it is desirable to respect and retain the internal character of the building wherever possible. However, there is no statutory protection in this regard. The Council would welcome early discussions about the internal proposals for such buildings in order to ensure a sensitive and appropriate scheme is put forward.

EXTENSIONS AND ADDITIONS



Farm buildings, by their nature, are simple, functional structures that were generally built for specific agricultural uses. This is an important and significant element of their original design, form, character and appearance. The open spaces or gaps between farm buildings are also considered to be important elements to the character and context of a farmstead or farm grouping. To this end, the retention of this visible separation and independence of individual or groups of farm buildings is considered to be a vital attribute of their character and should be respected and retained in any proposals for conversion. In that regard, with any conversion proposal it will be considered that:

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- The existing size, form, mass and shape of the farm building will be retained and that the proposed conversion use will suit the existing space available without recourse to additions or extensions.

It is most probable that there are farm buildings that will be of a size & form, or their access is difficult, that will not be suited to a residential conversion scheme without serious compromise and harm to their existing shape, form, fabric, character and landscape context. In such circumstances, innovative alternative & appropriate non-residential uses could be considered.

Guidance provided within this supplementary planning document relates primarily to the **conversion** of existing farm buildings & structures. However, the District Council is aware that proposals for extensions or additions to existing farm buildings may be contemplated by building owners/developers/agents, etc. In this regard, the District Council would strongly advocate that owners/developers/agents, etc. seek pre-application advice.

There may be farm buildings or structures where the concept of an extension or addition would significantly compromise its existing attributes (for example, form, shape, mass, appearance and associated character with other adjacent buildings and structures). Where this is the case, the Local Planning Authority would be unlikely to support a proposed extension/addition.

Therefore, if an extension, addition or separate building is to be considered, it is recommended that, at the pre-application stage, the building owner (or their agent/advisor) prepares a design concept appropriate to the building to which it is being attached, or the manner in which it interrelates with the setting, to justify the proposals.

A design concept would expect to include and assess the following considerations in relation to form, scale and size, positioning on the building, positioning in relation to the building, materials and how this

informs the overall character and appearance of the proposal.

Where, the *principle* of extending a farm building or structure may be considered acceptable, the following will be expected:

- Extensions or additions shall be designed to respect and harmonise with the existing building in terms of the extensions' form, shape, character, size, scale, and massing,
- Extensions or additions shall be designed to respect and harmonise with the existing building in terms of their position/location and alignment (in relation to the host building),
- Extensions or additions shall be subservient in their size, scale, form and massing to the original, principal, farm building or structure.
- The original, principal farm building must always remain the dominant element. Extensions or additions should always be set back to respect the corners of the principal farm building,
- Proposals to construct 'link' buildings or structures within the open spaces or gaps between separate and historically independent farm buildings will, generally, be resisted,
- The proposed location of any extension or addition shall be given careful consideration so as to reduce its visual impact on the building and on its setting.
- Proposals for multiple extensions or additions to a farm building, or structure, will be resisted,
- Building materials will need to be given very careful consideration and be appropriate to the design concept of the extension, addition or separate building.
- The design and detailing of the junctions between the extension/addition and the host building will need to be given careful consideration,
- The extent, form, shape and type of fenestration/openings to an extension or addition will need to be given very careful consideration in terms of their potential impact on the host building,

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- Continual, and future, extensions or additions to a farm building will, generally, be resisted as a dilution of the principal building and its character & appearance,
- The transference of existing architectural details (for example, coped gables etc.) from the host building to an extension or addition will be resisted,
- Chimneystacks to extensions or additions will, generally, be resisted.

Conservatories, Sun-Lounges, Garden Rooms, Porches and Porch Canopies

The above elements would be considered as extensions/additions and the guidance outlined above is, therefore, pertinent. However, the following specific guidance is given in relation to these particular elements.

- Conservatories, sun-lounges, garden rooms, porches or porch canopies represent distinct domestic elements and in this regard are considered to be alien and inappropriate extensions/additions to the traditional character and appearance of farm buildings. Their form, character, details and appearance are in strong contrast and opposition to the innate and intrinsic agricultural theme/genre,
- The proposed addition, therefore, of conservatories, sun-lounges, garden rooms, porches or porch canopies to any external elevation to a principal farm building (or its existing extensions/additions), or associated farm buildings, will be strongly resisted as such additions would be deemed harmful and detrimental to the character and appearance of traditional farm buildings.

Garaging

Proposals for car parking will need to be given serious consideration at the out-set of any conversion scheme. This may take the form of discreet areas of hard standing (of an appropriate surfacing material) suitably located within the curtilage of the farm building(s).

Alternatively, parts or areas of the existing building may be able to be utilised for such a purpose, or, more radical, the construction of a new building to provide under-cover vehicle parking could be explored. The following guidance is provided.



- Garaging of cars may be able to be accommodated within the existing buildings where previous cart sheds survive or form part of the farm building group. Utilisation of such structures for the garaging of cars, rather than the structure being included as part of any residential conversion, should be fully explored as part of any scheme proposal,
- Proposals to construct a new, *attached* garage (single, double or more) to an existing farm building will require very careful design consideration in terms of its appearance, form and detailing in order to minimise its visual impact on the existing building. Such a proposal may, however, compromise the existing character and appearance of the host building to a detrimental degree and, in that regard, be deemed inappropriate,
- Proposals to construct a new, *detached*, garage (single, double or more) will generally be resisted unless its design, scale, mass, form, detailing and location/orientation does not impede or detrimentally affect the character and setting of the existing farm building(s) or farm building group,
- Modern, 'up-and-over' metal or timber clad garage doors will be resisted as being wholly

inappropriate to the agricultural tradition. Double, vertically boarded, (side-hinged) painted doors are considered to be more appropriate to the agricultural tradition.

OUTBUILDINGS AND CURTILAGE

The setting of a farm building or group of farm buildings has its own distinctive character and appearance. Associated with many principal farm buildings are ranges or examples of small, often subsidiary buildings that served the agricultural operation of the farm. These are considered to be very important elements of the overall setting of farm buildings and their retention, repair and re-use is desirable. Some such buildings may be listed in their own right or may be curtilage-listed buildings.

In association with outbuildings are the boundaries to the farmyard itself. These may be dry stone walls, brickwork walls, hedges or metal fencing. In many cases these may mark ancient boundaries and/or clearly define the farmyard from its surrounding fields and landscape. Farmyards may also retain original and historic surface treatments, such as stone setts, paved areas or brick pavements. These surfaces are a fundamental and important characteristic of the agricultural setting and should be retained.

- Outbuildings shall be retained, repaired and re-used wherever possible. Their demolition will be resisted in most cases,
- The over-domestication of the setting of a converted farm building (in terms of patios, timber-fencing, railings, extensive garden landscaping, ornamental ponds, lamp posts and pergolas) will be resisted,
- The formation of ornamental water features, fountains, fish ponds and larger bodies of water will generally be resisted,
- Existing boundary treatments (walls, hedges) shall be retained and repaired/re-planted,
- Where new boundaries need to be created, their form, type, height and

material shall be informed by the existing type, character and appearance within the immediate environs of the farm buildings/farmyard,

- The entrance or approach to a converted farm building, or group of buildings, should retain its original rural and agricultural character. Over prestigious entrances, with gateposts and gates, extensive block paving, setts or tarmac, will be resisted,
- Gates to entrances, or other accessways associated with a farmstead, shall be of the agricultural type and form (i.e. a traditional five-bar timber gate) or, if appropriate, solid vertically boarded and framed gates (with a painted finish) of a plain and simple character. Gate posts should be simple and subservient in form, character & material (i.e. metal or timber),
- Decorative and fussy metal or timber gates will be resisted,
- The widening of existing gateways (vehicular or pedestrian) will generally be resisted,
- Original gates, gate posts and railings should be retained in-situ and re-furbished where necessary,
- Proposals to sub-divide an original, or historic, farmyard with new walls (or the heightening of existing walls), fences or hedges will generally be resisted. In this regard, careful planning and design will be required at the design stage to ensure that the original farmyard character, spatial qualities and the historic relationship between the farmhouse and farm buildings, is retained following any conversion scheme. Where *sufficient* physical evidence survives for the historic sub-division of a farmyard, its reinstatement may be considered acceptable,
- The provision of additional areas for 'domestic' curtilage may be considered acceptable only where these proposed areas do not impede or affect the character, appearance and setting of the farm building(s) and farmstead. Their extent, location

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- and boundary treatment will require careful design consideration,
- External swimming pools and tennis courts, with or without enclosure, are considered to be detrimental to the character, setting and grouping of a farmstead and their introduction will, therefore, be resisted.

In order to retain and protect the character, appearance and setting of the buildings any grant of planning permission would normally remove residential permitted development rights.

CLASS Q

Class Q of the General Permitted Development Order was introduced in April 2015 (amended in April 2018) allowing the **change of use** and **conversion** of agricultural buildings to dwelling houses. The intent of the legislation is clear in referring to, & allowing ‘*conversion*’ of, the existing agricultural building rather than its replacement or re-building.

Class Q does not include or extend to agricultural buildings that are listed buildings, buildings located within a Conservation Area or are scheduled monuments (or have scheduled monuments within their site).

For those agricultural buildings falling outside the above categories, the general permitted development right can be exercised (subject to compliance with a number of criteria). This can, therefore, relate to traditionally built stone and brickwork agricultural buildings and modern (steel, concrete and metal/timber clad) agricultural buildings.

Where such buildings are deemed to fulfil the criteria of Class Q, the development (i.e. change of use & conversion) is permitted subject to the building operations being “reasonably necessary to convert the building”. Class Q identifies such building operations as –

- the installation or replacement of windows, doors, roofs or exterior walls, or
- the installation or replacement of water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house
- partial demolition to the extent reasonably necessary to carry out the building operations above.

The National Planning Practice Guidance states that –

“Building works are allowed under the right permitting agricultural buildings to change to residential use. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right”.

Further to the above guidance, the courts have deliberated over the meaning of **reasonably necessary** building operations and have confirmed that, succinctly, this equates to a conversion “**without extensive re-building or new structural elements, including any extensions**”.

The effect of Class Q, the courts meaning relating to reasonably necessary building operations and national guidance,

ARCHAEOLOGY

effectively means that such agricultural buildings must be converted more or less as they stand. This is considered important in terms of their existing character and appearance as agricultural building types within the landscape. In that regard, proposals under Class Q for change of use and residential conversion should fully respect the building's existing agricultural character and appearance and, prior to any proposals being put forward, be the subject of a comprehensive structural assessment to ensure that it can be successfully converted 'without extensive re-building or new structural elements, including any extensions'.

The effect and outcome of this requirement will be to ensure that those agricultural buildings converted under Class Q maintain, as much as possible, their existing agricultural structure, form, materials, character and appearance.

POST-CONVERSION

The retention of character and appearance of converted farm buildings (& their curtilage/setting) is considered crucial to their long-term presence and contribution to the built environment and landscape of the Derbyshire Dales District. In most cases, therefore, to safeguard character and appearance, permitted development rights will normally be removed.

Following an approved & implemented conversion scheme, it is unlikely that the Local Planning Authority would support further alterations to the building(s), or support development within the curtilage, that are likely to erode or diminish its agricultural character, appearance and setting. This would include inappropriate additions and extensions (as set out previously in this document) as well as, for example, the insertion of new/additional window/door openings (including rooflights), the enlargement of existing window/door openings and alterations/additions within its curtilage (structures, fences, etc.).

In some cases the immediate landscape to a farm building or group of buildings may have significant archaeological interest. The farm buildings to many ancient farmsteads may have occupied their site/footprint for centuries. As a consequence these buildings will have a significant archaeological value and interest not only in terms of their built fabric but also the ground on which they are located, and that which is adjacent to them. There may, in some instances, be the remains of medieval ridge and furrow adjacent to, or surrounding, a farmstead.



With regard to the buildings themselves, any works deemed to have archaeological interest and deposits (for example the (part or total) excavation of floors within the building; excavation works adjacent to the building; excavation works for new footings and service trenching and proposed works for the repair/replacement of historic timbers, etc.) will need to be recognised and appraised in order to safeguard archaeological interest.

In some cases, a measured survey of the building(s) and their archaeological interpretation and significance may be required by the Local Planning Authority. In other cases, the archaeological recording and drawing of certain elements (architectural details, historic timbers etc.) may also be required by the Local Planning Authority. All such recording and assessment work should be overseen by an appropriately qualified archaeologist. The archaeologists report and drawings shall, when completed, be submitted to the Local Planning Authority.

- An assessment of any potential archaeological interest to the immediate and adjacent landscape should be undertaken and this information submitted with any proposal for landscaping works.
- An assessment of any potential archaeological interest to the buildings themselves (including their ground floors) should be undertaken and this information submitted with any proposed conversion works.
- Archaeological works shall be undertaken in conjunction with the advice & guidance as set out in the National Planning Policy Framework (and Guidance) and in conjunction with other guidance from Historic England and the Chartered Institute for Archaeologists.

LANDSCAPE



The appearance of barns and farm buildings and the relationship they have with their surroundings, is an important element of local landscape character which varies markedly throughout the District. This diverse character is highlighted within landscape assessment work that has been undertaken by Derbyshire County Council in partnership with the District Council. Equally, the landscape that provides the immediate setting for barns and farm buildings makes a significant contribution to their character and to the character of the site itself.



Existing landform and topography, trees, hedgerows and other vegetation, walls and fences, the nature of tracks, access ways and pathways, and landscape features such as ponds and water courses, will all be important components of site character.

- The retention and enhancement of local landscape character is required. The key document in this regard is “*The Landscape Character of Derbyshire*” (2004), prepared by Derbyshire County Council.
- All landscaping schemes in association with the conversion of farm buildings, shall be considered holistically with the conversion scheme and with special regard to local landscape character. Full details, such as the proposed layout of the landscaping scheme and planting details (including species, numbers and planting distances), should be submitted at the same time as the planning application for assessment and approval,
- The retention of existing trees and hedgerows will be expected. Where any work is proposed within their proximity, an accurate survey of the location and canopy spread of all the trees and hedgerows (which may be affected) shall be submitted with the application. In some cases, the Council will expect to see a full arboricultural report, identifying the species, size – including canopy spread, age, class, condition and retention value for each tree. Early advice should be sought from the Council’s Arboriculture Officer,
- Schemes for new or supplementary planting shall be considered holistically with the conversion

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- scheme and full details submitted with such a scheme for approval,
- The introduction of any new boundaries or divisions to a site will require very careful consideration in terms of the type, form, material and detailing of boundary treatment(s) being proposed in relation to the character, appearance and setting of a farm building, or farm grouping,
 - There will generally be a presumption in favour of native species,
 - Where orchards survive, there will be a presumption that these will be retained as an important landscape feature of the farmstead,
 - The breaching and removal of historic hedgerows, or other historic boundary treatments, to form new access or entrance ways, together with their removal to form associated visibility sight-lines will, generally, be resisted,
 - Proposals for upgrading existing access ways (or the forming of new access ways) shall be submitted with any conversion scheme. Wholesale tarmaced surfacing, the widening of existing track/access ways and the introduction of kerbing will, generally, be resisted,
 - The introduction of cattle-grids, where necessary and appropriate, may be acceptable.

WILDLIFE



Farm buildings (those in use or out of use) and land, hedgerows, trees and ponds, etc. can provide suitable habitats for a variety of protected species, such as bats, owls, birds, great crested newts, dormice and badgers etc. Protected species are subject to strict licensing procedures when any development proposal is likely to result in the disturbance or killing of individuals or the destruction of the places that they use for shelter/roost.

Protected species come under the protection of the Wildlife and Countryside Act 1981. Any farm building has the potential to be a habitat for protected species. **Prior** to any conversion scheme, the farm building(s), and associated land which will become part of the curtilage to the converted farm building(s), should be the subject of a comprehensive assessment and survey, where required, to identify the presence (or not) of any protected species. Prior to making a formal application to the Local Planning Authority, Derbyshire Wildlife Trust could be consulted for advice & guidance.

When a formal application is submitted it will be expected that a protected species report (assessment, findings & recommendations) accompanies that application. The report should be up to date at the time the application is being submitted.

On receipt of the application, the Local Planning Authority will seek professional/specialist advice on the report and take this advice into consideration as part of the determination of the application. It is unlikely that an application will be validated without such a report forming part of the submission.

Should Planning Permission be granted for the conversion of the farm building(s), this shall not absolve the applicant from obtaining the requisite licence(s) from the statutory authorities (e.g. Natural England).



The National Planning Policy Framework (and Guidance) advocates biodiversity enhancement as part of any development

proposals. Such enhancements should be clearly identified in any application.

The following, general, guidance is given –

- Wherever possible, habitat for Protected Species should be made and accommodated within the existing farm buildings.
- The Local Planning Authority will be likely to require, as a condition of any approval, that facilities for Protected Species be installed on or adjacent to, the farm buildings. The location of such facilities must be both carefully considered and identified on proposed building elevations. On listed farm buildings, such facilities may require specific consent. Advice should be sought at an early stage,
- Existing ponds shall be retained (with safety measures put forward where applicable).
- Existing ponds, associated with farmsteads, also provide important habitats for wildlife and should be respected, retained and protected in any development scheme.

Further guidance & advice:

Farmstead Assessment Framework – *Informing sustainable development and the conservation of traditional farmsteads*. Historic England, April 2015.

Adapting Traditional Farm Buildings – Best Practice Guidelines for Adaptive Reuse. Historic England, September 2017.

The Adaptive Reuse of Traditional Farm Buildings – Historic England Advice Note 9. September 2017

Appendix A: Policy Context

Local Plan Policies relating to Farm Buildings

The Local Plan policies are written in such a way that the policies in the whole document can be applied to a new development or works to existing buildings. This Supplementary Planning Document (SPD) will add detail to the policies in the Local Plan and help raise awareness of the design issues related to farm building conversions and provide an important reference point for all those involved in farm building conversions, outside the Peak District National Park.

It has been prepared having regard to the National Planning Policy Framework and National Planning Policy Guidance.

This Supplementary Planning Document is more specifically related to the following Local Plan policies;

- S2: Settlement Hierarchy
- S3: Development within Defined Settlement Boundaries
- S4: Development in the Countryside
- PD1: Design and Place Making
- PD2: Protecting the Historic Environment
- PD3: Biodiversity and the Natural Environment
- PD7: Climate Change
- HC8: Conversion and Re-Use of Buildings for Residential Accommodation
- EC8: Promoting Peak District Tourism and Culture
- EC10: Farm Enterprises and Diversification

To read the Local Plan see: www.derbyshiredales.gov.uk/localplan

Many farm buildings lay outside Settlement Framework Boundaries (Local Plan Policy S3) and therefore **Policy S4: Development in the Countryside** will apply. This seeks to ensure that development will protect and enhance the landscape's intrinsic character and distinctiveness, including the integrity of the historic environment, whilst also facilitating sustainable rural community

needs, tourism and economic development. Development considered appropriate in the countryside includes that associated with agriculture, forestry, farm diversification, rural business, tourism, sport and recreation.

Policy HC8: Conversion And Re-use of Buildings for Residential Accommodation refers specifically to the conversion and/or reuse of existing buildings to residential accommodation.

Where a farm building is listed (or curtilage-listed), **Policy PD2: Protecting the Historic Environment** will apply to ensure that the heritage asset is conserved in a manner appropriate to its significance.

National Planning Policy Framework 2018

The NPPF recognises that heritage assets range from sites and buildings of local historic value, to those of the highest significance, such as World Heritage Sites. The NPPF also recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraphs 126-141 set out how the potential impacts of development on a heritage asset are assessed and considered.

Appendix B Sustainability Checklist

TOPIC	Legally Protected Species
OBJECTIVE	<i>To protect and enhance key habitats and species</i>
ISSUES FOR CONSIDERATION	<p>Farm buildings can provide suitable habitats for a variety of protected species.</p> <p>These may include bats, great crested newt, otter, dormouse, badger, water vole, schedule 1 birds (e.g barn owl, kingfisher) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).</p> <p>Protected Species are now subject to strict licensing procedures when any development proposal is likely to result in the disturbance or killing of individuals or the destruction of the places that they use for shelter.</p> <p>Your proposal may provide an opportunity to maximise biodiversity.</p>
ACTION	<p>You will need to establish whether the site provides a habitat that may support protected species?</p> <p>Have you discussed with English Nature and/or Derbyshire Wildlife Trust whether they have any records on Protected Species records?</p> <p><i>If the proposal is likely to impact upon such species you are advised to employ an ecological consultant to survey the application site to establish the presence of protected species. The consultants will need to assess the impact of the development on any protected species found to be present and, if necessary, produce a mitigation statement/recommendations.</i></p>

TOPIC	Swifts, Swallows and Housemartins
OBJECTIVE	<i>To protect and enhance key habitats and species</i>
ISSUES FOR CONSIDERATION	<p>There is increasing concern over the loss of house martins, swifts and swallows habitats when converting farm buildings as it can have detrimental effects on populations.</p> <p>These species are protected during the bird breeding season and it is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds while nesting or attempting to nest.</p> <p>Your proposal may provide an opportunity to maximise biodiversity.</p>
ACTION	<p>Have you taken into consideration whether Swifts, Swallows and Housemartins are present?</p> <p><i>You are advised to discuss with Derbyshire Wildlife Trust what measures can be taken to protect these birds from the farm building conversion.</i></p>

TOPIC	Wildlife Habitats
OBJECTIVE	<i>To protect and enhance key habitats and species</i>
ISSUES FOR CONSIDERATION	<p>Some habitats are considered significant and may be vulnerable to damage from the farm building conversion.</p> <p>The application site may be within or in close proximity to a designated site such as a Special Areas of Conservation, Site of Special Scientific Interest, Local Nature Reserve or County Wildlife Site,</p> <p>Your proposal may provide an opportunity to maximise biodiversity</p>

	<p>The Wildlife & Countryside Act 1981 (as amended) provides protection for scheduled species and their habitats, especially Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs). Trees are habitat to a variety of protected species.</p> <p><i>The Countryside and Rights of Way (CROW) Act 2000 also covers protected species and their habitat, as well as including reckless destruction/disturbance.</i></p> <p><i>These species are protected during the bird breeding season and it is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds while nesting or attempting to nest.</i></p>
ACTION	<p>Have the ecological impacts of the proposal been fully considered at the design stage?</p> <p><i>Your proposal, where appropriate, should identify conserve and enhance existing biodiversity. You are advised to employ ecological consultants to survey the application site to establish the ecological value of the application site.</i></p>

TOPIC	Traffic
OBJECTIVE	<i>To reduce the need to travel by car</i>
ISSUES FOR CONSIDERATION	<ul style="list-style-type: none"> • Is the site near to existing public transport services because the growing reliance on the car is having serious implications for the environment and road safety. Any reduction in the amount of car travel helps towards achieving sustainability • Impact of potential new traffic on the existing infrastructure associated with the farm building • <i>physical considerations of upgrading existing road surfaces and their impact on landscape character</i>
ACTION	<p>Have you considered if the site is suitable for the amount of vehicles that would be potentially generated by the proposal?</p> <p><i>You should undertake an assessment of how the site links with existing and potential links to the public transport network</i></p>

TOPIC	Source of local materials
OBJECTIVE	<i>To ensure the design of conversion is not detrimental on the fabric and character of farm buildings and surrounding landscape</i>
ISSUES FOR CONSIDERATION	<p>Farm buildings are generally constructed from limestone, sandstone (or sometimes a mixture of both) and brickwork that reflect the indigenous materials and the local building tradition.</p> <p>Reusing secondary and recycled building products helps to achieve efficient use of resources and reduce energy consumption and waste production.</p> <p>The Council would scrutinise and where considered appropriate ask for details of the source of any secondary or recycled building products.</p>
ACTION	<p><i>You should consider using:</i></p> <ul style="list-style-type: none"> • <i>secondary or recycled materials only if they are in character with the existing farm buildings. Where appropriate you should identify the source of materials.</i> • <i>You should consider using local building materials where possible</i>

TOPIC	Access to local service and facilities
OBJECTIVE	<i>To encourage sustainable development near to existing services and facilities</i>
ISSUES FOR CONSIDERATION	Many farm buildings are located in isolated rural locations that are not near to local services and facilities, which may be considered inappropriate in terms of sustainable development.
ACTION	Have you considered whether the proposal reduces the need to travel by car? <i>You should undertake an assessment of how the site links with existing and potential links to the public transport network</i>

TOPIC	Landscape
OBJECTIVE	<i>To protect and enhance the character of landscape</i>
ISSUES FOR CONSIDERATION	Historic landscape issues – The special character and appearance of the area is an invaluable asset. The appearance of barns and farm buildings and the relationship they have with their surroundings, is an important element of local landscape character, which varies throughout the District. The landscape that provides the immediate setting for barns and farm buildings makes a significant contribution to their character and to the character of the site itself. Trees - Barn conversions can have an impact on trees within or close proximity to the application site. Some or all of them may be protected by a Tree Preservation Order or be within a Conservation Area. All or part of any hedgerow may need to be removed as part of the proposal.
ACTION	Have you referred to Derbyshire County Council's landscape character assessment "The Landscape Character of Derbyshire" which has been published in partnership with the District Council. Have you discussed your proposal with the District Council's Landscape Officer about landscape character assessment? <i>All proposals should include appropriate landscape and planting schemes informed by a landscape character assessment and the Derbyshire Dales Landscape Strategy.</i> <i>Before any work is carried on trees you will need to discuss with the District Council's Arboriculture Officer the following:</i> <i>Whether the application site benefits from a Tree Preservation Order</i> <i>If you propose to cut down or carry out any work on a tree in a conservation area.</i> <i>Give notice to the District Council if you propose to remove all or part of a hedgerow.</i> <i>You will need to contact the Forestry Authority if you need to fell a certain size and timber volume of trees</i>

TOPIC	Heritage Assets
OBJECTIVE	<i>To protect and enhance finite historical assets</i>
ISSUES FOR CONSIDERATION	<p>Appropriate management and handling of any archaeological remains is important as archaeological remains are a finite resource and in many cases are highly fragile and vulnerable to damage and destruction.</p> <p>Many farm buildings are Listed by the District Council for their Special architectural and historic interest.</p> <p><i>Any works of alteration, however subtle, which would be considered to affect the special character or appearance of a listed building would require an application for Listed Building Consent.</i></p>
ACTION	<p>You will be expected to contact the County Archaeologist and Site and Monuments Records Officer at Derbyshire County Council to establish whether the building (s) and site contains, or is adjacent to, archaeological interest and value.</p> <p><i>Where appropriate, proposals should include schemes to record and protect any archaeological interest informed by an independent assessment including listed buildings</i></p>

TOPIC	Energy Efficiency
OBJECTIVE	<i>To reduce energy consumption and waste production and facilitate renewable energy</i>
ISSUES FOR CONSIDERATION	<p>The installation of energy efficiency systems is important to help reduce and conserve energy consumption.</p> <p>The use of renewable energy will help achieve effective energy production and savings which play a major part in achieving greater sustainability. The term “renewable energy covers those resources that occur and recur naturally in the environment. Such resources include, for example, heat from the earth or the sun, power from the wind and water.</p> <p><i>It is important the use of energy efficiency materials / system does not have an adverse impact upon other issues such as character and appearance of the buildings or its surroundings.</i></p>
ACTION	<p>You should consider whether there are appropriate opportunities to install an energy efficient system or use materials that would help reduce energy consumption.</p> <p><i>Where appropriate proposals should provide details of energy efficiency measures</i></p>



Consultation Statement

Draft Supplementary Planning Document: The Conversion of Farm Buildings - Design Guidance, September 2018

REGULATION 12 - TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

1. This statement sets out who was consulted in the preparation of the draft Supplementary Planning Document: The Conversion of Farm Buildings Design Guidance September 2018, how they were consulted, what issues were raised and how those issues influenced the preparation of the document.

2. Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In November 2005 the District Council formally adopted the Conversion of Farm Buildings Design Guidance Supplementary Planning Document. This has, since that time, sought to provide complementary design guidance and advice for owners of farm buildings (or agents/advisors working on their behalf) when they are not required for their original purpose. The SPD has operated well since that time and has provided important design advice & guidance, however following the adoption of the Derbyshire Dales Local Plan in December 2017, with revised policies that reflect current national guidance, it can no longer be used as a “material consideration” in the determination of planning applications.

3. To ensure that the Conversion of Farm Buildings Design Guidance Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to biodiversity and landscape management. Once adopted it can be used in the determination of planning applications as a “material consideration”.

Consultation: Stage One

4. The revised draft Conversion of Farm Buildings Design Guidance Supplementary Planning Document was subject to an internal consultation, from 30 April 2018 to 31 May 2018 with the following Officers:

- Development Management Team
- Planning Policy Team.

This took the form of discussions and meetings with individual officers. The principal issue which arose was that the document should include reference and guidance relating to ‘Class Q’ (*Agricultural Buildings to Dwelling Houses*) of the General Permitted Development Order 2015. In addition a section on the criteria

for use of “thin” double glazing in windows and openings has been included to reflect the technological advances in the last ten years.

No other substantive issues were raised, although some minor amendments and a general refreshing & up-dating of the whole document have been made relating to such items as, structural works to existing farm buildings and extensions and additions.

Consultation Process

5. A six week consultation period will run from 14th September 2018 to 26th October 2018. An email or letter will be sent to targeted contacts contained on the Council’s Local Plan consultation database. This includes statutory consultees, Parish and Town Councils, neighbouring authorities, agents and developers and landowners.

6. In addition, the consultation documents will be available online and in the following locations:

- Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
- The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
- Matlock Library, Steep Turnpike, Matlock DE4 3DP
- Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
- Ashbourne Library, Compton, Ashbourne DE6 1DA
- Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
- Wirksworth Library, Town Hall, Wirksworth DE4 4EU

7. People will be invited to submit comments online or in writing to ensure that representations can be registered and considered by the Council. See www.derbyshiredales.gov.uk/farmbuildingsSPD

8. In accordance with the Derbyshire Dales District Council Statement of Community Involvement a press release will be issued regarding the consultation.

9. The main issues raised, response and action required will be included in an updated consultation statement, published at the end of the consultation period. All responses will also be considered under delegated authority, or reported to Members where substantive issues are raised, prior to adoption.

14th September 2018

BACK TO AGENDA

COMMUNITY AND ENVIRONMENT COMMITTEE
13 SEPTEMBER 2018

Report of the Head of Regeneration and Policy

DRAFT SUPPLEMENTARY PLANNING DOCUMENT: LANDSCAPE CHARACTER AND DESIGN

SUMMARY

This report presents the results of the public consultation on the draft Landscape Character and Design Supplementary Planning Document (SPD). It recommends modifications to the contents of the SPD and seeks approval for its adoption.

RECOMMENDATION

1. That the Landscape Character and Design Supplementary Planning Document (SPD), attached in Appendix 1 be approved and formally adopted.
2. That the Consultation Statement attached in Appendix 2 and Adoption Statement in Appendix 3 be published in accordance with the statutory requirements.

WARDS AFFECTED

All wards outside the Peak District National Park

STRATEGIC LINK

The implementation of the Landscape Character and Design Supplementary Planning Document through the determination of planning applications will assist with developing a thriving district, as stated in the Council's Corporate Plan 2015-19.

1 BACKGROUND

- 1.1 Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In July 2007 the District Council formally adopted the Landscape Character and Design Supplementary Planning Document. This has, since that time, sought to provide complementary guidance and advice for developers about how development should address their relationship with the landscape character of the Derbyshire Dales. The SPD has operated well since that time, however following the adoption of the Derbyshire Dales Local Plan in December 2017 it can no longer be used as a "material consideration" in the determination of planning applications.
- 1.2 To ensure that the Landscape Character and Design Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to biodiversity and landscape management. Once adopted it can be used in the determination of planning applications as a "material consideration".

1.3 Consultation on the revised Landscape and Design Supplementary Planning Document was approved by the Community and Environment Committee on the 7th June, minute 28/18. The consultation period ran from the 20th June to the 27th July 2018.

2. MAIN ISSUES

2.1 Representations were received from 14 individuals and organisations during the public consultation period. Details of the representations received are set out in the Consultation Statement attached in Appendix 2 to this report. This has been prepared to satisfy the requirements of Regulation 12 (Part 5) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Consultation Statement is required to be published alongside the final version of the Supplementary Planning Document.

2.2 The main issues raised during the public consultation period, where modification of the Draft SPD is considered necessary are:

- To provide more detailed context in LCD 1.1 about the levels of development proposed in the Derbyshire Dales Local Plan up to 2033
- Revising in LCD 2.1 the section on the National Planning Policy Framework to reflect the recently published update.
- Revising LCD 2.1 to include a paragraph that recognises Neighbourhood Development Plans are part of the development plan and may have policies within them that are relevant to landscape character and design.
- As suggested by Historic England and the Derbyshire County Council Archaeologist inserting a section on Historic Landscape Character and Characterisation and where more resources and information can be found into LCD 2.2 and LCD 3.2.
- To highlight in LCD 2.3 that specific measures for enhancing biodiversity and contribute to achieving the outcomes of the Local Biodiversity Action Plans may be required to be incorporated within development proposals.
- To make more reference in LCD 2.4 to the Peak District National Park, and that developers should take account of both development within and affecting the setting of an area with a special designation.
- Incorporate into LCD 3.1 reference to Natural Flood Management techniques and Sustainable Drainage Systems as part of the landscaping opportunities, where appropriate.
- The inclusion in LCD 4.1 within the Ash Tree Warning that the inclusion of Ash in the Species Mix in LCD 4.2 to LCD 4.6 is not supported whilst ever the Plant Health Order remains in force.

3. THE NEXT STEPS

3.1 An Examination in Public is not required. The Supplementary Planning Document can be used in the determination of planning applications and as advice for the public from the point of adoption. However, there is period of three months where any person with sufficient interest in the decision to adopt may apply to the High Court for permission for a judicial review. The Adoption Statement is in Appendix 3.

4 RISK ASSESSMENT

4.1 Legal

The consultation was undertaken in line with the requirements set out within The Town and Country Planning (Local Planning) (England) Regulations 2012. The legal risk is therefore low.

4.2 Financial

The costs associated with the Supplementary Planning Document are contained within current budgets. It is intended that this would be published as an online document with paper versions available on request. The financial risk is, therefore, assessed as low.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

Tanya Rountree, Senior Planning Policy Officer

Tel: 01629 761240 E-mail: tanya.rountree@derbyshiredales.gov.uk

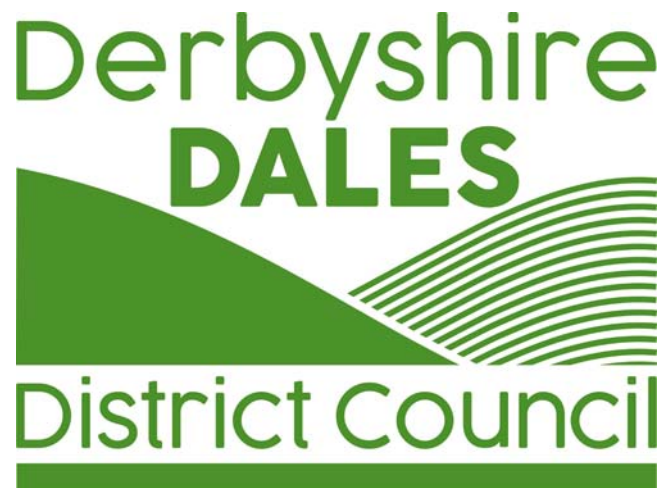
7 BACKGROUND PAPERS

Description	Date	File
The Town and Country Planning (Local Planning) (England) Regulations 2012 Part 5: Supplementary Planning Documents	08-03-12	http://www.legislation.gov.uk/ukxi/2012/767/part/5/made/data.pdf
	December 2017	http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16
	7 th June 2018	http://www.derbyshiredales.gov.uk/images/documents/C/Committee/Community/07-06-2018_Non_Exempt_Agenda_Comm_Environment.pdf
	7 th June 2018	http://www.derbyshiredales.gov.uk/images/FINAL_CE_Minutes_7_Jun_2018_-_PUBLIC_VERSION.pdf

8 ATTACHMENTS

Appendix One: Landscape Character and Design Supplementary Planning Document
Appendix Two: Consultation Statement
Appendix Three: Adoption Statement

BACK TO AGENDA



**LANDSCAPE CHARACTER AND DESIGN
SUPPLEMENTARY PLANNING DOCUMENT**

Adoption August 2018

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Introduction to the Landscape Character and Design Supplementary Planning Document (SPD)

LCD 1.1

The Purpose of Landscape Character and Design SPD

This Supplementary Planning Document (SPD) has been prepared in support of the Council's Local Plan. It is intended:

- To protect and enhance the character, appearance and features important in the landscape.
- To provide detailed guidance on landscape issues to be considered as part of any proposal.
- To illustrate and encourage good practice.
- To encourage an integrated approach to development which includes comprehensive consideration of landscape issues.
- To help developers in their submission of planning applications.

