



Supporting Planning Statement

Full Planning Application
Plot 3B, Dove Valley Park, Foston

On behalf of Dove Valley Park Limited
July 2026

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1 INTRODUCTION

- 1.1 This Supporting Planning Statement (“SPS”) has been prepared by Asteer Planning LLP (“Asteer Planning”) on behalf of Dove Valley Park Limited (“the Applicant”) in support of an application for full planning permission for employment development at Plot 3B, Dove Valley Park, Foston (“the site”).

Description of Development

- 1.2 The description of development is as follows:

“Full planning application for employment development (B2/B8 and ancillary E(g) uses) with associated landscaping, drainage, parking, refuse stores and other infrastructure.”

- 1.3 This planning application is supported by a full suite of supporting drawings and documents; a schedule of which is provided at **Appendix 1**.

The Applicant

- 1.4 Dove Valley Park Limited is a subsidiary of Clowes Developments (“Clowes”). Clowes is a family run business based in Derbyshire and is one of the largest and strongest privately-owned property investment and development organisations in the United Kingdom.
- 1.5 Clowes has extensive experience in land acquisition, promotion, and development across a diverse range of sectors including commercial, industrial, retail and residential, and has collaborated with various significant companies, including Tesco, M&S, Legal & General, and the NHS, to successfully deliver 135 developments.
- 1.6 With over 50 years’ experience, few companies can match Clowes’ knowledge and expertise to deliver strategic land for development. This experience gives Clowes the knowledge and understanding to create a bespoke strategic infrastructure for each project, helping to release the value locked in the land.
- 1.7 Clowes has a proven track record of delivering high quality employment development at Dove Valley Park; a major 200 acre (circa. 80 hectare) industrial/distribution development at the centre of one of the country’s most important manufacturing areas. Current occupiers at Dove Valley Park include JCB, Kuehne and Nagel, Muller, Futaba and Top Hat. Clowes is committed to ensuring that Dove Valley Park continues to meet market demand for high specification industrial space, facilitating further investment in this strategic

employment site to enhance its capacity and cementing its reputation as the District's most prestigious business park and a major source of employment.

Background and Rationale for the Proposed Development

- 1.8 Planning permission was granted for the following development across Plots 3A and 3B (LPA reference: DMPA/2022/0544) on 8th June 2023:

"Full planning application proposing the erection of 2no. employment buildings (Use Class B8, B2 and Ancillary E(g) at Plots 3a and 3b with associated landscaping, drainage (including attenuation basin), car parking, refuse stores and other infrastructure."

- 1.9 The aforementioned planning permission allowed for the creation of two employment units with Plot 3A comprising 10,503sqm of gross internal floorspace and Plot 3B comprising 3,135sqm of gross internal floorspace. Plot 3A has been successfully built out and is now occupied. Therefore, the principle of Use Class B8, B2 and ancillary E(g) development on the site has been established by the extant planning permission.
- 1.10 Following the grant of planning permission DMPA/2022/0544, Clowes has since obtained planning permission for employment development on the adjacent plot to the east of Plot 3B (Plot 11) (LPA reference: DMPA/2025/1570). Therefore, the landscape bund that was previously required as part of the Plot 3B proposals is no longer necessary, as the consented Plot 11 development now forms the eastern boundary of the wider Dove Valley Park site. In removing the need for a landscape bund on Plot 3B, there is now a greater amount of space available for employment development within the Plot 3B curtilage. Consequently, Clowes is now seeking full planning permission for a larger employment unit on Plot 3B (4,019sqm / 43,260sqft as opposed to 3,135sqm / 33,745sqft) to make the most efficient use, and to ensure the successful delivery, of this safeguarded employment site (Policy E5) for high quality employment development.

Environmental Impact Assessment ("EIA")

- 1.11 The EIA Regulations require that for certain projects, an EIA must be undertaken. Schedule 1 of the 2017 Regulations lists developments that always require EIA. Schedule 2 of the EIA Regulations lists developments that may require EIA if it is considered that they are likely to give rise to significant environmental effects (whether beneficial or adverse).
- 1.12 An EIA Screening Request was submitted in April 2022 (LPA reference: DMOT/2022/0530) by Pegasus, covering the entirety of Plot 3 (including Plots 3A and 3B).

The Screening Opinion from South Derbyshire District Council ("SDDC"), received on the 12th May 2022, determined that an EIA was not required.

- 1.13 Since that time, and as described above, Plot 3A has been constructed. Although the proposed floorspace for Plot 3B is proposed to increase by 884sqm / 9,515sqft, based on this and Asteer Planning's understanding of the site, no additional significant environmental effects or changes to the previously identified effects are expected. Therefore, an EIA Screening is not required and the previous Screening Opinion remains valid.

Structure of this SPS

- 1.14 The successive chapters of this SPS cover:

1. **Site and Surroundings** – Chapter 2 provides a description of the site's location, characteristics, accessibility credentials, and relevant planning history.
2. **Proposed Development** – Chapter 3 describes the scheme proposals for which full planning permission is sought. A Design and Access Statement (prepared by AEW) has been submitted in support of this planning application.
3. **Planning Policy Context** – Chapter 4 sets out the key planning policies at the national and local level which are relevant to the determination of this planning application.
4. **Principle of Employment Development** – Chapter 5 considers the principle of employment development at the site.
5. **Other Environmental and Technical Considerations** – Chapter 6 summarises the environmental and technical reports accompanying this planning application.
6. **Compliance with the Development Plan** – Chapter 7 assesses the proposed development's compliance with South Derbyshire's Development Plan as a whole.
7. **Summary and Conclusion** – Chapter 8 summarises the content of this SPS and provides a conclusion.

2 SITE AND SURROUNDINGS

- 2.1 This chapter of the SPS provides a detailed description of the site's location, characteristics, accessibility credentials and relevant planning history.

The Site

- 2.2 The site is located in Foston, within the administrative boundary of SDDC approximately 15km west of Derby city centre and 4.5km west of Hilton. Hilton is a village identified in Policy S4 (Housing Strategy) of the South Derbyshire Local Plan Part 1 ("LPP1") as a Key Service Village, within which there are numerous local services and amenities.
- 2.3 The site is irregular in shape and extends to approximately 1.011 hectares. As explained in the submitted Preliminary Ecological Appraisal Report ("PEAR"), the site currently comprises artificial unvegetated, unsealed surface (gravel aggregate) as well as areas of bare ground and sparsely vegetated urban land. However, as described at Chapter 1 and below, the site has extant planning permission for employment development and is allocated as a safeguarded employment site under Policy E5 (as explained further in Chapter 3 of this SPS).
- 2.4 A copy of the Site Location Plan is enclosed at **Appendix 2**.

Designations

- 2.5 The site has the following designations:
- **Heritage** – There are no designated heritage assets (Scheduled Monuments, Grade I, Grade II* and II Listed Buildings, Conservation Areas, Registered Parks and Gardens or Registered Battlefields) within the site boundary.
 - **Flood Risk** – The site is located within Flood Zone 1, indicating a less than 1 in 1,000 annual probability of flooding (low probability).
 - **Public Rights of Way ("PRoW")** – There are no PRoW within or adjacent to the site boundary.
 - **Ecology** – There are no statutory ecologically designated sites within 1km of the site.
 - **Trees** – There are no Tree Preservation Orders (TPOs) within the site boundary.

- 2.6 Further information regarding the designations of relevance to the site is provided in the accompanying environmental and technical reports, which are summarised at Chapter 5 of this SPS.

Surrounding Area

- 2.7 The site is situated within Dove Valley Park, which is a major employment site in South Derbyshire. The majority of the wider site is allocated for employment uses in the Local Plan Part 1 ("LPP1") and Local Plan Part 2 ("LPP2"). A number of the plots have already been delivered and current occupiers at Dove Valley Park include JCB, Kuehne and Nagel, Muller, Futaba and Top Hat.