The SPD is divided into short sections each of which is concerned with a specific issue. It is unlikely that **ALL** the issues will apply to **ALL** development sites. Applicants for planning permission will, therefore, be expected to consult only those sections that apply to their individual circumstances.

The Importance of Landscape

The landscape is a complex combination of physical and cultural elements, the character of which has been created over a long period of people working with the land. The landscape is continually changing but it is important to recognise where it may be fragile or vulnerable to damage through neglect or inappropriate development.



Carsington reservoir

The Potential for Conflict

We value our environment for its scenic beauty, wildlife and historic interest, yet it is subject to demands for housing, industry and commerce, transport, water, energy, and food production. The adopted Derbyshire Dales Local Plan anticipates that over the period to 2033 that a minimum of 5,680 new homes and 15 hectares of employment land will be required to meet the future needs of the area. The location and scale of this new development will need to be carefully controlled to ensure that it both protects and enhances the landscape of Derbyshire Dales.

The Landscape of Derbyshire Dales

The landscape of Derbyshire Dales District is of high quality. It includes landscapes of national and international importance such as the Derwent Valley Mills World Heritage Site and Registered Parks and Gardens of Special Historic Interest such as Sudbury Hall and Willersley Castle as well as those with strong local landscape characteristics, such as the gorge setting of Matlock Bath, and impressive landscape features such as High Tor and Black Rocks.

Landscape patterns within both our countryside and our towns are made up of individual and distinctive components. Plants and animals share these landscapes, enhancing the quality of our lives and enriching our inheritance.

For these reasons Derbyshire Dales District Council is committed to the protection and enhancement of the landscape.



Dark Peak moorland

The District Council’s Approach

Development should conserve what is valued, enhance the environment and encourage good design, addressing needs rather than demands.

When considering landscape issues as part of the development process the use of professional agents is strongly recommended. SPD Sheet LCD 1.2 provides information on the landscape profession and the Landscape Institute. The District Council can provide details of qualified and registered arboriculturalists and tree surgeons.

National Guidance

Guidance on landscape assessment and design has been published by Natural England, the Forestry Commission and the Landscape Institute, amongst others.

Landscape Character and Design Guidance

This advice covers a wide range of subjects. It has been developed through consultation with the local community and is to be read, in conjunction with the Derbyshire Dales Local Plan (2017).



The “Whitworth Limes”, A6, Darley Dale

Derbyshire Dales District Local Plan

The Local Plan covers that part of the Derbyshire Dales that lies outside the Peak District National Park, it was adopted in December 2017. The policies and proposals contained within it are used to guide the use and development of land across the District.

Policies relevant to landscape conservation and development are found throughout. From the evidence base and the spatial portrait of the plan area there were a number of key issues that must be addressed in all sections of the Local Plan to ensure the sustainable development of the Derbyshire Dales. **Key Issue One: Protecting and Enhancing the Character and Distinctiveness of the Landscape, Towns and Villages in the Plan Area.**



Ribber Castle

Further Advice

Further advice on Derbyshire Dales Local Plan policies, or any of the issues raised in this Supplementary Planning Document, Planning Application forms and other related matters may be obtained from:

Planning Enquiries,

Town Hall, Matlock, Derbyshire DE4 3NN,

tel: 01629 761336

e-mail: planning@derbyshiredales.gov.uk

Website: www.derbyshiredales.gov.uk

The Local Plan can be seen online at:

<http://www.derbyshiredales.gov.uk/localplan>

The Landscape Profession

LCD 1.2

The landscape profession comprises practitioners whose work includes all aspects of the science, planning, design, implementation and management of landscapes and their environment in urban and rural areas. Generally known as landscape architects they work on a very wide range of projects of varying degrees of scale and complexity in all types of location.

Landscape architects can provide an invaluable service to the design team in the early stages of a project, ensuring that the end result is acceptable in terms of its impact on the surrounding landscape and complies with relevant planning policy.



The Landscape Institute

The Institute of Landscape Architects was established in 1939 and changed to the Landscape Institute in 1978, broadening its membership to include landscape managers and scientists. In 1997 the Landscape Institute was granted a Royal Charter.

The Landscape Institute (L.I.) is the chartered body for the landscape profession. It is an educational charity that promotes the art and science of landscape practice.

Professional Membership

Landscape architects become Chartered through study at university of an L.I. accredited course followed by (on average) 2 years work experience prior to taking the professional practice exam. Successful completion of this programme entitles them to become Chartered Members of the Landscape Institute (CMLI) which confirms full professional qualification.

L.I. Registered Practices

Landscape practices registered with the L.I.:

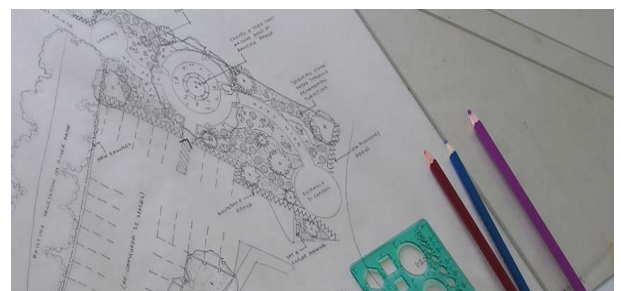
- Carry Professional Indemnity Insurance
- Adhere to the L.I.'s Code of Conduct
- Comply with L.I regulations regarding C.P.D
- Have as a principal a chartered landscape architect with full managerial and technical responsibility for landscape works

A list of registered practices is kept by the Landscape Institute. For information and registered landscape practices in the UK visit the Landscape Institute website: www.landscapeinstitute.org

When to involve a Landscape Architect

Developers should seek landscape advice in the early stages of project development. Early involvement of a landscape architect as part of the design team to help determine the form, scale and siting of new development, as well as assessing its potential impact, can be invaluable and is encouraged by Derbyshire Dales District Council.

For single household applications it will often be enough to be aware of the relevant landscape issues and to demonstrate that these have been considered.



Examples of projects which Landscape Architects work on include:

- Housing areas, industrial parks and commercial developments
- The reclamation and regeneration of land
- Highways schemes
- The space around schools, universities, hospitals and hotels
- Small private gardens and private estates
- Public parks, golf courses, theme parks and sports facilities Large or small urban regeneration schemes
- Forest, tourist or historic landscapes
- Landscape appraisal and conservation studies
- Environmental assessment, planning advice and land management proposals

Landscape architects are specialists in understanding the diverse aspects of landscape. Relevant experience is important: some Landscape Architects are more experienced in urban landscape design than rural and semi-natural settings. Therefore, always ask about previous experience prior to appointing a landscape architect for you project.



Agnes Meadow

Planning and development are regulated by Act of Parliament. Central government issues the legislation and prepares the National Planning Policy Framework and Planning Practice Guidance, this is used by local authorities to develop local planning policy which is contained within the Local Plan.

Legislation

Existing national and international legislation enables the protection of the landscape, and its features, through specific designation (National Parks, the application of Tree Preservation Orders etc) and/or regulation of operations that might have an adverse impact upon it.

The following is some of the key legislation which is relevant:

- **The Countryside and Rights of Way Act 2000**
- **Town and Country Planning (Tree Preservation) Regulations 2012**
- **The Hedgerow Regulations 1997**
- **Planning and Compensation Act 1991** sets out requirements for planning permission
- **Planning and Compulsory Purchase Act 2004**
- **Town and Country Planning Act 1990 and the Environmental Impact Assessment Regulations 2017** provide for additions to types of projects requiring Environmental Impact Assessment (EIA) and strengthens Local Authority powers to safeguard Conservation Areas.
- **Planning (Listed Buildings and Conservation Areas) Act 1990**
- **Wildlife and Countryside Act 1981** deals with designations of Sites of Special Scientific Interest, National Nature Reserves, Local Nature Reserves and Areas of Special Protection for Birds, Nature Conservation Orders, Limestone Pavement Orders and protected species.
- **Ancient Monuments and Archaeological Areas Act 1979**
- **The Countryside Act 1968**
- **National Parks and Access to the Countryside Act 1949** is the primary enabling Act for National Parks and Areas of Outstanding Natural Beauty.
- **Natural Environment and Rural Communities Act 2006**

Planning Policy

1. National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published by the Government in July 2018 and sets national planning policy, which local planning authorities have to take into account when preparing their own planning policies and proposals.

The NPPF sets out that planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

It goes on that Local Plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

The NPPF can be downloaded here::

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734407/National_Planning_Policy_Framework_print_version.pdf

NPPF Definitions

Ancient or veteran tree: A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Stepping stones: Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

2. Derbyshire Dales Local Plan

The Local Plan was adopted on the 7th December 2017 and applies to that part of the Derbyshire Dales District Council for which it is the Local Planning Authority and forms the basis for land use planning. The plan period is 2013-2033. From the evidence base and the spatial portrait of the Plan area there are a number of key issues that the Local Plan addresses to ensure the sustainable development of the Derbyshire Dales: Landscape is recognised as a key issue;

K11: Protecting and Enhancing the Character and Distinctiveness of the Landscape, Towns and Villages in the Plan Area.

The Spatial Vision also recognises the importance of landscape stating “*The vision for the Derbyshire Dales is that it will be widely recognised as a distinctive rural area with vibrant villages and market towns, which reflects the character of the Derbyshire Dales landscape.*”

Chapter Four: The Spatial Strategy

All policies in a Local Plan should be based upon and reflect the presumption in favour of sustainable development. The following policies set the strategic framework for the Local Plan:

- Policy S1: Sustainable Development Principles
- Policy S2: Settlement Hierarchy
- Policy S3: Development within defined settlement Boundaries
- Policy S4: development in the Countryside
- Policy S7: Matlock/Wirksworth/Darley Dale Development Strategy
- Policy S8: Ashbourne Development Strategy
- Policy S9: Rural Parishes Development Strategy

Chapter Five: Protecting the Derbyshire Dales Character

The Local Plan recognises that the landscape of the Derbyshire Dales is some of the most highly sensitive and attractive outside the Peak District National Park. Chapter five sets out a strategy that addresses those elements that make up its character. The following policies guide development to deliver this strategy.

- Policy PD1: Design and Place Making
- Policy PD2: Protecting the Historic Environment
- Policy PD3: Biodiversity and the Natural Environment
- Policy PD4: Green Infrastructure
- Policy PD5: Landscape Character
- Policy PD6: Trees, Hedgerows and Woodlands
- Policy PD7: Climate Change
- Policy PD10: Matlock to Darley dale Corridor

The Local Plan can be seen here:
<http://www.derbyshiredales.gov.uk/localplan>

3. Neighbourhood Development Plans

Neighbourhood Development Plans form part of the development plan and are taken into account when making decisions on planning applications. Neighbourhood Plans are written in such a way that the policies within them positively support the strategic needs set out in the Local Plan, do not duplicate policies in the Local Plan and plan positively to support local development. Therefore, where Neighbourhood Plans contain policies regarding landscape character and landscape design these should be considered alongside the Local Plan policies and this SPD. For more information on the Neighbourhood Plans that are ‘made’ and those in the process of being produced see; <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning>

4. Supplementary Planning Documents

Supplementary Planning Documents (SPD) are documents that add further detail to the policies in the Local Plan and are a material consideration in the determination of planning applications. This Supplementary Planning Document is supplementary to policies PD5: Landscape Character and PD6: Trees, Hedgerows and Woodlands of the Derbyshire Dales Local Plan 2013-2033.

It will help to raise awareness of the concept of Landscape Character and encourage an integrated approach to landscape conservation, design and development.

Ridge and furrow south of Brassington



Landscape Character

LCD 2.2

Landscape Character is defined as... *“a distinct recognisable pattern of elements that occur consistently in a particular type of landscape”*.

The assessment of landscape character involves the appraisal of the physical attributes of a landscape - be they natural or man-made. It is based on the premise that the combination and arrangement of landscape elements (geology and landform, soils and landuse, ecology, tree cover, degree of enclosure, scale, the nature of the highways network and settlement pattern) give different areas a distinctive character. Landscape assessment additionally requires the consideration of visual amenity and less tangible qualities such as tranquillity, sensitivity and attractiveness all of which should be taken into account when assessing the impact development has on the landscape.

Landscape Character Assessment

There are a range of uses for Landscape Character Assessment in Planning, Landscape Management, Landscape Change for Regeneration and wider environmental initiatives. It can be undertaken on a national, regional, district, local or site scale. Guidance on Landscape Character assessment has been produced by the former Countryside Agency and Scottish Natural Heritage and updated by Natural England in “An Approach to Landscape Character Assessment” (2014)

The former Countryside Agency prepared a Countryside Character Map for England which divides the countryside into broad areas exhibiting similar characteristics – National Character Areas (NCAs). These are identified in the Character of England (landscape wildlife and natural features) maps and publications prepared in the early 1990s and subsequently reviewed by Natural England following the publication of the Natural Environment White Paper in 2011.

The National Character Areas covering the Derbyshire Dales District are:

- The Dark Peak
- The White Peak
- Derbyshire Peak Fringe and Lower Derwent
- The Needwood and South Derbyshire Claylands
- The Trent Valley Washlands



Agricultural landscape, Osmaston

The Landscape Character of Derbyshire

Within these broad landscape character areas further subdivisions can be made at a regional and district level. “The Landscape Character of Derbyshire”, first published by the County Council in 2003 and updated in 2013, identified the following distinctive Landscape Character Types within the broader Character Areas.

Character Map of England - National Character Areas	Derbyshire – Landscape Character Type
<ul style="list-style-type: none"> • The Dark Peak 	<ul style="list-style-type: none"> ▪ Open Moors ▪ Enclosed Moorland ▪ Settled Valley pastures ▪ Riverside Meadows
<ul style="list-style-type: none"> • The White Peak 	<ul style="list-style-type: none"> ▪ Plateau Pastures ▪ Limestone Slopes ▪ Limestone Dales
<ul style="list-style-type: none"> • The Derbyshire Peak Fringe and Lower Derwent 	<ul style="list-style-type: none"> ▪ Enclosed Moors and Heaths ▪ Wooded Slopes and Valleys ▪ Wooded Farmlands ▪ Settled Farmlands ▪ Riverside Meadows
<ul style="list-style-type: none"> • The Needwood and South Derbyshire Claylands 	<ul style="list-style-type: none"> ▪ Settled Farmlands ▪ Settled Plateau Farmlands ▪ Sandstone Slopes and Heaths ▪ Estate Farmlands ▪ Riverside Meadows
<ul style="list-style-type: none"> • The Trent Valley Washlands 	<ul style="list-style-type: none"> ▪ Lowland Village Farmlands ▪ Riverside Meadows

The key characteristics of each Landscape Type are identified and described and planting and management guidelines are given along with details of appropriate native tree and shrub species (see LCD 4.2 – LCD 4.6).

In addition the document addresses:

Managing Development and Landscape Change. Guidance is provided for the design and location of new development within the countryside. It is presented in a summary table which provides assistance in targeting the

key landscape considerations for each Landscape Character Type.

Biodiversity. The link between landscape character and biodiversity is established. Wildlife habitats, characteristic and appropriate within each landscape character type, are identified.

Landscape character as a spatial framework. Identifies Landscape Character Assessment as a useful tool for the analysis of other environmental data within the context of strategic planning including consideration of concepts such as landscape sensitivity and tranquillity both of which are examined within the documentation

Monitoring landscape change. The use of fixed point photography as a way of monitoring landscape change is considered. A number of viewpoints across the county have been identified from where photographs will be taken every 5 years for analysis in this respect.

The application of landscape character through case studies. Considers examples of where new development has successfully applied the principles of landscape character assessment.

Local Plan Policy PD5: Landscape Character

Local Plan Policy PD5: Landscape Character states: The District Council will seek to protect, enhance and restore the landscape character of the plan area recognising its intrinsic beauty and its contribution to the economic, environmental and social well-being of the Plan Area.

This will be achieved by:

- Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers or other topographical features.
- Requiring that development proposals are informed by, and are sympathetic to the distinctive landscape character areas as identified in 'The Landscape Character of Derbyshire' and 'Landscape Character of the Derbyshire Dales' assessments and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures.
- Requiring that development proposals recognise the intrinsic character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park and can be accommodated without unacceptable impact.
- Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement.

Development will only be permitted if all the following criteria are met:

- a) The location, materials, scale and use are sympathetic and complement the landscape character.
- b) Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future.
- c) Opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened.

The Local Plan can be found at:

<http://www.derbyshiredales.gov.uk/localplan>

Historic Landscape Character

Derbyshire's landscape is formed by its topography and geology in interaction with human activity and management over millennia, so that the landscape itself can be seen as a historic artefact. For example, field boundaries can preserve the shape of medieval strip fields, and this can be reinforced by surviving hedgebanks, ancient hedgerows and cultivation earthworks; or a regular grid patterns of fields with hawthorn hedges can preserve a landscape laid out by Enclosure Act in the late 18th century.

Historic Landscape Characterisation (HLC) is a GIS-based approach to mapping the historic dimension of the landscape, recognising that the landscape itself is historic, in addition to historic buildings and archaeological sites within it. Recognising the historic character of a landscape is intended to allow the landscape itself to be managed and protected within the planning regime operating in England. HLC work is most commonly commissioned by Historic England and is conducted in line with the European Landscape Convention. Historic features and attributes can contribute to the overall landscape character of a site or area, or can be considered as 'heritage assets' when assessing the historic character of a site. Derbyshire has a HLC dataset (2016) and an older Historic Landscape Character Assessment study dating from the 1990s. Data for a particular site or area can be obtained by contacting the Derbyshire Historic Environment Record (HER) <https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx>, and the full HLC dataset can be downloaded from the Archaeology Data Service (ADS) http://archaeologydataservice.ac.uk/archives/view/derbyshire_hlc_2016/.

The Landscape Character of Derbyshire Dales

This document (LCD2.2) is an abridged version of the County study which has been prepared specifically for use within Derbyshire Dales describing only those Landscape Character Areas and Landscape Types that exist within the District. A Landscape Character locator which identifies settlements within the Derbyshire Dales District falling within each of the different Landscape Types is included opposite.

PROPOSED DEVELOPMENT SHOULD ALWAYS BE DESIGNED IN SYMPATHY WITH THE CHARACTER OF THE SURROUNDING LANDSCAPE

The Council will use the information contained within the landscape character study to judge whether or not proposed development within the countryside is in sympathy with or will have an adverse impact upon the character and distinctiveness of the local landscape. This will be a material consideration when determining planning applications for development. The study will be used as base line information to encourage and guide developers to design appropriately.

Further Information

The full text of **The Landscape Character of Derbyshire** can be found at:

<http://www.derbyshire.gov.uk/environment/conservation/landscapecharacter/>

The Landscape Character of Derbyshire Dales can be found at:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/supplementary-planning-documents/landscape-character-and-design>

Landscape Character : Site Locator

Character Area	Landscape Type	Location
Dark Peak	Open Moors	Land between Bent lane and Flash Lane – Beeley Moor
	Enclosed Moorland	Darley Forest Grange
		Darwin Forest
		Darwin Lake
		Matlock Moor
	Settled Valley Pastures	Cunnery
		Darley Bridge
		Darley Dale
		Darley Hillside
		Dimple
		Farley
		Matlock Golf Course
		Northwood
		Oker
		Rowsley (east)
		Tansley
Tinkersley		
Two Dales		
Upper Hackney		
Riverside Meadows	Churchtown	
	Matlock Bridge	
	Rowsley	
White Peak	Plateau Pastures	Longcliffe
		Middleton by Wirksworth
	Limestone Slopes	Cawdor
		Cromford (west)
		Godfrey Hole
		Matlock (Snitterton Road)
		Starkholmes (west of Starkholmes Road)
		Wirksworth (north west)
	Bonsall	
	Limestone Dales	Matlock Bath
		Matlock Dale
		Uppertown
Derbyshire Peak Fringe and Lower Derwent	Enclosed Moors and Heaths	Cromford Moor
		Foxholes
		Mooredge
		Tansley Moor
	Wooded Slopes and Valleys	Ashbourne (east)
		Atlow
		Blackwall
		Bolehill
		Callow
		Cromford (south and east central)
		Kirk Ireton
		Kniveton
		Little Bolehill
		Mappleton (east)
Offcote		
Riber		

	Wooded Farmlands	Wirksworth
		Millers Green
		Gorse Bank
		Warmbrook
		Biggin
	Millington Green	
	Settled Farmlands	Ashbourne (north)
		Bradbourne
		Brassington
		Carsington
		Carsington Water
		Hognaston
		Hopton
	Riverside Meadows	Ashbourne (Henmore Brook)
		Cromford wharf
High Peak Junction		
Lea Bridge		

Needwood and South Derbyshire Claylands	Settled Farmlands	Abbotsholme school
		Ashbourne (west)
		Aston (north)
		Boylestone
		Clifton
		Doveridge
		Edlaston (west)
		Ednaston
		Great Cubley
		Hales Green
		Hare Hill
		Hill Somersall
		Hollington
		Hollington Green
		Longford (west)
		Marston Montgomery
		Norbury
		Oaks Green
		Palmer Moor
		Rodsley
	Roston	
	Shirley	
	Snelston	
	Somersall Herbert	
	Thurvaston	
	Waldsley	
	West Broughton	
	Settled Plateau Farmlands	Alkmonton
		Ashbourne (south)
		Atlow Top
		Bradley
		Brailsford (north central)
Cubley Moor		
Darley Moor		
Edlaston (east)		
Hole in the Wall		
Hulland		
Marston Montgomery (central east)		
Marston Woodhouse		
Moorend		
Osmaston		
Potter Somersall		
Roston Common		
Snelston Common		

		Wyaston
		Yeavely
		Yeldersley Hollies
	Estate Farmlands	Bardon Aggregates
		Hulland Ward
		Mansell Park
	Riverside Meadows	Longford (east)
Trent Valley Washlands	Lowland Village Farmlands	Aston (south)
		Sudbury
	Riverside Meadows	Land on the eastern and northern side of the River Dove

Biodiversity

LCD 2.3

Biodiversity is the variety of life – of all forms – that we see around us. It also includes the variation that is present within species and the groupings of plants, animals and micro-organisms that help to create ecosystems and natural habitats. The term INCLUDES human beings and their relationship with the rest of the environment.

The U.K. Government has agreed to take action on biodiversity at national and local level. Biodiversity 2020 (2011) is the national strategy in this regard. However, Local Biodiversity Action Plans (LBAP) have been previously prepared for areas including the Derbyshire Dales and Derbyshire Dales District Council considers that these remain an appropriate means by which to support the principles of wildlife and habitat protection and enhancement and to ensure that action is taken “on the ground”.

Local Biodiversity Action Plans

Within Derbyshire Dales the LBAPs that are relevant are those that have been prepared for:

- The Peak District
- Lowland Derbyshire

These identify priority habitats and associated species that require protection. The habitat action plans seek to ensure that habitats are conserved, enhanced or restored, the area occupied by the habitat is enlarged and that the species associated with them are maintained and increased.

The appendices to the LBAPs include sections that:

- Identify relevant National Vegetation Categories
- Match plant species to their habitats
- Match vertebrate species to their habitats
- Provide a list of nationally and locally important plant species within the LBAP area
- Provide a list of nationally and locally important mammal species within the LBAP area.

Applicants for Planning Permission should always check whether protected or important species use part of the site for proposed development and design the landscape accordingly.

To achieve the outcomes of Local Biodiversity Action Plans the District Council may seek the inclusion of structures or other measures within developments, the purpose of which will be to the benefit of local biodiversity

Biodiversity and Landscape Character

The Derbyshire landscape character (see LCD 2.2) assessment has identified, for each of the Landscape

Character Types, the habitats that naturally occur in these areas and the potential for protection and expansion of these habitats. The information should be used when considering the appropriateness of development, woodland planting and habitat creation schemes in a specific area.

The information is in tabular form and included as part of this guidance sheet and should be used in conjunction with:

- The relevant Local Biodiversity Action Plan
- Guidelines for planting included at LCD 4.1 – LCD 4.6



Habitats in Derbyshire Dales

The Landscape Character of Derbyshire identifies and describes 17 different habitat types within Derbyshire Dales:

- Deciduous woodland
- Wet woodland
- Wood pasture and parkland
- Veteran trees
- Traditional orchards
- Hedgerows

- Field margins
- Lowland meadows/ neutral grassland
- Calcareous grassland
 - Calaminarian grassland
 - Lowland dry acid grassland
 - Floodplain grazing marsh
 - Natural grassland
 - Lowland calcareous grassland
 - Lowland dry acid grassland
 - Lowland heaths
 - Upland heaths
 - Standing open waters and canals
 - Rivers and streams (river corridors)

**THE CONSERVATION AND ENHANCEMENT OF
NATURAL HABITAT AND BIODIVERSITY MUST BE
CONSIDERED AS PART OF ALL DEVELOPMENT.
WHEREVER POSSIBLE THE OPPORTUNITY TO
CREATE NEW AREAS OF WILDLIFE HABITAT
SHOULD BE TAKEN.**

	Landscape Types																			
	Dark Peak				White Peak				Derbyshire Peak Fringe and Lower Derwent				Needwood and South Derbyshire Claylands				Trent Valley Washlands			
	Open Moors	Enclosed Moorland	Settled Valley Pastures	Riverside Meadows	Plateau Pastures	Upland Limestone Pastures	Limestone Slopes	Limestone Dales	Enclosed Moors and Heaths	Wooded Slopes and Valleys	Wooded Farmlands	Settled Farmlands	Riverside Meadows	Settled Farmlands	Settled Plateau Farmlands	Sandstone Slopes and Heaths	Estate Farmlands	Riverside Meadows	Lowland Village Farmlands	Riverside Meadows
Primary Habitat – Prominent and key characteristic	•																			
Secondary Habitat – Variable and local characteristic	○																			
Locally Significant – Unusual and a minor characteristic	X																			
Not applicable	-																			
Habitat Types																				
Deciduous woodland	-	X	•	-	○	-	○	•	-	•	•	-	-	-	○	-	○	-	○	-
Wet woodland	-	-	•	•	-	-	-	•	-	•	•	○	•	○	-	-	○	•	○	•
Wood pasture and parkland	-	-	-	-	-	-	-	-	-	•	○	-	-	○	○	-	•	-	-	-
Veteran trees	-	-	•	-	-	-	-	-	-	•	•	•	-	•	•	○	•	-	-	-
Traditional orchards	-	-	X	-	X	-	-	-	-	X	X	X	-	X	X	-	X	-	X	-
FARMLAND																				
Hedgerows	-	-	•	-	-	-	-	-	-	•	•	•	-	•	•	•	○	-	○	-
Field margins	-	-	-	-	-	-	-	-	-	-	○	○	-	○	○	-	•	-	•	-
GRASSLAND																				
Lowland meadows/ neutral grassland	-	-	•	•	○	○	○	○	•	•	•	•	•	•	•	-	○	•	•	•
Calcareous grassland	-	-	-	-	•	•	•	•	-	X	-	-	-	-	-	-	-	-	-	-
Calaminarian grassland	-	-	-	-	X	X	X	X	-	X	-	-	-	-	-	-	-	-	-	-
Lowland dry acid grassland	-	•	○	-	-	-	-	-	•	○	○	-	-	○	○	•	○	-	-	-
Floodplain grazing marsh	-	-	-	•	-	-	-	○	-	-	-	-	•	-	-	-	-	•	-	•
Rush pasture	○	•	•	•	-	-	-	-	•	•	○	○	•	○	○	-	○	•	-	•
Inland rock and scree	X	X	-	-	X	○	X	○	X	X	-	-	-	-	-	-	-	-	-	-
HEATHLAND																				
Upland heathland	•	•	-	-	-	-	-	-	•	-	-	-	-	-	-	-	-	-	-	-
Lowland heathland	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	•	○	-	-	-
WETLAND																				
Rivers and streams	-	○	•	•	-	-	○	•	○	•	•	-	•	•	-	-	○	•	○	•
Standing open water, canals and ponds	-	-	•	•	-	-	-	•	-	○	•	○	•	•	○	-	-	•	○	•
Reedbeds	-	-	•	•	-	-	-	-	-	○	○	-	•	X	-	-	○	X	-	•
Lowland fens	-	-	○	•	-	-	-	○	-	-	○	○	•	○	-	X	X	•	-	•
The description of the habitats provided here should be read in conjunction with the Peak District and Lowland Derbyshire BAPs, where habitat action plans provide more detailed descriptions together with objectives and targets																				
HABITATS CHARACTERISTIC AND APPROPRIATE WITHIN EACH LANDSCAPE CHARACTER TYPE OF DERBYSHIRE DALES DISTRICT																				

Landscape Designations

The Landscape of the Derbyshire Dales District is arguably its greatest asset. Ranging from the wild, open moorland and gritstone edges of the Dark Peak in the north to the deeply incised river valleys and dramatic limestone scenery for which the Dales are named to the gently rolling patchwork of agricultural fields, hedges, woodlands and country lanes south of Ashbourne the landscape is diverse, distinctive and very attractive. The high quality of the landscape is recognised nationally with the designation of much of the District as part of The Peak District National Park affording the area a high degree of protection. Outside the National Park a number of other designations can be applied which provide protection for both the site itself and its setting and are used to regulate the effects of development.

Peak District National Park

In 1951 the Peak District National Park was the first national park to be designated in England and Wales. It occupies approximately half of the Derbyshire Dales local authority area, and is a local planning authority in its own right. Section 62 of the Environment Act 1995 requires that the District Council take account of the purposes of the National Park of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas and of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. As such it is necessary for the District Council to take account of the impact of any development proposals on the Peak District National Park and its purposes.

Policy PD1 in the adopted Derbyshire Dales Local Plan makes it clear that development needs to take account of its relationship to both the setting and character of the Peak District National Park.

Derwent Valley Mills World Heritage Site (DVMWHS)

The International Council on Monuments and Sites (ICOMOS) advises the United Nations Educational, Scientific and Cultural Organisation (UNESCO) on the identification of outstanding sites which are of world importance and universal significance - cultural World Heritage Sites.

The Derwent Valley Mills site was inscribed on the World Heritage list in December 2001. It extends from Matlock Bath to Derby and defines a cultural landscape of exceptional significance due, in the main, to its association with pioneering innovations in textile manufacture and the development of manufacturing and technology.

The boundary of the World Heritage Site encloses approximately 1229 hectares and the Buffer Zone extends to 4363 hectares. The Buffer Zone is defined in order to protect the site from development that would damage its setting. See the Local Plan policies map.

The DVMWHS Management Plan sets the framework for the integrated and pro-active management of the cultural landscape to ensure its special qualities are sustained and

preserved for future generations and the Council fully supports its aims and objectives.

World Heritage Site status is also a key material factor in making planning decisions. It is included in Local Plan Policy PD2: Protecting the Historic Environment.

Conservation Areas

33 Conservation Areas have been designated within the District in order to conserve and enhance the special architectural qualities or historic interest of particular areas.

The Council consider that the role played by the landscape is fundamental in contributing to the quality and character of the Conservation Area, its setting and views to it from the wider surroundings. Trees in particular receive special protection in this regard (see LCD 2.5).

A programme of Conservation Area appraisals is currently being undertaken. Details are available from the Conservation Officer at Derbyshire Dales District Council.



Matlock Bath Conservation Area

Historic Parks and Gardens

There are a number of parks and gardens included on the Register of Parks and Gardens of Special Historic Interest. Currently these are:

- Ednaston Manor
- Sudbury Hall
- The Heights of Abraham

- Lovers Walks
- High Tor
- Derwent Gardens
- Sydnop Hall
- The Whitworth Institute
- Willersley Castle

Designation as a Historic Park or Garden will be a material consideration in the determination of planning applications for development likely to have a detrimental impact on its character or setting. (Local Plan Policy PD2)



Sudbury Hall gardens

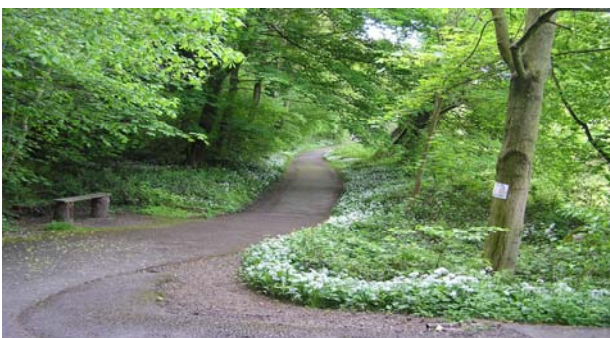
Other Areas of Special Designation

1. Special Protection Areas and Special Areas of Conservation

Special Protection Areas and Special Areas of Conservation are of international importance and are designated under the provisions of the European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna. Any plan or project that is likely to have significant effect on a European site which is not directly connected with the management of that site for nature conservation must be subject to an appropriate assessment which shall determine if that plan or policy will adversely affect the integrity of the site. Four sites fall within the Derbyshire Dales District Council area.

2. Sites of Special Scientific Interest

Natural England designates Sites of Special Scientific Interest under the provisions of Section 28 of the Wildlife and Countryside Act 1981. Advanced written notice of any works specified on the list of operations likely to damage the special interest of the site for which there is no existing consent needs to be given to Natural England and consent obtained before that work can go ahead. Nineteen sites fall within the Derbyshire Dales District Council area.



Lovers Walks, Matlock Bath

3. Regionally Important Geological and Geomorphological Sites

R.I.G.S. is a non-statutory designation afforded to sites of significant geological and geomorphological value. The R.I.G.S. register is maintained by the Derbyshire R.I.G.S. steering group. R.I.G.S. are protected within the land use policies of statutory Local Plans. Forty two sites fall within the Derbyshire Dales District Council area.

4. Local Nature Reserves (L.N.R.)

L.N.R. is a statutory designation under Section 21 of the National Parks and Access to Countryside Act 1949 afforded to places with wildlife or geological features that are of special interest locally. The designation is made by Principal Local Authorities, having a legal interest in the land concerned, in consultation with Natural England, local communities and voluntary groups such as the Derbyshire Wildlife Trust. Land use policies contained within the statutory Local Plan protect the three L.N.R. sites that fall within the Derbyshire Dales District.

5. Local Wildlife Sites (Formerly D.W.S.R. Sites)

A non-statutory designation afforded to areas identified as important for nature conservation. The Register of Wildlife Sites is maintained by Derbyshire Wildlife Trust. The designated sites are protected within the land use policies of the statutory Local Plan. Over two hundred sites fall within the Derbyshire Dales District Council area.

6. Scheduled Monuments

Scheduled by the Department for Culture, Media and Sport under the provisions of the Ancient Monuments and Archaeological Areas Act 1979. The consent of the Secretary of State is required for any works affecting a Scheduled Monument or its setting. Fifty nine sites fall within the Derbyshire Dales District Council area.

7. Historic Environment Record

This is a non-statutory designation afforded to sites of known archaeological interest. The Historic Environment Record is maintained by Derbyshire County Council. Included sites and their settings receive protection through the land use policies of the statutory Local Plan.

Sites benefiting from a special designation will continue to be protected by that designation which will be a material consideration in the determining of planning applications. (see Local Plan policies PD2 and PD3)

APPLICANTS FOR PLANNING PERMISSION SHOULD ALWAYS CHECK WHETHER:

- A SPECIAL DESIGNATION APPLIES TO ANY PART OF A SITE FOR PROPOSED DEVELOPMENT
- A SPECIALLY DESIGNATED SITE WILL BE AFFECTED IN ANY WAY BY PROPOSED DEVELOPMENT

Developers' Responsibilities

The Council will expect potential developers of any site benefiting from a special designation to demonstrate how they will:

- Avoid any adverse effects on designated or important features
- Minimise unavoidable effects to the designated areas or their settings
- Compensate for unavoidable adverse effects.

Further Information

Policies PD2 and PD3 of the Derbyshire Dales Local Plan can be found here:

www.derbyshiredales.gov.uk/localplan

Protected Trees

LCD 2.5

Trees make a major contribution to the Derbyshire Dales landscape, whether in the countryside, or in the parks and gardens of the villages and towns.

Many of these may be subject to protection either by being the subject of a Tree Preservation Order; by being situated in a Conservation Area; by the imposition of planning conditions; or by the requirement to obtain a Felling Licence.

Tree Preservation Orders

The District Council's primary means of protecting trees is through the serving of a Tree Preservation Order (TPO).

1. Making a Tree Preservation Order

In considering the making of a TPO the amenity value of the tree and the degree of risk of its harm or removal will be the primary criteria. However, weight will also be given to the tree or trees' particular importance in terms of its/ their size, form, rarity, screening, contribution to the character or appearance of a Conservation Area, as well as the significance of the tree or trees to their local surroundings and the wider landscape.

The presence of a TPO does not necessarily prevent works taking place to a tree. What it does do is make it an offence to wilfully damage, destroy, fell, top, lop or uproot a tree without first obtaining the consent of the District Council.

Any work undertaken without consent is an offence liable on prosecution to a fine of up to £20,000 per tree.

2. Application for proposed work

Applications for consent to work on trees protected by a TPO must provide the following information in writing:

- Precise details of the proposed works - vague descriptions of pruning work will not be acceptable.
- Sufficient information to be able to identify the location of the tree or trees, usually by means of submitting a plan.
- The reasons for proposing the work.