An Accessible Site

- 2.8 A Transport Statement has been submitted alongside this planning application, which details the accessibility of the site by sustainable travel modes and to local facilities; a summary of this is provided below.
- **Walking** - Footways are provided either side of the internal highway network of Dove Valley Park, with connections provided to bus stops either via direct footway access or using dropped kerbs crossings to central splitter islands at roundabouts.
 - **Cycling** - Cycling on site will be suitable for all standards of cyclists with traffic speeds on site relatively low. Cyclists were observed using both the footway and carriageway on the A511 towards Hatton and cycling on the A511 is suitable for experienced cyclists.
 - **Bus** - A new/extended bus service is being proposed associated with the planning permission for Plot 11 at Dove Valley Park, which will run past Plot 3B and provide links towards Derby. Services will be tailored around typical working hours, ensuring there is a viable option for employees to use the new service to commute.
- 2.9 Local facilities can be reached at Hatton at a reasonable cycling distance from the site and the village can also be reached by bus. The bus service most relevant to the site is service number 401, which can be reached by a short walk from the site. The routes run between Burton and Uttoxeter and provide some services suitable for the typical AM and PM peaks.

Planning History

- 2.10 The rationale for the proposed development is detailed at Chapter 1 of this SPS and is, thus, not repeated here. However, it is important to reiterate that the most recent planning permission was granted for the following development across Plots 3A and 3B (LPA reference: DMPA/2022/0544) on 8th June 2023 and that this planning permission is extant, with Plot 3A having been successfully built out and occupied:

“Full planning application proposing the erection of 2no. employment buildings (Use Class B8, B2 and Ancillary E(g) at Plots 3a and 3b with associated landscaping, drainage (including attenuation basin), car parking, refuse stores and other infrastructure.”

Summary

- 2.11 The site is located in Foston, South Derbyshire approximately 14.5km west of Derby and 4.5km west of Hilton. The site is irregular in shape and extends to approximately 1.011 hectares with extant planning permission for employment development (LPA reference: DMPA/2022/0544) and is allocated as a safeguarded employment site under Policy E5. The wider Dove Valley site is a major 200 acre (circa. 80 hectare) industrial/distribution development at the centre of one of the country’s most important manufacturing areas and has been the subject of a number of planning permissions for high quality employment development.

3 PROPOSED DEVELOPMENT

3.1 This chapter describes the application proposals and their relationship and compatibility with the characteristics of the site.

3.2 The description of development is as follows:

“Full planning application for employment development (B2/B8 and ancillary E(g) uses) with associated landscaping, drainage, parking, refuse stores and other infrastructure.”

Use and Amount

3.3 The proposed development comprises the erection of one employment unit (Use Class B2/B8 and ancillary E(g)) extending to 4,019sqm / 43,260sqft, with associated landscaping, drainage, car parking, refuse stores, and other infrastructure.

Layout

3.4 The Proposed Site Plan for the site (Drawing reference: 15318-AEW-SI-XX-D-A-05100 Rev P03) is enclosed at **Appendix 3**.

3.5 The site layout makes best use of the constraints and opportunities of the site, as described fully in the submitted Design and Access Statement. The layout allows for a single industrial unit in the eastern area of the site, with loading doors and dock levellers situated on the western façade of the unit.

3.6 A designated service yard area and access is proposed in the south-west corner of the site, including a bin store and substation.

3.7 In the north-west corner of the site, extending along the northern boundary of the site, there will be a vehicle access point and parking area, comprising 49 car parking spaces (including 2no. accessible spaces, 6no. EV charging spaces, 2no. future EV car parking spaces, and 3no. car sharing spaces), 5no. motorcycle spaces and cycle stores.

Scale

3.8 The proposed unit will have a haunch height of 8m, which is the same as that which was approved for Plot 3B under the previous consent (LPA reference: DMPA/2022/5044).

3.9 The height of the building is appropriate for its footprint, meaning that proportionally the scale of the building sits well into its surroundings and the immediate backdrop of other

commercial developments, including the adjacent Plot 3A unit, which has a haunch height of 12m.

- 3.10 The Proposed Elevations for the site (Drawing reference: 15318-AEW-01-XX-D-A-05130 Rev P02) have been submitted as part of this planning application.

Appearance

- 3.11 The proposed unit will have a curved roof, as that which was approved for Plot 3B under the previous consent (LPA reference: DMPA/2022/5044). The curved roof will feature rooflights and solar PV panels.
- 3.12 The materiality of the proposed unit will comprise a mixture of profiled and flat composite metal cladding, matching the grey colour palette (varying shades of grey) already established on the wider Dove Valley Park site.

Landscaping

- 3.13 Details of the soft landscaping proposed are provided on the Detailed Landscape Proposals Plan (Drawing reference: 26.2059.002) prepared by ISLA. Hedgerow planting is proposed along the northern, western and eastern boundaries of the site, and along the southern boundary of the proposed parking area. Proposed ornamental shrub planting will be established along the northern and southern-most boundaries of the proposed car parking area and will be in accordance with the approved planting schedule, species mix, densities, and spacing requirements. Wildflower grass seeding areas is proposed to be around the southern and eastern boundary of the proposed unit and native shrub planting shall be established in the north-eastern corner of the site.
- 3.14 12 trees are proposed to be planted within the site, primarily along the northern and southern boundaries of the proposed parking area.
- 3.15 All of the soft landscaping proposed will comply with the requirements of British Standards Institution and good horticultural and arboricultural practice.
- 3.16 The hard landscaping proposed is shown on the Proposed External Finishes Plan (Drawing reference: 15318-AEW-SI-XX-D-A-05101 Rev P02) and the proposed boundary treatments are illustrated on the Proposed Boundary Treatment Plan (Drawing reference: 15318-AEW-SI-XX-D-A-05102 Rev P04). The hard landscaping and boundary treatments proposed will be of a high quality, whilst also ensuring that they meet the operational and functional requirements of a prospective occupier of the employment building.

Biodiversity Net Gain ("BNG")

- 3.17 A Biodiversity Impact Assessment has been undertaken and is included within the submitted PEAR.
- 3.18 The baseline biodiversity value of the site is 1.99 habitat biodiversity units. Post-development, the proposed development would result in a loss of 1.27 habitat biodiversity units, equating to a -64.13% loss, and a gain of 0.93 hedgerow biodiversity units.
- 3.19 Off-site unit purchase will, therefore, be sought from a third-party habitat bank unit provider to make up the deficit of 1.47 biodiversity units, as detailed in the PEAR.

Access and Parking

- 3.20 Access to the main Dove Valley Park site is from Pakenham Boulevard via a roundabout with the A511. The A511 gives access to and from the A50 via an overbridge and dumbbell roundabout arrangement, with slip roads to and from the A50.
- 3.21 The proposed access to the loading area of Plot 3B is situated in the south-western corner of the site. The proposed access arrangement to the parking area of the site is situated in the north-western corner of the site.
- 3.22 The parking provision proposed for the site comprises 49 car parking spaces (including 2no. accessible spaces, 6no. EV charging spaces, 2no. future EV car parking spaces, and 3no. car sharing spaces), 5no. motorcycle spaces and cycle stores.
- 3.23 Cycle parking will be provided in accordance within the guidance set out in the 6C's Design Guide, with secure and sheltered storage spaces at the unit.

Summary

- 3.24 This application is for full planning permission for an employment building (Use Class B8, B2 and Ancillary E(g)) with associated landscaping, drainage, car parking, refuse stores, and other infrastructure.
- 3.25 This chapter has described the use, layout, scale, appearance, landscaping, and access to the development for which full planning permission is sought, in addition to detailing the proposed BNG strategy. In summary, the proposed development has been designed with due consideration given to the site and its context, and will result in the delivery of a high-quality employment development on the site.

4 PLANNING POLICY CONTEXT

- 4.1 This chapter of the SPS outlines the relevant adopted and emerging planning policy and guidance at a local and national level.