An application form for this purpose is available from the District Council.

NOTE: Derbyshire County Council is responsible for some T.P.Os in the Derbyshire Dales and applicants will need to receive consent from the appropriate Authority.

3. Exemptions

The consent of the District Council is not required in certain circumstances including:

- The pruning or felling of a tree which is dead/dying or dangerous. However, the District Council should still be given 5 days notice before carrying out the work except in an emergency.
It is the duty of the landowner to replace dead/dying or dangerous trees that are removed.
- The pruning or felling of fruit trees cultivated on a commercial basis and the pruning of other fruit trees in accordance with good horticultural practice.



The Whitworth Limes, A6, Darley Dale

Trees in Conservation Areas

The importance of the architectural and historical heritage in Derbyshire Dales is reflected by the fact that over 30 Conservation Areas have been designated in the District. In recognition of the important contribution that trees make to the particular character of Conservation Areas, there are special controls to protect them.

Trees in Conservation Areas which are already protected by a TPO are subject to the normal TPO requirement to obtain formal consent prior to carrying out any work on the trees.

Anyone proposing to prune or fell a tree in a Conservation Area, which is not protected by a TPO, is required by law to give the District Council six weeks prior notice. The purpose of this requirement is to give the District Council an opportunity to make a TPO to protect the tree where it is considered necessary.

Failure to serve six weeks notice on the District Council of intention to prune or fell a tree in a Conservation Area is an offence which on prosecution is liable to a fine of up to £20,000 per tree.



Car park trees, Matlock Bath, Conservation Area

1. Notice of Proposed Work

Notification must be in writing and submitted to the District Council at least six weeks before the start of work. The notice must describe the work proposed and include sufficient information to be able to identify the trees, usually by means of submitting a plan. Vague descriptions of proposed pruning work will not be acceptable.

A Notification Form for this purpose is available from the Town Hall, Matlock.

If the work is not completed within 2 years a re-submission is required because circumstances may well have changed.

The Council has six weeks from the date of receipt of a notification to consider making a TPO to protect the trees. The proposed pruning or felling may not be implemented before the six weeks has expired unless the Council has issued a decision on the proposals prior to that date.

2. Exemptions

Prior notification of intention to prune or fell trees in Conservation Areas is not required for all trees. The following trees are exempt:

- The pruning or felling of a tree with stem diameters not exceeding 75 mm at a height of 1.5 m above ground level, or 100 mm where the cutting down is to improve the growth of other trees

NB Trees situated in a Conservation Area but smaller than the above dimensions may still be protected by a TPO.

- The pruning or felling of a tree which is dead/dying or dangerous. However, the Council should still be given 5 days' notice before carrying out the work except in an emergency.

It is the duty of the landowner to replace dead/dying or dangerous trees that are removed.

- The pruning or felling of fruit trees cultivated on a commercial basis and the pruning of other fruit trees in accordance with good horticultural practice.

Veteran Trees

Aged or veteran trees found outside ancient woodland are particularly valuable for biodiversity. The Council encourages the conservation of such trees as part of development proposals.

Planning Conditions

Under the Town and Country Planning Act 1990, local planning authorities have a duty to make adequate provision for the preservation and planting of trees when granting planning permission for a development.

In granting planning permission the District Council can impose conditions to protect trees on a development site. Conditions are normally imposed to ensure that development does not lead to the unnecessary harm, or removal of trees. They would normally only be active for a fixed period of time and the long-term protection of trees would be through a Tree Preservation Order.

The existence of conditions protecting trees would be revealed by a search of the planning history on a site.

Non-compliance with planning conditions may constitute a Breach of Condition which could lead to enforcement action by the Council.



Beech tree at County Hall within the Matlock Bank Conservation Area

Felling Licences

Felling licences seek to prevent the uncontrolled removal of trees and woodlands predominantly located in the countryside. Anyone intending to fell in excess of five cubic metres of timber in any calendar quarter (of which no more

than 2 cubic metres can be sold) has to obtain a Felling Licence.

Failure to obtain a Felling Licence is an offence liable to prosecution.

Exemptions from this requirement include trees within gardens, churchyards, orchards and public open spaces.

Applications for a Felling Licence need to be made to the Forestry Commission, see .

<https://www.forestry.gov.uk/england-fellinglicences>

Private Covenants

Some trees are subject to private covenants placed by previous owners which may require the retention or management of trees.

Details of covenants are usually contained in property deeds or Land Registry documents.

The District Council does not hold details of private covenants and plays no role in the enforcement of such covenants.

Further Information

To enquire as to whether or not a tree is protected by a TPO or by virtue of being situated within a Conservation Area, you are advised to contact the District Council's Trees and Landscape Officer on 01629 761244.

Hedgerows and the Hedgerow Regulations

Hedgerows are distinctive features of the countryside contributing positively to landscape character and interest.

Hedgerows and associated banks are often of considerable historic interest in themselves and may also incorporate additional historic features such as ancient earthworks and parish or estate boundaries. Some hedges are thought to date back to Romano-British time, many to the very first enclosure of land

Hedgerow Losses

The loss of hedgerows in England and Wales since 1947, however it is measured, has been immense and remains a cause for concern:

- Between 1947 - 1985 total hedgerow length was reduced by 22%
- Between 1984 – 1993 a further 116,000 miles of hedgerow was lost
- 20% hedgerows classified as such in 1984 could no longer be so classified in 1990 due to neglect.

Grants for the planting of new hedgerows and proper management of existing hedges were introduced in 1992 and the period 1990 – 1993 showed a slowing of the rate of hedgerow removal and an increase in new hedgerow planting.

The Hedgerow Regulations

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into operation on 1st June 1997. They aim to protect “important” hedgerows in the countryside by controlling their removal through a system of notification.

Under the Hedgerow Regulations 1997: it is a criminal offence to remove most countryside hedges deliberately without permission.

If you remove a hedgerow without permission (whether it is “important” or not) you may face a fine of up to £5000. You may also have to replace the hedgerow, which will then be automatically “important” for 30 years. In serious cases you could get an unlimited fine for removing hedgerows in cases referred to the County Court.

Those wishing to remove a hedge or part of a hedge must notify the local planning authority (using a “Hedgerow Removal Notice” form) setting out their reasons. The Local Authority assesses the hedgerow against a set of criteria to determine whether or not it is an “important” hedgerow prior

whilst others are recent enclosures of the late 19th century.

Hedgerows, particularly the older ones, often contain a great diversity of plant and wildlife species and play an important part in conserving and enhancing biodiversity.

THESE REGULATIONS DO NOT APPLY TO GARDEN HEDGES

to making a decision. The Authority has six weeks to either agree the removal of the hedgerow or to prohibit its removal by serving a “Hedgerow Retention Notice”. There is a strong presumption that an “important” hedgerow will be protected unless the Authority is satisfied that its removal is justified.

What is a Hedgerow?

A hedgerow is a row of bushes forming a hedge which may or may not contain trees growing along its length. A hedgerow does not have to contain trees, but any trees growing in it form part of the hedgerow.

Where a former hedgerow has not been actively managed and has grown into a line of trees, it may not be covered by the Regulations and advice should be sought from the Local Planning Authority. However, both individual trees within the hedgerow and lines of trees may be protected by Tree Preservation Orders or be subject to Felling License requirements (see LCD 2.5).

Hedgerows Covered by the Regulations

The regulations apply to all hedgerows on or next to the following:

- Common land
- Village greens
- Sites of Special Scientific Interest
- Local nature reserves
- Land used for agriculture or forestry
- Land used for the breeding or keeping of horses, ponies or donkeys
- A protected European site such as a special area of conservation or special protection area

The hedgerow must have a continuous length of at least 20 metres in length or, if less than 20 metres, it must be

connected to other hedgerows at both ends. Gaps of up to 20 metres length are counted as part of the hedgerow. Important hedges are also covered – see below.

Exemptions to the Regulations

Hedgerows, including any in the above list, which are within or marking the boundary of the curtilage of a dwelling house are exempt from the regulations as are works required for the following purposes:

- To create an access in place of an existing opening, provided that you plant a new stretch of hedgerow to fill the original entrance within 8 months
- To create an access when another means of entry is not available, except at disproportionate cost.
- To gain temporary entry to help with an emergency.
- To comply with a statutory plant or forestry health order e.g. to prevent the spread of/ ensure eradication of a plant or tree pest.
- To comply with a statutory notice for preventing interference with electric lines and apparatus.
- In connection with statutory drainage or flood defence work*.
- In connection with Highways Agency work.
- For national defence purposes.
- To implement a planning permission (but in the case of permitted development rights, most hedgerow removal WILL require prior permission)

* A statutory notice is where the local district drainage board or the Environment Agency issue a notice for the hedge to be removed. A farmer's decision to remove hedgerows as part of his private ditch works is not considered to be statutory and a Hedgerow Removal Notice is required. Often agreement can be reached so that the ditch can be maintained without hedgerow removal.

What is the difference between hedgerow removal and hedgerow management?

Hedgerow removal means action that results in the hedge being destroyed.

Normal hedgerow management i.e. cutting back a hedge in a manner that does not result in its destruction is unlikely to constitute removal and does not need to be notified. Acceptable management practices are intended to revitalise hedges and should reflect local practices.

However, some forms of normal hedgerow management can look like hedgerow removal and if done in too severe fashion can result in hedgerow removal.

For example, removing top growth and grubbing up the roots is clearly hedgerow removal, whereas cutting down hedgerow growth to the stumps is called "coppicing" and is an accepted form of hedgerow management to promote bushy growth and would be exempt from the need to notify.

However, coppicing that is repeated at too frequent intervals can kill the hedge plants and result in hedgerow destruction.

Coppicing would be considered removal where it has never formed a traditional technique of hedgerow management in the area. In this case a Hedgerow Removal Notice would be required.

The general public are alert to hedgerow removal and can mistake normal hedgerow management for removal. If you are considering carrying out dramatic hedgerow management, it would be a good idea to notify the District Council informally of your proposals so that they can reassure public enquiries.



Roadside field boundary hedgerow with hedgerow trees at Bradley

Getting Permission

To get permission to remove a hedgerow notice must be served on the District Council by the landowner, agricultural tenant, farm business tenant or certain utilities companies. You can contact the District Council's Trees and Landscape Officer who will send you a form called a **Hedgerow Removal Notice** for you to complete and return with a plan showing the location of the hedgerow. There is no charge.

In most cases the District Council's Trees and Landscape Officer and an officer from the Derbyshire Wildlife Trust will visit the site to assess the ecological, wildlife and landscape value of the hedge. At the same time, the Derbyshire County Records Office and the Derbyshire County Archaeologist assess the historical and archaeological value of the hedge. If the hedgerow is at least 30 years old and meets one or more of the eight set criteria under the Hedgerow Regulations (summarised below), it is deemed to be "important".

If the hedgerow does not meet the criteria, it is not considered "important" and the District Council will inform you that the works described in your notification may proceed.

If the hedgerow is found to be "important" the Council will then decide whether the circumstances justify its removal. Given that there is a strong presumption that "important" hedgerows will be protected, unless satisfied that removal is justified, the District Council **must refuse** permission.

The District Council has six weeks to deal with the notification unless an extension has been agreed in writing. Within this period the District Council will either send a

letter saying that you may carry out the works despite the hedgerow being “important”, or the District Council will send you a notice saying that the removal of the hedgerow is prohibited. This is known as a **Hedgerow Retention Notice**.

If you have not heard from the District Council within six weeks of the date on which they received your Hedgerow Removal Notice, or such longer period as has been agreed, then the works may be carried out.

Permission for the works lasts for two years from the date of the written permission or the ending of the six week period.

A Hedgerow Retention Notice is permanent. You have 28 days to appeal against the decision.

If you require a Hedgerow Removal Notice form or have any further questions about the Regulations please contact The District Council’s Trees and Landscape Officer on 01629 761244

Criteria for Determining Important Hedgerows

The regulations specify in detail how the criteria are met. This is a simplified guide:

- Marks a pre 1850 parish or township boundary
- Incorporates an archaeological feature
- Is part of, next to, or associated with, an archaeological site
- Marks the boundary of, or is associated with, a pre 1600 estate or manor
- Forms an integral part of a field system or feature that existed before the Inclosure Acts (1985)
- Contains certain categories of species of birds, animals or plants listed in the Wildlife and Countryside Act 1981 or British Red Data books
- Includes:
 - At least seven woody species, on average, in a thirty metre length
 - At least six woody species, on average, in a thirty metre length and has at least three associated features
 - At least six woody species, on average, in a thirty metre length, including a black poplar tree, or large leafed lime, or small leafed lime or wild service tree.
 - At least five woody species, on average, in a thirty metre length and has at least four associated features

The list of fifty six woody species comprises mainly shrubs and trees. It generally excludes climbers such as clematis, honeysuckle and bramble but includes wild roses.

Runs alongside a bridleway, footpath, road used as a public path or byway open to all traffic and includes at least four woody species, on average, in a thirty metre length and has at least two of the associated features listed in the first five bullet points below:

- A bank or wall supporting the hedgerow
- Less than 10% gaps
- On average, at least one tree every fifty metres
- At least three species from a list of fifty seven woodland plants
- A ditch
- A number of connections with other hedgerows, ponds or woodland
- A parallel hedge within fifteen metres

Further Information

The Hedgerow Regulations can be seen here: <http://www.legislation.gov.uk/ukksi/1997/1160/contents/made>

More guidance can be seen here:

<https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management#check-if-a-hedgerow-is-protected>

Landscape Design and Development Sites

LCD 3.1

The beauty and diversity of the natural and semi-natural landscape of Derbyshire Dales is one of the area's main assets. It is essential that its character and local distinctiveness are preserved and enhanced. A Landscape Character Assessment of the District has, therefore, been prepared and applicants will be expected to refer to this when considering the landscape aspects of development (see LCD 2.2)

The District Council regards landscape design as an integral part of the planning and development process. It believes that high quality landscape design can enhance both the development and the local

Objective

The District Council is concerned about the impact of development on the local environment; the way it integrates with its surroundings; the contribution it makes to the wider street scene and the quality of the site environment itself. This guidance is produced to:

- ensure the sympathetic integration of all development with its surroundings.
- promote, encourage and facilitate the creation of high quality landscapes as part of all development
- set out what the District Council requires of applicants when they submit planning applications

Design Principles

The District Council expects the applicant to demonstrate:

- an appreciation of the quality, character and distinctiveness of the local environment and the impact of the development on it.
- how valuable existing site features including landform, vegetation, artefacts and wildlife habitats might be incorporated.
- how additional, or diversified, habitats that enhance biodiversity will be created.
- how the impact of buildings, service areas, car parks, haul routes and access roads will be relieved.
- proper planning and arrangement of built form and external space - including public open space.
- sympathetic, imaginative and appropriate incorporation of landscape elements, throughout the development

environment. The early consideration of landscape design within the process is, therefore, essential. To regard it as an afterthought is not acceptable

ALL DEVELOPMENT WILL BE EXPECTED TO EITHER MAINTAIN OR ENHANCE THE QUALITY OF THE LANDSCAPE.

The District Council recognises the link between design and crime prevention. The overall design of any development should, therefore, be, as far as is practicable, in accordance with the principles of "Secured by Design".

Detail Required

The District Council expects the applicant to submit the following with their application:

- A landscape design statement which addresses the design principles as described above.
- A site plan indicating all main existing site features including: levels, ground conditions, drainage, water courses, vegetation, artefacts, wildlife habitats, relationship with adjacent land, views into and out of the site.
- Landscape Plan at an appropriate scale (1:500 / 1:1250) indicating the arrangement of external works elements including all landscape features, structures, hard surfaces, furniture, equipment, and planting.
- Landform/ ground modelling/ levels plan - where appropriate
- Arrangements for protecting trees, other vegetation to remain on site.
- Planting details (1:200) including: ground preparation; planting plan indicating the disposition and arrangement of planting; schedule indicating plant species/ size/ planting distances/ number; grass seeding/ turfing; arrangements for maintenance.
- Hard details (various scales) including – as appropriate – construction materials/ equipment/ furniture, construction details.

Green Infrastructure (G.I.)

Green Infrastructure can be defined as: “networks of multi-functional green space which sit within and contribute to the type of high quality natural and built environment required to deliver sustainable communities”

The nature and quality of the structure of the landscape of all types of development is crucial. Well designed G.I. can:

- protect, recreate and rehabilitate landscapes
- maintain and enhance biodiversity
- promote a sense of community and place
- help to reduce crime, fear of crime and anti-social behaviour
- provide opportunities for exercise, recreation and health benefits.
- link with G.I. beyond the site boundary and out into the countryside.

The District Council will promote the creation of G.I. by encouraging developers to link the structural elements of the landscape to create a multi functional network of greenspace. Applicants will be expected to consider the following as a matter of priority

1. Existing Features

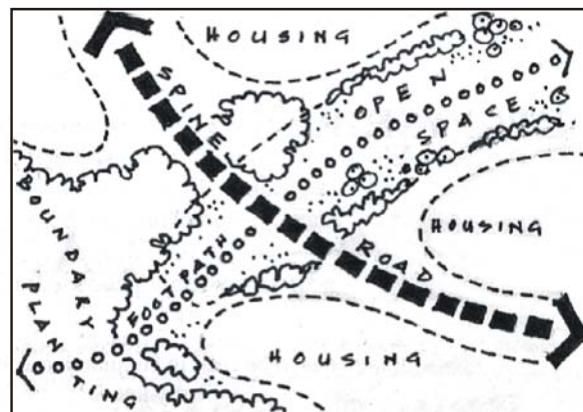
The successful incorporation of existing features such as trees, hedgerows, rock outcrops, dry stone walls, historic hard surfacing such as stone flags, setts and cobbles, artefacts, water courses, wet areas and other wildlife habitat can contribute to the distinctiveness of a development and add maturity to otherwise brand new environments.

The Council recognises the important contribution these elements make to the landscape and schemes will need to show how existing features are to be incorporated into the layout and how they will be protected during the construction period.

2. Boundary Treatment

The successful integration of new development with its surroundings will largely depend on the treatment of its boundaries. In turn, this must have regard to local landscape character. The design of boundary walls and fences, for instance, should have respect for this as well as for their prominence within the street scene.

Hard edges to development are out of character in many landscapes, particularly where they relate directly to open countryside. Substantial plantings such as screen/ shelter belts can “soften” edges. This can be enhanced by extending belts of planting into the development as “green wedges”, linking to the internal open space and/ or circulation systems, or where they can create a transitional zone between the development and its surroundings. (see Fig. 1 and LCD 3.4)



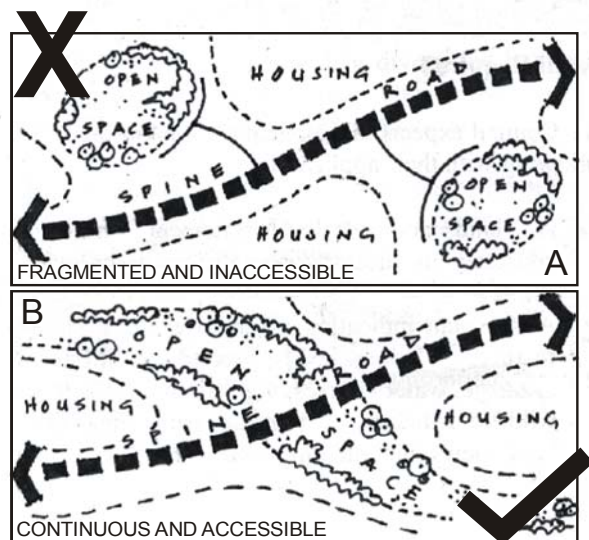
Boundary planting penetrates the estate to link with open space and footpaths FIG. 1

3. Open Space

Proper open space planning should be considered from the outset. The key to its successful inclusion is accessibility and, as far as is practicable, public open space should be located and designed for the benefit of all. Its location in inaccessible corners is unacceptable.

Public open space should be linked with other landscape elements (e.g. existing features, footpath systems), boundary treatments and the wider local public rights of way system. (see Fig. 2)

Where open space provision within the development is impractical, schemes will need to include satisfactory means for accessing existing open space and /or indicate proposals for the improvement of existing local open space facilities.



Open space provision FIG. 2

4. Access/ Circulation

Footpaths and Cycleways

The development of access and circulation systems that give priority to pedestrians and cyclists will be encouraged. Routes should facilitate access to local services and the

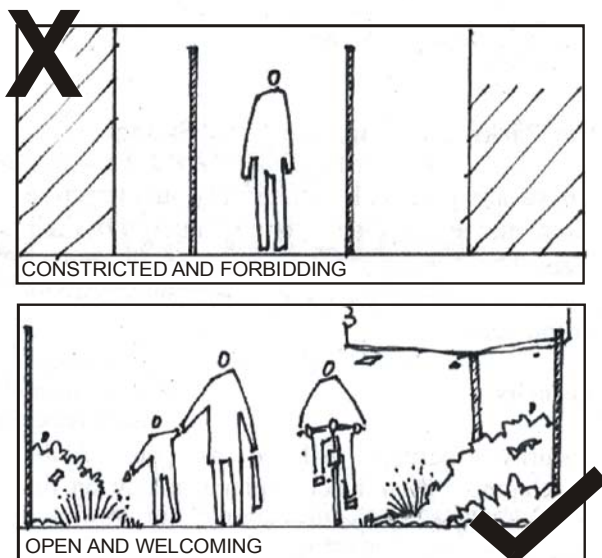
public transport network and be developed with comfort and security of use in mind. The creation of narrow, closely confined passageways between buildings, walls or fences is not acceptable. (see Fig. 3) Landscape schemes should indicate proposals for the prevention of unauthorised use e.g. motorcycle barriers, and lighting where appropriate.

Roads

Some of the most effective landscape is associated with road infrastructure (entrances, spine roads, spur/ access roads and junctions).

Entrances – There will be an opportunity to mark entrances to developments in a conspicuous, attractive and individual fashion. However, anything too grandiose will be resisted. Developers should, therefore, carefully consider the type of signing, the design of entry statements - gateways, art works, earthworks - and the nature of entrance planting in the context of the local street scene and wider environment.

This is also true of individual plot developments where the marking of entrances is considered an appropriate method of expressing individuality and re-enforcing corporate identity without adversely affecting the local landscape.



Footpaths and cycleways FIG. 3

Spine / Arterial roads – These are important structural elements. They offer one of the best opportunities for including significant landscape within the development and creating an attractive public interface. They are, therefore, of major importance. As linear elements their landscape treatment can bring coherence to overall development design through the creation and repetition of themes which produce a distinctive character.

Well considered planting can help to screen and soften unattractive road frontage elements such as security fences, car parking and servicing. Where appropriate the inclusion of substantial verges which might accommodate larger growing tree and shrub species will, therefore, be encouraged. (see Fig. 4)

Access roads, spur roads, cul-de-sacs, road junctions

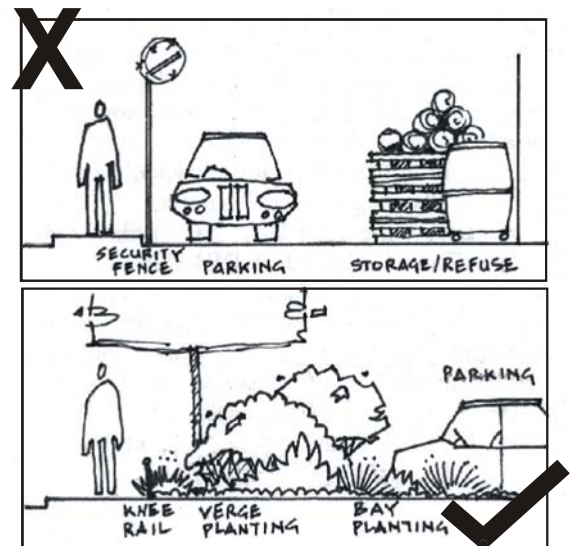
– Tree and shrub planting helps to integrate individual plots, contribute to the attractiveness of the environment and can be used to establish a degree of individuality within the various parts of a development. Junctions are focal points. They provide locations for imaginative planting and/ or artworks/ features which help to enhance the character and individuality of a development.

5. Traffic Management

The nature of traffic movement through a development can be influenced by the combined use of hard and soft landscape materials to create pedestrian/ child friendly environments. Using landscape design in this manner will be encouraged.

6. Car Parks, Servicing and Uncovered Storage Areas

These are practical but, usually, unattractive elements in both their appearance and their size. The use of planting and/ or fencing to screen them and break up their mass will be encouraged.



Industrial estate/ works frontages FIG. 4

7. Security

Security measures included as part of the development should not impinge unduly on the surrounding landscape.

Security walls and fences - Their design needs careful consideration, particularly where they are associated with plot frontages. The use of solid visual barriers that create a constricted, corridor effect will be resisted in these locations though they may be appropriate on other boundaries.

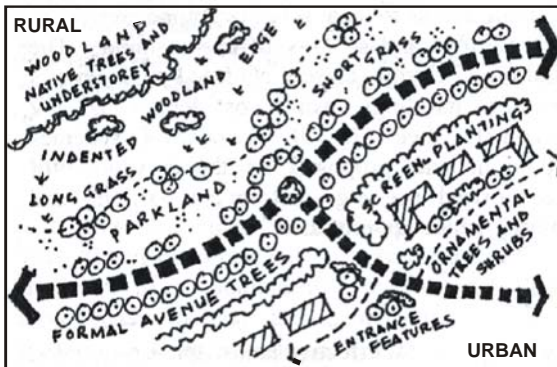
Lighting – Security and other lighting should be chosen and directed so as to cause minimum disturbance to neighbours (particularly residences) in terms of light intrusion.

Planting (See also LCD 4.1)

Planting in association with development performs many functions:

1. Structure planting

Associated with, boundary treatments, open space, car parks, screening of servicing and uncovered storage should be used to create shelter, provide screening, define space, facilitate integration. It might include: woodland, woodland edge, substantial belts/ groups of trees and understorey shrub planting, hedgerows. Generally native plant species should be chosen with regard to local landscape character. The chance to create additional or diversified habitats to enhance wildlife value should be taken wherever the opportunity presents itself.



Planting must reflect the character of the area and be appropriate for the location

FIG. 5

2. Street trees and shrubs

Associated with spine/ arterial roads, main and incidental areas of open space. High profile locations likely to make the most immediate visual impact on the majority of users. Trees planted as avenues, groups or specimens. Medium to large growing native or non native ornamental species appropriate for use and location.

3. Ornamental tree, shrub and herbaceous planting

Associated with entrances, cul-de-sacs, access/ spur roads, road junctions, front gardens, the immediate building environs. Small to medium sized, ornamental trees and shrubs. Some herbaceous planting may also be appropriate

4. Grass seeding/ turfing

Low maintenance mixes (see LCD 4.1)

Natural Flood Management

Natural Flood Management techniques such as catchment woodland or river restoration, can be considered where appropriate. Further information on the natural flood management processes can be found at: <https://www.gov.uk/government/publications/working-with-natural-processes-to-reduce-flood-risk>

Sustainable Urban Drainage

Sustainable Urban Drainage systems can have beneficial effects in terms of the managing drainage in and around properties. They work by slowing and holding back the water that runs off from a site. Examples include green roofs, permeable surfaces, infiltration trenches filter drains/strips, swales, detention basin and purpose built ponds and wetlands. These should be considered as an integral part of development proposals, where considered appropriate.

Street Furniture

Seats, litter bins, bollards, general signing. In the interests of design coherence these should be chosen from either a suite of designs from a single manufacturer/ supplier or be bespoke. Details should be submitted as part of the application.

Artworks

Artists can make an important contribution to the cultural heritage of the district and the richness of its environment. The District Council is keen, therefore, to promote and encourage the inclusion of artworks as an integral part of external works and landscape design.

Light Pollution

Light pollution is artificial light which is allowed to illuminate areas not intended to be lit. It can destroy the view of the night sky, is wasteful of energy and can harm the quality of life of those who suffer from it.

The District Council will expect prospective developers to carefully consider whether outdoor lighting is a necessary component of any scheme. If it is, the equipment chosen must be appropriate only for the task and not over bright. It must also be installed, directed and properly adjusted/ shielded in a manner that avoids disturbance to neighbours and upward spillage into the night sky.

Landscape and Visual Impact Assessment

LCD 3.2

Changes made to the environment as a result of development can affect the quality and character of the local landscape and its appearance. The effect can be damaging (adverse or negative), neutral (negligible), or beneficial. Under particular circumstances – which will be advised by DDDC Regulatory Services – an assessment of the impact of proposed development on local landscape and visual amenity will be required as part of the planning application. Though this guidance is not intended to provide a prescriptive methodology for carrying out such a study the District Council will expect a number of issues (identified below) to be addressed and included as part of the report. Applicants are also advised that reference should be made to guidance published by the Landscape Institute and Institute of Environmental Management and Assessment (Guidelines for Landscape and Visual Impact Assessment 3rd edition).

The District Council places considerable importance on the need for development to be environmentally sensitive and sustainable. The preparation of a Landscape and Visual Impact Assessment (LVIA) report is part of the process of development planning and design through which the best environmental fit may be achieved. The following should be included:

Baseline Information

Information derived from comprehensive desk and field studies should include description, classification and analysis of the landscape and visual resource of the site itself and its surroundings.

Site Description

A thorough description of the site and surroundings. Location (described and grid reference); access and circulation (including public footpaths); highways; current land-use; topography; geology; soils; climate and micro-climate; aspect; noise; drainage systems and wetland features; vegetation cover; wildlife interest and habitat; historic landscapes, archaeological and cultural features and artefacts; boundary treatments; extent of visibility; localised and seasonal screening; key viewpoints within the study area with photos; identify what will be particularly sensitive to the development (receptors) e.g. local residents, visitors landscape features.

Planning Policy Framework

For example, the National Planning Policy Framework (and associated guidance) and the Derbyshire Dales District Council Local Plan (2018).

Landscape Character

As described within “The Landscape Character of Derbyshire Dales” (2007). This information should be supplemented by detailed survey as part of the study which should include assessments of quality, local value and

importance. The extent to which the area displays characteristics which are typical of the landscape type or where there are differences should be highlighted as should any current trends for change and capacity for the existing landscape to tolerate further change.

Special Designations

As applied to the site itself and to the surroundings e.g. Peak District National Park, Sites of Special Scientific Interest; World Heritage Site – or buffer zone; Conservation Area; Listed Building; Scheduled Ancient Monument; Tree Preservation Order; Regionally Important Geological or Geomorphological Site; Registered Historic Parks and Gardens; Derbyshire Wildlife Sites Register; best and most versatile agricultural land.

Landscape Sensitivity

Studies such as:

- Landscape Sensitivity Assessment for Renewables in the Peak Sub Region (Land Use Consultants 2009) and
- Derbyshire Dales District Council Landscape Sensitivity Study (Wardell Armstrong 2015)

Assess the sensitivity of the landscape to particular types of development (renewable energy resources and housing respectively) and its susceptibility to change. Similar studies may be required as part of LVIAs in support of planning applications

Supplementary Planning Documents (SPD)

For example, relevant issues addressed within the District Council’s Landscape Character and Design SPD.

Local Biodiversity Action Plans

The Plans most relevant to Derbyshire Dales are those prepared for Lowland Derbyshire and Peak District. The Habitat Action Plans seek to ensure that habitats are conserved, enhanced or restored; the area occupied by the habitat is enlarged and that the species associated with them are maintained and increased

Consultations

Details of any consultations held with interested parties.

Impact Assessment

Landscape and visual effects of development are independent but related.

- Landscape effects are those related to the changes made to landscape character and quality.
- Visual effects relate to the appearance of these changes and how they affect visual amenity.

The effects of the development itself, the effects of the construction and operational periods should be assessed

Consider:

- The source of the effect
- The nature of the effect
- The scale of the effect
- The duration of the effect

Text should be accompanied by appropriate visual/ graphic material – annotated plans, photographs etc.

Landscape Effects

When assessing landscape effects take into account existing trends for change within the landscape and any mitigation measures included as part of the proposals.

- Describe the likely changes to individual landscape elements and characteristics as a result of the development.
- Assess the type of impact e.g. adverse, beneficial or neutral
- Assess the magnitude of the impact e.g. low, medium or high

Visual Effects

The visual effects should be assessed within the short, medium and long terms and taking into account any mitigation measures included as part of the proposals.

- Identify the surrounding area within which the proposed development will be visible – the Zone of Theoretical Visibility (Z.T.V.)
- Describe the view from key, sensitive viewpoints

- Assess the sensitivity of the receptor e.g. low, medium or high
- Assess the magnitude of the development within the view e.g. low, medium or high
- Assess the overall impact of the development within the view e.g. low, medium or high.

Cumulative Effects

Assess the type and magnitude of the accumulation of landscape and visual effects that occurs in addition to those experienced as a result of similar development in the surroundings.

Mitigation

The purpose of mitigation is to avoid, reduce and where possible remedy or offset, any adverse effects on the environment arising from the development. Common mitigation measures include:

- Sensitive location and siting
- Site layout
- Choice of site level
- Appropriate form, materials and design of built structures
- Lighting (avoid upward and lateral light pollution)
- Ground modelling (take care – major earthworks may themselves create adverse landscape and visual effects)
- Planting
- Use of camouflage or disguise

Development Sites with Trees

LCD 3.3

Trees are valued features of our towns and countryside and make an important contribution to the character of the local environment.

Under the Town and Country Planning Act 1990, local planning authorities have the power to protect trees and woodlands in the interests of amenity by making tree preservation orders (see also guidance Sheet LCD 2.5) and a duty to make adequate provision for the preservation and planting of trees when granting planning permission for development. (Derbyshire Dales District Local Plan Policies: PD3, PD4, PD5 & PD6)

The Value of Trees

Trees are often seen as a constraint for development, restricting the available area for new buildings. However, development that is sympathetically designed to work with existing, healthy trees can benefit from:

- A mature setting that complements new buildings and integrates them into their context.
- Microclimate effects such as a reduction in adverse wind effects and excess heat gain and a reduction in airborne pollution including dust particles.
- An established sense of place.
- Aesthetic experiences including seasonal change, sounds of birdsong or rustling leaves, movement between sunshine and shade.

As a consequence, property values and marketability can be enhanced

The long-term retention of existing trees will depend upon a good understanding of their amenity value, health and condition, a well-designed development layout and careful protection during the construction period.

Legal Protection (see also LCD 2.5)

Many trees in Derbyshire Dales are protected by a Tree Preservation Order (TPO). Many more are protected by virtue of being in a Conservation Area. Prior to carrying out pruning or felling of trees protected by a TPO the consent of the Local Planning Authority (LPA) must be obtained. In the case of Conservation Areas, not less than six weeks' prior notice must be served on the LPA.

**FAILURE TO PROTECT TREES COULD
RESULT IN AN UNLIMITED FINE**

Trees on development sites may be protected by conditions attached to planning permissions. A felling licence may also be required from the Forestry Commission.



Mature trees create an established sense of place

The Health and Safety of Trees

The Root Zone

The continued health and safety of a tree is dependant upon adequate protection of the root zone.

Damage to the root system is potentially serious and will affect the health and/or safety of the tree, which may die slowly over the next few years.

- Most trees have a mass of fibrous roots (the root plate) extending at least to, and frequently beyond, the edge of the outermost branches of the tree (the crown spread).
- Most tree roots are within 600 mm of the surface and the fine roots, important for obtaining nutrients, moisture and oxygen, may be just below the surface some distance from the crown spread.
- Compaction of the soil or the severance of the roots will affect the health of the tree and may condemn it to death. Damage may occur in

seconds but the results may not be obvious for a few years by which time it may be too late to save the tree.

**DON'T CONDEMN YOUR
TREES TO DEATH**

- Damage or severance of a significant number of the main structural roots will not only kill the feeding roots, it may affect the tree's stability and render it dangerous and liable to fall.

Trees and Development

Trees can occupy a substantial part of a development site and because of their potential size can have a major influence on the planning and use of the site. BS 5837:2012 provides guidance on deciding which trees are appropriate for retention, on the effect of trees on design considerations and on the means of protecting trees during development.

1. Tree Survey

A tree survey will determine the nature of all existing site trees and establish, at an early stage of a development process, where their retention can enhance development.

Where sites contain trees the District Council requires applicants to submit a tree survey with their planning application.

A tree survey should be carried out by an experienced arboriculturalist and provide the following information:

- An accurate plan showing individual trees, groups of trees, hedgerows and significant areas of shrubs or undergrowth. Trees on neighbouring sites which are within a distance equal to 12 times their stem diameter from the boundary, or where their crowns overhang the site boundary, should also be included.
- Reference number and species.
- Height and trunk diameter measured at 1.5 m above ground level, for any tree with a diameter of at least 75 mm at 1.5 m, or any other trees considered to be rare, or of intrinsic value either individually or as a group.
- An accurate plot of the canopy spread for each tree taking measurements to the 4 cardinal points, **not illustrative circles.**
- Age class e.g. young, middle-aged, mature, over-mature, veteran.
- Condition and vigour including details of relevant defects.
- Life expectancy e.g. 10 years, 10 – 20 years, 20 – 40 years or over 40 years.
- Recommended distance for protective fencing around each tree(s).