The Development Plan

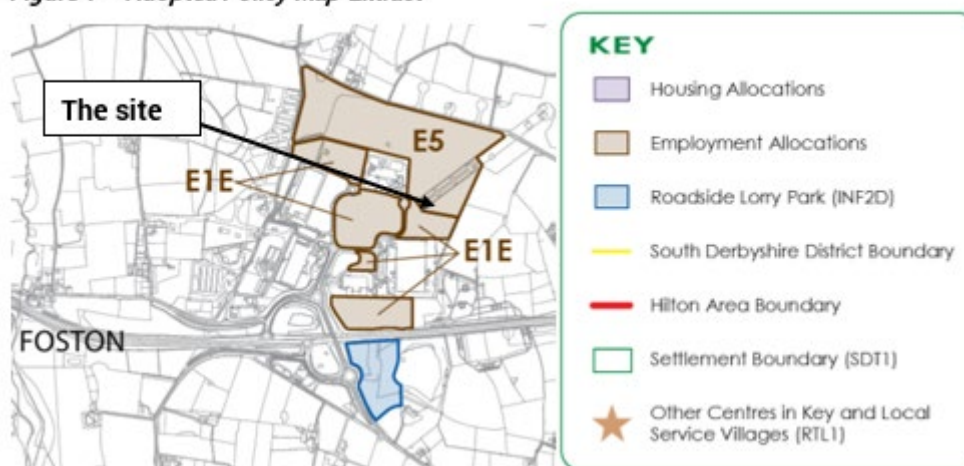
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

Local Planning Policy

- 4.3 With regard to the site, the relevant adopted Development Plan comprises the following documents:
- Local Plan Part 1 ("LPP1") (adopted 2016); and,
 - Local Plan Part 2 ("LPP2") (adopted 2017).
- 4.4 The LPP1 covers the period 2011 to 2028 and is the strategic element of the Local Plan. It sets the long-term vision, objectives and strategy for the spatial development of South Derbyshire.
- 4.5 The LPP2 proposes non-strategic housing allocations and detailed development management policies.
- 4.6 Other material considerations to be taken into account in the determination of this planning application include the National Planning Policy Framework ("NPPF") (2024), Planning Practice Guidance ("PPG"), Supplementary Planning Documents / Guidance and the Council's relevant evidence base.

Site Allocation

- 4.7 As shown on the Policy Map Extract at Figure 1 below, the site is allocated as a safeguarded employment site under Policy E5 of the LPP1. This allocation also incorporates a wider swathe of land to the north and west of the site.

Figure 1 – Adopted Policy Map Extract

Local Plan Part 1 (“LPP1”)

4.8 Part 1 of SDDC’s Local Plan was adopted by Full Council on 13th June 2016 and covers the period 2011 to 2028. It is the strategic element of the Local Plan setting out the long-term vision, objectives and strategy for the spatial development of South Derbyshire. The other policies of the LPP1, which are of most relevance to the proposed development, are listed below.

4.9 **Policy E5 “Safeguarded Employment Sites – Dove Valley Park”** states that, *“Land measuring 28.3ha, to the north of Dove Valley Business Park, is allocated for the development of large scale industrial and business units only, as defined by classes B2 and B8 of the Use Classes Order. The minimum gross internal floor area per unit will be 15,000 sqm.”*

4.10 The supporting text to Policy E5 states that,

“Dove Valley Business Park has proven attractive to investors by virtue of its location in the A50 corridor, the established direct highway connection to that road and the availability of plots.

The sites listed under policy E1 are capable of accommodating most industrial and business development need of South Derbyshire. However, it is recognised that there is demand for the development of units of an exceptionally large scale for businesses in the manufacturing and logistic sectors, particularly in the A50 corridor, and it is important that land be identified to accommodate such needs. To ensure that the site is developed for its intended purpose, individual units should have a minimum gross internal floor area of 15,000 sqm.

Development on the site shall be designed to mitigate potential adverse visual impacts, by such means as careful siting of buildings, control of building heights and appropriate landscaping."

- 4.11 **Policy S1 "Sustainable Growth Strategy"** states that *"South Derbyshire will promote sustainable growth to meet its objectively assessed housing and commercial needs in the plan period 2011-2028."* It sets out the broad ways in which the economic, social and environmental objectives of the Plan will be addressed. In relation to employment, it refers to *"retaining, promoting and regenerating employment development on sites in urban areas and other locations which already are, or could be in the future, well served by infrastructure, including public transport."*
- 4.12 **Policy S2 "Presumption in Favour of Sustainable Development"** states that *"when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to seek solutions, which mean that proposals secure development that improves the economic, social and environmental conditions in the area."*
- 4.13 **Policy S5 "Employment Land Need"** states that *"provision across a range of sites, including allocations, will be made for the development of a minimum 53 ha net additional land for industrial and business development in support of the Economic Strategies of the Council and the D2N2 Local Enterprise Partnership."*
- 4.14 **Policy SD1 "Amenity and Environment Quality"** states that *"the Council will support development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers within or around proposed developments. The Council will take into consideration the following:*
- i. The potential for development to affect surface and ground water quality and its potential to affect the long term delivery of water quality standards set out in the Water Framework Directive or Habitats Directive;*
 - ii. The potential for development to affect designated Air Quality Management Areas (AQMA's).*
 - iii. The need for a strategic buffer between conflicting land uses such that they do not disadvantage each other in respect of amenity issues, such as odours, fumes, or dust and other disturbance such as noise, vibration, light or shadow flicker."*

4.15 **Policy BNE1 “Design Excellence”** states that *“all new development will be expected to be well designed, embrace the principles of sustainable development, encourage healthy lifestyles and enhance people’s quality of life by adhering to the following design principles:*

- a) Community safety*
- b) Street design, movement and legibility*
- c) Diversity and community cohesion*
- d) Ease of use*
- e) Local character and pride*
- f) National forest*
- g) Visual attractiveness*
- h) Neighbouring uses and amenity*
- i) Cross boundary collaboration*
- j) Healthy lifestyles*
- k) Resource use*

All proposals for new development will be assessed against the Council’s Design SPD.”

4.16 The other LPP1 policies of relevance to the proposed development are:

- Policy S3 (Environmental Performance)
- Policy S6 (Sustainable Access)
- Policy SD2 (Flood Risk)
- Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure)
- Policy SD4 (Contaminated Land and Mining Legacy Issues)
- Policy BNE2 (Heritage Assets)
- Policy BNE3 (Biodiversity)
- Policy BNE4 (Landscape Character and Local Distinctiveness)

- Policy INF1 (Infrastructure and Developer Contributions)
- Policy INF2 (Sustainable Transport)
- Policy INF7 (Green Infrastructure)

Local Plan Part 2 (“LPP2”)

4.17 Part 2 of SDDC’s Local Plan was adopted by Full Council on 2nd November 2017 and proposes non-strategic housing allocations and detailed development management policies. The LPP2 policies of most relevance to the proposed development are listed below.

- Policy SDT1 (Settlement Boundaries and Development)
- Policy BNE5 (Development in the Countryside)
- BNE7 (Trees, Woodland and Hedgerows)
- BNE10 (Heritage)

Other Material Considerations

4.18 There are a number of other planning policy guidance documents at the national level that are relevant to the determination of this planning application comprising:

- The NPPF (2024)
- PPG (2014);
- Supplementary Planning Documents and Guidance.

NPPF (2024)

4.19 The revised NPPF was published in 2024. It sets out the Government’s planning policies and guidance and how this is to be applied. The NPPF is a material consideration in the determination of planning applications. The paragraphs of the NPPF of most relevance to this planning application are detailed below.

4.20 **Paragraph 8** highlights that ‘achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and,
- **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.

4.21 **Paragraph 11** states that 'plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

4.22 **Paragraph 85** states planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader

in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

4.23 **Paragraph 115** states in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

4.24 **Paragraph 116** states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

4.25 **Paragraph 131** states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

4.26 **Paragraph 170** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

4.27 **Paragraph 187** states 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);
- 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;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Planning Practice Guidance (“PPG”) (2014)

- 4.28 Planning Practice Guidance (“PPG”) was introduced in March 2014. The PPG replaced a considerable amount of former guidance comprising Planning Policy Guidance Notes and Planning Policy Statements.

Design: Process and Tools

- 4.29 Paragraph 001 Reference ID: 26-001-20191001 emphasises that well-designed places can be achieved by taking a proactive and collaborative approach at all stages of the planning processes. It points towards the guidance contained within the National Design Guide, which illustrates how well-designed places can be achieved in practice.