2. Retention Categorisation

An assessment of current amenity and retention value of the trees should be carried out by an arboriculturalist.

- Trees considered to be worthy of retention should be placed in A to C categories in accordance with BS 5837:2012 and then into sub-categories 1, 2 or 3 to reflect the tree's arboricultural, landscape or cultural value. Category R trees are those which would be lost in the short term for physiological or structural reasons.

3. Tree Constraints Plan

The influence that trees on and adjacent to the site will have on the layout of a development should be plotted on a tree constraints plan (TCP) which shows the below ground constraints represented by the root protection area (RPA) and the above ground constraints the trees pose by virtue of their size and position.

Root Protection Area (RPA)

In order to avoid damage to the rooting environment of retained trees the RPA should be plotted around each of the category A, B, and C trees. This is the minimum area in m² that should be left undisturbed around each tree and can be represented by an area equivalent to a circle with a radius 12 times the diameter of the tree measured at 1.5 metres above ground level.

Above Ground Constraints

The current and ultimate height of category A, B and C trees should be plotted where this would cause unreasonable obstruction of sunlight or daylight to the development. In practice this could be represented by a segment with a radius from the centre of the trunk of each tree equal to the height of the tree drawn from due North West to due East indicating the shadow pattern through the main part of the day.

The current and ultimate height and spread of a tree is also a constraint due to its size, dominance and movement in strong winds and hence the existing and future branch spread should also be taken into account at the design stage.

Trees and Site Layout

1. Retaining Trees

Before even considering the layout of a development site a topographical survey, tree survey and tree constraints plan should be prepared which will then influence the design of the layout.

When preparing development proposals the following should be considered:

- In general, it will be expected that as much of the existing tree cover as is practicable should be retained and that adequate provision is made for the long-term retention of trees with current or potential future amenity value.
- At the very least the District Council will seek the retention of trees in the A and B category as determined by the tree survey. Category C trees should also be retained wherever reasonably possible.
- Whilst the retention of healthy mature trees should be ensured, younger more vigorous trees should be retained for their greater life expectancy and ability to withstand a greater degree of disturbance.
- Where trees are to be retained, the District Council may seek to protect the trees through planning conditions or by Tree Preservation Orders.

2. Identifying a Development Exclusion Zone

Once it is decided which existing trees are to be retained, development exclusion zone can be identified where no buildings, walls, foundations, highway excavations, drainage pipelines, services or any other excavations or changes of levels will be permitted. Several factors should be taken account:

3. Siting Buildings

In determining the distance that should be retained between a tree and a building the following must be considered:

- The characteristics and condition of the trees with due allowance and space for their future growth and maintenance requirements.
- The relationship of windows to trees which may obstruct light.
- The scale of the tree in relation to the building to ensure that it will not dominate the buildings, leading to concerns about safety and requests to prune or fell.
- The potential for physical damage from branches touching the built structure.
- Problems due to leaf fall, fruit, and/or honeydew.

The District Council will require that dwellings should be a minimum of 5 metres outside the **potential** crown spread of a retained tree (more in the case of very large trees or very old trees) unless it can be satisfactorily demonstrated that the occupier's reasonable enjoyment of the property would not be unreasonably interfered with.

Mature trees should be preferably retained in public open spaces. Where large trees eg oak, beech, ash etc are to be retained in gardens then large plots will be required.

4. Hard Surfaces

Roads and parking areas should normally be located outside the root protection area (RPA) as specified by BS 5837.

Where the construction of hard surfaces cannot be avoided within the root protection area, site-specific advice should be sought from an engineer and an arboriculturalist. The following construction methods will be required:

- A no-dig solution to avoid root loss.
- A design that avoids localised compaction which may include the use of a three dimensional cellular confinement system.
- Alternative methods of edge support e.g. peg and board edging, railway sleepers retained with track pins or road pins, or gabions on lateral slopes.
- A permeable surface where the access would be more than 3 m in width or cover more than 20% of the RPA.

5. Services

Details of underground services will be required as part of the planning submission. It is not acceptable to design the layout to accommodate the retention of the trees and then trench for services within the root protection area in such a way as to result in the death of the tree or require its removal due to instability through root severance.

Wherever possible services should be laid in the same area.

Where it is unavoidable to route services within the root protection area then detailed plans should be drawn up with an arboriculturalist and should include an arboricultural method statement. Any excavations must either be by hand with no root severed over 25 mm diameter or thrust bored.

6. Ground Levels

Ground levels should not be increased or decreased by more than 75 mm.

7. Landscape Proposals

Efforts to protect the trees during the construction period will be of no avail if the final landscaping work involves excavation, changes in ground levels, ploughing or rotavating. Details of final ground works should be included on landscape drawings.

Applying for Planning Permission

Prior to making even an outline planning application the following information should be collated for submission:

- A topographical survey.
- A tree survey of existing tree cover.
- A tree constraints plan.
- A plan and schedule listing those trees to be retained and those to be removed.
- A plan identifying the development zone and showing the exclusion zone within which no development will take place.

A submission for full planning permission should in addition to the above include:

- The location and type of proposed protective fencing.
- Details of the location of underground services.
- Identification of the areas intended for use for the storage of equipment, machinery and where appropriate the site compound.
- An arboricultural impact assessment and an arboricultural method statement to BS 5837:2012.
- A full landscape scheme.

Trees and Construction

Trees are at their most vulnerable during the construction period. It is important that those that are to be retained are protected against damage **OF ANY KIND!**

To avoid mistakes on site, clearly identify the trees to be removed by brightly coloured spray paint. Make sure the contractor has a copy of the plan and schedule identifying trees to be retained and those to be felled.

Damage to trees is caused by:

- Indiscriminate, unskilled lopping or felling: use a professional tree surgeon.
- Changes to ground levels. Excavations may expose, sever or kill roots; raising of levels suffocates roots and rots bark.
- Heavy traffic over roots: this compacts the soil suffocating and killing roots.
- Storage of chemicals near trees e.g. herbicides, diesel, tar, cement etc
- Bonfires. Ensure they are located well away from the canopies of trees and down wind to avoid scorching.
- Stacking/ storing material under trees: causes compaction and can physically damage trunks and branches.

1. Advance Notifications/ Approvals

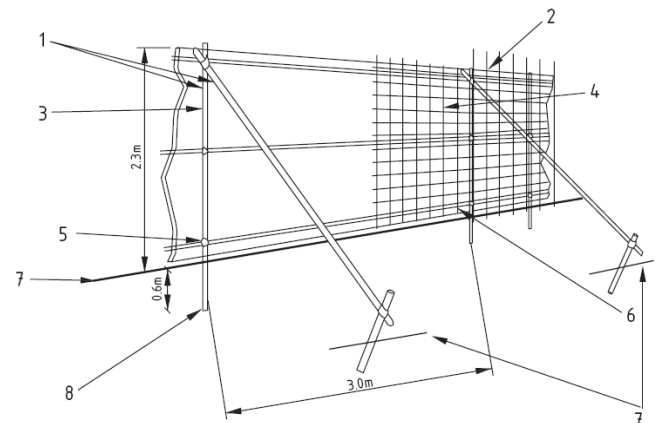
Where trees are protected by a Tree Preservation Order or situated in a Conservation Area a separate application for or notification of the pruning or felling of trees will be necessary unless the works are **immediately required for the purposes of implementing a full planning permission**. In this connection you are advised to contact the District Council's Arboricultural Officer before carrying out any work.

It will be a condition of any planning permission that the District Council is notified a minimum of a week prior to initial ground preparations work commencing so that checks can be made that protective fencing has been erected.

2. Protective Fencing

The erection and continued maintenance of protective fencing is fundamental to maintaining the health of trees.

- Protective fencing for trees to be retained must be erected as the first operation on site, prior to any materials or machinery being brought on site.
- The barriers should consist of weldmesh panels securely fixed with wire or scaffold clamps to a scaffold framework comprising a vertical and horizontal framework, well braced to resist impact. See diagram below:



PROTECTIVE BARRIER

1. Standard scaffold poles
2. Uprights driven into ground.
3. Panels secured with wire ties or scaffold clamps where necessary.
4. Weldmesh wired to uprights and horizontals.
5. Scaffold clamps
6. Wire twisted and secured to inside face of fencing.
7. Ground level.
8. Approx. 0.6m driven into ground.

- All weather notices should be attached to the fencing stating:

TREE PROTECTION ZONE
ACCESS PROHIBITED

- It is essential that the tree protection is maintained for the duration of the construction period and developers are advised of the need to ensure that an arboriculturalist is appointed to oversee the erection of the fencing and monitor its maintenance on a regular basis. The independent monitoring of the tree protection will be a condition of planning permission.

3. Minimum Protection Zone

- A tree protection plan should be agreed with the Council showing the precise location of protective fencing.
- The minimum area in m² that should be left undisturbed around each tree can be represented by an area equivalent to a circle with a radius 12 times the diameter of the tree measured at 1.5 metres above ground level. However, developers are encouraged to fence a larger area if practically possible.

Groups of trees are best protected by a single fence which encompasses all trees within the group.

4. Advance Works

It is usually advisable to carry out necessary tree surgery prior to construction work commencing. All arboricultural work must conform to BS 3998: 2010 "Recommendations for Tree Work".

5. Landscape Works

Landscape work beneath the canopy of trees must be undertaken carefully and by hand or using pedestrian controlled light machinery.

6. Replacement Trees

Replacements will be required for any trees that have died, become seriously damaged or been removed during construction.

7. Arboricultural Inspection

On completion of site works a further arboricultural inspection will be required and any necessary work identified and implemented prior to handing over the site.

FURTHER ADVICE

BS 5837: 2012 – Trees in Relation to Design, Demolition and Construction

BS 3998:2010 Recommendations for Tree Work

Available from British Standards Institute
Tel: 0345 0809000
Online: www.bsigroup.com

The Arboricultural Association produces directories of approved arboricultural consultants and tree contractors.
Tel: 01242522152
Online: www.trees.org.uk

Natural England can provide advice on SSSI's, bats and other protected species.
Tel: 0300 060 3900
Online: www.gov.uk/government/organisations/natural-england
Email: enquiries@naturalengland.org.uk

CONTACT DETAILS

For further information contact:
Development Manager,
Derbyshire Dales District Council,
Town Hall, Matlock DE4 3NN
Tel: 01629 761100
Fax: 01629 761388
e-mail: planning@derbyshiredales.gov.uk

For advice contact the Trees and Landscape Officer
on 01629 761244

Boundaries including Walls, Hedges and Fences

LCD 3.4

It is most important that the relationship of new development with its surroundings is carefully considered. The successful assimilation of development is largely dependent on the treatment of its boundaries. In ALL instances boundary design must have regard to the character of the local landscape, neighbourhood and/ or street scene. This applies in the choice and design of structures - such as walls, fences or earth mounding - as much as it does in the selection of appropriate plant species.

Function and Form

Boundaries can be either open or secure, they can define ownership, separate areas of different land use and provide privacy, screening and shelter. The marginal areas of a site or buffer zones created between two different land uses can also provide opportunities for the creation of additional wildlife habitat or public open space.

The form of boundary treatment will relate directly to its function but will also need to respect local landscape character. Hard edges to development, for instance, will not be appropriate in many instances, particularly where they relate directly to open countryside. In these situations the use of some types of fences or walls on their own to create abrupt boundaries will not be acceptable without the addition of planting.

Types of Boundary Treatment

1. Walls

Dry stone walls are a characteristic feature of many of the rural landscapes within the north of the district particularly those associated with the Dark Peak and White Peak where, respectively, the local gritstone and limestone have been used to create the field boundaries which are a distinctive feature of the countryside. They also provide habitat for small mammals, over wintering amphibians and lichens.



Dry stone boundary walls in Brassington

More formal, masonry walls of worked limestone, gritstone or a combination of both are common in towns and villages within the same Landscape Character areas.

Further south in areas characterised by the landscapes of the Needwood and South Derbyshire Claylands, warm red brick is used as a building material and would be appropriate for use as a boundary treatment in these areas. It is important to identify the characteristic bonding pattern and coping treatment of local free standing walls and incorporate these into new wall design.



High brick boundary wall in Ashbourne

2. Hedges

Hedgerows are more commonly used to demarcate field boundaries within the central and southern parts of the district and are most appropriate as a boundary treatment within these areas. When planting hedgerows it will nearly always be necessary to use native species such as hawthorn (*Crataegus monogyna*), hazel (*Coryllus avellana*) and holly (*Ilex aquifolium*) – for full details of which species are most characteristic within each Landscape Type see LCD 4.2 – LCD 4.6

Hedgerows can also be used in conjunction with fencing to create both secure and attractive boundaries. They also provide valuable habitat and corridors for the safe movement of wildlife across open ground.

Generally new hedge plants will be 450-600 mm height forestry transplants and should be planted in a double staggered row with 450mm between each plant. They will need protecting from damage by livestock, rodents, machinery etc using stock proof or rodent proof fencing, spiral guards or plant shelters. Consideration should be given to planting some tree species within the hedgerow which will be allowed to grow to maturity. Hedgerow trees

are a distinctive feature of many of the agricultural landscapes in the district.

3. Fences

Though hedges and walls are the traditional boundary treatments within the countryside fencing is becoming more common and is generally the preferred method of providing security and privacy for residential, industrial, commercial, retail and institutional developments within urban areas.

Within the countryside post and rail and stock proof post and wire fencing is often used in conjunction with hedgerows providing a measure of protection to the young plants which will eventually form the main barrier while the fence itself is left to rot.

Timber ranch-style round post and half round rail fencing is becoming common in areas where equestrian activity is popular but looks stark and quite incongruous within a landscape dominated by hedgerows. It is usually preferable if hedgerows can be planted in association with these fences

Close boarded/ open boarded timber fences are frequently used to mark the boundaries of residential development providing, as they do, a measure of security and privacy to private gardens and a sympathetic backdrop to garden plants. When viewed from outside, however, these tend to look hard and austere, particularly when they are used in conjunction with concrete posts and kicker boards, and do not form a suitable boundary with the countryside. A hedgerow, planted in front of the fence, which is additionally protected by a post and wire stock proof fence on its open side will eventually create a more attractive interface with the surrounding landscape.

Iron railings have long been used as a formal, decorative and high quality boundary treatment to many private properties within towns and villages across the district as well as public parks, open spaces, recreation grounds and memorials. "Estate" railings, which are quite distinctive, are quite common within parkland where they are characteristic of this type of land use management. Railings are frequently used in association with walls to create secure and attractive boundaries.



Decorative railings in Clifton

Security Fences by their nature are high and often brutal structures. This is particularly true of steel palisade fencing which, when viewed obliquely, forms a dull, visually, as well as physically, impenetrable barrier. It is, no doubt effective in its main purpose, but usually has a highly adverse

impact on environmental quality. Painting this type of fence in a suitable colour rather than retaining the simple galvanised finish can improve its appearance while setting the fence-line back from the boundary and using planting in front (and behind if space will allow) can soften the fence without compromising security.

Alternatives, such as weld mesh fencing, are lighter, less visually harmful structures which offer a similar degree of security and are particularly suitable where there is no requirement to screen the secure area. When used in conjunction with imaginative planting and earth shaping these can virtually "disappear" within the landscape.

Low trip rails (knee rails) of either timber or metal construction are useful for protecting planted areas and deterring pedestrian traffic, as well as vehicles, across specific areas, thus maintaining an open boundary without being intrusive in the landscape.

4. Buffer Zones

A Buffer Zone, comprising substantial plantings such as screens/ shelterbelts, creates an area of transition between hard development and its surroundings. This can be enhanced by extending belts of planting into the development as "green wedges" and linking to internal open space and/ or circulation systems. If accessible buffer zones can form part of open space systems, they can also provide valuable wildlife habitat and be used to disguise hard elements such as security fencing. Making space for buffer zones within the design of development contributes positively to the environmental well being of urban areas as well as creating an attractive interface with the countryside.

5. Earth Bunds

Earth bunds or mounds are often formed to screen unsightly development from public view. Their creation is also a convenient way of retaining surplus soil material on site and, particularly when used in conjunction with planting, can be very effective in assimilating new development with its surroundings. However, great care must be taken during their formation to ensure that they do not themselves become unsightly elements within the landscape. Over engineered features with steep sides, flat tops and abrupt changes of level are generally not acceptable, they are usually at odds with the character of the surrounding topography and create conditions within which it is difficult to establish and maintain vegetation. Lower features which are wide at the base, rounded at the top and have gentle convex/ concave slopes that marry smoothly with the surrounding levels are preferred.

DEVELOPERS ARE ADVISED THAT PLANNING PERMISSION WILL USUALLY BE REQUIRED FOR THE RETENTION OF SURPLUS MATERIAL ON SITE IN THE FORM OF A BUND.

Domestic Curtilages

What is domestic curtilage?

“a small court, garth, or piece of ground attached to a dwelling house, and forming one enclosure with it, or so regarded by the law; the area attached to and containing a dwelling house and its out buildings.” (Oxford English Dictionary)

Domestic curtilage is usually a garden, but can include parking areas, access roads, vegetable plots, children’s play areas and even stables (where the horses are kept for pleasure rather than agricultural use). The domestic curtilage is not necessarily marked off or enclosed, but it must be clearly and closely associated with and usefully serving the purpose of the dwelling.

Change of use to domestic curtilage

The use of agricultural land as garden land constitutes a change of use for which planning permission is required.

National and local planning policy seeks to restrict encroachment of development into the countryside. Change of use of land to domestic curtilage will not be permitted where this would cause a significant adverse impact on the character of the countryside, agricultural land, or designated interests (such as listed buildings, conservation areas, scheduled monuments, sites of special scientific interest etc.)

The significance and type of impact depends on the context and on the development proposed. New domestic curtilage should be designed to fit into the local context and respect established settlement and landscape patterns without causing harm.

Context and character

Consider:

- The existing settlement and landscape pattern e.g. gaps, enclosures, access ways, plot sizes, field patterns, settlement form.
- The relationship with the dwelling house, existing curtilage and boundaries, countryside character and designated interests including listed buildings, Conservation Areas, landscape quality
- The tradition of garden location, shape size and pattern
- Local garden boundaries e.g. dry stone walls, hedges

Barn Conversions

Creation of new domestic curtilages for conversions of barns in the open countryside to residential use is particularly sensitive. Reference should be made to the Council’s supplementary planning document “The Conversion of Farm Buildings” for guidance in this case.

Impact

Consider:

- The type and significance of impact e.g. on village form, on designated interests, and whether this can be mitigated.
- The long term impact (once the land becomes domestic curtilage, there is no control over future garden design style)
- The impact of associated uses or features within the domestic curtilage e.g. greenhouses, washing lines, fountains, children’s play equipment, colourful/ exotic planting, lighting.
- Whether the proposal is in itself harmful, or whether it causes harm through the loss of existing features e.g. hedges, grassland, trees, wildlife habitat.
- The treatment of the boundaries. Defining curtilage by using appropriate materials and styles for the immediate environment will help a development blend with its surroundings (see LCD 3.4)

Planting

LCD 4.1

Planting will be a major (if not the only) component, of any landscape scheme and it is important to get it right. There are many environmental as well as aesthetic reasons why planting should be included as part of development and a successful scheme is usually the product of well-founded design objectives. These are derived from a thorough understanding of the factors that affect the undeveloped site and how the site is intended to function after development. Applicants for planning permission will need to demonstrate that the full range of issues, detailed below, have been considered and that the planting is designed and specified accordingly.

PLANTING DESIGN

When preparing a planting plan the following should be considered

1. Site Factors

Prevailing site conditions will largely determine what is appropriate in terms of plant species choice.

The landscape character of the site and its surroundings - Generally the site and its surroundings will exhibit a range of characteristics – geology and landform; soils and land use; ecology; vegetation cover; enclosure etc – which are locally distinctive. New planting, as part of any development proposals, will be expected to maintain or enhance existing landscape character and local distinctiveness. The document “The Landscape Character of Derbyshire” will assist applicants (see LCD 2.2) and a detailed site survey (see LCD 3.2) will also inform the design process in this regard.

Native tree and shrub species suitable for planting within each Landscape Type are listed within LCD 4.2 – LCD 4.6.

PLANTING OF ASH TREES WARNING

A Plant Health Order of October 2012 prohibits the import of ash seeds, plants and trees and all internal movement of ash seeds, plants and trees. This is to prevent/ restrict the spread of ash dieback disease. Whilst ever this Order is in place the District Council does not consider it appropriate for Ash to form any part of the species mix set out in the planting schemes LDC 4.2 to LCD 4.6

Planning constraints - The site, or, more commonly, features within the site may benefit from a special planning designation (see LCD 2.4).

Important site features - A detailed site survey will determine which existing site features are worthy of retention. Features may include mature trees, other vegetation or wildlife habitat the nature of which should inform decisions when it comes to choosing new plant species.

Soils, Aspect, Microclimate and Drainage - Choosing a range of plants which will survive and thrive within different locations on the site will depend on:

- Soil type – pH (acid or alkaline), structure, nutrient levels.
- Aspect – the degree to which areas to be planted are open to the sun or subject to shade.
- Microclimate – the degree to which areas to be planted are exposed to or sheltered from wind and/ or frost.
- Drainage – the degree to which areas to be planted retain moisture, dry out or become waterlogged.

Space - Within the developed area the choice of plant species – particularly trees – will be affected by the space available for planting and subsequent growth.

Landscape and visual impact of the development - (see LCD 3.2). The inclusion of areas to be planted, the nature of the planting and choice of species will be guided by the need to mitigate any adverse impact on local landscape character and/ or visual amenity caused by the development.

2. Function

Plants create attractive environments. They can visually screen any unsightly elements of development; they can extract pollutants from the atmosphere; they can ameliorate adverse environmental and climatic conditions; they can – in association with other elements – reduce noise nuisance; they can beautify the spaces between buildings and create green corridors in association with highways; they can be used to create floristic features and gardens. Though there is wide scope, decisions regarding the design of areas to be planted will largely depend on the function they are intended to serve.

Screening - Planting can be used to screen development to varying degrees. Belts of trees with an understorey of shrubs are particularly effective in this regard but a hedgerow can also have a substantial impact in the right situation. The choice will often depend on the degree of adverse impact that the development is assessed to have on existing landscape character and visual amenity. Other factors to consider include:

- Density of planting. The more closely trees and shrubs are planted the more effective they will be as a screen in the short to medium term
- Size of planting. The planting of semi mature trees and advanced nursery stock trees and shrubs can be effective immediately as a screen. The Council will expect that this option is seriously considered in cases where development is particularly intrusive.
- Speed of growth. Some species such as willow, poplar, alder and silver birch will very quickly form an effective screen but their use must be tempered by the need to respect local landscape character.
- The evergreen component. Planted screens consisting entirely of deciduous species are not as effective in winter. Evergreens provide all year screening but their use must be balanced by the need to respect local landscape character.

Shelter/ Enclosure - Planting can be used to ameliorate adverse climatic and environmental conditions. Typically this involves the creation of shelter and enclosure and the subdivision of large, exposed spaces into smaller units of a more “comfortable” scale. The composition of shelter belts may be similar to screens but subdivision can also be achieved using low hedges, areas of ornamental shrubs, herbaceous plants and even ground cover species.

Integration/ Assimilation - When the nature of the development is such that complete screening is not required planting can be used to create an attractive setting for it and to help assimilate it into its surroundings. In this case the design must be sympathetic to the character of the wider landscape on the boundaries while the use of ornamental plant species and more formal design elements might be appropriate within the development itself.

Creating Wildlife Habitat and Increasing Biodiversity - The chance to create additional or diversified habitats to enhance wildlife value should be taken wherever the opportunity presents itself. Habitat creation must be sympathetic to local landscape character and take its cue from the nature of existing habitat either on site or close to it. The document “The Landscape Character of Derbyshire” (see LCD 2.2 and LCD 2.3) makes the important link between landscape character and biodiversity and identifies habitats characteristic and appropriate within each landscape type. Almost without exception plant choice will be limited to native species.

Feature Planting - It will be appropriate to plant “simply for show” in a range of situations – particularly those more closely associated with a built environment. The imaginative use of a combination of native and ornamental garden plant species can help to create landscapes and focal points of great beauty. When designing feature planting it is important to understand and retain the right sense of scale and detail - large, simple structures are

generally best complemented by larger growing plant species arranged in strong, simple patterns while smaller scale more detailed design elements work well with complex and intricate planting plans.

3. Composition

Planting plans are composed of a number of different elements which are brought together to create an attractive and coherent landscape. The categories listed are not exhaustive and overlap considerably - for instance an avenue of street trees is a strong structural element within any landscape as is a broad swathe of grassland – but it is useful to consider them separately in view of the different roles they play.

Structure Planting - This may be defined as the green framework which creates the setting for development. Associated with, boundary treatments, open space, car parks, screening of servicing and uncovered storage and will be used to create shelter, provide screening, define space, facilitate integration and create wildlife habitat. It might include: woodland, woodland edge, substantial belts/ groups of trees and understorey shrub planting, hedgerows. Generally native plant species should be chosen with regard to local landscape character.

Street Trees and Shrubs - Street trees may be defined as larger growing species which should be used wherever space allows. Associated with spine/ arterial roads, main and incidental areas of open space. High profile locations likely to make the most immediate visual impact on the majority of users. Trees planted as avenues, groups or specimens. Medium to large growing native or non native ornamental species appropriate for use and location.

Ornamental Tree/ Shrub and Herbaceous Planting - Used to create planted features and more gardenesque landscapes. Associated with entrances, cul-de-sacs, access/ spur roads, road junctions, front gardens, the immediate building environs. Small to medium sized, ornamental trees and shrubs. Some herbaceous planting may also be appropriate

Grass Seeding/ Turfing - Grassland is one of the most versatile components of the designed landscape and it is important to understand the diverse range of situations within which it can be used, the variety of products available and the different levels of maintenance required. Examples are:

- Wildlife habitat - associated with boundary treatments, woodland edge, hedgerows, wetland/ marshy areas. Native grass and broadleaved species characteristic of the local landscape. Maintained infrequently
- Species rich meadow – associated with boundary treatments, woodland edge, hedgerows, highway verge, open space. Grass and wildflower seed mixes. Maintained infrequently
- Amenity grassland – associated with open space, road verges, private gardens. Robust grass seed species. Maintained more frequently.
- Sports turf. Specialist grass seed mixes. Maintained very frequently.

4. Style

Though it is not the purpose of this guidance to dictate design style to developers the District Council is concerned that designs pay particular regard to local landscape character. This does not necessarily preclude the use of formal styles - for instance, regular blocks or belts of planting might be appropriate even on the boundaries of development so long as the tree and shrub species used are locally characteristic. However, it is likely that formal styles will be more appropriate within the urban environment or in immediate association with buildings and development infrastructure rather than as a means of assimilating development into the countryside.

The incorporation of design themes can increase the impact of planting and introduce a high degree of coherence within the design. For instance the use of a limited range of plant species or the repeated use of a dominant species can create a strong readily identifiable character which will complement large scale, simple building forms or bring unity to areas containing a range of disparate elements.

Specification

Though a full specification of the planting is rarely required as part of planning applications or to satisfy planning conditions the District Council will need to be satisfied that planting will thrive. The applicant will, therefore, need to demonstrate that the proposals are appropriate for the situation and will be implemented and maintained in accordance with best practice. The following information will be required some of which may be included as a schedule on the drawing or as a separate document:

Drawings – Planting details should be presented on a drawing at a scale no smaller than 1:500 and preferably at 1:200 or 1:250

Site Preparation, Plant Handling, Planting and Grass Sowing -

Information should be supplied regarding:

- Ground and plant bed preparation including cultivations, soil ameliorants and fertilisers
- Plant handling, including arrangements for on site storage and protection.
- Planting, including planting method for all trees and shrubs, details of tree staking and tying, protection, irrigation, and mulching.
- Grass sowing

Plant Species – Plants should be identified by their full name including species, sub species and cultivar using standard Latin nomenclature. Also supply details of proposed grass seed mixes e.g Supplier and mix code (such as, British Seed Houses A22) or the full species composition.

Plant Sizes –

Trees - expressed in terms of their:

- Height e.g. 450 – 600 mm forestry transplants or
- Girth e.g. 10 –12 cm selected standard trees or
- Type e.g. Standard tree

Shrubs – expressed in terms of their:

- Height (if they are supplied bare rooted) and
- Pot size e.g. 3 litre pot (if they are container grown)

Herbaceous plants – expressed in terms of their pot size e.g. 1 litre pot

Spacing - the density of proposed planting should be expressed either in terms of the distance between plants e.g. 500mm or the number of plants per square metre. With grass seed mixes the sowing rate should be shown (e.g. 25 gms per square metre).

Number – the total number of each species/ cultivar of plant must be included within the schedule

Protection – details of how plants are to be protected from rodent or livestock damage while they are establishing. This might include the use of rabbit proof/ stock proof fencing, rodent guards or plant shelters.

Maintenance/ Management

The District Council will normally expect all planted areas to be maintained for a period of not less than 5 years. A maintenance regime, which should be submitted with the planting proposals, should include arrangements for:

- Comprehensive weed control
- Checking the condition of tree stakes, ties, guards and protective fencing and making repairs or replacing where necessary
- Ensuring that all plants remain firmly in the ground in an upright position
- Watering during periods of dry weather
- Pruning back of damaged/ diseased growth
- Topping up of mulches and fertilisers
- Replacing dead and dying plants on a yearly basis to achieve a 90% establishment rate
- Keeping planting beds and their surroundings tidy and free of litter
- Grass cutting
- Reseeding of dead or damaged patches of grass

Planting in the Dark Peak

Open Moors

Planting and Management Guidelines

Open, rolling treeless landscape of heather moorland.

Primary woodland character: Open / unwooded

Primary tree character: Treeless

Woodland vision: Open / unwooded

Tree vision: Treeless

Enclosed Moorland

Planting and Management Guidelines

An open, unwooded landscape on broad, rolling hill summits punctuated by occasional small tree groups around farmsteads.

Primary woodland character: Open / unwooded

Primary tree character: Localised amenity tree groups

Woodland vision: Open / unwooded

Tree vision: Localised amenity tree groups

Conserve and enhance the tree groups that occur within and around rural settlements and isolated farmsteads.

Amenity Trees

Appropriate tree species for planting as amenity trees associated with settlement should include locally occurring large woodland species, eg Sessile Oak (*Quercus petraea*), Pedunculate Oak (*Quercus robur*), and Ash (*Fraxinus excelsior*).

Settled Valley Pastures

Planting and Management Guidelines

A well wooded pastoral landscape of small organic woodlands, occasionally of ancient origin, with densely scattered hedgerow and watercourse trees.

Primary woodland character: Densely scattered small woodlands

Primary tree character: Densely scattered hedgerow and dense watercourse trees.

Woodland vision: Widespread small-medium woodlands

Tree vision: Densely scattered hedgerow and dense watercourse trees.

Typical woodland size range: 0.5 - 15 ha small-medium

Woodland pattern: Organic

Woodland Species Mix

<p>Neutral/Base Rich Soils</p> <p>Primary Tree Species 50% Betula pendula Silver Birch Betula pubescens Downy Birch Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Secondary Tree Species 20% Major Fraxinus excelsior Ash Ilex aquifolium Holly Minor Malus sylvestris Crab Apple Prunus padus Bird Cherry Sorbus aucuparia Rowan</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn Minor Lonicera periclymenum Honeysuckle</p>	<p>More Acidic Soils</p> <p>Primary Tree Species 50% Betula pendula Silver Birch Betula pubescens Downy Birch Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Secondary Tree Species 20% Major Ilex aquifolium Holly Sorbus aucuparia Rowan Populus tremula Aspen</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p>	<p>Waterlogged Conditions on all soil types</p> <p>Primary Tree Species 50% + Alnus glutinosa Alder Betula pubescens Downy Birch Salix caprea Goat Willow Salix fragilis Crack Willow</p> <p>Secondary Tree Species 20% Major Betula pendula Silver Birch Ilex aquifolium Holly Minor Quercus petraea Sessile Oak Quercus robur Pedunculate Oak Tilia cordata Small Leaved Lime</p> <p>Shrubs 10-30% Major Crataegus monogyna Hawthorn Salix aurita Eared Willow Salix cinerea Grey Willow Minor Prunus spinosa Blackthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose</p> <p>+ Watercourse Trees - tree species most appropriate for planting as watercourse trees.</p>
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Hedgerow Species Mix

<p>Suitable hedgerow plants</p> <p>Primary 70-75% Crataegus monogyna Hawthorn</p> <p>Secondary 25-30% Corylus avellana Hazel Ilex aquifolium Holly Prunus spinosa Blackthorn</p>	<p>Suitable hedgerow trees</p> <p>Primary 70-75% Fraxinus excelsior Ash Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Secondary 25-30% Acer campestre Field Maple Tilia cordata Small Leaved Lime Tilia platyphyllos Large Leaved Lime</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Prunus padus Bird cherry Sorbus aucuparia Rowan Ulmus glabra Wych elm</p> <p>* only to be used if occurring locally within the landscape character type</p>
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Riverside Meadows

Planting and Management Guidelines

An open floodplain with dense watercourse trees.

Primary woodland character: Unwooded

Primary tree character: Dense watercourse trees

Woodland vision: Occasional small wet woodlands

Tree vision: Dense watercourse trees

Typical woodland size range: 0.5 - 5 ha small

Woodland pattern: Organic/ linear

Woodland Species Mix

Primary Tree Species 50%

+ *Alnus glutinosa* Alder
Betula pubescens Downy Birch
 + *Salix caprea* Goat Willow
 + *Salix fragilis* Crack Willow

+ **Watercourse Trees** - tree species most appropriate for planting as watercourse trees.

Secondary Tree Species 20%

Major
Betula pendula Silver Birch
Ilex aquifolium Holly
Minor
Quercus petraea Sessile Oak
Quercus robur Pedunculate Oak
Tilia cordata Small Leaved Lime

Shrubs 10-30%

Major
Crataegus monogyna Hawthorn
Salix aurita Eared Willow
Salix cinerea Grey willow
Minor
Prunus spinosa Blackthorn
Rosa canina Dog Rose
Viburnum opulus Guelder Rose

Hedgerow Species Mix

Suitable hedgerow plants

Primary 85-100%
Crataegus monogyna Hawthorn

Occasional 0-15%
Corylus avellana Hazel

Suitable hedgerow trees

Primary 70-75%
Fraxinus excelsior Ash
Quercus petraea Sessile Oak
Quercus robur Pedunculate Oak

Secondary 25-30%
Acer campestre Field Maple

Planting in the White Peak

LCD 4.3

Plateau Pastures

Planting and Management Guidelines

Open, pastoral landscape on a rolling upland plateau punctuated by sparsely scattered, but visually prominent, small plantations with tree groups around farmsteads and settlement.

Primary woodland character: Thinly scattered small plantations

Primary tree character: Localised amenity tree groups

Woodland vision: Thinly scattered small plantations

Tree vision: Localised amenity tree groups

Woodland Species Mix

Primary Tree Species 85%

Acer pseudoplatanus Sycamore

Secondary Tree Species 5-15%

Fagus sylvatica Beech
Fraxinus excelsior Ash
Ulmus glabra Elm

Shrubs 0-10%

Major

Corylus avellana Hazel
Crataegus monogyna Hawthorn
Ligustrum vulgare Wild Privet

Minor

Cornus sanguinea Dogwood
Ilex aquifolium Holly
Prunus spinosa Blackthorn
Viburnum opulus Guelder Rose

Amenity Trees - tree species most appropriate for planting as amenity trees associated with settlement, or other locally occurring large woodland species.

Limestone Slopes

Planting and Management Guidelines

Moderate to steeply sloping pastoral landscape with scattered small plantations, occasional semi-natural woodland and small tree groups around farmsteads and settlement.

Primary woodland character: Thinly scattered small plantations and semi natural woodland.

Primary tree character: Localised amenity tree groups

Woodland vision: Densely scattered small-medium plantations

Tree vision: Localised amenity tree groups.

Typical woodland size range: 0.5 - 15 ha small-medium

Woodland pattern: Regular/ organic

Woodland Species Mix		
<p>Primary Tree Species 50% Acer campestre Field Maple # Fraxinus excelsior Ash</p> <p># Amenity Trees - tree species most appropriate for planting as amenity trees associated with settlement, or other locally occurring large woodland species.</p>	<p>Secondary Tree Species 20% Major Malus sylvestris Crab Apple Sorbus aucuparia Rowan Ulmus glabra Wych Elm</p> <p>Minor Prunus padus Bird Cherry Taxus baccata Yew</p>	<p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p> <p>Minor Cornus sanguinea Dogwood Ilex aquifolium Holly Prunus spinosa Blackthorn Viburnum opulus Guelder Rose</p>

Limestone Dales

Planting and Management Guidelines

Narrow, deeply incised river valleys with widespread semi-natural woodland, much of ancient origin and scattered watercourse trees.

Primary woodland character: Widespread large semi-natural broadleaved woodlands.

Primary tree character: Scattered watercourse trees

Woodland vision: Widespread large woodlands

Tree vision: Scattered watercourse trees

Woodland Species Mix

Calcareous Soils	Waterlogged Conditions on all soil types
<p>Primary Tree Species 50% Acer campestre Field Maple Fraxinus excelsior Ash</p> <p>Secondary Tree Species 20% Major Malus sylvestris Crab Apple Sorbus aucuparia Rowan Ulmus glabra Wych Elm</p> <p>Minor Prunus padus Bird Cherry Taxus baccata Yew + Tilia cordata Small leaved Lime + Tilia platyphyllos Large leaved Lime</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p> <p>Minor Cornus sanguinea Dogwood Ilex aquifolium Holly Prunus spinosa Blackthorn Viburnum opulus Guelder Rose</p> <p>+ trees associated largely with the Peak District Dales Special Area of Conservation in Matlock Bath and Cromford.</p>	<p>Primary Tree Species 50% Alnus glutinosa Alder Fraxinus excelsior Ash + Salix fragilis Crack Willow</p> <p>Secondary Tree Species 20% Major Betula pubescens Downy Birch</p> <p>Minor + Salix caprea Goat Willow + Salix cinerea Grey Willow</p> <p>Shrubs 10-30% Major Crataegus monogyna Hawthorn</p> <p>+ Watercourse Trees - tree species most appropriate for planting as watercourse trees.</p>

Planting in the Derbyshire Fringe and Lower Derwent

Enclosed Moors and Heaths

Planting and Management Guidelines

An open, unwooded landscape on broad, rolling hill summits punctuated by occasional small plantations and tree groups around farmsteads.

Primary woodland character: Open / unwooded
Primary tree character: Localised amenity tree groups
Woodland vision: Open / unwooded
Tree vision: Localised amenity tree groups

Amenity Trees

Appropriate tree species for planting as amenity trees associated with settlement should include locally occurring large woodland species, eg Sessile Oak (*Quercus petraea*), Pedunculate Oak (*Quercus robur*), and Ash (*Fraxinus excelsior*).

Wooded Slopes and Valleys

Planting and Management Guidelines

A rising, undulating landscape with many semi-natural woodlands, some of ancient origin, along steep slopes and valley sides with densely scattered hedgerow and watercourse trees.

Primary woodland character: Densely scattered small-medium woodlands.
Primary tree character: Densely scattered hedgerow and dense watercourse trees.
Woodland vision: Widespread small-medium woodlands
Tree vision: Densely scattered hedgerow and dense watercourse trees.
Typical woodland size range: 0.5 - 15 ha small-medium
Woodland pattern: Organic

Woodland Species Mix

Neutral/Slightly Acid Soils	More Acidic Soils	Waterlogged Conditions on all soil types
<p>Primary Tree Species 50% <i>Betula pendula</i> Silver Birch <i>Betula pubescens</i> Downy Birch <i>Quercus petraea</i> Sessile Oak <i>Quercus robur</i> Pedunculate Oak</p> <p>Secondary Tree Species 20% Major <i>Fraxinus excelsior</i> Ash <i>Ilex aquifolium</i> Holly</p> <p>Minor <i>Malus sylvestris</i> Crab Apple <i>Populus tremula</i> Aspen <i>Prunus avium</i> Gean <i>Sorbus aucuparia</i> Rowan</p>	<p>Primary Tree Species 50% <i>Betula pendula</i> Silver Birch <i>Betula pubescens</i> Downy Birch <i>Quercus petraea</i> Sessile Oak <i>Quercus robur</i> Pedunculate Oak</p> <p>Secondary Tree Species 20% Major <i>Ilex aquifolium</i> Holly <i>Sorbus aucuparia</i> Rowan <i>Populus tremula</i> Aspen</p> <p>Shrubs 10-30% Major <i>Corylus avellana</i> Hazel <i>Crataegus monogyna</i> Hawthorn</p>	<p>Primary Tree Species 50% + <i>Alnus glutinosa</i> Alder <i>Betula pubescens</i> Downy Birch <i>Salix caprea</i> Goat Willow <i>Salix fragilis</i> Crack Willow</p> <p>Secondary Tree Species 20% Major <i>Betula pendula</i> Silver Birch <i>Ilex aquifolium</i> Holly</p> <p>Minor <i>Quercus petraea</i> Sessile Oak <i>Quercus robur</i> Pedunculate Oak <i>Tilia cordata</i> Small Leaved Lime</p>

<p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn Minor Lonicera periclymenum Honeysuckle Viburnum opulus Guelder Rose</p>		<p>Shrubs 10-30% Major Crataegus monogyna Hawthorn Salix aurita Eared Willow Salix cinerea Grey Willow Minor Prunus spinosa Blackthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose</p> <p>+ Watercourse trees - tree species most appropriate for planting as watercourse trees.</p>
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Hedgerow Species Mix

<p>Suitable hedgerow plants</p> <p>Primary 70-75% Crataegus monogyna Hawthorn</p> <p>Secondary 25-30% Acer campestre Field Maple Corylus avellana Hazel Ilex aquifolium Holly</p> <p>Occasional 0-5% Lonicera periclymenum Honeysuckle Viburnum opulus Guelder Rose</p>	<p>Suitable hedgerow trees</p> <p>Primary 95-100% Fraxinus excelsior Ash Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Prunus avium Gean Prunus padus Bird Cherry Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>
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Wooded Farmlands

Planting and Management Guidelines

A well wooded landscape of small, organic woodlands, some of ancient origin, with densely scattered hedgerow and watercourse trees.

Primary woodland character: Densely scattered small-medium woodlands.
Primary tree character: Densely scattered hedgerow and dense watercourse trees.
Woodland vision: Widespread small-medium woodlands
Tree vision: Densely scattered hedgerow and dense watercourse trees.
Typical woodland size range: 0.5 - 20 ha small-medium
Woodland pattern: Organic

Woodland Species Mix

<p>Neutral/Slightly Acid Soils</p> <p>Primary Tree Species 50% Betula pendula Silver Birch Betula pubescens Downy Birch Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Secondary Tree Species 20% Major Fraxinus excelsior Ash Ilex aquifolium Holly</p>	<p>More Acidic Soils</p> <p>Primary Tree Species 50% Betula pendula Silver Birch Betula pubescens Downy Birch Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Secondary Tree Species 20% Major Ilex aquifolium Holly Populus tremula Aspen Sorbus aucuparia Rowan</p>	<p>Waterlogged Conditions on all soil types</p> <p>Primary Tree Species 50% + Alnus glutinosa Alder Betula pubescens Downy Birch + Salix caprea Goat Willow + Salix fragilis Crack Willow</p> <p>Secondary Tree Species 20% Major Betula pendula Silver Birch Ilex aquifolium Holly</p>
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<p>Minor Malus sylvestris Crab Apple Populus tremula Aspen Prunus avium Gean Sorbus aucuparia Rowan</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p> <p>Minor Lonicera periclymenum Honeysuckle Viburnum opulus Guelder Rose</p>	<p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p>	<p>Minor Quercus petraea Sessile Oak Quercus robur Pedunculate Oak Tilia cordata Small Leaved Lime</p> <p>Shrubs 10-30% Major Crataegus monogyna Hawthorn Salix aurita Eared Willow Salix cinerea Grey Willow</p> <p>Minor Prunus spinosa Blackthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose</p> <p>+ Watercourse trees - tree species most appropriate for planting as watercourse trees.</p>
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Hedgerow Species Mix

<p>Suitable hedgerow plants</p> <p>Primary 70-75% Crataegus monogyna Hawthorn</p> <p>Secondary 25-30% Acer campestre Field Maple Corylus avellana Hazel Ilex aquifolium Holly</p> <p>Occasional 0-5% Lonicera periclymenum Honeysuckle Viburnum opulus Guelder Rose</p>	<p>Suitable hedgerow trees</p> <p>Primary 95-100% Fraxinus excelsior Ash Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Prunus avium Gean Prunus padus Bird Cherry Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>
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Settled Farmlands

Planting and Management Guidelines

A gently undulating pastoral landscape of very few woodlands but densely scattered hedgerow and watercourse trees.

Primary woodland character: Unwooded

Primary tree character: Densely scattered hedgerow and dense watercourse trees

Woodland vision: Occasional small woodlands

Tree vision: Densely scattered hedgerow and dense watercourse trees

Typical woodland size range: 0.5 - 5 ha small

Woodland pattern: Organic or regular

Woodland Species Mix

<p>Neutral/ Slightly Acid Soils</p> <p>Primary Tree Species 50% Betula pendula Silver Birch Betula pubescens Downy Birch Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p>	<p>Waterlogged Conditions on all soil types</p> <p>Primary Tree Species 50% + Alnus glutinosa Alder + Betula pubescens Downy Birch Salix caprea Goat Willow + Salix fragilis Crack Willow</p>
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<p>Secondary Tree Species 20% Major Fraxinus excelsior Ash Ilex aquifolium Holly</p> <p>Minor Malus sylvestris Crab Apple Populus tremula Aspen Prunus avium Gean Sorbus aucuparia Rowan</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p> <p>Minor Lonicera periclymenum Honeysuckle Viburnum opulus Guelder Rose</p>	<p>Secondary Tree Species 20% Major Betula pendula Silver Birch Ilex aquifolium Holly</p> <p>Minor Quercus petraea Sessile Oak Quercus robur Pedunculate Oak Tilia cordata Small Leaved Lime</p> <p>Shrubs 10-30% Major Crataegus monogyna Hawthorn Salix aurita Eared Willow Salix cinerea Grey Willow</p> <p>Minor Prunus spinosa Blackthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose</p> <p>+ Watercourse trees - tree species most appropriate for planting as watercourse trees.</p>
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Hedgerow Species Mix

<p>Suitable hedgerow plants</p> <p>Primary 70-75% Crataegus monogyna Hawthorn</p> <p>Secondary 25-30% Corylus avellana Hazel Ilex aquifolium Holly</p> <p>Occasional 0-5% Lonicera periclymenum Honeysuckle Viburnum opulus Guelder Rose</p>	<p>Suitable hedgerow trees</p> <p>Primary 70-75% Fraxinus excelsior Ash</p> <p>Secondary 25-30% Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Prunus avium Gean Prunus padus Bird Cherry Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>
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Riverside Meadows

Planting and Management Guidelines

An open floodplain with dense watercourse trees.

Primary woodland character: Unwooded

Primary tree character: Thinly scattered hedgerow and dense watercourse trees.

Woodland vision: Occasional small wet woodlands

Tree vision: Thinly scattered hedgerow and dense watercourse trees.

Typical woodland size range: 0.5 - 5ha small

Woodland pattern: Organic/ linear

Woodland Species Mix

<p>Primary Tree Species 50% + Alnus glutinosa Alder Betula pubescens Downy Birch Salix caprea Goat Willow Salix fragilis Crack Willow</p> <p>+ Watercourse trees - tree species most appropriate for planting as watercourse trees.</p>	<p>Secondary Tree species 20% Major Betula pendula Silver Birch Ilex aquifolium Holly</p> <p>Minor Quercus petraea Sessile Oak Quercus robur Pedunculate Oak Tilia cordata Small Leaved Lime</p>	<p>Shrubs 10-30% Major Crataegus monogyna Hawthorn Salix aurita Eared Willow Salix cinerea Grey Willow</p> <p>Minor Prunus spinosa Blackthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose</p>
<p>Hedgerow Species Mix</p>		
<p>Suitable Hedgerow Plants</p> <p>Primary 85-100% Crataegus monogyna Hawthorn</p> <p>Occasional 0-15% Corylus avellana Hazel</p>	<p>Suitable Hedgerow Trees</p> <p>Primary 95-100% Fraxinus excelsior Ash Quercus petraea Sessile Oak Quercus robur Pedunculate Oak</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Prunus avium Gean Prunus padus Bird Cherry Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>	

Planting in the Needwood and South Derbyshire Claylands

LCD 4.5

Settled Plateau Farmlands

Planting and Management Guidelines

A gently undulating pastoral landscape of very little woodland but densely scattered hedgerow trees.

Primary woodland character: Thinly scattered small plantations

Primary tree character: Densely scattered hedgerow trees.

Woodland vision: Thinly scattered small plantations

Tree vision: Densely scattered hedgerow trees.

Typical woodland size range: 0.5 - 5 ha small

Woodland pattern: Regular plantations

Woodland Species Mix

Primary Tree Species 50%

Acer campestre Field Maple
Fraxinus excelsior Ash
Quercus robur Pedunculate Oak

Secondary Tree Species 20%

Major

Betula pendula Silver Birch
Malus sylvestris Crab Apple

Minor

Populus tremula Aspen
Prunus avium Gean
Prunus padus Bird Cherry
Salix cinerea Grey Willow
Sorbus aucuparia Rowan
Taxus baccata Yew

Shrubs 10-30%

Major

Corylus avellana Hazel
Crataegus monogyna Hawthorn

Minor

Cornus sanguinea Dogwood
Lonicera periclymenum Honeysuckle
Prunus spinosa Blackthorn
Rhamnus cathartica Purging Buckthorn
Rosa canina Dog Rose
Viburnum opulus Guelder Rose

Hedgerow Species Mix

Suitable hedgerow plants

Primary 70-75%

Crataegus monogyna Hawthorn

Secondary 25-30%

Acer campestre Field Maple
Corylus avellana Hazel
Ilex aquifolium Holly
Prunus spinosa Blackthorn

Occasional 0-5%

Cornus sanguinea Dogwood
Lonicera periclymenum Honeysuckle
Rhamnus cathartica Purging Buckthorn
Rosa canina Dog Rose
Viburnum opulus Guelder Rose

Suitable hedgerow trees

Primary 70-75%

Fraxinus excelsior Ash
Quercus robur Pedunculate Oak

Secondary 25-30%

Acer campestre Field Maple

Occasional 0-5%*

Sorbus aucuparia Rowan
Malus sylvestris Crab Apple
Prunus avium Gean
Prunus padus Bird Cherry

* only to be used if occurring locally within the landscape character type

Settled Farmlands

Planting and Management Guidelines

A gently undulating pastoral landscape of very few woodlands but densely scattered hedgerow and watercourse trees.

Primary woodland character: Occasional small woodlands

Primary tree character: Densely scattered hedgerow and dense watercourse trees.

Woodland vision: Occasional small woodlands

Tree vision: Densely scattered hedgerow and dense watercourse trees.

Typical woodland size range: 0.5 - 5 ha small

Woodland pattern: Organic / linear

Woodland Species Mix

Neutral/slightly acidic soils

Primary Tree Species 50%

Acer campestre Field Maple
Fraxinus excelsior Ash
Quercus robur Pedunculate Oak

Secondary Tree Species 20%

Major

Betula pendula Silver Birch
Malus sylvestris Crab Apple

Minor

Populus tremula Aspen
Prunus avium Gean
Prunus padus Bird Cherry
Salix cinerea Grey Willow
Sorbus aucuparia Rowan
Taxus baccata Yew

Shrubs 10-30%

Major

Corylus avellana Hazel
Crataegus monogyna Hawthorn

Minor

Cornus sanguinea Dogwood
Lonicera periclymenum Honeysuckle
Prunus spinosa Blackthorn
Rhamnus cathartica Purging Buckthorn
Rosa canina Dog Rose
Viburnum opulus Guelder Rose

Waterlogged conditions on all soil types

Primary Tree Species 50%

+ Alnus glutinosa Alder
+ Salix fragilis Crack Willow

Secondary Tree Species 20%

Major

Betula pubescens Downy Birch
Quercus petraea Sessile Oak
Salix caprea Goat Willow

Minor

Ilex aquifolium Holly
Populus tremula Aspen

Shrubs 10-30%

Major

Crataegus monogyna Hawthorn

Minor

Prunus spinosa Blackthorn
Rhamnus cathartica Purging Buckthorn
Salix purpurera Purple Willow
Salix triandra Almond Willow
Salix viminalis Osier

+ Watercourse Trees - tree species most appropriate for planting as watercourse trees.

Hedgerow Species Mix

Suitable hedgerow plants

Primary 70-75%

Crataegus monogyna Hawthorn

Secondary 25-30%

Acer campestre Field Maple
Corylus avellana Hazel
Ilex aquifolium Holly
Prunus spinosa Blackthorn

Occasional 0-5%

Cornus sanguinea Dogwood
Lonicera periclymenum Honeysuckle
Rhamnus cathartica Purging Buckthorn
Rosa canina Dog Rose

Suitable hedgerow trees

Primary 70-75%

Fraxinus excelsior Ash
Quercus robur Pedunculate Oak

Secondary 25-30%

Acer campestre Field Maple

Occasional 0-5%*

Malus sylvestris Crab Apple
Prunus avium Gean
Prunus padus Bird Cherry
Sorbus aucuparia Rowan

* only to be used if occurring locally within

Sandstone Slopes and Heaths

Planting and Management Guidelines

Moderate to steeply undulating pastoral landscape with thinly scattered plantations and hedgerow trees.

Primary woodland character: Thinly scattered small broadleaved plantations.

Primary tree character: Thinly scattered hedgerow trees.

Woodland vision: Thinly scattered small broadleaved plantations.

Tree vision: Thinly scattered hedgerow trees.

Typical woodland size range: 0.5 - 10 ha small

Woodland pattern: Regular plantations

Woodland Species Mix

Primary Tree Species 50%	Secondary Tree Species 20%	Shrubs 10-30%
Acer campestre Field Maple Fraxinus excelsior Ash Quercus robur Pedunculate Oak	Major Betula pendula Silver Birch Malus sylvestris Crab Apple Minor Populus tremula Aspen Prunus avium Gean Prunus padus Bird Cherry Salix cinerea Grey Willow Sorbus aucuparia Rowan Taxus baccata Yew	Major Corylus avellana Hazel Crataegus monogyna Hawthorn Minor Cornus sanguinea Dogwood Lonicera periclymenum Honeysuckle Prunus spinosa Blackthorn Rhamnus cathartica Purging Buckthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose

Hedgerow Species Mix

Suitable hedgerow plants	Suitable hedgerow trees
Primary 70-75% Crataegus monogyna Hawthorn Secondary 25-30% Acer campestre Field Maple Corylus avellana Hazel Ilex aquifolium Holly Prunus spinosa Blackthorn Occasional 0-5% Cornus sanguinea Dogwood Lonicera periclymenum Honeysuckle Rhamnus cathartica Purging Buckthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose	Primary 70-75% Fraxinus excelsior Ash Secondary 25-30% Acer campestre Field Maple Occasional 0-5%* Malus sylvestris Crab Apple Prunus avium Gean Prunus padus Bird Cherry Sorbus aucuparia Rowan * only to be used if occurring locally within the landscape character type

Estate Farmlands

Planting and Management Guidelines

A gently rolling mixed farming landscape with densely scattered small estate plantations, hedgerow trees and watercourse trees.

Primary woodland character: Densely scattered small mainly broadleaved plantations.

Primary tree character: Densely scattered hedgerow and dense watercourse trees.

Woodland vision: Densely scattered small mainly broadleaved plantations.

Tree vision: Densely scattered hedgerow and dense watercourse trees.

Typical woodland size range: 0.5 - 10ha small

Woodland pattern: Regular plantations

Woodland Species Mix

<p>Neutral/slightly acidic soils</p> <p>Primary Tree Species 50% Acer campestre Field Maple Fraxinus excelsior Ash Quercus robur Pedunculate Oak</p> <p>Secondary Tree Species 20% Major Betula pendula Silver Birch Malus sylvestris Crab Apple</p> <p>Minor Populus tremula Aspen Prunus avium Gean Prunus padus Bird Cherry Salix cinerea Grey Willow Sorbus aucuparia Rowan Taxus baccata Yew</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p> <p>Minor Cornus sanguinea Dogwood Ilex aquifolium Holly Lonicera periclymenum Honeysuckle Prunus spinosa Blackthorn Rhamnus cathartica Purging Buckthorn Rosa canina Dog Rose Viburnum opulus Guelder Rose</p>	<p>Waterlogged conditions on all soil types</p> <p>Primary Tree Species 50% + Alnus glutinosa Alder + Salix fragilis Crack Willow</p> <p>Secondary Tree Species 20% Major Betula pubescens Downy Birch Salix caprea Goat Willow</p> <p>Minor Populus tremula Aspen</p> <p>Shrubs 10-30% Major Crataegus monogyna Hawthorn</p> <p>Minor Prunus spinosa Blackthorn Rhamnus cathartica Purging Buckthorn Salix purpurea Purple Willow Salix triandra Almond Willow Salix viminalis Osier</p> <p>+ Watercourse Trees - tree species most appropriate for planting as watercourse trees.</p>
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Hedgerow Species Mix

<p>Suitable hedgerow plants</p> <p>Primary 70-75% Crataegus monogyna Hawthorn</p> <p>Secondary 25-30% Acer campestre Field Maple Corylus avellana Hazel Ilex aquifolium Holly Prunus spinosa Blackthorn</p> <p>Occasional 0-5% Cornus sanguinea Dogwood Lonicera periclymenum Honeysuckle Rhamnus cathartica Purging Buckthorn Rosa canina Dog Rose</p>	<p>Suitable hedgerow trees</p> <p>Primary 70-75% Fraxinus excelsior Ash Quercus robur Pedunculate Oak</p> <p>Secondary 25-30% Acer campestre Field Maple</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Prunus avium Gean Prunus padus Bird Cherry Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>
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Riverside Meadows

Planting and Management Guidelines

An open floodplain with dense watercourse trees.

Primary woodland character: Unwooded

Primary tree character: Dense watercourse trees

Woodland vision: Occasional small wet woodlands

Tree vision: Dense watercourse trees

Typical woodland size range: 0.5 - 5 ha

Woodland pattern: Organic / linear

Woodland Species Mix

Primary Tree Species 50%

+ Alnus glutinosa Alder
+ Salix fragilis Crack Willow

+ **Watercourse Trees** - tree species most appropriate for planting as watercourse trees.

Secondary Tree Species 20%

Major

Betula pubescens Downy Birch
Salix caprea Goat Willow

Minor

Ilex aquifolium Holly
Populus tremula Aspen

Shrubs 10-30%

Major

Crataegus monogyna Hawthorn

Minor

Prunus spinosa Blackthorn
Rhamnus cathartica Purging Buckthorn
Salix purpurera Purple Willow
Salix triandra Almond Willow
Salix viminalis Osier

Hedgerow Species Mix

Suitable hedgerow plants

Primary 85-100%

Crataegus monogyna Hawthorn

Occasional 0-15%

Acer campestre Field Maple
Prunus spinosa Blackthorn

Suitable hedgerow trees

Primary 70-75%

Fraxinus excelsior Ash
Quercus robur Pedunculate Oak
Salix fragilis Crack Willow

Secondary 25-30%

Acer campestre Field Maple

Occasional 0-5%*

Malus sylvestris Crab Apple
Prunus avium Gean
Prunus padus Bird Cherry
Sorbus aucuparia Rowan

* only to be used if occurring locally within the landscape character type

Planting in the Trent Valley Washlands



LCD 4.6

Lowland Village Farmlands	
Planting and Management Guidelines	
Open, mixed farming landscape with thinly scattered plantations and hedgerow trees.	
<p>Primary woodland character: Thinly scattered small plantations Primary tree character: Thinly scattered hedgerow Woodland vision: Thinly scattered small plantations Tree vision: Thinly scattered hedgerow Typical woodland size range: 0.5 - 10ha small Woodland pattern: Regular plantations</p>	
Woodland Species Mix	
<p>Neutral/Base Rich Soils</p> <p>Primary Tree Species 50% Fraxinus excelsior Ash Quercus robur Pedunculate Oak</p> <p>Secondary Tree Species 20% Major Acer campestre Field Maple Ilex aquifolium Holly</p> <p>Minor Malus sylvestris Crab Apple Populus tremula Aspen Sorbus aucuparia Rowan Tilia cordata Small Leaved Lime</p> <p>Shrubs 10-30% Major Corylus avellana Hazel Crataegus monogyna Hawthorn</p> <p>Minor Prunus spinosa Blackthorn Rhamnus cathartica Purging Buckthorn Salix cinerea Grey Willow</p>	<p>Waterlogged Conditions on all soil types</p> <p>Primary Tree Species 50% + Alnus glutinosa Alder + Salix fragilis Crack Willow</p> <p>Secondary Tree Species 20% Major Betula pubescens Downy Birch Fraxinus excelsior Ash</p> <p>Minor * Populus nigra ssp. Betulifolia Black Poplar Quercus robur Pedunculate Oak Salix caprea Goat Willow</p> <p>Shrubs 10-30% Major Salix cinerea Grey Willow Sambucus nigra Elder</p> <p>Minor Crataegus monogyna Hawthorn Frangula alnus Alder Buckthorn Rhamnus cathartica Purging Buckthorn Salix viminalis Osier Viburnum opulus Guelder Rose</p> <p>+ Watercourse Trees - tree species most appropriate for planting as watercourse trees.</p> <p>* Plant only native Black Poplar (sub species betulifolia). Contact Derbyshire Wildlife Trust for more information.</p>

Hedgerow Species Mix		
<p>Suitable hedgerow plants</p> <p>Primary 70-75% Crataegus monogyna Hawthorn</p> <p>Secondary 25-30% Acer campestre Field Maple Corylus avellana Hazel Ilex aquifolium Holly Prunus spinosa Blackthorn</p> <p>Occasional 0-5% Rhamnus cathartica Purging Buckthorn</p>	<p>Suitable hedgerow trees</p> <p>Primary 95-100% Fraxinus excelsior Ash Quercus robur Pedunculate Oak</p> <p>Secondary 25-30% Acer campestre Field Maple Tilia cordata Small Leaved Lime</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Populus tremula Aspen Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>	

Riverside Meadows

Planting and Management Guidelines
<p>A broad, open floodplain with scattered hedgerow and watercourse trees.</p> <p>Primary woodland character: Unwooded Primary tree character: Thinly scattered hedgerow trees and dense watercourse trees. Woodland vision: Occasional wet woodlands. Tree vision: Thinly scattered hedgerow trees and dense watercourse trees. Typical woodland size range: 0.5 - 5 ha small Woodland pattern: Organic / linear</p>

Woodland Species Mix		
<p>Primary Tree Species 50% + Alnus glutinosa Alder + Salix fragilis Crack Willow</p> <p>+ Watercourse trees - tree species most appropriate for planting as watercourse trees.</p>	<p>Secondary Tree Species 20%</p> <p>Major Betula pubescens Downy Birch Fraxinus excelsior Ash</p> <p>Minor * Populus nigra ssp. betulifolia Black Poplar Quercus robur Pedunculate Oak Salix caprea Goat Willow</p> <p>* Plant only native Black Poplar (sub species betulifolia). Contact Derbyshire Wildlife Trust for more information.</p>	<p>Shrubs 10-30%</p> <p>Major Salix cinerea Grey Willow Sambucus nigra Elder</p> <p>Minor Crataegus monogyna Hawthorn Frangula alnus Alder Buckthorn Rhamnus cathartica Purging Buckthorn Salix viminalis Osier Viburnum opulus Guelder Rose</p>

Hedgerow Species Mix		
<p>Suitable hedgerow plants</p> <p>Primary 85-90% Crataegus monogyna Hawthorn</p> <p>Secondary 10-15% Acer campestre Field Maple Corylus avellana Hazel Prunus spinosa Blackthorn</p> <p>Occasional 0-5% Rhamnus cathartica Purging Buckthorn</p>	<p>Suitable hedgerow trees</p> <p>Primary 95-100% Fraxinus excelsior Ash Quercus robur Pedunculate Oak Salix fragilis Crack Willow</p> <p>Secondary 25-30% Acer campestre Field Maple Tilia cordata Small Leaved Lime</p> <p>Occasional 0-5%* Malus sylvestris Crab Apple Populus tremula Aspen Sorbus aucuparia Rowan</p> <p>* only to be used if occurring locally within the landscape character type</p>	

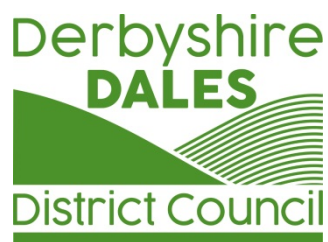
Further Advice

Further advice on Derbyshire Dales Local Plan policies, or any of the issues raised in this Supplementary Planning Document, Planning Application forms and other related matters may be obtained from:

**Planning Enquiries,
Planning Services Section
Town Hall, Matlock, Derbyshire DE4 3NN,
tel: 01629 761336
e-mail: planning@derbyshiredales.gov.uk
Website: www.derbyshiredales.gov.uk**

The Local Plan can be seen online at: <http://www.derbyshiredales.gov.uk/localplan>

BACK TO AGENDA



Consultation Statement

Draft Supplementary Planning Document: Landscape Character and Design June 2018

REGULATION 12 (PART 5) OF THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

1. This statement sets out who was consulted in the preparation of the draft Supplementary Planning Document: Landscape Character and Design, how they were consulted, what issues were raised and how those issues influenced the preparation of the document.

2. Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In July 2007 the District Council formally adopted the Landscape Character and Design Supplementary Planning Document. This has, since that time, sought to provide complementary guidance and advice for developers about how development should address their relationship with the landscape character of the Derbyshire Dales. The SPD has operated well since that time, however following the adoption of the Derbyshire Dales Local Plan in December 2017 it can no longer be used as a “material consideration” in the determination of planning applications.

3. To ensure that the Landscape Character and Design Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to biodiversity and landscape management. Once adopted it can be used in the determination of planning applications as a “material consideration”.

Consultation: Stage One

4. The revised draft Landscape Character and Design SPD was subject to an internal consultation, from 21 March to 25 April 2018, with the following Officers:

- Conservation Officer
- Arboriculture Officer
- Development Management team
- Planning Policy team.

This took the form of email and meetings. No substantive issues were raised, some minor amendments were made relating to the application of fines to Tree Preservation Orders and a recommendation that the Local Plan was re-emphasised in the initial section LCD1.1.

Consultation: Stage Two

5. A six week consultation period ran from 15th June to 27th July 2018. A direct email or letter was sent to targeted contacts contained on the Council Local Plan consultation

database. This included the statutory consultees, Parish and Town Councils, neighbouring authorities, agents, developers and landowners.

6. In addition, the consultation documents were available online and in the following locations:

- Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
- The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
- Matlock Library, Steep Turnpike, Matlock DE4 3DP
- Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
- Ashbourne Library, Compton, Ashbourne DE6 1DA
- Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
- Wirksworth Library, Town Hall, Wirksworth DE4 4EU

7. People were invited to submit comments online or in writing to ensure that representations can be registered and considered by the Council. See www.derbyshiredales.gov.uk/landscape&designSPD

8. In accordance with the Derbyshire Dales District Council Statement of Community Involvement a press release was issued regarding the consultation.

9. A summary of the main issues raised and how the issue was addressed is included in the Appendix One. Proposed amendments to the SPD are shown in italics.

10. This statement and the main issues raised were reported to Members where prior to adoption.

14th September 2018

Appendix One

This table sets out a summary of the main issues raised by the persons consulted and how those issues have been addressed. This approach complies with regulation 12 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The text that the Council propose to delete from the SPD is ~~crossed out~~. The new text that the Council propose to include in SPD is in *italics*.

LCD	Section	Summary of main issue	How the issue has been addressed
1.1	Introduction	A very interesting introduction, a very attractive format, which encourages the reader to continue. Welcome the District Council's approach particularly addressing need rather than demand.	No change is necessary.
1.1	Introduction	It is considered that the 'Potential for Conflict' section on page 1 could be expanded to highlight that over the period to 2033, the District will have to accommodate a minimum of 5,680 new homes and 15 ha of employment land as required by the Local Plan. This new housing and employment growth will largely be accommodated on a range of strategic allocation sites within and on the edge of the main settlements of Ashbourne, Matlock and Wirksworth and to a lesser extent within Darley Dale and a number of smaller accessible settlements. This scale and location of proposed growth could have potential impacts on the landscape and landscape character of the District without appropriate design and landscape mitigation measures	The suggestion to provide some context in the Potential for Conflict section about future growth across the plan area is considered appropriate: <i>"We value our environment for its scenic beauty, wildlife and historic interest, yet it is subject to demands for housing, industry and commerce, transport, water, energy, and food production. The adopted Derbyshire Dales Local Plan anticipates that over the period to 2033 that a minimum of 5,680 new homes and 15 hectares of employment land will be required to meet the future needs of the area. The location and scale of this new development will need to be carefully controlled to ensure that it both protects and enhances the landscape of Derbyshire Dales"</i>
1.1	Introduction	Potential for Conflict: we agree there is the potential for conflict. Matlock relies heavily on tourism. Any policy should not adversely affect tourism or Matlock's attractiveness for visitors. Views from the named sites should be protected. The Wolds is clearly visible	The allocation of land to the north of Matlock for residential development has been subject to significant review through the Local Plan EIP, including the potential for impact on landscape character. Furthermore the impact of a specific development on a specific site and its surrounding area will be assessed during the determination of any planning

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>from the following: Heights of Abraham; High Tor and Matlock bath Gorge; the PDNP and many other sites of interest to tourists- e.g. Crich Stand. Marketing Peak District and Derbyshire has invested considerable sums of money to promote tourism and business in the area. Evidence can be seen widely of their logo being used and featuring Matlock's landscape on greetings cards, paintings and the like. The Wolds features on many of these.</p> <p>Key Issue 1: in this section of LCD 1.1 an iconic view of Riber Castle has been included. This view has been taken from the Northern side of the valley very close to the site included in the Local Plan for development. Riber would no longer be seen as pictured if the landscape were to be destroyed.</p> <p>To sum up, identifying an area proposed for destruction by housing is a bad choice and a bad allocation in terms of landscape.</p>	<p>application for the site. The SPD seeks to ensure that development can achieve the aim of protecting and enhancing the local landscape. As such this representation does not require any changes to be made to the contents of the SPD.</p>
1.2	The Landscape Profession	<p>A helpful addition to the document, encouraging developers to take professional advice – also an open door approach from DDDC.</p>	<p>No change is necessary.</p>
2.1	Legislation and Planning Policy	<p>The Local Plan Inspector recognised that The Wolds is a "locally valued landscape" and that development would change the landscape forever. We therefore agree that Planning Policy should "protect and enhance" landscape that is valued. By allocating this particular valued landscape for destruction by large scale development,</p>	<p>The Inspector concluded</p> <p><i>"The green fields are clearly valued locally. But the site is not protected by any national or local landscape designation and is not a valued landscape in terms of paragraph 109 of the NPPF. Although visible from the PDNP, the site does not form part of the National Park's immediate setting. The Landscape Sensitivity Study (CD49) indicated that land in this area adjoining the urban edge is of low sensitivity rising to medium and high sensitivity further up the slopes. Housing development</i></p>

LCD	Section	Summary of main issue	How the issue has been addressed
		the Local Plan is not sympathetic to this policy.	<p><i>would significantly change the site's character. But developing up the northern slopes of the valley is one of the ways that Matlock has expanded over the years, including in the Victorian and Edwardian eras. Moreover, housing development would be kept to the south of the aqueduct so maintaining an open landscape on the upper more sensitive slopes towards the woodland.</i></p> <p><i>He went on to say that in order to provide a range of sites within the District to meet OAN, allocation of the Gritstone Road site through Policies HC2 and DS4 is justified."</i></p> <p>As such no change is required to the SPD.</p>
2.1	Legislation and Planning Policy	Overall, the document largely consists of a review of an existing SPD primarily being updated in response to changes to national planning policy and the Local Plan. In that context the SPD continues to be strongly developed around the DCC Landscape Character Assessment and the 'Landscape Character of Derbyshire' publication. This is welcomed and in that regard DCC has no further substantive comments to make. However, it would suggest that the document should be amended to take account of the latest version of the National Planning Policy Framework, published in July 2018.	In light of the publication of the revised NPPF on 24 th July 2018 it is considered that the Section in LCD 2.1 on the NPPF be subject to modification to ensure compliance with the most up to date version of the NPPF.
2.1	Legislation and Planning Policy	It is vital that The District Council adheres to the NPPF and the Local Plan to ensure continuity in decision making and confidence in the planning system.	All planning applications are determined in accordance with the development plan, the SPD seeks to offer additional guidance and advice to the applicant or developer. No change is necessary.
2.1	Legislation and Planning Policy	Wirksworth Neighbourhood Plan addresses landscape and design issues that define the Town Council's position regarding the Parish of Wirksworth and Bolehill. This should be taken into account in the SPD.	Neighbourhood Plans are written in such a way that the policies within them positively support the strategic needs set out in the Local Plan, they do not duplicate policies in the Local Plan and they plan positively to support local development. Therefore there should be no contradiction between a SPD and the Neighbourhood Development Plan. It is considered appropriate to include reference to Neighbourhood Development Plans.