Housing and Economic Needs Assessment

- 4.30 Paragraph 029 Reference ID: 2a-02920190220 references the importance of considering how current market demand can be analysed, stating that *“recent employment land take-up and projections (based on past trends) and forecasts (based on future scenarios), and to identify instances where sites have been developed or sought for specialist economic uses. This will help to provide an understanding of the underlying requirements for office, general business and distribution space, and (when compared with the overall stock of employment sites) can form the context for appraising individual sites.”*

Housing and Economic Land Availability Assessment

- 4.31 Paragraph 018 Reference ID 3-018-20199722 considers the factors that can be considered when assessing sites for development. It states that *“sites in existing development plans or with planning permission can generally be considered suitable for development although it may be necessary to assess whether circumstances have changed which would alter their suitability. This can be informed by a range of factors including the suitability of the land for different uses and by market signals, which will be useful in identifying the most appropriate use.”*

Supplementary Planning Documents and Guidance**South Derbyshire Design Guide SPD**

- 4.32 This SPD was published in November 2017 with the aim of improving the design quality of development in South Derbyshire and to further explain the Design Principles set out in the LPP1 (Policy BNE1).

Trees and Development SPG

- 4.33 This SPG document was published in May 2004 and provides information to developers, landowners, agents, architects, planning consultants, landscape architects, arboriculturists, and contractors, on the standards that SDDC will expect from new development proposals. The guide seeks to ensure that trees are afforded due consideration in the planning process so that they can be effectively integrated into new development.

The 6Cs Design Guide

- 4.34 The 6Cs Design Guide deals with highways and transportation infrastructure for new developments in areas for which Derby City Council, Derbyshire County Council, Leicester City Council, Leicestershire County Council and Nottinghamshire County Council are the highway authorities.

Relevant Evidence Base

Employment Land Review (October 2023)

- 4.35 The latest Employment Land Review ("ELR") has the stated intention of undertaking an assessment of the factors affecting Derby and South Derbyshire's economy, with reference to those that are likely to affect the future need for land and property within the areas.
- 4.36 The ELR emphasises that new build employment development has focussed on Dove Valley Park and that the largest amount of floorspace transacted during a single deal was 23,539sqm at Dove Valley Park in 2019, which was sold to Futaba Manufacturing UK. Dove Valley Park is also referred to as a "key site" several times within the ELR, and the ELR identifies that 81% of South Derbyshire's supply is in just two locations, one of which is the Dove Valley employment area.
- 4.37 The ELR concludes that, *"Derby and South Derbyshire have sufficient land to meet their needs to 2039-2041, albeit with only a modest surplus in the case of South Derbyshire."* It is further emphasised within the ELR that, *"Derby and South Derbyshire should protect their existing employment land supplies, even with the identified oversupplies against need."*

Emerging SDDC Local Plan

Local Plan Part 1

- 4.38 On 10th March 2025, the South Derbyshire Local Plan Part 1 Review was published for consultation under Regulation 19 of the Local Plan Regulations. The Regulation 19 consultation ended on 25th April 2025.
- 4.39 As a result of representations made during this consultation and further evidence, the Council has stated that it wishes to make some modifications to the Publication Version of the Local Plan. There is no provision in the legislation which allows the Council to replace all or part of the submitted plan with a revised plan during the examination. Therefore, the Council have prepared an addendum consultation to allow stakeholders to comment on the modifications prior to submission to a government-appointed Inspector which will allow the proposed modifications to be considered as part of the submitted plan. The consultation ran from 5th May until 16th June 2026.
- 4.40 In the Publication Version, the site remains identified as part of the Dove Valley Business Park Strategic Employment Land Allocation (Reference: E1F), which extends to 6.72ha and permits Use Class B2, B8 and E(g) development. It is stated that, *"Site E1F comprises*

remaining undeveloped plots with planning permission for industrial and business development at Dove Valley Business Park, Foston.” Therefore, despite the emerging Local Plan Part 1 being at an early stage of preparation having not yet reached examination, it is clear that the Council remains fully committed to the site coming forward for employment development (Use Class B2, B8 and E(g)) as part of the emerging Local Plan.

Local Plan Part 2

- 4.41 Further to the above, SDDC has begun work on reviewing the adopted Local Plan Part 2, which sets out non-strategic policies and allocations against which future planning applications will be determined. A consultation on the Issues and Options stage of the Local Plan Part 2 ran until 30th January 2026. However, no weight can be afforded to the emerging Local Plan Part 2 owing to its very early stage of preparation.

Emerging NPPF

- 4.42 On 16th December 2025, the Ministry of Housing, Communities and Local Government published a consultation on a revised NPPF and other changes to the planning system. The consultation ran until March 2026.
- 4.43 Draft Policy E2 of the draft NPPF is of particular relevance to the proposed development, in that it is stated that,

*“To support business growth, **substantial weight should be given to:***

*a. **The economic benefits of proposals for commercial development which allow businesses to invest, expand and adapt;** especially where this would support the economic vision and strategy for the area, the implementation of the Industrial Strategy, support improvements in freight and logistics and/or reflect proposals for Industrial Strategy Zones and AI Growth Zones...”* (Asteer Planning’s emphasis in **bold**)

Summary

- 4.44 This chapter of the SPS has summarised the adopted Development Plan policies and other material considerations relevant to the determination of this planning application. The following chapter of this SPS assesses the principle of employment development at the site.

5 PRINCIPLE OF EMPLOYMENT DEVELOPMENT

- 5.1 This chapter assesses the principle of employment development at the site against the relevant policies and other material considerations detailed in the previous chapter of this SPS.

Principle of Development

- 5.2 As detailed in Chapter 4 of this SPS, the site forms part of a larger area of land (28.3ha in total) that is allocated as a safeguarded employment site under LPP1 Policy E5.
- 5.3 Policy E5 explains that this land is allocated for *“the development of large scale industrial and business units only, as defined by classes B2 and B8 of the Use Classes Order. The minimum gross internal floor area per unit will be 15,000 sqm.”*
- 5.4 The proposed development comprises 4,019sqm of Use Class B2/B8 with ancillary E(g) floorspace. Therefore, the proposed building footprint is less than 15,000sqm, which is the threshold specified within the policy. However, the proposed development does accord with the land uses permitted by Policy E5 and, thus, it is not wholly inconsistent with this policy.
- 5.5 Further to the above, the supporting text to Policy E5 states that, *“The sites listed under policy E1 are capable of accommodating **most** industrial and business development need of South Derbyshire”* (Asteer’s emphasis in **bold**). Therefore, it is accepted by the Council that further sites beyond those listed under Policy E1, such as this site, are required to meet the industrial and business development need of South Derbyshire. This is emphasised further in the ELR (2023), which describes Dove Valley Park as a *“key site”* and identifies it as one of two sites in the District responsible for meeting 81% of South Derbyshire’s employment land supply. Additionally, within the emerging LPP1 Review the site continues to form an important part of the District’s employment land supply being identified as within the Dove Valley Business Park Strategic Employment Land Allocation (Reference: E1F), which extends to 6.72ha and permits Use Class B2, B8 and E(g) development.
- 5.6 Nevertheless, despite the proposed uses being consistent with Policy E5, it is acknowledged that the proposed development partially conflicts with Policy E5 owing to the scale of the building proposed (less than 15,000sqm). However, there are a series of compelling material considerations and benefits overriding this partial conflict with the policy, which should be afforded significant weight in favour of the grant of planning permission, as detailed below.

Physical Constraints of the Site

- 5.7 As acknowledged in the Committee Report relating to the extant planning permission at the site (LPA reference: DMPA/2022/0544), the site is an irregular shape and is constrained by the existing commercial storage site to the north and Policy E1-E land to the south, which now accommodates the Plot 3A employment building consented under the aforementioned planning permission. Additionally, since planning permission DMPA/2022/0544 was granted, the land to the east of the site now has consent for two employment units (LPA reference: DMPA/2025/1570). Therefore, the site is physically unable to deliver a unit of 15,000sqm (required by Policy E5).
- 5.8 In allocating the site as a safeguarded employment site under Policy E5, and proposing to retain the site's employment allocation in the emerging LPP1 Review, SDDC has acknowledged that the site is wholly suitable for employment use and does not form part of the open countryside. To not permit a reduced size employment development on this site, which is unavoidable given its physical constraints, would essentially render this site undevelopable despite it being allocated for employment use. It would also mean that the important economic benefits that the proposed development would yield (discussed further in the following section) would not be delivered.

Surrounding E5 Employment Land

- 5.9 The development of the site for an employment building of 4,019 sqm (Use Classes B8, B2 and ancillary E(g)) would not prejudice the remaining E5 employment allocation land from delivering employment buildings of 15,000 sqm or more.
- 5.10 The western part of E5 has outline planning permission (LPA reference: DMPA/2019/1205) for a bottling facility extending to approximately 50,000sqm. The eastern part of E5 does not currently benefit from planning permission but is a large site that could comfortably accommodate employment building(s) of 15,000sqm or above.

Extant Planning Permission

- 5.11 The site has extant planning permission for a smaller employment unit (3,135sqm) than that which is proposed in this case (4,019sqm). Therefore, the proposed development will deliver more employment floorspace than was previously consented on the site and, thus, will be closer to the 15,000sqm figure specified within Policy E5.

A Deliverable Use

- 5.12 Whilst the NPPF definition of deliverability relates specifically to housing sites and both the NPPF and PPG do not provide a specific definition of deliverability for employment

sites, a deliverable site is generally one which is available, suitable, and viable and, therefore, is most likely to be built out. Using this criteria, an assessment of the deliverability of the site for employment is set out below.

Available

- 5.13 The site is in control of a major employment developer, Clowes, who has a proven track record of delivering high-quality, successful employment schemes. The site is, therefore, clearly available for the proposed employment development.

Suitable

- 5.14 The site is suitable for employment development for the following reasons:

- It has extant planning permission for employment development;
- It is located in a suitable location for employment, which is reflected in Dove Valley Park's strategic employment allocation and the allocation of the site as a safeguarded employment site;
- It can be delivered immediately;
- The employment floorspace will create additional jobs in the locality and boost the economy. As detailed in the Economic Impact Statement prepared by Wisner Consulting, the proposed development will yield:
 - approximately 50 Full-Time Equivalent ("FTE") on-site jobs;
 - in the region of £94,000 of additional business rate revenue each year;
 - approximately 10 off-site jobs; and,
 - in the region of 70 on and off-site construction jobs;
- The site is situated within a local highway network, which has the capacity to accommodate the additional employment floorspace proposed; and,
- The site is in an accessible location.

- 5.15 The site represents an ideal location for employment development as it is safeguarded by Policy E5 for employment development and is located immediately adjacent to Dove Valley Park, which is an existing established business park allocated by Policy E1 as a Strategic Employment Allocation for new industrial and business development.

Furthermore, the principle of employment development on the site has been established through the extant planning permission (LPA reference: DMPA/2022/0544), granted on 9th June 2023, which consented a smaller employment unit on the site than that which is proposed by this planning application.

- 5.16 The site is, therefore, clearly, suitable for the proposed employment development.

Viable

- 5.17 Clowes has extensive experience in land acquisition, promotion, and development across a diverse range of sectors including commercial, industrial, retail and residential.
- 5.18 Clowes have reviewed the economic viability of the proposal in terms of the land value, attractiveness of the locality and level of potential market demand as well as the cost factors associated with the site including site preparation costs and site constraints. Clowes can, therefore, confirm that the development of the site is economically viable. Clowes intends to build out the site speculatively within 18 months of planning permission having been granted.
- 5.19 The site is, therefore, viable for the proposed employment development.
- 5.20 In summary, the proposed employment development is deliverable because the site is available, suitable and viable for the proposed employment use.

Scheme Benefits

- 5.21 The NPPF sets out at paragraphs 7 and 8 that sustainable development should have positive economic, social and environmental benefits and meet the needs of the present without compromising the needs of future generations. The development of the site will meet the three objectives of sustainable development. The proposals will deliver a series of economic, social and environmental benefits.

Economic Benefits

- 5.22 The proposed development will contribute towards building a strong, responsive and competitive economy, supporting innovation and growth in Foston and promoting stable economic growth in South Derbyshire.
- 5.23 This application is supported by an Economic Benefits Statement prepared by Wisher Consulting, which quantifies the economic benefits of the proposed development. The economic benefits are detailed at paragraph 5.16 of this SPS. However, it is also important to note that the:

1. FTE jobs created will be spread across a diverse range of occupations and will be highly sought after. There will be a focus on full-time work and decent salaries;
2. The construction industry offers very accessible local employment opportunities and delivers high levels of social mobility; and,
3. In addition to the closest urban areas, the proposed development will also benefit the local rural economy. Rural businesses can benefit from new trading opportunities – both during construction and when the scheme is operational. Individuals from rural areas can access the new employment opportunities.

Social Benefits

- 5.24 The proposed developments will support the creation of a strong, vibrant and healthy community. In particular, the proposed development will:
- Be accessible and will cater for the needs of the development's staff and visitors;
 - Contribute towards making the wider Dove Valley Park allocation an attractive, comfortable and efficient place to work; and,
 - Secure long-term jobs which will have the potential to increase the number of jobs in South Derbyshire, attracting and retaining workers with a strong skill set.

Environmental Benefits

- 5.25 The proposed development will not result in significant harm to the natural environment and will help to improve biodiversity. In particular, the proposed development will:
- Provide access to the site via sustainable modes of transport, such as buses, walking and cycling;
 - Not result in any adverse environmental impacts, as demonstrated in the suite of environmental and technical assessments submitted alongside the planning application and summarised at Chapter 6 of this SPS;
 - Represent an efficient use of a safeguarded employment site for high-quality employment development;
 - Include a sensitive and functional landscaping scheme within the site;
 - Secure a high-quality design in keeping with the surrounding context;

- Result in a 10% net gain in biodiversity, with off-site unit purchase being sought from a third-party habitat bank unit provider; and,
- Use sustainable construction materials and techniques, and will provide Electric Vehicle charging points within the parking design.

Summary

- 5.26 This application is for full planning permission for an employment development (Use Class B8, B2 and ancillary E(g)).
- 5.27 Whilst the development of the site for an employment building of 4,019sqm falls within the Use Classes specified within Policy E5, its scale of below 15,000sqm means that it partially accords and partially conflicts with this policy. However, there are a series of compelling material considerations and benefits, which override this partial conflict with the policy and which should be afforded **significant weight** in favour of the grant of planning permission. These are:
- The site is allocated as a safeguarded employment site and the proposals accord with the land uses specified by Policy E5;
 - The site has extant planning permission for employment development and this planning application will deliver an employment unit of a greater footprint than that which has already been consented on the site;
 - The site is broadly triangular in shape and is constrained by the existing Box Self Storage site to the north, Policy E1-E land to the south and consented employment development to the east (LPA reference: DMPA/2025/1570). As such, owing to its characteristics and surrounding land uses, the site is physically unable to deliver a unit over 15,000sqm in accordance with the requirement of Policy E5;
 - The redevelopment of the site for a 4,019sqm employment building will not prejudice the remainder of the land safeguarded for employment under Policy E5;
 - The site is deliverable for employment development because it is available, suitable and viable and can, therefore, be brought forward for development immediately; and,
 - The proposal will deliver a series of important economic, social and environmental benefits. The development will provide a range of high-quality jobs for the district

and bolster Dove Valley Park's reputation as a highly sought after industrial and logistics location.

- 5.28 In summary, the above material considerations which should be afforded **significant weight** in favour of the grant of full planning permission for the proposed development.
- 5.29 The following chapter of this statement assesses the proposals against other relevant environmental and technical considerations.

6 OTHER ENVIRONMENTAL AND TECHNICAL CONSIDERATIONS

6.1 This chapter of the SPS assesses a range of other environmental and technical considerations for the planning application, drawing upon the comprehensive suite of environmental and technical assessments which accompany the planning application. It is important to note that the site has extant planning permission for employment development and was assessed as being acceptable by the Council in regard to the below environmental and technical disciplines as part of the previous planning application.

- Design and Landscaping;
- Highways;
- Flood Risk and Drainage;
- Ecology and Biodiversity Net Gain;
- Arboriculture;
- Air Quality;
- Noise;
- Ground Conditions; and,
- Archaeology.

Design and Landscaping

6.2 As summarised at Chapter 3 of this SPS, and described fully in the submitted Design and Access Statement, the proposal will deliver a high-quality employment building, which will be of an appearance and scale that is in-keeping with, and complements, that of the surrounding area. For example, the building façade will comprise a mixture of profiled and flat composite metal cladding, which will match the colour palette of the established employment development within Dove Valley Park. The building will also feature a curved roof, which will provide a high-quality finish and will enhance the attractiveness of the appearance employment unit, whilst also ensuring that it is appropriate to its proposed employment function and, thus, is able to meet the needs of prospective occupiers.