LCD	Section	Summary of main issue	How the issue has been addressed
			<p>Suggested insertion (LCD2.1 page 6): Neighbourhood Development Plans <i>Neighbourhood Development Plans form part of the development plan and are taken into account when making decisions on planning applications. Neighbourhood Plans are written in such a way that the policies within them positively support the strategic needs set out in the Local Plan, do not duplicate policies in the Local Plan and plan positively to support local development. Therefore, where Neighbourhood Plans contain policies regarding landscape character and landscape design these should be considered alongside the Local Plan policies and this SPD. For more information on the Neighbourhood Plans that are 'made' and those in the process of being produced see; http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning</i></p>
2.1	Legislation and Planning Policy	The reference to National Park legislation is welcomed.	No change is necessary.
2.2	Landscape Character	<p>We strongly agree that less tangible qualities should be given a high value. The Wolds is a tranquil place and development of such magnitude would destroy this forever; such a huge development would take years to complete and its tranquillity would be totally destroyed. visual amenity for local residents would also be destroyed but also visual amenity from the South side of the valley including the places already listed above, and the PDNP.</p> <p>All of this would have an adverse impact on Matlock's value to the area's " contribution to the economic environmental and social well-being of the plan area"</p> <p>We strongly agree that historic landscape should be preserved and that the setting of the PDNP should be protected, including its</p>	These comments relate to one specific site where the impact of future development on landscape character has been assessed during the Local Plan EIP and will be assessed in detail during any subsequent determination of a planning application. No change to the SPD required.

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>visual amenity.</p> <p>SITE LOCATOR: "settled Valley Pastures" - The Wolds is an example of SVP and is actually a continuation of Farley. This can be clearly seen from a distance from the sites mentioned above, including the PDNP</p>	
2.2	Landscape Character	Building materials should reflect the natural stone. It is not desirable to use red brick in limestone and grit-stone areas.	It is not considered necessary to modify to the document to address this representation as the issue of materials of construction can be adequately dealt with during the determination of a planning application against Policy PD1 in the adopted Derbyshire Dales Local Plan.
2.2	Landscape Character	Accessible part of the document that is helpful to the layperson and very interesting	No change is necessary.
2.2	Landscape Character	<p>Natural Flood Management</p> <p>This document refers the different landscapes within the Derbyshire Dales District. We would highlight that as part of the landscaping opportunities mentioned within this document that Natural Flood Management techniques could be considered, where appropriate. Further information on the natural flood management processes can be found at the following url (https://www.gov.uk/government/publications/working-with-natural-processes-to-reduce-flood-risk)</p>	<p>Local Plan Policy PD8 Flood Risk Management and Water Quality in the Local Plan will apply to all relevant applications. However it is accepted that additional guidance may help the applicant. Additional text is suggested for LCD3.1: Landscape Design and Development Sites.</p> <p>Suggested insertion (LCD3.1 page 26):</p> <p><i>Natural Flood Management</i></p> <p><i>Natural Flood Management techniques such as catchment woodland or river restoration, can be considered where appropriate. Further information on the natural flood management processes can be found at: https://www.gov.uk/government/publications/working-with-natural-processes-to-reduce-flood-risk</i></p>
2.2	Landscape Character	Building more housing is taking away the natural landscape with wildlife to a concrete jungle.	This is contrary to the intent of the SPD, no change is necessary.
2.2	Landscape Character	The 'Landscape Designations' section captures the ways in which heritage designations and undesignated heritage sites with a landscape dimension are a material consideration within the planning process. What is missing at present is any	<p>It is accepted that Historic Landscape Characterisation is an important consideration which was omitted from the consultation version of the SPD.</p> <p>Suggested insertion: (LCD2.2 page8)</p> <p><i>Historic Landscape Character:</i></p> <p><i>Derbyshire's landscape is formed by its topography and geology in interaction with human activity and management over millennia, so that the landscape itself can be</i></p>

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>consideration of historic landscape character and Historic Landscape Characterisation (HLC). This is a national programme generally commissioned on a county basis by Historic England in response to the European Landscape Convention, the aim being to map the historic dimension of the landscape to record how historic land use is still manifest in the landscape today, producing a GIS dataset for each county. HLC data is useful as an adjunct to thinking about landscape character because historic features can be important attributes in certain character areas, and can also be considered as part of the heritage assessment of a particular site.</p> <p>I recommend therefore that a section on Historic Landscape Characterisation (HLC) is added in. This would perhaps make most sense as part of the 'landscape character' discussion, as part of the section on character areas or even in a section of its own.</p>	<p><i>seen as a historic artefact. For example, field boundaries can preserve the shape of medieval strip fields, and this can be reinforced by surviving hedgebanks, ancient hedgerows and cultivation earthworks; or a regular grid patterns of fields with hawthorn hedges can preserve a landscape laid out by Enclosure Act in the late 18th century.</i></p> <p><i>Historic Landscape Characterisation (HLC) is a GIS-based approach to mapping the historic dimension of the landscape, recognising that the landscape itself is historic, in addition to historic buildings and archaeological sites within it. Recognising the historic character of a landscape is intended to allow the landscape itself to be managed and protected within the planning regime operating in England. HLC work is most commonly commissioned by Historic England and is conducted in line with the European Landscape Convention.</i></p> <p><i>Historic features and attributes can contribute to the overall landscape character of a site or area, or can be considered as 'heritage assets' when assessing the historic character of a site. Derbyshire has a HLC dataset (2016) and an older Historic Landscape Character Assessment study dating from the 1990s. Data for a particular site or area can be obtained by contacting the Derbyshire Historic Environment Record (HER)</i></p> <p><i>https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx, and the full HLC dataset can be downloaded from the Archaeology Data Service (ADS) http://archaeologydataservice.ac.uk/archives/view/derbyshire_hlc_2016/.</i></p>
2.2	Landscape Character	The recognition of the relationship of the Dales Planning Area to the National Park and the clear guidance that development should have no unacceptable impact on the setting of the National Park is welcomed.	No change is necessary.
2.3	Biodiversity	We agree more work is needed in this area. the Wolds is a habitat for many birds (some endangered) , badgers and bats. (and there are more)	<p>Where there are statutory or local designations the adopted Derbyshire Dales Local Plan sets out how applications should be assessed.</p> <p>The SPD seeks address the relationship between new development and the landscape. Enhanced biodiversity could be a potential consequence of how development integrates with the landscape – it is not considered appropriate to set detailed requirements as suggested rather it is considered that the following under</p>

LCD	Section	Summary of main issue	How the issue has been addressed
			<p>Local Biodiversity Action Plans provides an indication that other measures may be required to achieve the outcomes of the LBAPs:</p> <p><i>“To achieve the outcomes of Local Biodiversity Action Plans the District Council may seek the inclusion of structures or other measures within developments, the purpose of which will be to the benefit of local biodiversity”</i></p>
2.3	Biodiversity	<p>The Environment Agency welcomes the specific inclusion of biodiversity within this document and the reiteration that ‘enhancement’ of biodiversity should be considered for all development as well as mention to wherever possible create new areas of wildlife habitat.</p>	<p>No change is necessary.</p>
2.3	Biodiversity	<p>This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p>We support the use of Local Biodiversity Action Plans as part of your consideration for the Supplementary Planning Document. We support the creation of Wildlife Habitat and increasing Biodiversity and the important link between landscape character and biodiversity and the use of the SPD to identify habitat characteristics and</p>	<p>The purpose of the SPD is to address the relationship between new development and the landscape. Enhanced biodiversity could be a potential consequence of how development integrates with the landscape – it is not considered appropriate to set detailed requirements as suggested rather it is considered that the following under Local Biodiversity Action Plans provides an indication that other measures may be required to achieve the outcomes of the LBAPs.</p> <p><i>“To achieve the outcomes of Local Biodiversity Action Plans the District Council may seek the inclusion of structures or other measures within developments, the purpose of which will be to the benefit of local biodiversity”</i></p>

LCD	Section	Summary of main issue	How the issue has been addressed
		appropriate creation within each landscape type. This is strengthened with the regard to biodiversity in Policy PD5: Landscape Character.	
2.4	Landscape Designations	<p>The H of A , and High Tor as already stated, these are of paramount importance to Matlock, its landscape and tourism as well as business. Views from these should not be preserved at all costs.</p> <p>7: Historic Environment record: The Wolds is of archaeological and historical value. It has strong links to the Roman and Saxon periods, listed buildings from the seventeenth century, of significant importance to Matlock's heritage. The setting of these listed buildings should be protected by a significant distance. There are obvious Enclosure field patterns which would need to be preserved. John Smedley's pipe which supplied the Hydros and made Matlock a well known spa town and subsequent tourist destination , has its source on the Wolds. This adds significant historic value to this landscape. John Smedley's contribution should be given great weight equal to that of Sir Joseph Whitworth and Sir Richard Arkwright.</p>	These comments relate to one specific site where the impact of future development on landscape character has been assessed during the Local Plan EIP and will be assessed in detail during any subsequent determination of a planning application. No change to the SPD required.
2.4	Landscape Designations	We welcome/acknowledge that the Peak District National Park is mentioned within the introductory paragraph and that this chapter has been largely updated from the original SPD (2007). However we see the updating of this SPD as an opportunity to include the National Park as an additional	<p>It is considered that it is appropriate for a section on the Peak District National Park to be included within this section of the SPD:</p> <p><i>“Peak District National Park In 1951 the Peak District National Park was the first national park to be designated in England and Wales. It occupies approximately half of the Derbyshire Dales local authority area, and is a local planning authority in its own right. Section 62 of the</i></p>

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>sub-heading within 'Other Areas of Special Designation'. This could outline the need to take account of the setting of the National Park when developing schemes and to outline the 'duty' contained within s62 of the Environment Act 1995</p> <p>'Developers' Responsibilities' - It is considered that setting should also be included under this sub-heading (i.e. the impact of a development on the setting of these special designations).</p>	<p><i>Environment Act 1995 requires that the District Council take account of the purposes of the National Park of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas and of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. As such it necessary for the District Council to take account of the impact of any development proposals on the Peak District National Park and its purposes.</i></p> <p><i>Policy PD1 in the adopted Derbyshire Dales Local Plan makes it clear that development needs to take account of its relationship to both the setting and character of the Peak District National Park."</i></p> <p>It is considered appropriate to that developers should take account of both development within and affecting the setting of an area with a special designation. As such this section should be modified to read:</p> <p><i>"The Council will expect potential developers of any site benefiting from a special designation to demonstrate how they will:</i></p> <ul style="list-style-type: none"> <i>• Avoid any adverse effects on designated or important features</i> <i>• Minimise unavoidable effects to the designated areas or their settings</i> <i>• Compensate for unavoidable adverse effects."</i>
2.4	Landscape Designations	<p>It is recommended that the Historic England Historic Landscape Characterisation (HLC) information is incorporated into the document since it could assist as a raw data set which can be interrogated to inform site landscaping and design work and reveal potential enhancement opportunities within Masterplans and site layouts:</p> <p>https://historicengland.org.uk/research/methods/characterisation-2/</p> <p>One option would be to reference HLC within LCD 2.4, and include more information about it in the Baseline Information section of LCD 3.2.</p>	<p>These comments are similar to those made by the County Council's Archaeologist and as such it is considered appropriate to include a reference to the Historic Landscape Characterisation information as set out in Section 2.2 above.</p>

LCD	Section	Summary of main issue	How the issue has been addressed
2.5	Protected Trees	Trees can create major problems for homes and should not be preserved when they are exceptionally large if the home was present first or the tree was planted or grew by accident or folly such that its size dominates a residential site and is detrimental to the site.	Making a tree/trees subject of a Tree Preservation Order is determined by the specific circumstances of each tree or group of trees – it does not mean that no works to the tree/trees can be undertaken, rather any works are properly assessed by the local planning authority before authority to proceed is given. In the context of the SPD LCD 2.5 seeks to highlight that Protected Trees are important components of the landscape and should be respected accordingly. As such no change is required in respect of this representation.
2.5	Protected Trees	Concern that the protection of trees is not a high priority in practice.	Trees are given appropriate protection in accordance with the legislation and Local Plan policies. The SPD seeks to offer further guidance in LCD2.5 Protected Trees and LCD 3.3 Development Sites with Trees. No change is necessary.
2.6	Hedgerows and the Hedgerow Regulations	There is an ancient and significant hedge which runs across The Wolds and this would need to be preserved.	These comments relate to one specific site where the impact of future development on landscape character has been assessed during the Local Plan EIP and will be assessed in detail during any subsequent determination of a planning application. No change to the SPD required.
2.6	Hedgerows and the Hedgerow Regulations	Hedgerows are essential for wildlife to thrive. They must be legally protected.	It is agreed that Hedgerows are essential for wildlife – however to legally protect them would require a change in legislation, and is not therefore something for this SPD.
2.6	Hedgerows and Hedgerow Regulations	The document is very good, however hedgerows do need protection or replacement, does this happen?	Hedgerows are given appropriate protection in accordance with the legislation and Local Plan policies. The SPD seeks to offer further guidance in LCD2.6 Hedgerows and Hedgerow Regulations. No change is necessary.
3.1	Landscape Design and Development Sites	We agree that valuable existing site features , such as dry stone walls ,vegetation and habitats need to be properly incorporated ,not removed or destroyed. Landform; the landform should be maintained as it is and not excavated, flattened or terraced because it is important to maintain the natural shape of the landscape.	These comments relate to one specific site where the impact of future development on landscape character has been assessed during the Local Plan EIP and will be assessed in detail during any subsequent determination of a planning application. No change to the SPD required.
3.1	Landscape Design and Development	A good section. Questioned whether it is implemented. The objective to ensure development integrates with its	Planning applications are determined in accordance with the development plan, the Local Plan policies and relevant legislation is set out in LCD2.1. The SPD provides additional guidance to the applicant for planning consent, the level of detail required

LCD	Section	Summary of main issue	How the issue has been addressed
	Sites	surroundings, the contribution to the wider street scene has failed with the new development adjacent to the golf club. Hope that green infrastructure is retained in Tansley	is set out on page 23. The impact of a development on the surrounding landscape and integration with the surrounding landscape forms part of the assessment of a planning application. No change is necessary.
3.1	Landscape Design and Development Sites – Green Infrastructure	<p>This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.</p> <p>The National Planning Policy Framework states that local planning authorities should plan '<i>positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure</i>'. The Planning Practice Guidance on Green Infrastructure provides more detail on this.</p> <p>Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.</p> <p>There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:</p> <ul style="list-style-type: none"> • green roof systems and roof gardens; • green walls to provide insulation or 	This section provides detailed guidance on how the District Council expects applicants to address the inclusion of Green Infrastructure within developments. As such no change is required to the document.

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>shading and cooling;</p> <ul style="list-style-type: none"> new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity). <p>You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans. Further information on GI is include within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".</p>	
3.1	Landscape Design and Development Sites	<p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>For example, it may be appropriate to seek that, where viable, trees should be of a</p>	<p>The purpose of the SPD is to achieve all these aims. The contents of which seek to achieve all these aims. As such it is considered that no modification is necessary to address these comments.</p>

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.</p> <p>The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 125).</p>	
3.2	Landscape and Visual Impact Assessments	<p>These should be carried out impartially by an independent professional. the impacts of development should not be minimised by developer sponsored assessments. they should be realistic, and the assessor should be nominated by the District Council, not the Developer in order to maintain accuracy and impartiality.</p>	<p>In circumstances where impact upon landscape character is a significant issue, it is not unknown for the District Council to commission consultants to assess the relationship of development proposals to the surrounding landscape – in such instances the consultant are providing independent advice to the local planning authority. By adopting this approach the District Council ensures that it has had independent advice on development proposals. Notwithstanding these comments - no change required to the SPD.</p>
3.2	Landscape and Visual Impact	<p>Can the Peak District National Park be included in the list of Special Designations ?</p>	<p>It is considered appropriate for the National Park to be included in the list.</p>
3.2	Landscape and Visual Impact	<p>Where planting is required as part of a development it is essential that the planting must be nurtured to ensure it survives and thrives. Nurturing over 10 years say should be a condition of granting planning approval</p>	<p>It is normal for conditions to be imposed which reasonably seek the replacement of planting schemes where they have failed within five years. The purpose of the SPD is to provide guidance on what the planting schemes should contain. It is not necessary to make any changes to the SPD to address this representation.</p>
3.2	Landscape and Visual Impact	<p>Having reviewed the contents of the Landscape and Design SPD, Gladman are concerned that both LCD 3.1 and LCD 3.2, are inconsistent with the Framework and indeed the adopted Policy of the Local Plan, further to the above listed main modification. We consider the contents of both LCD 3.1 and LCD 3.2 to once again seek to afford</p>	<p>Both Sections LCD 3.1 and LCD 3.2 provide detailed guidance, which is intended to compliment the policies in the Derbyshire Dales Local Plan. They do not include any policy, which would be contrary to the purpose of SPDs. As such no change is considered necessary to address these comments.</p>

LCD	Section	Summary of main issue	How the issue has been addressed
		landscape protection beyond the scope of the Framework. As such Gladman suggest that the Council revisit these policies and ensure that the approach taken in the Draft Landscape and Design SPD is consistent with the requirements set out in the NPPF.	
3.2	Landscape and Visual Impact Assessment	Need to ensure visual effects are assessed within short, medium and long term.	The section on Impact Assessment on page 28 recognises that landscape and visual effects of development are independent but related. The criteria set out that the effects of development, operation and constructions should be assessed including the “the duration of the effect”. No change is necessary.
3.2	Landscape and Visual Impact Assessment	Natural England recommends your authority liaise with the Peak District National Park Authority, in particularly the Landscape Specialists to ensure that the SPD document has considered all Landscape and Visual impact criteria	Peak District National Park have made representations on the contents of the draft SPD, and as a result of the consultation various modifications have been made to address the points raised by the Peak District National Park.
3.3	Development Sites with Trees	Where possible all mature trees should be retained even if this is inconvenient	As set out in the SPD, where it is appropriate to do so the District Council can and will impose conditions that seek to protect trees on development sites. No change necessary to the SPD.
3.3	Development Sites with Trees	More care should be taken for trees on building sites to ensure all sites are monitored maybe more staff need to be employed.	LCD 3.3 Development Sites with Trees is compliant with the British Standard: Trees In Relation to Design, Demolition and Construction BS5837:2012 and seeks to give guidance to developers when on site. The District Council has a Tree and Landscape Officer who provides an advice service for applicants. No change is necessary.
3.4	Boundaries	Where possible walls should be kept in the style and character of the rural nature of the district and hedges should be the same; varieties consistent with the area eg hawthorn. Fences should be unobtrusive rather than imposing and where possible, hedges should be planted instead of fencing to help protect the environment. Substantial buffer zones should be	This section of the SPD sets out advice on how boundary treatments should be addressed as part of developments. The advice contained within the SPD seeks to ensure that the comments made in the representation are met. No changes necessary to the SPD.

LCD	Section	Summary of main issue	How the issue has been addressed
		incorporated where there is any historical asset. Between 30 and 100m to sensibly protect the asset.	
3.4	Boundaries	Any Derbyshire dry stone wall that is removed “falls down” should be reinstated as part of a planning permission strict enforcement should be in place to ensure our valued stone walls are preserved.	The SPD seeks to give guidance to the applicant about the boundary treatment of development sites. Should it be considered necessary the retention of a stone wall can be subject to a planning condition, in these circumstances planning enforcement action may take place should the wall subsequently be removed. No change is necessary.
3.5	Domestic Curtilages	Boundary treatments are very important – they tend to be optional, should there be a more prescriptive approach to ensure harmony?	LCD3.5 cross refers to the advice contained in LCD3.4 concerning boundary treatment. It is possible to specify boundary treatment for domestic curtilage as part of a planning approval but not as part of the SPD which provides guidance and advice. No change is necessary.
4.1	Planting	The warning regarding Ash trees and Ash dieback is welcomed, however the planting plans at the end of the document all contain Ash trees. In response to Ash dieback, the Peak District National Park Authority has stopped specifying Ash within planting plans/schemes. We consider that the planting plans at the end of the document should be updated to delete any reference to Ash and for the mixes to be amended accordingly	It is considered that whilst ever there is a statutory order in place relating to Ash Dieback that the text should indicate that the inclusion of Ash in the Species Mix in LCD 4.2 to LCD 4.6 is not supported. By taking this approach it allows for Ash to form part of future planting schemes in the event that this SPD endures beyond the period in which the Statutory Notice is in place. Native tree and shrub species suitable for planting within each Landscape Type are listed within LCD 4.2 – LCD 4.6. PLANTING OF ASH TREES WARNING A Plant Health Order of October 2012 prohibits the import of ash seeds, plants and trees and all internal movement of ash seeds, plants and trees. This is to prevent/restrict the spread of ash dieback disease. Whilst ever this Order is in place the District Council does not consider it appropriate for Ash to form any part of the species mix set out in the planting schemes LDC4.2 to LCD 4.6
4.1	Planting	We agree that species that can spread disease should not be used. They should be used to visually screen development form historic assets. Any development should be encouraged to have a significant level of	The contents of the SPD seek to achieve all of the aims set out in the representations. No change necessary to SPD.

LCD	Section	Summary of main issue	How the issue has been addressed
		planting to prevent adverse climatic and environmental conditions, as well as encourage habitat creation. We agree that feature planting should be discouraged	
4.1	Planting	There seems to be little concern by the District Council about maintenance once a development is constructed. The document is meaty and well written , the presentation is very good – all we need now is for it to be followed.	No change is necessary, the SPD aims to offer advice and guidance to the applicant. Responsibility for long term maintenance for landscaping schemes is varied and subject to discussions and agreements at the planning application stage.
4.2	Planting in the Dark Peak	Very informative.	No change is necessary.
	Other	<p>SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>	An SEA is not considered necessary, as the SPD is in accordance with the Environmental Assessment undertaken on the adopted Derbyshire Dales Local Plan.
	Other	We have reviewed the document and note that it does not highlight the need for new developments to incorporate sustainable drainage methods at the earliest possible	The inclusion of SUDs as part of development proposals is advocated in Policy PD8 – Flood Risk Management and Water Quality in the adopted Derbyshire Dales Local Plan. As such this SPD does not seek to compliment that specific policy in the Local Plan. However the provision of SUDs can have landscape consequences. As such it

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>phase of the site design and masterplanning process, and as such we have the following comments to add.</p> <p>All new development should include the use of sustainable drainage systems, unless adequately demonstrated to be inappropriate, and reduce areas of existing impermeable surfaces. Sustainable drainage systems (SuDS) are a natural approach to managing drainage in and around properties and other developments. SuDS work by slowing and holding back the water that runs off from a site, allowing natural processes to break down pollutants. Examples of SuDS include green roofs, permeable surfaces, infiltration trenches, filter drains/strips, swales, detention basins, and purpose built ponds and wetlands. SuDS offer imaginative designers opportunities, rather than just technical problems to be solved. They should be considered as one of the key design considerations from the very start of projects, exploring innovative solutions that form an integral part of an overall scheme. Open space and recreation provision in new developments present an opportunity to provide much needed SuDS, to manage flood risk and reduce the amount of surface water run-off from developments, whilst also contributing to quality neighbourhoods, providing opportunities for wildlife, and enhancing the leisure and play on offer, resulting in a significant positive health effect. Green Infrastructure also needs to be</p>	<p>is considered appropriate to include with LCD 3.1 the following text:</p> <p><u>“Sustainable Urban Drainage</u> Sustainable Urban Drainage systems can have beneficial effects in terms of the managing drainage in and around properties. They work by slowing and holding back the water that runs off from a site. Examples include green roofs, permeable surfaces, infiltration trenches filter drains/strips, swales, detention basin and purpose built ponds and wetlands. These should be considered as an integral part of development proposals, where considered appropriate.”</p>

LCD	Section	Summary of main issue	How the issue has been addressed
		<p>multi-functional. The SPD should make it clear that GI can offer multiple benefits, such as opportunities for outdoor recreation, sustainable travel, ecological conservation and enhancement, landscape enhancement as well as sustainable drainage. Well-designed sustainable drainage systems (SuDS) can form valued, functional elements of open space.</p> <p>Any drainage proposal will be expected to be part of a site wider strategy to avoid piecemeal development and demonstrate how the site delivers sustainable drainage as part of interconnecting phases. Approved schemes will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any surface water drainage schemes.</p> <p>Alternatives to the public sewerage system for surface water discharges must be considered. Applicants wishing to discharge to the public sewer will need to submit clear evidence demonstrating why alternative options are not available. Surface water discharge to a combined sewer would be the last resort, and is strongly discouraged.</p>	

BACK TO AGENDA



Planning and Compulsory Purchase Act 2004
Town and Country Planning (Local Planning) (England) Regulations 2012
Regulation 14
Landscape Character and Design Supplementary Planning Document
Adoption Statement

Derbyshire Dales District Council adopted the Landscape Character and Design Supplementary Planning Document on 13th September 2018.

The SPD will apply to that part of the Derbyshire Dales District Council area for which it is the local planning authority, and is a Supplementary Planning Document for the Derbyshire Dales Local Plan 2017.

Copies of the Supplementary Planning Document and the Consultation Statement which outlines the Council's response to the main issues raised on the draft consultation Supplementary Planning Document are available for inspection at the following locations:

- Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
- The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
- Matlock Library, Steep Turnpike, Matlock DE4 3DP
- Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
- Ashbourne Library, Compton, Ashbourne DE6 1DA
- Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
- Wirksworth Library, Town Hall, Wirksworth DE4 4EU

The documents can also be viewed and downloaded from the Council's website <http://www.derbyshiredales.gov.uk/landscape&designSPD>

Any person aggrieved by The Landscape and Design Supplementary Planning Document must promptly apply to the High Court for permission to apply for a judicial review of the decision to adopt the Supplementary Planning Document within three months of the adoption date.

Steve Capes
 Head of Regeneration and Policy
 Derbyshire Dales District Council
 Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN
 14th September 2018

COMMUNITY AND ENVIRONMENT COMMITTEE
13 SEPTEMBER 2018

Report of Head of Regeneration and Policy

DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2018 - 2021

PURPOSE OF REPORT

This report seeks approval of a revised Local Development Scheme (LDS) to be published on the Council's website.

RECOMMENDATION

That the Derbyshire Dales Local Development Scheme 2018-2021 as set out in Appendix 1 to this report be approved and brought into immediate effect.

WARDS AFFECTED

All Wards outside the Peak District National Park.

STRATEGIC LINK

The Local Development Scheme sets out the programme for the review and preparation of the Derbyshire Dales Local Plan and as such will influence the ability of the Council to achieve a number of its key aims and objectives during the next three years including the delivery of affordable housing, business growth, job creation and delivering a thriving district.

1. BACKGROUND

- 1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act) requires that local planning authorities prepare a Local Development Scheme (LDS), which sets out the Council's programme for the preparation and adoption of Local Development Documents over a three year period.
- 1.2 The National Planning Policy Framework requires that the planning system should be plan led, with an up to date plan providing a positive vision for the future of the area that sets out a framework for addressing housing needs, economic, social and environmental priorities. The National Planning Practice Guidance states that local planning authorities must keep communities informed of plan making activity, by publicising and keeping up to date their timetable for producing their Local Plan in a Local Development Scheme (LDS). The LDS should be published on the authority's web site.

1.3 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetables for producing other planning documents such as the Community Infrastructure Levy (CIL), Supplementary Planning Documents (SPD's) and the Statement of Community Involvement (SCI) in the LDS. However, where being prepared details of these documents, and their timetable for preparation should be set out on the Council's website.

2. THE DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2018-2021

2.1 The current Local Development Scheme was brought into effect in December 2016, at a time when the District Council was preparing to submit the now Adopted Derbyshire Dales Local Plan to the Secretary of State for examination.

2.2 The Derbyshire Dales Local Plan was adopted on 7th December 2017. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, which came into effect on 7th April 2018 now requires local planning authorities to review and assess whether local plans need updating at least every five years.

2.3 In accordance with the National Planning Policy Framework Local Plan reviews should be completed no later than five years from the adoption date of the Plan, and should take into account changing circumstances affecting the area, and/or any relevant changes in national policy. Furthermore, there is a requirement for relevant strategic policies to be updated at least every five years if the applicable housing need figure changes significantly. The local planning authority is required to set out the timetable for producing or reviewing the Local Plan within the LDS.

2.4 Section 113 of the Localism Act 2011 requires that local planning authorities publish information at least once a year on the implementation of the Local Development Scheme and the extent to which policies set out in Local Development Plan Documents (Local Plan) are being achieved.

2.5 The Councils Authority Monitoring Report (AMR) will, therefore, be the main mechanism for assessing how effectively the Local Plan is being implemented. The results of such monitoring will identify which policies and proposals are being effective in taking forward development and those which may need some form of review.

2.6 Whilst it is a statutory requirement that a review of the Derbyshire Dales Local Plan is completed by December 2022, there may be circumstances where it is necessary to complete a review earlier than that date.

2.7 As Members may be aware within the Implementation and Monitoring Chapter of adopted Derbyshire Dales Local Plan there is a commitment in the Housing Implementation Strategy that the District Council will continually monitor housing supply and delivery and report in the Authority Monitoring Report the up to date position with regards to the housing trajectory, and five year housing land supply. It goes on that in the event that the housing strategy is not being delivered the District Council will investigate the reasons and take appropriate action to rectify the situation.

2.8 The adopted Derbyshire Dales Local Plan suggests that any intervention will be determined by circumstances, but under performance in a single year is

unlikely to require immediate intervention. It sets out that persistent under-delivery would require more comprehensive assessment, particularly where there are likely to be adverse implications for the five year housing land supply and/or the longer term delivery of the Local Plan's housing target. In this context, under-delivery in circa 65% (two thirds) of monitoring years is defined as being persistent under-delivery.

- 2.9 The revised NPPF published on 24th July 2018 indicates that if housing delivery does not provide 95% of the housing requirement over the previous 3 years that local planning authorities should prepare an action plan to assess the causes of under delivery and set out proposals to increase delivery in future years.
- 2.10 One factor that may, therefore, trigger an early review of the Derbyshire Dales Local Plan is where it is considered that housing delivery is not meeting the required levels. Other factors that might suggest an early review of the Derbyshire Dales Local Plan is required include where economic development activity is not compatible with the provisions of the Local Plan or where significant changes to national planning policy are made.
- 2.11 Given that it is less than a year since the adoption of the Derbyshire Dales Local Plan there is little evidence to suggest an early review is required. Furthermore at this time it is too early to be able to predict whether a review of the Derbyshire Dales Local Plan would be required over the three year period of a revised LDS (2018-2021). However, given the Government's desire for transparency about local planning authority's future intentions in respect of plan making it is considered appropriate to publish a revised LDS at this time.
- 2.12 Whilst a revised Local Development Scheme has been prepared and is set out in Appendix 1 to this report, for the reasons set out in Paragraph 2.11 above, Members will note that it does not include any timetable for the review of the Derbyshire Dales Local Plan. Rather it indicates that in the event that a review of the Derbyshire Dales Local Plan is required during the period 2018-2021 the District Council will prepare a further revised LDS, which will set out a formal timetable for undertaking the review of the Derbyshire Dales Local Plan.
- 2.13 Members are recommended to approve the Derbyshire Dales Local Development Scheme, as set out in Appendix 1 and to publish it on the District Council's website as soon as practically possible.

3 RISK ASSESSMENT

3.1 Legal

The proposals accord with the provisions of the relevant legislation as set out in the report, accordingly the legal risk is low.

3.2 Financial

Any future review of the Local Plan may have financial implications for the District Council. However the costs of undertaking such reviews have been taken into account in the District Council's Medium Term Financial Strategy. The financial risk is therefore assessed as low.

3.3 Corporate Risk

At this time the risk associated with the preparation of the Derbyshire Dales LDS is low. However in the event that a review of the Derbyshire Dales Local Plan is required, whilst the risk associated with the preparation of a new LDS may remain low, there may be significant risks for the District Council associated with such a review.

4 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

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6 BACKGROUND PAPERS

Description	Date	Location
Localism Act 2011	15 th November 2011	G/5/P2
Town and Country Planning (Local Development) (England) Regulations 2012	6 th April 2012	G/5/P2
National Planning Policy Framework and Planning Practice Guidance	24 th July 2018	G/5/P2
Derbyshire Dales Local Plan	Adopted December 2017	G/5/P2
Derbyshire Dales Local Development Scheme 2016-2019	December 2016	G/5/P2

7 ATTACHMENTS

Appendix 1 DDDC Local Development Scheme 2018-2021

BACK TO AGENDA



DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2018-2021

September 2018

DERBYSHIRE DALES DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
2018-2021

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1. INTRODUCTION

Localism Act 2011

1.1 The Local Development Scheme (LDS) is a three year project plan which sets out the timescales for the preparation and review of Local Development Documents within Derbyshire Dales. A LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify:

- The local development documents which are to be development plan documents;
- The subject matter and geographical area to which each development plan document is to relate;
- Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- Any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
- The timetable for the preparation and revision of the development plan documents; and
- Such other matters as are prescribed.

1.2 The LDS must set out (among other matters) the documents which, when prepared will comprise the Development Plan for the area. It must be made publically available and kept up to date. In order to enable local communities and interested parties to keep track of progress this LDS has been prepared and covers the period September 2018 – September 2021. This LDS supersedes the previous version of the LDS published in December 2016.

Local Plan Regulations

1.4 The Town and Country (Local Planning) (England) Regulations 2012 came into force on 6 April 2012. These Regulations prescribe the form and content of a Local Plan and Policies Map and set out the procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate, the requirements in relation to the Authority Monitoring Report (AMR), and set out how information should be made available for inspection.

1.5 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetable for the production of other planning documents, such as Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) in the LDS. However, it is considered good practice, that where these are being prepared their details and timetable for preparation are set out on the local planning authorities website.

Neighbourhood Planning Regulations

1.5 Town and Parish Councils can prepare *Neighbourhood Development Plans*. These can set out the vision and planning policies for the use and development of land in a particular designated neighbourhood area. Neighbourhood Plans, must, however, be in general conformity with the National Planning Policy Framework and the local

planning authorities strategic planning policies. When a Neighbourhood Development Plan is approved by an independent examiner and agreed through a local referendum, the local planning authority must adopt it as part of its Development Plan and take it into account when making decisions on planning applications in the area.

- 1.6 As Neighbourhood Development Plans are not prepared by the District Council and their timetables are dependent on the progress made by the respective communities, they are not required to be included in the LDS. However to reflect good practice, information on neighbourhood planning activity and 'made' Neighbourhood Plans in the Derbyshire Dales is included in this LDS. More detailed information is however, available on the District Council's website¹.

The National Planning Policy Framework

- 1.7 A revised National Planning Policy Framework (NPPF) was published in July 2018. It commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities.
- 1.8 Various strategic priorities must be addressed in a Local Plan, including policies to deliver the homes and jobs needed together with any necessary retail, leisure and other commercial development. The NPPF stresses that plans must be based on adequate, up to date and relevant evidence. National planning policy sets out clear expectations about how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

The National Planning Practice Guidance

- 1.8 The National Planning Practice Guidance (NPPG) provides complementary guidance for local planning authorities on the production, preparation and deliverability of Local Plans. The NPPG reiterates the key role of Local Plans in delivering sustainable development that reflects the vision and aspirations of local communities. It advocates the role of the Local Plan as an important tool in guiding decisions on development proposals, and acting as the starting point for decision making.
- 1.9 The NPPG sets out that the Local Plan should make clear what is intended to happen in the area over the life of the Plan, where and when this will occur and how it will be delivered. A key diagram and policies map must also be included to indicate the geographic application of the policies in the plan. The NPPG also indicates the type of documents which should form the appropriate and proportionate evidence base to support the preparation of a Local Plan.

¹ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning>

2. PROPOSED LOCAL DEVELOPMENT SCHEME

The Development Plan

2.1 The 'Development Plan' comprises one or more 'adopted development plan documents'. The Local Plan is the main document produced by the District Council which sets out the policies and proposals for the use and development of land for the period up to 2033. This is one of the documents that make up the 'Development Plan' for Derbyshire Dales. Planning applications have to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following documents currently comprise the statutory Development Plan for Derbyshire Dales;

- **The Derbyshire Dales Local Plan** – Adopted December 2017; sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for use in the determination of planning applications. The Adopted Derbyshire Dales Local Plan and Policies Map can be viewed using the following link:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16>

- **Saved policies of the Derby and Derbyshire Minerals Local Plan²** (2000 – partly revised in 2002) – guides decisions on planning applications for the extraction of minerals and associated works in the area.
- **Saved policies of the Derby and Derbyshire Waste Local Plan³** – 2005 – guides decisions on planning applications for developments associated with the management of waste material in the area.
- **Neighbourhood Development Plans** – The Localism Act 2011 introduced the right for communities to prepare their own Neighbourhood Development Plans. Neighbourhood Development Plans in order to become part of the Development Plan and used in the determination of planning applications have to follow a formal statutory process for preparation and consultation, and be examined by an appointed person. When adopted, the 'made' Neighbourhood Plan' is used to assess and determine planning applications within the Plans designated area.