6.3 The proposed landscaping will further enhance the visual attractiveness of the site through the incorporation of sensitively-sited green infrastructure, whilst also ensuring

that the hard and soft landscaping is appropriate when considering the future operations associated with the proposed employment use.

- 6.4 The proposed development proposes to reduce carbon emissions through an energy efficient design, capacity for solar PV generation, and inclusion of Electric Vehicle charging infrastructure. Sustainable materials and construction methods will also be employed. Additionally, the building has been designed to ensure good levels of natural surveillance, and has incorporated Secured by Design principles, as detailed within the Design and Access Statement, including rainwater pipes that are square in profile and fixed back to the building fabric to prevent climbing onto the roof.
- 6.5 Therefore, the proposed development will be of a high-quality design that is appropriate for both its use and context, and will make a positive contribution to the established Dove Valley Park employment site. Consequently, the proposed development accords with LPP1 policies BNE1, BNE4 and INF7, and NPPF paragraphs 131 and 135.

Highways

- 6.6 A Transport Statement and Travel Plan have been prepared by Ridge and are submitted alongside this planning application. The accessibility of the site is summarised at Chapter 2 of this SPS and is, thus, not repeated here.

Highways Safety

- 6.7 Personal Injury Accident (“PIA”) data has been acquired from Derbyshire Police for the latest five-year period available (01/04/2021-31/03/2026) and has been analysed in the Transport Statement. Although all PIAs are regrettable, particularly those resulting in fatal or serious injuries, impact analysis detailed in this report demonstrates that the proposed development will not have an unacceptable impact on the safety of the surrounding highway network.
- 6.8 In addition to the above, the proposed site layout and loading areas have been tracked using an Articulated Vehicle (16.5m), indicating that this vehicle can enter and exit the site without issue; in addition, the vehicle has been tracked to show its ability to use the turning circle provided.

Traffic Generation, Distribution and Assignment

- 6.9 The traffic generation for the proposed development has been estimated using the TRICS (7.9.1) database and has been undertaken in accordance with the TRICS Good Practice Guide.

- 6.10 Overall, the traffic impact of the development proposal is predicted to be negligible with only approximately one additional vehicle every 4 minutes during the AM and PM peak hours.

Summary

- 6.11 The proposed development is located to make use of existing infrastructure and services and is suitable in transport terms. The proposed development will promote and enhance the use of sustainable modes of transport, and the indicative designs provided demonstrate that the site can provide safe and suitable access for all users.
- 6.12 Therefore, the proposed development accords with LPP1 policies S6 and INF2 and NPPF paragraphs 109, 110, 115, 116, 117 and 118.

Flood Risk and Drainage

- 6.13 A Drainage Strategy has been prepared by Jackson Purdue Lever and submitted alongside this planning application.

Flood Risk

- 6.14 The site area is less than one hectare and is located in Flood Zone 1. Government flood maps and the Local Planning Authority's strategic flood maps indicate that the site is located outside areas at risk of flooding from all sources.
- 6.15 On the basis that the site is located in Flood Zone 1 and in accordance with the NPPF, a Flood Risk Assessment is not required.
- 6.16 The ground conditions of the site are impermeable silty/clayey fluvio-glacial deposits over impermeable mudstone which preclude the use of infiltration within the site and protect the site from groundwater flooding.
- 6.17 The site is elevated compared with the adjacent plot with the existing access road and service yard intercepting any overland flows from the rising topography to the north-west. The site is, therefore, not considered to be at risk of flooding from overland surface water.

Drainage

- 6.18 The proposed drainage strategy complies with the latest National SuDS Standards, with rainwater harvesting and permeable paving proposed where practicable. Some SuDS features are provided on-site, and the rest are provided in the existing wider off-site drainage network. There is to be an attenuation tank on plot with 520m³ of storage to

restrict discharge to 7 l/s into the existing drainage network. The drainage will then flow through two detention basins before discharging to a watercourse north of the A50.

- 6.19 Foul and surface water will discharge from the plot via gravity to existing drainage networks.

Summary

- 6.20 Therefore, the proposed development complies with LPP1 policies SD1, SD2 and SD3, and NPPF paragraph 170.

Ecology

- 6.21 A Preliminary Ecological Appraisal Report ("PEAR") has been prepared by RammSanderson in support of this planning application.

Designations

- 6.22 No Statutory designated Sites are recorded within 1km of the site. Although the site falls within the Impact Risk Zone of Hilton Gravel Pits Site of Special Scientific Interest ("SSSI"), commercial developments are not considered by Natural England to be of the type to impact this nationally designated site.
- 6.23 The habitats to be impacted on site are of limited ecological value (artificial unvegetated, unsealed surface, bare ground and sparsely vegetated urban land) and there are no notable habitats within the Zone of Influence ("Zoi") of the Site.

Badgers and other mammals

- 6.24 There was no evidence of badger recorded on the site and no suitable habitats will be impacted.

Bats

- 6.25 There are no buildings or trees present which could be utilised by roosting bats and the site is considered to be of negligible value for foraging and commuting bats. Land adjacent to the south-east boundary may offer foraging habitat for bats and, thus, a sensitive lighting scheme could be secured by an appropriately worded planning condition.

Great Crested Newts

- 6.26 Three ponds present within 500m of the Site. Two of these are recently constructed attenuation ponds with the other being beyond a significant barrier to Great Crested Newt

("GCN") dispersal. No records of this species were returned locally and the site is of negligible value for terrestrial phase amphibians consisting of bare, heavily disturbed land.

Amphibians and Reptiles

- 6.27 While common species of amphibian and reptile (herptiles) are present locally, the site is of very limited value to these species groups consisting primarily of artificial, unsealed surface which receives a significant amount of ground disturbance on a fairly regular basis.

Birds

- 6.28 The site is of negligible value to birds with it consisting primarily of artificial surface and being regularly managed and tracked through by machinery.

Invasive Species

- 6.29 No invasive non-native species observed on Site or within the wider environment.

Biodiversity Net Gain

- 6.30 A Biodiversity Impact Assessment ("BIA") has been undertaken, as detailed in the PEAR. As detailed in the Chapter 3 of this SPS, off-site unit purchase will be sought from a third-party habitat bank unit provider to make up the deficit of 1.47 biodiversity units, as detailed in the PEAR.

Summary

- 6.31 Therefore, the proposed development complies with LPP1 policies BNE3 and INF7 and NPPF paragraph 187.

Arboriculture

- 6.32 An Arboricultural Impact Assessment ("AIA") and Method Statement has been produced by RammSanderson and submitted alongside this planning application.
- 6.33 The survey assessed a total of 26 individual trees, and 1 hedgerow. There was found to be no existing tree cover on the site itself, with just trees in proximity to the site surveyed only.
- 6.34 There are no TPOs on the site, and the site is not located within a Conservation Area.
- 6.35 The proposed development will require the removal of no trees. There will, therefore, be a no arboricultural impact as a result of the proposed removals. Instead 12no. of trees will be planted within the site.

- 6.36 Therefore, the proposed development complies with LPP2 policy BNE7, and NPPF paragraphs 136 and 187.

Ground Conditions

- 6.37 A Supplementary Ground Investigation report has been prepared by Construction Design Solutions. It is important to note that this covers this site and land further south.
- 6.38 The report concludes that the strata beneath the site is free of significant contamination for a proposed commercial / industrial end use with all the chemicals of concern revealing concentrations falling below the levels of detection for the laboratory method used, and / or not exceeding their respective assessment criteria. With the strata beneath the site indicated to be free of significant contamination for a commercial / industrial end use, it is considered the site will not pose a significant risk to groundwater and / or other environmental receptors. The assessment within the RLE investigation report (referred to in the report) also advises the site poses a low risk to controlled waters. It is further stated that no Radon protection measures are required at the site.
- 6.39 Therefore, the proposed development complies with LPP1 policy SD4, and NPPF paragraphs 187 and 196.

Air Quality

- 6.40 An Air Quality Assessment has been prepared by SLR and is submitted alongside this planning application.
- 6.41 SDDC currently does not have any declared Air Quality Management Areas ("AQMA's") within their administrative area. The nearest AQMA is located greater than 10km away.
- 6.42 Following the construction dust assessment, the site is found to be at worst:
- 'Medium risk' in relation to dust soiling effects on people and property; and
 - 'Low risk' in relation to human health impacts.
- 6.43 However, potential dust effects during the construction phase are considered to be temporary in nature and may only arise at particular times i.e., certain activities and/or meteorological conditions. With implementation of the proposed mitigation measures outlined in the Air Quality Assessment, the effects of construction dust are predicted to be not significant.

- 6.44 The operational road traffic movements generated by the proposed development have been compared against the screening thresholds set out in the relevant guidance. The proposed development does not exceed the relevant screening thresholds and, as such, no further assessment is required. Operational road traffic impacts are, therefore, considered to be insignificant.
- 6.45 Consequently, the proposed development complies with LPP1 Policy SD1 and NPPF paragraphs 187 and 199.

Noise

- 6.46 A Noise Assessment has been prepared by SLR and is submitted alongside this planning application.
- 6.47 The assessment of on-site operational noise indicates that daytime and night-time sound levels from the proposed development are predicted to remain well below the prevailing background sound level at all assessed residential receptors. On this basis, a low impact is anticipated.
- 6.48 The cumulative off-site traffic noise assessment identifies minor or negligible changes in road traffic noise levels. These changes are not considered significant and are unlikely to result in any perceptible impact at nearby residential dwellings.
- 6.49 Therefore, the proposed development complies with LPP1 Policy SD1 and NPPF paragraphs 187 and 198.

Archaeology

- 6.50 An Archaeological Statement has been prepared by Orion Heritage and is submitted alongside this planning application.
- 6.51 Following discussions with the Derbyshire County Council's Archaeologist, it was determined that the groundworks across the site have removed any archaeological remains which may have survived within the site. It was concluded that the site is now of minimal archaeological potential and that no further work was required. It is anticipated that no further archaeological work will be required in relation to the forthcoming proposed development.
- 6.52 Therefore, the proposed development complies with LPP1 policies BNE2 and BNE5 and NPPF paragraph 207.

Summary

- 6.53 This chapter has demonstrated that the proposed development is acceptable in terms of: design and landscaping highways; flood risk and drainage; ecology and BNG; arboriculture; ground conditions; air quality; noise; and, archaeology. Therefore, there is no environmental or technical basis upon which to withhold consent for the proposed development.

7 COMPLIANCE WITH THE DEVELOPMENT PLAN

- 7.1 Although Chapter 6 concludes that the principle of employment development is acceptable at the site, this chapter assesses the proposed development's compliance with South Derbyshire's Development Plan as a whole.

Development Plan Assessment

- 7.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan Documents are detailed at Chapter 3 of this SPS.
- 7.3 As evidenced at Chapters 5 and 6 of this SPS, the proposed development accords with:
1. **LPP1 Policies** – S1, S2 S3, S6, E5 (partial), SD1, SD2, SD3, SD4, BNE1, BNE2, BNE3, BNE4, INF1, INF2 and INF3.
 2. **LPP2 Policies** – SDT1, BNE5 and BNE7.
- 7.4 Although the proposed development partially conflicts with Policy E5 in that it is less than 15,000sqm, it will deliver employment development that accords with the uses specified in the policy (Use Class B2/B8) and will result in the delivery of high-quality employment development on a safeguarded employment site. Therefore, **limited weight** should be given to this conflict and the proposed development accords with the adopted Development Plan when read as a whole.
- 7.5 Nevertheless, even if the Council were to determine that the proposed development does not accord with the adopted Development Plan when read as a whole, there are a series of compelling material considerations and benefits overriding this partial conflict with Policy E5 (as evidenced within Chapter 5 of this SPS), which should be afforded **significant weight** in favour of the grant of planning permission.

Summary

- 7.6 Overall, it is the Applicant's position that the proposed development accords with the adopted Development Plan when read as a whole. However, if the Council were to disagree, it has been demonstrated in this SPS that there are a series of compelling material considerations, which should be afforded significant weight in favour of the grant of planning permission for the proposed development, which would outweigh any perceived conflict with the Development Plan.

8 SUMMARY AND CONCLUSIONS

- 8.1 This SPS has been prepared by Asteer Planning on behalf of Dove Valley Park Limited in support of an application for full planning permission for an employment development at Plot 3B, Dove Valley Park, Foston.

Site and Surroundings

- 8.2 Chapter 2 provides a detailed description of the site's location, characteristics, accessibility credentials and relevant planning history.
- 8.3 The site is located in Foston, South Derbyshire approximately 14.5km west of Derby and 4.5km west of Hilton. The site is irregular in shape and extends to approximately 1.011 hectares with extant planning permission for employment development (LPA reference: DMPA/2022/0544) and is allocated as a safeguarded employment site under Policy E5. The wider Dove Valley site is a major 200 acre (circa. 80 hectare) industrial/distribution development at the centre of one of the country's most important manufacturing areas and has been the subject of a number of planning permissions for high quality employment development.

Proposed Development

- 8.4 Chapter 3 describes the application proposals and their relationship and compatibility with the characteristics of the site.
- 8.5 In summary, the proposed development has been designed with due consideration given to the site and its context, and will result in the delivery of a high-quality employment development on the site.

Planning Policy Context

- 8.6 Chapter 4 summarises the adopted Development Plan policies and other material considerations relevant to the determination of this planning application, which are referred to in the subsequent chapters of the SPS when assessing the scheme proposals.

Principle of Employment Development

- 8.7 Chapter 5 assesses the principle of employment development at the site against the relevant policies and other material considerations detailed in the previous chapter of this SPS.
- 8.8 Whilst the development of the site for an employment building of 4,019sqm falls within the Use Classes specified within Policy E5, its scale of below 15,000sqm means that it

partially accords and partially conflicts with this policy. However, there are a series of compelling material considerations and benefits, which override this partial conflict with the policy and which should be afforded significant weight in favour of the grant of planning permission. These are:

- The site is allocated as a safeguarded employment site and the proposals accord with the land uses specified by Policy E5;
- The site has extant planning permission for employment development and this planning application will deliver an employment unit of a greater footprint than that which has already been consented on the site;
- The site is broadly triangular in shape and is constrained by the existing Box Self Storage site to the north, Policy E1-E land to the south and consented employment development to the east (LPA reference: DMPA/2025/1570). As such, owing to its characteristics and surrounding land uses, the site is physically unable to deliver a unit over 15,000sqm in accordance with the requirement of Policy E5;
- The redevelopment of the site for a 4,019sqm employment building will not prejudice the remainder of the land safeguarded for employment under Policy E5;
- The site is deliverable for employment development because it is available, suitable and viable and can, therefore, be brought forward for development immediately; and,
- The proposal will deliver a series of important economic, social and environmental benefits. The development will provide a range of high-quality jobs for the district and bolster Dove Valley Park's reputation as a highly sought after industrial and logistics location.

8.9 In summary, the above material considerations which should be afforded **significant weight** in favour of the grant of full planning permission for the proposed development.

Other Environmental and Technical Considerations

8.10 Chapter 6 assesses a range of other environmental and technical considerations for the planning application, drawing upon the comprehensive suite of environmental and technical assessments which accompany the planning application.

8.11 It is demonstrated that the proposed development is acceptable in terms of: design and landscaping highways; flood risk and drainage; ecology and BNG; arboriculture; ground

conditions; air quality; noise; and, archaeology. Therefore, there is no environmental or technical basis upon which to withhold consent for the proposed development.

Compliance with the Development Plan

- 8.12 Although Chapter 6 concludes that the principle of employment development is acceptable at the site, this chapter assesses the proposed development's compliance with South Derbyshire's Development Plan as a whole.
- 8.13 Overall, it is the Applicant's position that the proposed development accords with the adopted Development Plan as a whole. However, if the Council were to disagree, it has been demonstrated in this SPS that there are a series of compelling material considerations, which should be afforded **significant weight** in favour of the grant of planning permission for the proposed development, which would outweigh any perceived conflict with the Development Plan.