There are currently two 'made' Neighbourhood Plans in Derbyshire Dales, Wirksworth Neighbourhood Plan⁴ which was brought into effect on 25th June

² <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/planning/planning-policy/minerals-waste-development-framework/derby-and-derbyshire-minerals-local-plan-part-one.pdf> & <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/planning/planning-policy/minerals-waste-development-framework/derby-and-derbyshire-minerals-local-plan-part-two.pdf>

³ <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/planning/planning-policy/minerals-waste-development-framework/derby-and-derbyshire-waste-local-plan.pdf>

⁴ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/wirksworth-neighbourhood-plan>

2015 and Doveridge Neighbourhood Plan⁵ which was brought into effect on 26th July 2018. Other areas that have been designated as neighbourhood areas include:

- Ashbourne
- Boylestone
- Brailsford
- Darley Dale
- Kirk Ireton
- Middleton By Wirksworth
- Shirley

Other Policies Material to Decision Making

2.2 Development Plan Documents carry the most weight in the determination of planning applications; however there are other documents that complement DPDs, and provide detailed guidance that can assist in the determination of planning applications.

- **Supplementary Planning Documents (SPD's)** – provide supplementary advice and guidance and are material considerations in the determination of planning applications. SPD's are not subject to independent examination but are subject to public consultation in accordance with the Regulations and the District Council's Statement of Community Involvement. The District Council had a number of SPD's that were prepared to support policies in the 2005 Local Plan on the following topics;

- Affordable Housing
- Farm building conversion design guidance
- Landscape character and design
- Matlock
- Shop front and commercial properties design guidance

It is intended that these SPDs will be updated to reflect policies in the newly adopted 2017 Derbyshire Dales Local Plan⁶.

2.3 The implementation and performance of policy documents and progress in delivering the LDS is reviewed annually through the Authority Monitoring Report (AMR)⁷. Other documents produced by the District Council include the Statement of Community Involvement (SCI). This details how the authority will encourage local communities to participate in the planning process.

⁵ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/doveridge-neighbourhood-plan>

⁶ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/supplementary-planning-documents>

⁷ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/authority-monitoring-report>

Derbyshire Dales Local Plan Evidence Base and Background Documents

- 2.4 Government guidance emphasises the requirement for the preparation and review of policies to be underpinned by relevant, proportionate and up to date evidence. The District Council will continue to undertake studies and research as appropriate to support the preparation of Development Plan Documents. The evidence base to support the preparation and adoption of the Derbyshire Dales Local Plan consists of a wide range of studies, plans and strategies, produced by a wide range of organisations, not just the District Council. A significant amount of evidence has been prepared and can be found on the District Council's website.⁸

Derbyshire Dales Local Plan Review Programme

- 2.5 The Derbyshire Dales Local Plan was adopted in December 2017. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, which came into effect on 7th April 2018 requires Local Planning Authorities to review and assess whether local plans need updating at least every five years.
- 2.6 In accordance with the National Planning Policy Framework reviews should be completed no later than five years from the adoption date of the Plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Furthermore, there is a requirement for relevant strategic policies to be updated at least every five years if the applicable housing need figure changes significantly. The Local planning authority is required to set out the timetable for producing or reviewing the Local Plan within the LDS.
- 2.7 Section 113 of the Localism Act 2011 requires that local authorities publish information at least once a year on the implementation of the Local Development Scheme and the extent to which policies set out in Local Development Plan Documents (Local Plan) are being achieved in the interests of transparency.

Monitoring

- 2.8 The Councils Authority Monitoring Report (AMR) will be the main mechanism for assessing how effectively the Local Plan is being implemented and for dealing with the risks and future unpredictable events that may affect delivery of the Plan. The results of such monitoring will identify which policies and proposals are being effective in taking forward development and those which may need some form of review.
- 2.9 The AMR monitors the progress of the LDS on an annual basis, reporting in December each year. The latest AMR covers the period 2016-2017 and is available on the District Councils website⁹.
- 2.10 Whilst a statutory requirement that a review of the Derbyshire Dales Local Plan is completed by December 2022, there may be circumstances, identified through the AMR whereby it is deemed necessary to undertake a review earlier than this date.

⁸ <http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16/evidence-base>

⁹ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/authority-monitoring-report>

- 2.11 Within the Adopted Derbyshire Dales Local Plan there is a commitment in the Housing Implementation Strategy that the District Council will continually monitor housing supply and delivery with regard to the housing trajectory and five year housing land supply. In the event that the monitoring identifies that the housing strategy is not being delivered the District Council will investigate the reasons and take appropriate action.
- 2.12 A review of the Local Plan and intervention will be dependent on the circumstances identified through the AMR and reasonable judgement applied to determine what appropriate action may be required. The Adopted Local Plan sets out that under performance of housing delivery in a single year is unlikely to require immediate intervention. Persistent under delivery would however require more comprehensive assessment, particularly where there are likely to be adverse implications for the five year housing land supply and/or the longer term delivery of the Local Plan's housing target. In this context, under delivery in circa 65% (two thirds) of monitoring years is defined as being persistent under-delivery.
- 2.13 The National Planning Policy Framework (NPPF) stipulates under the provisions of the Housing Delivery Test, that should housing delivery not provide 95% of the Local Plan housing requirement over the previous three years that local planning authorities should prepare an action plan to assess the causes of under delivery and set out proposals to increase delivery in future years. Housing delivery not meeting the required levels may therefore trigger a review of the Local Plan. Furthermore where the Local Plan policies are not being implemented as envisaged, for instance where economic development activity is not compatible with the provisions of the Local Plan or significant changes to national policy occur then a review of the Local Plan may be required.
- 2.14 Given that the Local Plan has been adopted within the last twelve months there is little evidence to currently indicate a review of the Local Plan is required. Furthermore at the time of preparing this LDS it is considered too early to predict whether a review of the Local Plan will be required over the three year period of the revised LDS (2018-2021). However, in order to reflect the Government requirement for transparency about development plan document preparation and plan making it is considered appropriate to publish a revised LDS.
- 2.15 In the event that future evidence gathering and monitoring through the AMR indicates that a review of the Derbyshire Dales Local Plan is required during the period 2018 - 2021 the District Council will revise this LDS accordingly. A revised LDS will set out a formal timetable for undertaking the review of the Derbyshire Dales Local Plan and give further information and consideration of the resources and risk management involved with the preparation and review of the Plan.

BACK TO AGENDA

COMMUNITY AND ENVIRONMENT COMMITTEE
13 SEPTEMBER 2018

Report of Head of Regeneration and Policy

DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2018

PURPOSE OF REPORT

This report advises of the statutory requirement to prepare a Statement of Community Involvement (SCI), and recommends that revisions to the Council's current Statement of Community Involvement as set out in Appendix 1 be subject to a period of six weeks public consultation.

RECOMMENDATION

1. That the revised Statement of Community Involvement (SCI) 2018 as set out in Appendix 1 be approved for a period of six weeks public consultation.
2. That in the event that the public consultation results in no objections to the revised SCI then delegated authority be given to the Head of Regeneration and Policy to take forward its formal adoption.
3. That in the event of any substantive representations being received during the public consultation on the revised SCI, then a further report be presented to this Committee for consideration of the representations received.

WARDS AFFECTED

All outside the Peak District National Park.

STRATEGIC LINK

A Statement of Community Involvement sets out the standards of community engagement that the District Council will seek to achieve in respect of the delivery of its Planning functions. As such the Statement of Community Involvement will support the Council's Corporate values of working in partnership with communities, businesses and residents and being open and transparent in decision making.

1. BACKGROUND

- 1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires that local planning authorities prepare a Statement of Community Involvement (SCI).

- 1.2 The purpose of the SCI is to explain to local communities and stakeholders how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. Local planning authorities are also required to set out in the SCI their policies for giving advice or assistance to neighbourhood planning groups and their policies for involving communities and other interested parties in the preliminary stages of plan-making.
- 1.3 The SCI helps to ensure that local communities have greater ownership over local planning decisions and are better able to shape the places where they live. The SCI will define the standards to be met by the District Council in terms of community involvement and stakeholder engagement.
- 1.4 The National Planning Policy Framework (NPPF) emphasises the role of community engagement in the planning system, setting out that “Plans should be prepared with the objective of contributing to the achievement of sustainable development... be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.” (paragraph 16 NPPF). Furthermore the NPPF states “plans should be accessible through the use of digital tools to assist public involvement and policy presentation“ (paragraph 16 NPPF). In respect of decision making the NPPF further emphasises that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties” (paragraph 39 NPPF).

2. REVISED DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT

- 2.1 The current Statement of Community Involvement (SCI) was brought into effect on 16th March 2016, at a time when the District Council was preparing the now Adopted Derbyshire Dales Local Plan. Whilst elements of the existing SCI continue to remain up to date and do not require significant revision a review of the document has been undertaken to ensure the District Councils practices in relation to community engagement on planning matters are articulated clearly and the contents of the SCI also reflect statutory requirements and best practice. A copy of the revised SCI is set out in Appendix 1 for Members Consideration.
- 2.2 Although the District Council already consults widely with the local community and stakeholders, the SCI is intended to formalise and continually improve consultation and public participation methods and processes. The SCI has been produced with a strong focus upon the action plans of the Derbyshire Dales Consultation and Engagement Strategy 2014-2019 and the Derbyshire Dales Communications and Marketing Strategy (updated 2017).
- 2.3 As Members will be aware the District Council has considerable experience of engaging with the local community and working with partners and stakeholders. The core values set out within the District Council’s Corporate Plan 2015-2019 recognise the invaluable role of working in partnership with communities, businesses and residents and that the Council will be open and

transparent when making decisions. The revised SCI has been prepared taking these principles into account.

- 2.4 The revised SCI identifies the Local Development Documents upon which the public and stakeholders will be consulted; these include the Derbyshire Dales Local Plan and Supplementary Planning Documents. The revised SCI also sets out how the District Council will give advice and assistance to neighbourhood planning groups on the preparation of Neighbourhood Development Plans and involve communities in the preliminary stages of plan making.
- 2.5 The SCI outlines the different stages of consultation for the various stages of document preparation and identifies the different methods the District Council will adopt to ensure that as wide a range of the community and stakeholders as possible are engaged in the planning process. In respect of Local Development Documents these include:
- Newsletters and leaflets
 - Media – local press, TV, radio
 - Exhibitions and displays
 - Website
 - Questionnaire and surveys
 - Online Panel
 - Public meeting and surgeries
 - Focus groups
 - Workshops
 - Participative planning activities
 - Community forums and liaison groups
- 2.6 The revised SCI also sets out how the community and stakeholders will be involved in the process of submitting and determining individual planning applications, including how they are publicised and consulted upon. It additionally provides detail upon how comments can be made on planning applications, the arrangements for public participation at Planning Committee and the decision making and appeal process.
- 2.7 The revised SCI additionally outlines where community groups or individuals can obtain further information and assistance with the planning process, such as through Planning Aid England.
- 2.8 Although the SCI is not subject to any independent assessment it is considered best practice that it is subject to a period of public consultation prior to formal adoption. It is therefore recommended that the revised SCI as set out in Appendix 1 be subject to a period of 6 weeks public consultation. Throughout the consultation period copies of the SCI will be made available for comment at the Councils offices, leisure centres and local libraries. It will also be published on the Councils website.

3 RISK ASSESSMENT

3.1 Legal

The proposals accord with the provisions of the relevant legislation, accordingly the legal risk is low.

3.2 Financial

The cost of officer time spent in preparing the Statement of Community Involvement can be met from existing budgets. There are no financial risks arising from this report.

3.3 Corporate Risk

The failure to comply with Government policy advice would constitute a strategic risk to the Council. However, the overall degree of risk is considered to be low.

4 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

Equality Considerations

Derbyshire Dales District Council has a statutory duty under S.149 of the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity; and
- Foster good relations between different groups

The District Council's commitment to equality and fairness is set out in the Equality Plan 2018-2019 This sets out that the District Council aims to embed consideration of equality in everything it does, including making equality an integral part of community involvement. The Equality Plan recognises that different groups require different forms of involvement to ensure their needs are met appropriately and sensitively. Equality interest groups to be engaged through the SCI are identified in Paragraph 2.10 of the SCI as set out in Appendix 1.

5 CONTACT INFORMATION

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6 BACKGROUND PAPERS

Description	Date	Location
Planning and Compulsory Purchase Act	13th May 2004	G/5/P2
Localism Act 2011	15th November 2011	G/5/P2
Town and Country Planning (Local Development) (England) Regulations 2012	6th April 2012	G/5/P2
Neighbourhood Planning Act 2017	27 th April 2017	G/5/P2
National Planning Policy Framework and Planning Practice Guidance	24 th July 2018	G/5/P2
Derbyshire Dales Local Plan	Adopted December 2017	G/5/P2
Derbyshire Dales Local Statement of Community Involvement	March 2016	G/5/P2

7 ATTACHMENTS

Appendix 1 – Derbyshire Dales Statement of Community Involvement - September 2018

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DERBYSHIRE DALES
STATEMENT OF COMMUNITY INVOLVEMENT
September 2018

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DERBYSHIRE DALES

STATEMENT OF COMMUNITY INVOLVEMENT

1.0 INTRODUCTION

- 1.1 Section 18 (Part 2) of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and Neighbourhood Planning Act 2017) requires Local Authorities to produce a Statement of Community Involvement (SCI) which sets out the authority's policy on the involvement of those who have an interest in matters relating to development in their area.
- 1.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the minimum requirements for Local Authorities in terms of community involvement when preparing Local Plans. These statutory requirements underpin the SCI, which itself sets out the wider steps that the District Council will take to involve and engage the community in all elements of plan making and the determination of planning applications.
- 1.3 The Localism Act 2011 also places greater emphasis upon community involvement by empowering local communities to get involved in the plan making process in their area. The Localism Act also updates the Planning and Compulsory Purchase Act 2004 requirement that local planning authorities should produce a Local Development Scheme (LDS). **An updated LDS was adopted by the District Council at a meeting of Community and Environment Committee on the 13th September 2018.** The LDS sets out the Council's programme for the preparation and review of Local Development Documents over a three year period. A copy of the revised LDS can be downloaded from the Council's website at: **INSERT LINK**
- 1.4 There is a clear emphasis through national planning policy on encouraging early and consistent community involvement. The National Planning Policy Framework emphasises the role of community engagement in the planning system, setting out that "Plans should be prepared with the objective of contributing to the achievement of sustainable development, be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, business, infrastructure providers and operators and statutory consultees" (paragraph 16 NPPF). Furthermore the NPPF states "plans should be accessible through the use of digital tools to assist public involvement and policy presentation" (paragraph 16 NPPF). In respect of decisions making the NPPF further emphasises that "early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties" (paragraph 39 NPPF).
- 1.5 It is therefore of great importance to involve the community within the planning process and the SCI outlines the District Council's process of doing so. The SCI not only sets out how the District Council will seek to engage with the community in all stages of plan making, but also how the District Council will engage with the community in the determination of planning applications. It is

designed to ensure that members of the public have a clear understanding of when and how they can participate in both the plan making process and within the decision making process in regard to planning applications.

- 1.6 The current SCI was adopted in 2016 at a time when the District Council was preparing the now adopted Derbyshire Dales Local Plan. The Derbyshire Dales Local Plan was adopted on 7th December 2017 and sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for the use in the determination of planning applications. The Adopted Local Plan can be viewed here:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16>

- 1.7 Whilst elements of the existing SCI continue to remain up to date and do not require significant revision a review of the document has been undertaken to ensure the District Councils practices in relation to community engagement on planning matters are articulated clearly and the contents of the SCI reflect statutory requirements and best practice.

2.0 OUR COMMITMENT TO COMMUNITY INVOLVEMENT

- 2.1 The District Council already has considerable experience of engaging with the local community and has been particularly successful in working with the community and its partners in the Peak District Partnership (PDP). This partnership draws together organisations working in the Derbyshire Dales and High Peak from the statutory, voluntary and business sectors. The PDP aims to use resources collectively to tackle key priorities. It recognises the importance of working together, highlighting how more can be achieved this way.
- 2.2 The District Council is also an active participant in the Derbyshire Community Engagement Group. The group comprises public sector organisations in Derbyshire that have statutory responsibilities for carrying out consultation with the public. Its membership includes; Derbyshire County Council, Derbyshire Fire and Rescue Service, High Peak and Dales Primary Care Trust and Derbyshire Constabulary. The aim of the Group is to share resources and expertise and develop best practice in research and consultation across the public sector.
- 2.3 The District Council has a number of plans and strategies in place which relate to community involvement. This SCI builds upon approaches set out in such plans and strategies including the Council's Corporate Plan 2015-2019, Consultation and Engagement Strategy 2014-2019 and the Communications and Marketing Strategy 2017, further information on which is set out below:

Corporate Plan 2015-2019

- 2.4 Working in partnership with communities, businesses and residents and being open and transparent in decision making are the District Council's Core Values as set out in the Corporate Plan. Listening to people and working with partners will ensure that communities are involved in processes that underpin all work undertaken by the Council.
- 2.5 A copy of the Corporate Plan can be found at:
[http://www.derbyshiredales.gov.uk/images/documents/C/Corp_Plan_2015 -
_Council Corporate Plan.pdf](http://www.derbyshiredales.gov.uk/images/documents/C/Corp_Plan_2015_-_Council_Corporate_Plan.pdf)

Consultation and Engagement Strategy 2014-2019

- 2.6 The District Council's Consultation and Engagement Strategy 2014-2019 recognises that policies have a more lasting impact and services are more responsive to local need if influenced directly by those whom they affect. It also sets out other benefits of involving people including improving customer perceptions and satisfaction, to reduce inequalities, to strengthen local democracy and to enhance community cohesion.
- 2.7 For consultation and engagement to be effective the views of residents, service users, local businesses, voluntary and community sector organisations, partners and other stakeholders will be sought and listened to with the results used to improve the Council's decisions. The Council is committed to working with these different stakeholder groups to ensure the priorities of the Council, the policies it makes and services it provides are shaped through local engagement. This strategy also supports one of the core values of the District Council, listening to people.
- 2.8 The District Council uses a range of methods in order to access a range of people. This involves:
- Website surveys and polls
 - Residents' surveys
 - Area Community Forums
 - Public meetings, exhibitions and 'drop-in' sessions
 - Focus Groups
 - Business breakfasts and evening meetings
 - Parish and town council conferences
 - Attending meetings and events with representatives of hard to reach groups and holding engagement events in venues used by these groups.
- 2.9 Where possible the District Council will work with partners, including those on the Peak District Partnership, to enhance the District Council's capacity to engage using existing networks. The District Council also continuously strives to improve on their approach by developing alternative methods of

engagement, increasing local area working and developing a better understanding of its customers.

2.10 The strategy identifies people with disabilities, young people and businesses as the main hard to reach groups which will be particularly targeted. Countywide representative bodies such as Derbyshire LGBT, BME forum, Derbyshire Gypsy Liaison Group, 3D Voluntary and Community Sector Infrastructure Consortium, Learning Disabilities Partnership Board and Derbyshire and Nottinghamshire Chamber of Commerce will also be engaged as appropriate to seek the views of their members.

2.11 The District Council's Consultation and Engagement Strategy can be found at:

http://www.derbyshiredales.gov.uk/images/documents/C/Consultation_and_Engagement_Strategy_2014-2019.pdf

Area Community Forums

2.12 Local communities can also be involved in planning matters through the District Council's Area Community Forums. The Area Community Forums are an opportunity for members of the public, representatives from community groups and the voluntary and business sector to meet with Officers and Councillors from the District Council and partner organisations such as the Peak District National Park Authority, Derbyshire County Council and Fire, Police and Health Authorities. The Forums are held twice a year in three different public venues each time. Planning matters are generally included on the agenda of such forums along with wider issues. Each session normally covers 2 or 3 subjects plus an allocated session for general questions.

2.13 The forums are open to anyone to attend and they are publicised to Community Groups, Town and Parish Councils and more widely through the District Council's website and social media and through the use of a database of interested parties.

Communications and Marketing Strategy

2.14 The District Council approved its Communications and Marketing Strategy in September 2014, the strategy's action plan is updated annually and was most recently updated in September 2017. Its aim is to provide a clear understanding and a positive perception of the District Council's visions, aims, values, services and achievements to all staff, residents, partners and everyone who deals with the Council in order to achieve higher levels of satisfaction and engagement. The focus of the strategy is to support and enhance the activities of Derbyshire Dales District Council through effective communications.

2.15 The District Council will:

- Secure and strengthen the reputation of the council in the community as an effective and efficient provider of high quality outcomes – focused on our values and priorities
- Build and maintain a professional corporate identity for consistent and co-ordinated use throughout the organisation
- Promote the image of the council as an effective, efficient and listening organisation focused on the public and their needs
- Ensure that communications are consistent and co-ordinated across all channels to give maximum support to the council’s strategic priorities.
- Ensure all staff understand the priorities of the council and feel valued and able to contribute to major changes affecting services they provide
- Ensure that communications activities reflect the full diversity of the community and help ensure equality of access to our services.

2.16 The District Council will also increase its efforts to understand what local communities are saying and aims to help communities to help themselves through:

- Giving individuals more say about the services and support they receive
- Empowering communities to do more for themselves and giving them the tools they need for community actions
- Recognising that some areas need more help than others and that, with a little support they can get their ideas off the ground.
- Supporting the transfer of buildings and other assets to community ownership so that they can become hubs for local activity which are flexible and responsive to local needs.

2.17 The Communications and Marketing Strategy can be found at:

http://www.derbyshiredales.gov.uk/images/documents/C/Communications_Marketing_Strategy_updated_September_2017.pdf

Equality Plan: Action Plan 2018-2019

2.18 The District Council has statutory duties under the Equality Act 2010 which should be considered across all the District Council’s Public Functions. Three broad aims which the District Council must have due regard to under the Equality Act 2010 S.149 are the need to eliminate discrimination, victimisation and harassment, advance equality of opportunity and foster good relations between different groups.

2.19 The Equality Act 2010 (Specific Duties) Regulations 2011 sets out further specific duties which support the delivery of the above aims. These require the District Council to publish annually equality information about its workforce and service users, set equality objectives and specify the steps it will take to achieve them, at least every four years. The Equality, Consultation and Engagement Plan 2018-2019 supports the delivery of the District Council’s equality duties.

2.20 The District Council is therefore committed to the implementation of the Equality, Consultation and Engagement Plan. The associated action plan sets out the equality improvements identified for 2018-2019 as:

- Work with partners to help enable more young people to access employment opportunities in the Dales
- Enhance opportunities for vulnerable people to access suitable housing and live independently at home for longer
- Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users
- Agree and progress the corporate programme of priority Equality Impact Assessments
- Service Reviews of any potential equality impacts to be identified through EIA's

2.21 Equalities data will continue to be monitored in order to understand the customers of council services in order to make relevant improvements.

2.22 The Equality Plan 2018-2019 can be found at:

http://www.derbyshiredales.gov.uk/images/E/Eq_Cons_Eng_Plan_2018-19_FINAL.pdf

Statement of Priorities 2015-2019

2.23 The Peak District Partnership (PDP) has produced a statement of priorities which covers the period of 2015 to 2019. This builds upon the Sustainable Community Strategy 2009-2014 and provides a framework for the organisations involved to co-ordinate their actions on shared priorities. The aim of the partnership is to:

- Adopt and actively promote a shared vision for the area.
- Identify and address gaps in partner delivery and focus on those areas where, by co-ordinating effort, more can be achieved through partnership working
- Shape and challenge – as a critical friend – wider activities, initiatives and proposals impacting on the area to ensure they reflect Peak District priorities
- Link existing and initiate new actions to support the economy and health & wellbeing priorities of the Peak District, avoiding any duplication between partners. Exchange and disseminate best practice amongst and beyond the Partnership

2.24 The vision for the Partnership for the next five years is for the Peak District to be a distinctive, high quality, rural environment with people of all ages who are healthy, high-wage high-skill jobs, affordable, decent homes for local people, towns and villages that offer a high quality of life.

2.25 The two main priorities of the Partnership are to maximise the benefits for Peak District communities from programmes aimed at stimulating growth and to reduce health inequalities and improve wellbeing in the Peak District, focusing on individuals and communities with poorer health or difficulty accessing services.

3.0 GETTING INVOLVED IN PLANNING

- 3.1 This section of the Statement describes how to get involved in the planning process. It identifies the documents, plans and policies upon which the District Council will be seeking community involvement upon and establishes when community involvement will be sought and who will be involved. Throughout this document the following definitions for community involvement will be used.

Information Giving

- 3.2 This is the simplest level of engagement and is simply about providing information to stakeholders. Although it is a form of engagement in itself, information-giving underpins all other levels of engagement as it is essential that participants are provided information (in varying detail and formats) about the issues upon which they are being engaged so that they are able to make informed and considered choices. Participants should also receive feedback after engagement has been completed and this is, in itself, an information-giving exercise.

Consultation and Learning

- 3.3 Ensuring that consultation is undertaken which benefits both parties. Consultation exercises will enable the community to learn more about planning and for the council to learn more about the needs of communities.

Involvement

- 3.4 At this level the community and stakeholders are actually involved in decision making and deciding together on the future of their neighbourhoods and other decisions that affect their lives. This gives the community the power to choose, without fully sharing the responsibility for action.

4.0 The Role of Community Involvement in Plan Making

- 4.1 There are various planning policy documents prepared by the District Council, all with requirements for preparation, public involvement and consultation. Derbyshire Dales District Council is the Local Planning Authority for those parts of the Derbyshire Dales that lie outside the Peak District National Park. The National Planning Policy Framework (NPPF) commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities.
- 4.2 Local Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. Local Plans should reflect the collective vision and priorities of the community and therefore a wide selection of the community should be involved in the process. Community involvement and engagement will therefore be sought throughout the process of the development of the Derbyshire Dales Local Plan. Furthermore the NPPF requires that Plans should contain policies that are clearly written, so it is evident how a decision maker should react to development proposals (paragraph 16 NPPF).

Consultation and the Local Plan Preparation Process

- 4.4 The following sections set out the various elements of the Local Plan preparation process. Details are given of the consultation arrangements for each of the various stages in the preparation of documents and policies. The range of local groups that the District Council will seek to involve at each stage and how this involvement will be facilitated are also highlighted.
- 4.5 The District Council will seek to involve people at an early stage in the Local Plan preparation process. This will aim to seek consensus on essential issues early in the plan preparation process. By enabling individuals, organisations and the District Council to share knowledge and views at this initial stage about which options and proposals are being considered, there will be a genuine opportunity for people to influence plan content.
- 4.6 Local Plan and Supplementary Planning Documents vary in scope and scale and in the degree to which they impact on people's lives and the neighbourhoods in which they live. It is recognised that public interest in documents will vary according to the nature of their content, thus the style and scope of public consultation will be appropriate and relevant to the policy decision at issue.
- 4.7 There are numerous groups that the District Council already involves in the planning process. A long list of the groups the District Council proposes to involve in plan making is set out in Appendix 1. This is not a definitive list as

many smaller groups are not included because they change more frequently. The District Council will maintain a database of organisations that make up this 'long list' and as part of the annual review of this SCI seek to ensure that the details of the organisations on the 'long list' as set out in Appendix 1 are kept up to date.

- 4.8 The District Council will employ a range of methods at each stage of the preparation and revision of the Local Plan. Further details of each method, along with the relevant merits of each of the methods are set out in Appendix 2.
- 4.9 The Local Development Scheme (LDS) sets out the Council's key planning documents and the timetable for their preparation. A copy of the LDS can be downloaded from the District Council's website:

INSERT LINK

5.0 LOCAL PLAN DOCUMENTS

- 5.1 Several distinct stages are involved in the preparation of a Local Plan as specified by the Town and Country Planning (Local Planning) (England) Regulations 2012. These are:

- Evidence Gathering
- Preparation of Local Plan (Regulation 18)
- Publication of Local Plan (Regulation 19 and 20)
- Submission of Local Plan to Secretary of State and Examination (Regulation 22)

Community involvement in the preparation of the Local Plan is a continuous process which is undertaken at each of the distinct stages.

Evidence Gathering

- 5.2 At this stage the District Council gathers relevant social, economic and environmental information to provide a comprehensive and robust evidence base for plan preparation. The evidence base consists of a wide range of studies, plans and strategies provided by a wide range of organisation, not just the District Council. The evidence base is updated as required to inform development plan preparation. The District Council will provide notification, where appropriate when new evidence is published to encourage involvement in the early and initial stages of plan making.

Preparation of the Local Plan

- 5.3 Previous regulations specified that at this stage consultation on "Issues and Options" and "Preferred Options" had to be undertaken as a statutory requirement however the Town and Country Planning (Local Planning) (England) Regulations 2012 has removed this requirement. There is now

therefore greater flexibility as to how the District Council undertakes consultation at this 'preparatory' stage.

- 5.4 The District Council is however required under Regulation 18 to notify consultation bodies whom they feel may have an interest in the subject of the Local Plan and other consultation bodies deemed appropriate. In addition residents or those carrying on business within the area will also be asked to make representations at this stage. The District Council will then take into account such comments prior to the next stage.
- 5.5 The District Council's database of organisations will be used as a starting point for contacting those with an interest in the Local Plan. Additional members of the public will also be contacted and appropriate publicity undertaken.
- 5.6 At this stage a number of consultation methods will be utilised by the District Council in order to engage effectively with the public and consultation bodies:
- Documents made available for review at Council Offices and Libraries and on the website
 - Newsletters and Leaflets published which detail and provide an opportunity to comment on the issues and options
 - Public Meetings/Surgeries
 - Workshops with representatives of range of issue or interest areas

Publication of Local Plan

- 5.7 Following the completion of the preparatory consultation the District Council will consider the contents of the comments made, and where appropriate seek to take them into account. At this stage the District Council will consider that the Draft Local Plan is sufficient to be able to be submitted to the Secretary of State for independent examination.
- 5.8 The Draft Local Plan will be subject to public consultation alongside a Statement of the Representations in accordance with Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A statement of the fact that the Local Plan is available for inspection and the places and times at which it can be inspected will also be published.
- 5.9 This provides a formal opportunity for the local community and other stakeholders to reflect upon the policies and proposals in the Draft Local Plan which the District Council considers suitable for submission to the Secretary of State.

Submission of Local Plan to Secretary of State and Examination in Public

- 5.10 Having considered the representations made on the Draft Local Plan the District Council will consider whether it is necessary to make any appropriate changes to the Local Plan to address comments raised.

- 5.11 The Local Plan along with a schedule of proposed changes and any other documents set out in the Regulations such as the Statement of Consultation and the Sustainability Appraisal will then be submitted to the Secretary of State to be subject to Examination in Public by a Planning Inspector.
- 5.12 As soon as is practically possible after submitting the Local Plan to the Secretary of State those general and specific consultation bodies who were invited to make representations will be notified that the Plan is available for inspection alongside the time and place at which they can be inspected. Those who requested notification of the submission of the Local Plan will also be given notified at this time.
- 5.13 At this stage a Programme Officer will be appointed to ensure the smooth running of the Examination in Public. This will include ensuring that all interested parties are kept informed of the timing and progress of the examination.

Report and Adoption

- 5.14 After the Examination in Public the Inspector will produce a report with recommendations for the District Council. This can include recommendations for 'main modifications' which should ensure that the Local Plan is sound and legally compliant. The District Council can also put forward 'additional modifications' of its own in order to deal with more minor matters. If major modifications are recommended the Inspector's report will only be published after public consultation on such modifications has been undertaken and the Inspector has had the opportunity to consider the representations on these.
- 5.15 The District Council will make copies of the adopted documents available at the District Council's Offices during normal office hours. They will also be made available on the Council's website: www.derbyshiredales.gov.uk

Supplementary Planning Documents

- 5.16 Supplementary Planning Documents (SPDs) can cover a range of issues, and seek to expand policy or provide further detail to policies in an adopted Development Plan Document. SPDs have statutory weight and once adopted formally by the District Council are material considerations in the determination of planning applications. The preparation process for an SPD is described in more detail below. At all times the District Council will seek to provide e-mail updates to consultees on the progress of each Supplementary Planning Document.

Commencement of Preparation Process

- 5.17 At this stage the Council is primarily concerned with gathering evidence that it can use to prepare the SPD. Although much work at this stage will involve gathering technical data and information from a variety of sources, it will also

involve liaison with the community and key stakeholders about the issues the document should contain.

Public Participation on Draft SPD

- 5.18 The Town and Country Planning (Local Planning) (England) Regulations 2012 allow for a period of formal consultation of at least four weeks on draft SPDs. In order to maximise community involvement in the process, the Council will undertake a minimum four-week period of consultation on any SPD. This timescale for consultation will allow the community and other stakeholders to formally express their views and preferences on the contents of a draft SPD. The Council will consider the comments made and take them into account in deciding how to take the SPD forward.

Consideration of Responses, Modification & Adoption

- 5.19 The District Council will consider each representation received during the formal public participation stage on the draft SPD, and decide whether any changes are necessary prior to adoption.
- 5.20 Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations (2012) requires a consultation statement to be produced alongside the adoption of any SPD. This should outline the persons consulted on the document, a summary of the main issues raised and how those issues have been addressed in the SPD.
- 5.21 Copies of the draft SPD and consultation statement will be made available at the District Council's offices and at Matlock, Ashbourne and Wirksworth library during normal office hours. They will also be available on the District Council's website at: www.derbyshiredales.gov.uk
- 5.22 The main concern at this stage is to ensure that interested parties are kept informed of the Council's views on any representations they may have made and of the progress towards adoption.
- 5.23 Once the SPD is adopted the Council will make available copies of it at the Council's Offices, and at Matlock, Ashbourne and Wirksworth libraries during normal office hours.
- 5.24 Regulation 14 of the Act above also requires an adoption statement to be produced upon adoption of a SPD. This is required to set out when the document was adopted, if applicable any modifications made in accordance with section 23(1) on the Act. The adoption statement will be sent to anyone who has requested notification of adoption of the SPD and made available at the District Council's Offices, and at Matlock, Ashbourne and Wirksworth libraries during normal office hours.
- 5.25 All draft and adopted SPD's will also be available on the Council's website:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-plan/supplementary-planning-documents>

5.26 Appendix 3 sets out which consultation methods the District Council will use at the various stages of the preparation of the Derbyshire Dales Local Plan and any Supplementary Planning Documents.

6.0 Neighbourhood Planning

6.1 The Localism Act 2011 and Neighbourhood Planning Regulations 2012 empowered communities to shape the development and growth of their local area through Neighbourhood Planning. This provides the opportunity for communities to decide the future of the places where they live and work. The key aim is to use local knowledge and evidence to develop policies and proposals to support development of the built environment within local communities. Using these rights communities are able to produce Neighbourhood Development Plans, Neighbourhood Development Orders; or progress development under Community Right to Build Orders:

- **Neighbourhood Development Plans** – Communities can write a plan which if ‘adopted’, becomes part of the statutory planning framework for the area
- **Neighbourhood Development Orders** – Can enable the community to grant planning permission for new buildings they want to see go ahead and allow new homes and offices to be built without developers having to apply for separate planning permission
- **Community Right to Build** – enables community organisations to progress new local developments without the need to go through the normal planning application process, as long as the proposals meet certain criteria and there is community backing in a local referendum.

6.2 As is the case with Local Plans and Development Plan Documents, regulations govern the preparation of a Neighbourhood Plans and Neighbourhood Development Orders. Both include consultation requirements, examination and referendum. The Localism Act identifies that community participation has to be through an appropriate qualifying body, either a Parish Council or Neighbourhood Forum. Up until the submission of a Neighbourhood Plan to a local planning authority it is the qualifying bodies responsibility to undertake public consultation and engagement.

6.3 Local community involvement in Neighbourhood Planning allows Plans to be prepared which include policies and reflect aspirations around where new homes, shops and office should be located, which green spaces should be protected, what new development should look like. It allows opportunities for a local community to be positive about how an area may change in the future.

6.4 Under the provisions of the Town and Country Planning Act 1990 (as amended) the District Council has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and Orders and take

such documents through a process of examination and referendum. The Localism Act 2001 (Part 6 Chapter 3) sets out the Local Planning Authorities responsibilities as:

- Designating Neighbourhood Forums
- Designating Neighbourhood Areas
- Advising or assisting communities in the preparation of a Neighbourhood Development Plan
- Checking a submitted Neighbourhood Plan meets the legal requirements
- Arranging for the independent examination of the Neighbourhood Development Plan
- Determining whether the Neighbourhood Development Plan meets the basic conditions and other legal requirements
- Subject to the results of the referendum/s, bringing the Neighbourhood Development Plan into force.

6.5 Whilst the District Council does not lead the preparation of Neighbourhood Plans, the District Council has welcomed their principle and will continue to provide technical advice and support to communities. This may include for instance making evidence available as well as undertaking procedural checks of the plan against legislation and regulations. This will also include undertaking a 'screening' exercise to determine if the Neighbourhood Plan requires a Strategic Environmental Assessment. The District Council will assist with neighbourhood planning in the following ways:

- Initial advice regarding the suitability of preparing a neighbourhood plan or order, including attendance at suitable meetings or providing briefings.
- On-going advice, including technical input into each key stage. The focus of any advice will be on the conformity of the Neighbourhood Plan/Order with the existing national and local planning framework but guidance will also be provided to ensure that the plan is fit for purpose and deliverable.
- Provision of guidance on key issues including timetabling, the role of the qualifying body, community engagement and undertaking consultation and relevant legislation including SEA
- Practical assistance such as mapping, IT advice and printing where appropriate.
- Relevant contact information for consultation including statutory consultees and local interest groups and bodies. Advice on undertaking consultation, publicity and engagement.
- Ensuring the suitable involvement of local Councillors and other interested parties to enable timely decision making at key stages

6.6 Any communities wishing to consider Neighbourhood Planning should contact the District Councils Policy Manager in the first instance. Further information is available on the District Council's website at:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/1275-neighbourhood-planning>

- 6.7 Additional guidance and advice on Neighbourhood Planning is set out within the National Planning Practice Guidance, which is available here:

<https://www.gov.uk/government/collections/planning-practice-guidance>

Further guidance for communities on Neighbourhood Planning is available from the Planning Advisory Service via <https://local.gov.uk/pas/pas-topics/neighbourhood-plans> and the Planning Portal <https://www.planningportal.co.uk/>

Sustainability Appraisal and Habitat Regulations Assessment

- 6.8 Carrying out a Sustainability Appraisal (SA) is an essential and statutory part of the plan making process. The purpose of the SA is to appraise the social, economic and environmental effects of the emerging Local Plan and inform the plan preparation process. It is a continual process which is embedded throughout the preparation of the Local Plan.
- 6.9 Consultation will be undertaken on the initial Scoping report, which provides baseline information on the environmental, social and economic characteristics of the plan area, including the likely evolution of the baseline within the plan.
- 6.10 Regulations 12 and 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 require the Council to make the SA report available alongside the Local Plan. A copy will be sent to each consultation body and appropriate steps taken to ensure the SA report is brought to the attention of those who are affected, likely to be affected or have an interest in the decisions involved in the assessment and adoption of the plan. Consultees will be advised of the location and website at which the document will be available and invited to make comment on the document. Consultees will be advised of the time period within which comments must be made. Comments from consultation bodies should be received within 5 weeks of receiving an invitation to engage in consultation.
- 6.11 The Derbyshire Dales Local Plan, as a plan or project which may have a significant effect on a European site (Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)), will be subject to a Habitats Regulations Assessment (HRA) as required under the EU Habitats Directive (92/43/EEC). Its purpose being to determine whether or not any significant effects are likely to be generated and to identify ways in which they can be avoided. This will be published alongside the SA report and consultation with the appropriate natural conservation body will be consulted under requirement from Regulation 102 of the Conservation of Habitats and Species Regulations 2010

Duty to Cooperate

- 6.12 Local planning authorities have a statutory requirement to cooperate with other planning authorities, County Councils and prescribed bodies on development plan documents including Local Plans under section 110 of the Localism Act 2011. This is to ensure that strategic planning matters are adequately addressed. In doing so local planning authorities are required to engage with one another “constructively, actively and on an ongoing basis” and have regard to activities of people of specified bodies or of a prescribed description so far as they are relevant.
- 6.13 The NPPF provides further information on the specific requirements for Local Plans, stating “local planning authorities are under a duty to cooperate with each other, and with prescribed bodies on strategic matters that cross administrative boundaries” (paragraph 24 NPPF). The NPPF further emphasises that “effective and on-going joint working between strategic policy making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy” (paragraph 26 NPPF). In order to demonstrate effective and ongoing joint working, strategic policy making authorities are required to prepare statements of common ground, documenting cross boundary matters being addressed. The National Planning Practice Guidance provides further advice as to how such statements of common ground should be prepared, maintained up to date and made publically available.
- 6.14 The District Council will work together with other neighbouring authorities on areas of common interest in order to achieve mutual benefits. The District Council will also cooperate with Derbyshire County Council on relevant issues and work in consultation with Local Enterprise Partnerships, Sheffield City Region’D2N2 and both the Peak District Local Nature Partnership and the Lowland Derbyshire and Nottinghamshire Local Nature Partnership Local Nature Partnership. In addition the District Council will work collaboratively with private sector bodies, utility and infrastructure providers
- 6.15 The District Council will seek to ensure that strategic priorities across local authority boundaries are properly co-ordinated and clearly reflected in the Local Plan.
- 6.16 The District Council will also seek to utilise the Duty to Cooperate to address any matters relating to the extent of the strategic Housing Market Area and the overall development needs of the area.
- 6.17 As part of the submission of the Derbyshire Dales Local Plan the District Council will produce evidence of the extent to which there has been effective cooperation on issues with cross-boundary significance. This must demonstrate that a continuous process of engagement, has been undertaken.

7.0 PLANNING APPLICATIONS

- 7.1 This SCI must also outline how the community will be involved in the determination of individual planning applications. The Council encourages the community to be involved in all the different types, and scale of applications for planning permission for which it is the local planning authority. Any comments and representations received on an individual planning application are taken into account in its determination. This does not, however, extend to applications for planning permission within the Peak District National Park, as these are the responsibility of the Peak District National Park Authority. Similarly the Council does not deal with minerals and waste applications, as these are the responsibility of Derbyshire County Council.
- 7.2 The District Council's Development Management Section seeks to exercise planning control in the public interest is committed to publicising and consulting more widely on planning applications than the statutory minimum.
- 7.3 The District Council has to consider any application it receives, and can only consider the application on the basis of information that is submitted. Whilst the District Council encourages applicants to engage with the District Council through its pre-application advice service in advance of making a formal submission, many applications are submitted without any prior discussion. Once an application is submitted, we adopt a neutral position until all relevant consultations have been taken into account and the merits of the case have been fully evaluated against national and local planning policies and other material considerations. We adopt exactly the same position for the District Council's own applications as those of private applicants.
- 7.4 The Development Management Service is responsible for the assessment of planning applications; its Mission Statement being:
- "Through the provision of an efficient, professional, and responsive service, we aim to protect and enhance the quality of the District's built and natural environment whilst balancing the needs of current and future generations".*
- 7.5 The internal processes, in relation to publicity and consultation on planning applications are currently subject a review. Following completion of the current review a new Development Management Customer Charter will be prepared to set out the framework for the delivery of the service and what its users can expect.
- 7.6 A weekly list of the planning applications that the District Council receives each week including applications under the Planning (Listed Buildings and Conservation Areas) Act 1990 can be viewed on the Council's website, along with associated plans, supporting information and any consultation responses and representations received.

Consultation and Pre-decision Matters

- 7.7 When the District Council receives a valid planning application, it will undertake a period of consultation where views on the proposed development can be expressed. The formal consultation period will normally last for 21 days, and the local planning authority will identify and consult a number of different groups.
- 7.8 The main types of consultation are:
- Public Consultation - involving notifying neighbours of receipt of an application;
 - Statutory Consultees - those which there is a legal requirement to consult a specific body who are then under a duty to respond;
 - Consultation required by a direction where further, locally specific statutory consultation is required, and;
 - Non-statutory Consultees - those where although there are no legal requirements, planning policy warrants the engagement of other consultees who are likely to have an interest in the proposed development.
- 7.9 Where, following the initial period of consultation an application has been amended it is up to the District Council to decide whether further publicity and consultation is necessary. In deciding whether this is necessary the following considerations will apply where relevant:
- were objections or reservations raised in the original consultation stage substantial and, in the view of the District Council, enough to justify further publicity?
 - are the proposed changes significant?
 - did earlier views cover the issues raised by the proposed changes?
 - are the issues raised by the proposed changes likely to be of concern to parties not previously notified?
- 7.10 Where the District Council decides that re-consultation is necessary, such consultation may be for a period of less than 21 days. In all cases, the District Council will balance the need for consultees to be given sufficient time to consider the issue that is being re-consulted upon and respond, against the need for efficient and timely decision making processes. When consultation has been concluded the District Council will consider any representation made by consultees and proceed to decide on the application.

Current Practice- How the Council Publicises Planning Applications

- 7.11 Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 specifies the requirements for the publicity of applications for planning permission. A summary of how the District Council currently undertakes publicity for the differing type and scale of planning applications is set out in Appendix 4.

- 7.12 Within the Derbyshire Dales, all planning applications are publicised either by means of press advertisement, site notices or individual neighbour notification with the following exceptions:
- Applications where the determining authority is not Derbyshire Dales District Council will not be subject to any of the three methods of publicity referred to above;
 - Discharge of conditions applications;
 - Prior Notification Applications (where the Council does not deem that its Prior Approval is required), and;
 - Certificate of Lawful Existing or Proposed Use or Development Applications (unless it is considered a worthwhile exercise to ascertain relevant information about the content of a specific application from sources such as neighbours or Parish / Town Councils).

Neighbour Notification

- 7.13 Neighbour notification will take the form of a standard letter generated from the District Council's mapping system and delivered by post within 10 working days of the valid date of the application to occupiers of properties affected by the development.
- 7.14 The **minimum** requirement currently adopted by the District Council is to notify any neighbouring occupiers whose property lies within 10 metres of the application site boundary (red edge). Property points within 10m of a development site are automatically identified by the Council's Geographic Information System (GIS).
- 7.15 Where the proposed development falls within the following categories, the **minimum** requirement is to notify occupiers whose property lies within 20 metres of the application site boundary (red edge):
- the erection of 10 or more dwellings;
 - an outline application with a site area of 0.5 ha or more;
 - non-residential development where the floor space to be created is 1,000 square metres or more;
 - development which is likely to cause nuisance through noise, smell, dust etc;
 - development which would significantly increase the number of people or the amount of traffic coming into a residential area;
 - development involving significant activity during unsociable hours;
 - development introducing significant visual changes to a neighbourhood;
 - buildings of over three storeys;
 - development affecting the character of an ancient monument, archaeological site or historic building;
 - proposals having a significant effect on trees that are the subject of a Tree Preservation Order.
- 7.16 A clear written record of the addresses to which neighbour notification letters have been sent and the date is kept on the paper and the application file in the form of a consultation checklist.

Site Notices

- 7.17 A summary of how the District Council undertakes publicity, including the erection of site notices, for the differing type and scale of planning applications is set out in Appendix 4. Where there is a statutory reason for its display this will be specified on the site notice. Site notices will be posted within 10 working days of the receipt of a valid application.
- 7.18 The notice will be displayed where it is visible from a public highway that forms the frontage to the application site. Where there is another frontage to a public highway or footpath, discretion will be used as to whether further site notices will be erected.
- 7.19 The site notice will be erected where possible on a gate, door, post, wall or fence which forms the boundary of the site. If this is not possible, then a lamp post or telegraph pole on the frontage of the site will be used, providing it is within 10 metres of the site boundary. Where it is impossible to comply with the above requirements, the site notice will be displayed as near to the site as is practically possible.
- 7.20 A clear record in the form of an annotated Ordnance Survey plan will be kept on the application file to identify the position where the site notice was erected and the date it was erected. A photograph will also be taken as evidence of its erection.

Press Advertisements

- 7.21 A summary of how the District Council undertakes publicity, including by means of press advertisement is set out in Appendix 4. Applications received will normally be advertised in the appropriate local newspaper on a fortnightly basis. Applications in the Central area will be advertised in the Peak Advertiser and applications in the Southern area will be advertised in the Ashbourne News Telegraph.
- 7.22 The dates on site notices and press advertisements give the same minimum period of 21 days for representations to be made.

Planning Website

- 7.23 The Derbyshire Dales Planning Service website allows comprehensive access to forms, guidance notes, planning applications and decision notices. It also allows submission of representations online and for those making such submissions and applicants to monitor the progress of applications.

Representations Received

- 7.24 All neighbour notification letters will give a minimum period of 21 days for representations to be submitted, although this period will not necessarily coincide with the site notices and press advertisement.
- 7.25 All representations received by the District Council will be identified in the Officers report in respect of decisions made under delegated authority and brought to the attention of the Planning Committee. An update sheet circulated at the meeting or verbally at the meeting itself in respect of items considered at committee.
- 7.26 The District Council's practice is to only negotiate minor improvements to applications, in order to add value / improve the quality of the development. Any significant amendments required to make a proposal that would otherwise be regarded as unacceptable, acceptable should be established at the pre-application stage so as to not undermine this service and ensure timely decision making.
- 7.27 Where those making representations are re-consulted a further period of up to 10 working days will normally be allowed for further representations to be made.
- 7.28 Persons making representations are able to view their comments (to note that they have been received) and monitor the progress of applications online, using the District Councils Public Access module on its website.
- 7.29 In the event of an appeal being made by the applicant, individuals who have previously made comments on the appeal application will be informed and will have the opportunity to make further representations to the Planning Inspector dealing with the appeal. Lists of decisions and appeals are published and a register of planning decisions can be inspected at the Town Hall, Matlock or via our online planning register.

How the District Council Consults on Planning Applications

- 7.30 During the 21 days following the registration of the planning application the views of other statutory consultees or interested organisations will also be sought. The only exceptions to these arrangements are applications where the determining authority is not Derbyshire Dales District Council, applications for power lines, applications for certificates of lawful use or development and prior notifications. Such bodies as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.
- 7.31 The register of planning applications can be inspected via the Self-Serve PC at the Town Hall, Matlock from 9.00 am to 5.00 pm Monday to Friday (9.30 am to 5.00 pm on Wednesdays). Application case files can also be viewed via our online planning register. Appointments to view a planning application file at the Town Hall, Matlock can be made by telephone on 01629 761336 or

email planning@derbyshiredales.gov.uk at least 24 hours in advance. The retrieval of historic planning files that are not stored at Town Hall will incur a retrieval charge.

- 7.32 A list of all new planning applications received the preceding week is forwarded to all relevant Town/Parish Councils and local Ward Members for information. Application documentation is also made available for public inspection online and via the self-serve PC at the Town Hall, Matlock during normal office hours. Copies of application documentation may be purchased (subject to copyright provisions) and will be provided either directly by the District Council or via the applicant/agent on payment of appropriate copying charges.

How to Comment on Planning Applications

- 7.33 A Planning Officer is currently available at the Town Hall, Matlock, from 9am to 12 noon Mondays to Fridays to assist the public in understanding applications that have been received, provide clarification and explain how to make representations. It is recommended that anyone wishing to discuss a proposal contacts the Case Officer in advance to help ensure that the correct officer is available and sufficient time is set aside.
- 7.34 Comments may be submitted by anyone, regardless of whether they were formally consulted by us. We welcome any comments, either in support of, or objecting to proposals. Any representations of objection will however, need to be based upon valid planning considerations if they are to influence the decision making process.
- 7.35 An advice note called Making Effective Planning Representations is available to view on the Councils website to assist individuals in the formulation of Planning representations¹.
- 7.36 Although the District Council will take into account representations received up to the date it makes a decision, comments should be submitted in writing as soon as possible. The Council accepts comments by email, through the Council's website or by letter. These should be addressed to the Development Management Team, Regulatory Services, Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, DE4 3NN and if submitted by email directed to planning@derbyshiredales.gov.uk

The Decision Making Process

- 7.37 The District Council normally has eight weeks from the date of registration in which to make a decision in the case of minor applications and 13 weeks for major applications, unless an extension of time has been agreed with the applicant. The vast majority of planning applications are determined by the

¹ <http://www.derbyshiredales.gov.uk/images/documents/P/Planning%20Advice%20Note%202%20-%20Making%20Representations%20on%20Planning%20Applications.pdf>

District Council's Development Manager in accordance with the Council's scheme of delegation, which was adopted in 2015.

- 7.38 The names and contact details of Ward Members can be found in the 'Your Council' section of the District Council's website at www.derbyshiredales.gov.uk/your-council. Ward Member contact details for specific applications can be viewed by clicking on the 'contact' tab when viewing applications through Public Access.

Public Participation at Planning Meetings

- 7.39 The meetings of the Planning Committees are held in public normally commencing promptly at 6pm in the evening. Members of the public wishing to address the Planning Committee may do so by notifying the Committee Team by 12 noon on the working day prior to the meeting. Those wishing to speak to Committee will be asked to indicate the item of business your representation relates to and whether you are supporting or opposing the proposal. The Committee Team may be contacted:

- Online via the District Council's website - www.derbyshiredales.gov.uk/your-council/council-a-committee-meetings/attending-a-committee-meeting/speak-at-a-planning-meeting
- By email – committee@derbyshiredales.gov.uk
- By telephone – 01629 761133

- 7.40 Those persons who indicate that they wish to make representations must attend the venue by 5.45pm on the day of the meeting and inform the Committee Administrator.

- 7.41 Representations will only be allowed to be made in respect of those applications which are scheduled for debate at particular meeting. Those making representations will be invited to do so immediately before the relevant item of business is discussed and will be limited to 3 minutes.

- 7.42 A copy of the procedure for public participation at planning meetings is set out in Appendix 5.

Notification of the Decision

- 7.43 Only the applicant (or agent if they have appointed one) will be notified and issued with a paper copy of the final decision. Anyone else wishing to be notified of the decision should use the tracking facility on our online application system.

- 7.44 Only the applicant can appeal against the District Council's decision. In the event of an appeal being made by the applicant, individuals who have previously made comments on the appeal application will be informed and

you will have the opportunity to make further representations to the Government Planning Inspector dealing with the appeal.

- 7.45 Lists of decisions and appeals are published and a register of planning decisions can be inspected via the Self-Serve PC at the Town Hall, Matlock, the Leisure Centre, Ashbourne or via our Online Planning Register.

Appeals Against Decisions

- 7.46 Planning applicants can appeal to the Department for Communities and Local Government, against any refusal of planning permission or against the imposition of any conditions attached to an approval. There is no right of appeal for a third party under any circumstances.
- 7.47 An appeal is intended to be a last resort where submitting a fresh application is unlikely to be a satisfactory solution. Normally, a revised application of similar nature and description made within 1 year of the decision does not attract a further fee.
- 7.48 Appeals, which are handled by The Planning Inspectorate, may be dealt with by:
- An exchange of written representations;
 - At a local hearing (in which case no advocates are allowed);
 - At a full Local Inquiry (a quasi-legal situation).
- 7.49 An appeal can be made against any of the conditions attached to an approval. There is, however, a risk to the applicant because it is possible for the whole permission to be withdrawn if the appeal is dismissed.
- 7.50 If an appeal is to be determined at a Local Inquiry or a local hearing there is a risk of costs being awarded to either party, but costs can only be awarded where there has been unreasonable behaviour. Examples of unreasonable behaviour at the decision making stage could include an application that has been refused for reasons which cannot be substantiated in planning terms or if the Authority fails to provide reasonable evidence to substantiate the harm cited in the reasons for refusal (this particularly applies to subjective opinions given as part of a refusal).

Towards Good Practice in Community Involvement and Development Management

- 7.51 The District Council continually monitors and reviews its performance, policies and procedures in order to ensure that they operate in the best interests of the community. The District Council recognises that current practice in relation to community involvement in the consideration and determination of planning applications can be improved. To ensure greater and earlier public involvement in the process the following initiatives have been introduced by the Council:

Pre-application Consultation & Discussion

- 7.52 Good practice suggests that local planning authorities should actively encourage developers of major schemes to inform and involve the community in shaping their proposals. The Council will therefore encourage developers to undertake this type of engagement prior to the submission of planning applications.
- 7.53 Similarly for smaller applications, such as residential extensions, the District Council will actively encourage applicants to discuss their plans with neighbours prior to submitting their application.

8.0 MANAGING THE PROCESS

- 8.1 The information obtained through community involvement will be collated and used to inform the decision-making process and/or shape the contents of any documents produced. A summary report will be produced outlining the responses received, along with information on how the responses were used to inform the decision-making or the content of documents. The link between responses received and the District Council's decision or action will be made transparent. This will also involve an explanation of the reasons why specific actions may not have been pursued. This report will be available upon request from the District Council and will also be made available on the District Council's website.
- 8.2 The Local Plan and any Supplementary Planning Documents will be accompanied by a 'consultation statement'. This will outline how the SCI has been followed and how community engagement has benefited the preparation of the relevant documents. Copies of all formal representations made in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012 will be made available for public inspection at the Council's Offices and at Matlock, Ashbourne and Wirksworth libraries during normal office hours. They will also be available on the District Council's website www.derbyshiredales.gov.uk A summary of the outcomes and details of specific decisions will be provided directly to all those who have been involved in the process and its specific activities. Further feedback will also be made available on the District Council's website or from the District Council Offices on request.
- 8.3 Increased community involvement may require additional time and resources, particularly where capacity may need to be developed within the community itself. The District Council is committed to enhanced community engagement and in this regard, budgetary provision has been made to ensure that sufficient resources are available to meet our obligations. At all times the District Council will seek to ensure that resources are utilised as efficiently and effectively as possible.

8.4 This will be achieved by:

- Clearly defining the roles of the different individuals and groups involved;
- Learning from and, where possible, utilising the skills of other organisations e.g. LSP, Health Trusts and Planning Aid; and
- Wherever appropriate, combining and integrating involvement activities to ensure that the community is not subject to “consultation fatigue”.

Council Officers - Officers will be responsible for the delivery of the majority of the activities set out in this SCI. Where necessary, support will be drawn from across the Council. Capabilities will be kept under review and gaps filled as appropriate through the existing programme of training and development.

Consultants - Where a process would benefit from additional support or expertise, for example in facilitating more interactive sessions, the use of consultants will be considered. Any such decision will have regard to a comprehensive cost and benefit analysis.

Equipment and Material - The District Council is already well equipped to undertake the activities outlined in this SCI.

Venues and Other Costs – District Council facilities will be used wherever possible having regard to accessibility and practical considerations. Where possible, activities will be combined with other initiatives to ensure that processes are efficient and costs are minimised.

8.5 There are a number of different individuals and groups who have a role to play in achieving effective community involvement in planning.

Planning Officers - provide professional advice on planning matters and formulate draft policies and plans for Council approval. Officers will also be responsible for delivering community involvement activities.

Members - make formal decisions regarding planning matters in accordance with the Council’s rules and procedures.

Parish/Town Councils and Other Community Networks - provide comment on individual planning applications and development proposals that have implications for their area. These organisations will also be invited to represent community interests in involvement activities.

Developers - promote specific sites for development and, where appropriate, undertake extensive community involvement requirements to the highest standard.

The Community - raise concerns and/or state support for proposals in order to ensure that development takes place in an acceptable manner. The Council actively encourage all members of the community, including the business community, to get involved in policy development as it directly affects the area in which they live and/or work.

Planning Aid

- 8.6 Council Officers are not always best placed to work with community groups, particularly where individuals seek independent advice. The District Council therefore support and promote the Planning Aid England service. This service provides free, independent and professional advice to communities and individuals who cannot afford to pay fees to a planning consultants. It complements the work of local planning authorities, but is wholly independent of them.
- 8.7 A new Planning Aid service in England was launched on the 13 June 2011. Planning Aid is more than giving advice, it engages communities positively in the planning process to help them manage changes to their neighbourhood areas.
- 8.8 Two main services are provided:
- **A single national Planning Advice Line on 0330 123 9244** where all callers will receive 15 minutes of free, independent and professional advice. In addition, some callers may be eligible for further assistance from a professional volunteer. Other callers will be guided to the website and sign-posted to other organisations.
 - **A neighbourhood planning service** will also be provided to support people and communities in gaining knowledge about the planning system and how they can be involved. A team of community outreach co-ordinators have been recruited to support volunteers to work within target communities to build their own plans for the neighbourhoods in which they live.
- 8.9 Planning Aid England can help people to:
- Understand and take part in the planning system
 - Take part in the preparation of plans
 - Comment on planning applications
 - Apply for planning permission or appeal against refusal of permission (however Planning Aid do not draw plans)
 - Represent themselves at appeals or public inquiries
- 8.10 Planning Aid helps to meet one of the key aims of the government's planning reform agenda, which is to place community engagement at the heart of the planning system. Planning Aid is part of the Royal Town Planning Institute.
- 8.11 The Planning Aid contact for the East Midlands can be reached on advice@planningaid.rtpi.org.uk

9.0 MONITORING AND REVIEW

- 9.1 To ensure the effectiveness of this SCI, the District Council must monitor its value both in informing and shaping the Local Plan and providing people in the Derbyshire Dales with the opportunity to be more effectively involved in the planning process. It is therefore essential that the content of the SCI is continually monitored and reviewed.
- 9.2 Progress on the development and implementation of the Local Plan and other development plan documents and neighbourhood planning will be reviewed and set out in an Authority Monitoring Report (AMR).
- 9.3 The Town and Country Planning (Local Planning) (England) Regulations (2012) set out the specific requirements for Authority Monitoring Reports. Details of any local plan or supplementary documents should be included within the LDS setting out the stage the document has reached in the statutory process and if it is behind the timetable specified in the LDS any reason for this. Any documents specified within the LDS which have been adopted will also need to be specified within the AMR.
- 9.4 This SCI will be reviewed within the AMR. This will allow the District Council an opportunity to build on the commitments made and learn from experience. Where necessary, the SCI will be updated to reflect changing priorities. Any modifications to this SCI will be undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations (2012).
- 9.5 In evaluating consultation initiatives, both the outcomes and process will be reviewed. Key questions that will be addressed as part of the annual review will be:
- Was consultation carried out according to the policies set out in this statement?
 - Did all members of the target audience have an opportunity for involvement in the preparation of Local Plan Documents?
 - Were there groups of the target audience who made no responses to the consultation – if so why?
 - Was the overall response rate high enough to give reliable results?
 - Were the results disseminated to consultees, the wider public and partner organisations?
 - Did community involvement directly shape the preparation of the Local Plan and inform decisions on planning applications?
- 9.6 The Statement of Community Involvement will be revised appropriately, according to the findings of the review.

BACK TO AGENDA

APPENDIX 1
LIST OF CONSULTEES

Statutory Stakeholders

Derbyshire County Council
Town and Parish Councils (within and adjoining Derbyshire Dales)
Adjoining Councils
The Environment Agency
The Historic Buildings and Monument Commission for England (Known as Historic England)
Natural England
The Civil Aviation Authority
The Homes and Communities Agency
NHS-North Derbyshire Clinical Commissioning Group
NHS-Southern Derbyshire Clinical Commissioning Group
NHS-East Staffordshire Derbyshire Clinical Commissioning Group
The National Health Service Commissioning Board
The Office of Rail Regulation
Integrated Transport Authority
Highways England
D2N2 Local Enterprise Partnership
Sheffield City Region Local Enterprise Partnership

Government Departments

Department for Communities and Local Government
Department for Culture Media and Sport
Department for Education
Department for Environment, Food and Rural Affairs
Department for Transport
Department of Work and Pensions
Ministry of Defence

Other Stakeholders

Derbyshire Wildlife Trust
Derbyshire Chamber of Commerce and Industry
Derbyshire Dales District Council (Internal Consultation)
Association of Parish Councils
Rural Action Derbyshire
Campaign to Protect Rural England (CPRE)
Sports Council
Health & Safety Executive
Coal Authority
Passenger Transport Authorities and Executives
Areas of Outstanding Natural Beauty (AONB) Units
Environmental, Heritage and Wildlife Organisations e.g. Derbyshire Wildlife Trust, Garden History Society, Woodland Trust
Commission for Architecture and the Built Environment
Skills Funding Agency
Young People's Learning Agency
National Playing Fields Association
Age Concern
Help the Aged

Sure Start
Equality & Human Rights Commission
Voluntary Organisations and Council for Voluntary Services
Severn Trent (water and sewerage undertaker)
Sport England
Mobile Operators Association
Network Rail Infrastructure Ltd
National Grid
Local Nature Partnership
Yorkshire Water (water and sewerage undertaker)
Western Power Distribution
Additional relevant gas, electricity and electronic communications network infrastructure providers
Other bodies which represent the interests of different groups within the community (e.g. racial, ethnic, religious, disability).

Service Providers

Health Trusts
Health Services
Derbyshire Fire & Rescue Service
Derbyshire Ambulance Service NHS Trust
Derbyshire Constabulary
Transport providers (air, road, rail, water as appropriate)
Education Establishments
Sports Organisations

Business Sector

Small and medium sized businesses
Larger and multi-national businesses
Retail outlets
Town & Shopping Centre Management
Business, Trade and Industry Associations/Federations
Chambers of Trade and Commerce
Economic Development Organisations
Employment Organisations
Tourism Organisations

Local Communities

Individual residents and Tenants
Residents Associations
Community Groups (interest, activity and belief)
Community Forums (Area Meetings)
Peak District Partnership
Community Development Organisations
NFU
Wardens Service

Other organisations for specific community groups (e.g. youth, women)

Local Civic Associations

Developers and Landowners

Crown Estates

Defence Estates

The Housebuilders Federation

The Housing Corporation

National Trust

Post Office Property Holdings

Individual Developers

Development and Building Companies

Regeneration Companies/ Organisations

It should be noted that the lists at Appendix 1 are not exhaustive and also relate to successor bodies when reorganisations occur

APPENDIX 2
METHODS OF COMMUNITY INVOLVEMENT

Method	Issues	Information	Consultation	Involvement
Newsletters & leaflets (including those produced by stakeholders)	Can provide up to date information, but can be costly. Can also reach large numbers but it is not possible to guarantee that it will be read	Yes	No	No
Media (local press/TV/radio)	Can reach large numbers of people but adverts can be costly. It is not possible to guarantee how the information will be reported.	Yes	No	No
Exhibitions & displays	Can be more interesting and interactive but requires people to attend. It is possible to display information in places such as supermarkets but audience may not be representative.	Yes	Yes/No	No
Website	Can be very resource efficient and convenient, particularly for organisations, however not everyone has access to a computer	Yes	Yes/no	No
Questionnaires and Surveys	Can be effective in gaining a large number of responses but is often viewed as boring and many people do not reply. Not effective for complex issues which need to be explained.	Yes	Yes	No
Online Panel	Already exists and is available for use in relation to planning documents. Would need to consider how representative the panel is.	Yes	Yes	No

Public meetings & surgeries	Can be relatively inexpensive and can be effective. But can suffer low attendance and attendees may not be representative. Could use existing meetings such as Area Forums	Yes	Yes	No
Focus Groups	Can be used to actively involve hard to reach or specific interest groups but can be costly and time consuming. Expertise is required.	Yes	Yes	Yes/No
Workshops	Can be effective for complex issues and can involve a large number of people at one event. Expertise is required and significant planning is required	Yes	Yes	Yes
Participative Planning Activities	Can be more tailored and interesting to those people who do not usually get involved but can be difficult to organise and facilitate	Yes	Yes	Yes
Community forums or liaison groups	Allows ongoing/regular involvement at a more informal level. Groups gain in-depth understanding of issues and are able to contribute in more detail. Can help to overcome conflict but can be costly.	Yes	Yes	Yes

APPENDIX 3

PROPOSED CONSULTATION METHODS

DEVELOPMENT PLAN DOCUMENTS

&

SUPPLEMENTARY PLANNING DOCUMENTS

LOCAL PLAN DOCUMENTS

Stage	Document Type	Initial Preparatory Stage (Regulation 18)	Draft Local Plan (Regulations 19 and 35)	Submission to Sec of State (Regulation 22)	Examination (Regulation 24)	Report & Adoption (Regulations 25 and 26)
Method						
Making documents available for review at Council offices and libraries	Local Plan	√	√			√
Newsletter or leaflet available	Local Plan	√	√			
Information sent to existing network of organisations and their newsletters	Local Plan		√			
Press releases /articles in press	Local Plan		√			
Exhibition/display in local area(s)	Local Plan		√			
Information and documents on website	Local Plan	√	√	√		√

Stage	Document Type	Initial Preparatory Stage (Regulation 18)	Draft Local Plan (Regulations 19 and 35)	Submission to Sec of State (Regulation 22)	Examination (Regulation 24)	Report & Adoption (Regulations 25 and 26)
Method						
Questionnaire survey	Local Plan		√			
Public meeting/ surgery	Local Plan	√	√			
Focus group with representatives of specific issue area	Local Plan		√			
Workshop with representatives of range of issue or interest areas	Local Plan	√	√			
Participative planning activities	Local Plan		√			
Community liaison group	Local Plan		√			

KEY

- √ Consultation Method will be employed
- ? Consultation Method may be employed depending upon issue/topic

SUPPLEMENTARY PLANNING DOCUMENTS

Stage	Start	Draft SPD Consultation	Consideration of Responses	Adoption
Method				
Making documents available for review at Council offices and libraries		√	√	√
Newsletter or leaflet available				
Information sent to existing network of organisations and their newsletters	?	√	?	?
Press releases /articles in press	?	√	?	?
Exhibition/display in local area(s)				
Information and documents on website	?	√	√	√
Questionnaire survey	?	?		
Public meeting/ surgery				
Focus group with representatives of specific issue area	?	?		
Workshop with representatives of range of issue or interest areas	?	?		

Stage	Start	Draft SPD Consultation	Consideration of Responses	Adoption
Method				
Participative planning activities				
Community liaison group				

KEY ✓ **Consultation Method will be employed**

 ? **Consultation Method may be employed depending upon issue/topic**

APPENDIX 4

STATUTORY PUBLICITY REQUIREMENTS AND DERBYSHIRE DALES PRACTICE

Publicity requirements for Planning Applications

The following are the statutory requirements for publicising planning applications:

	Site Notice	Site Notice or neighbour letter	Press	Website
Major applications		X	X	X
EIA dev with environmental statement	X		X	X
Departure (i.e. Applications which do not accord with the development plan in force in the area)	X		X	X
Development Affecting a Public Right of Way	X		X	X
Non-major		X		X
LB with exterior works	X		X	X
Variation or discharge of condition attached to LBC or CAC or involving works to exterior of listed building	X		X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	X		X	X

The following is the practice currently adopted by DDDC:

	Site Notice and neighbour letter 20 m	Site Notice and neighbour letter 10 m	Press	Website
Major applications	X		X	X
EIA dev with environmental statement	X		X	X
Departure	X		X	X
Development Affecting a Public Right of Way		X	X	X
Non-major	(X ²)	X		X
LB with exterior works listed building		X	X	X
Variation or discharge of condition attached to LBC or CAC or involving works to exterior of listed building		X	X	X

² In accordance with the criteria set out at paragraph 7.15.

Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.		X	X	X
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APPENDIX 5

**PUBLIC PARTICIPATION
AT
PLANNING MEETINGS**

At Planning Committees

Members of the public may make a statement, petition or ask questions relating to planning applications or other agenda items in the non-exempt section of an agenda at meetings where those matters are to be considered, and where the Council is the Local Planning Authority.

Procedure

A member of the public may participate and ask a question or make a statement if notice has been given by electronic means, telephone or in writing to the Head of Democratic Services, no later than Midday on the working day prior to the meeting date. Each question or statement must give the name and address of the questioner, the subject matter to which it relates and the identity of the Councillor to whom it is to be put.

At any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

Petitions may be considered by an appropriate Committee in accordance with the Council's Scheme set out in Article 3 of the Constitution.

At Planning Committees

- a) Where it has been decided by the Council that a planning application will be dealt with by the Planning Committee, the applicant (or agent) and anyone who has made representations will be notified of the time and date of the Committee meeting.
- b) An agenda listing the items to be discussed at meetings of the Planning Committee and the Local Plan Advisory Group will be posted on the District Council's web site and at the offices of the Town hall, Matlock, 5 clear days before the meeting.
- c) Public Participation will be limited to one hour per meeting, with the discretion to extend exercised by the Committee Chairman (in consultation) in advance of the meeting. On line information points will make that clear in advance of registration to speak.
- d) Anyone wishing to make representations at a meeting must notify the Committee Section before Midday on the working day prior to the relevant meeting. At this time they will be asked to indicate to which item of business their representation relates, whether they are supporting or opposing the proposal and whether they are representing a town or parish council, a local resident or interested party.
- e) Those who indicate that they wish to make representations will be advised of the time that they need to arrive at the meeting venue so

that the Committee Clerk can organise the representations and explain the procedure.

- f) Where more than 2 people are making similar representations, the Committee Administrator will seek to minimise duplication, for instance, by establishing if those present are willing to nominate a single spokesperson or otherwise co-operate in the presentation of their representations.
- g) Representations will only be allowed in respect of applications or items which are scheduled for debate at the relevant Committee meeting,
- h) Those making representations will be invited to do so in the following order, after the case officer has introduced any new information received following publication of the agenda and immediately before the relevant item of business is discussed. The following time limits will apply:

Town and Parish Councils	3 minutes
Objectors	3 minutes
Ward Members	5 minutes
Supporters	3 minutes
Agent or Applicant	5 minutes

- i) At the Chairman's discretion, the time limits above in point h) may be reduced to keep within the limited one hour per meeting for Public Participation.
- j) After the presentation it will be for the Chairman to decide whether any points need further elaboration or whether any questions which have been raised need to be dealt with by Officers
- k) The relevant Committee Chairman shall exercise discretion during the meeting to rule out immediately any comments by participants that are not directed to genuine planning considerations.
- l) Those making representations are not allowed to circulate any photos or written material to the Committee.

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