Conclusion

- 8.14 Dove Valley Park Limited is a subsidiary of Clowes. Clowes is a family run business based in Derbyshire and is one of the largest and strongest privately-owned property investment and development organisations in the United Kingdom.
- 8.15 Clowes has a proven track record of delivering high quality employment development at Dove Valley Park; a major 200 acre (circa. 80 hectare) industrial/distribution development at the centre of one of the country's most important manufacturing areas. Current occupiers at Dove Valley Park include JCB, Kuehne and Nagel, Muller, Futaba and Top Hat.
- 8.16 Clowes is committed to ensuring that Dove Valley Park continues to meet market demand for high specification industrial space, facilitating further investment in this strategic employment site to enhance its capacity and cementing its reputation as the District's most prestigious business park and a major source of employment. The proposed development forms a key part of this commitment, and will deliver a high-quality employment development on a safeguarded employment site adjacent to Dove Valley Business Park.

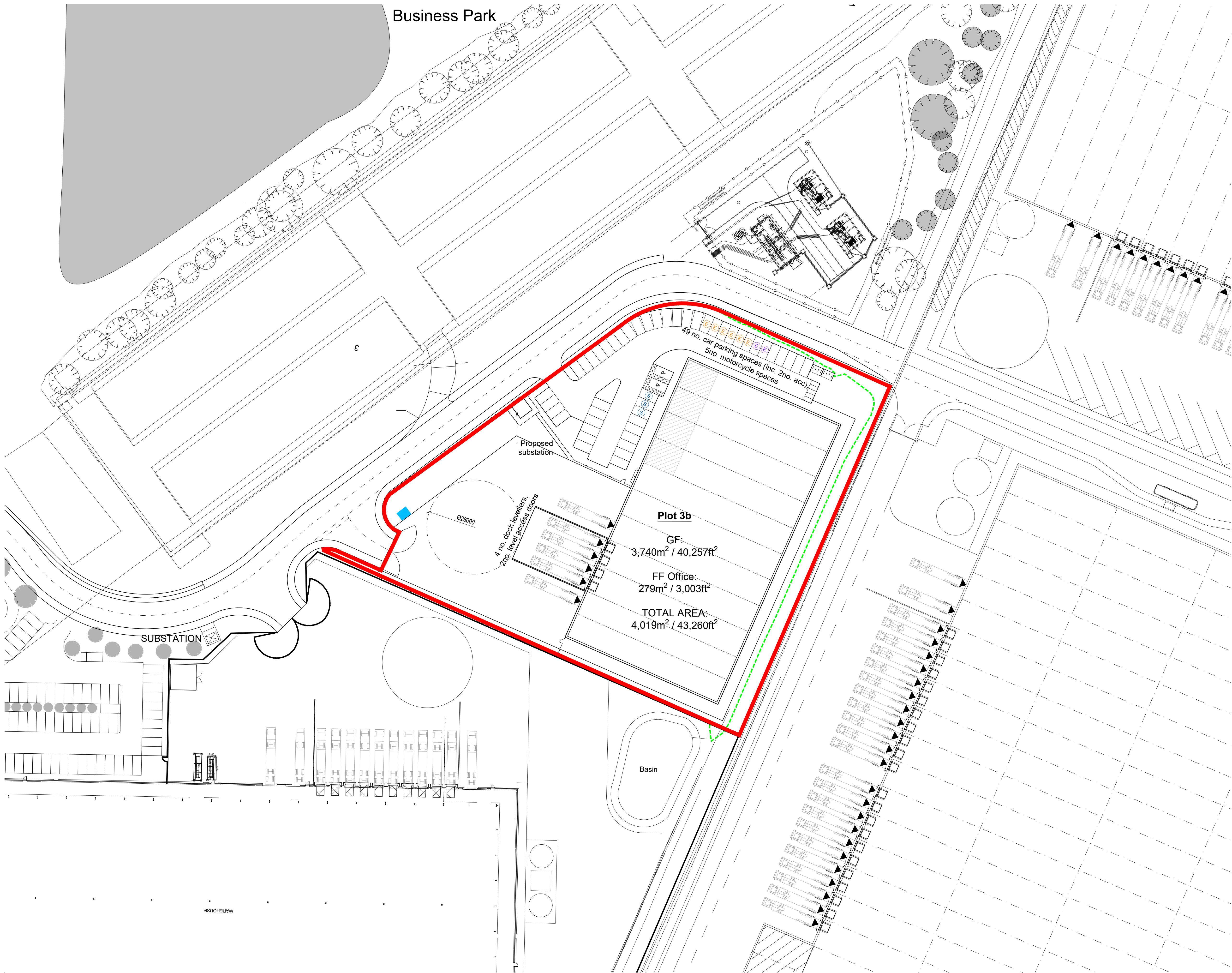
APPENDIX 1 DRAWING AND DOCUMENTS SCHEDULE

Title	Reference / Date	Author
Reports		
Completed Application Forms and Ownership Certificate	July 2026	Asteer Planning LLP on behalf of Dove Valley Park Limited
Relevant Application Fee (paid via the Planning Portal)		
This Covering Letter		
Supporting Planning Statement		
Drainage Strategy	002949-JPL-3b-ZZ-RP-D-2001-S4-P02	JPL
Noise Impact Assessment	403.067025.00001	SLR
Air Quality Assessment	410.067971.00001	
Design and Access Statement	15318-AEW-01-XX-T-A-02100	AEW Architects
Economic Impact Note	June 2026	Wisher Consulting
Preliminary Ecological Appraisal Report and BNG Assessment	RSE_11648_R1_V2_PEAR	Rammsanderson
Statutory BNG Metric	July 2026	
Arboricultural Impact Assessment, Method Statement, and Tree Protection Plan	RSE_11648_R1_V2_ARB	
Supplementary Ground Investigation Report	2022-9463	Construction Design Solutions
Transport Statement	T26554 TS	Ridge
Travel Plan	T26554 TP	
Archaeological Desk Based Assessment	PN3533/Plot 3b/AS/1	Orion Heritage
Drawings		
Site Location Plan	15318-AEW-SI-XX-D-A-04100-S2-P02	AEW Architects
Existing Site Plan	15318-AEW-SI-XX-D-A-04101-S2-P02	
Proposed Site Plan	15318-AEW-SI-XX-D-A-05100-S2-P03	
Proposed Ground Floor Plan	15318-AEW-01-00-D-A-05120-S2-P02	
Proposed External Finishes Plan	15318-AEW-SI-XX-D-A-05101-S2-P02	
Proposed Office Plans	15318-AEW-01-ZZ-D-A-05121-S2-P02	
Proposed Roof Plan	15318-AEW-01-RF-D-A-05124-S2-P02	

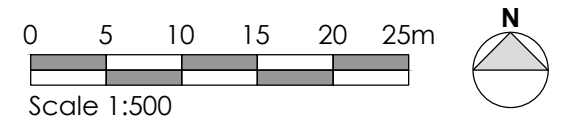
Title	Reference / Date	Author
Proposed Elevations	15318-AEW-01-XX-D-A-05130-S2-P02	
Proposed Sections	15318-AEW-01-XX-D-A-05150-S2-P02	
Refuse Store Details	15318-AEW-01-XX-D-A-05111-S2-P03	
Cycle Store Details	15318-AEW-01-XX-D-A-05110-S2-P03	
Proposed Boundary Treatment Plan	15318-AEW-SI-XX-D-A-05102-S2-P04	
Existing Sections	002949-JPL-3B-ZZ-D-C-4401-S2-P01	JPL
Proposed Landscape Proposals	26.2059.002 Rev A	ISLA

APPENDIX 2 SITE LOCATION PLAN

APPENDIX 3 PROPOSED SITE PLAN



- NOTES**
- All dimensions and levels are to be checked on site.
 - Any discrepancies are to be reported to the architect before any work commences
 - Whilst information on this sheet is issued to scale, scaling directly from this drawing may result in inaccuracies. For precise measurements, refer to the stated dimensions or contact the Architect
 - This drawing shall not be reproduced without express written permission from AEW.
 - Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. AEW cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.
 - All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
 - All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.



- Legend**
- Plot 3b Site Boundary
2.44 acres / 0.99 ha
 - Proposed extent of plateau
(JPL drawing:
1167-JPL-3B-EX-DR-D-0100)
 - 6no. proposed EV car parking
 - 2no. future EV car parking
 - 3no. car sharing priority space
 - Bin store
 - Bike store

P03	04/06/2026	DS	DRS
Adjustments to ease levels			
P02	21/05/2026	CG	DRS
Substation added			
P01	15/05/2026	CG	DRS
Initial Issue			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	For Information		
drawing stage	Stage 3 - Planning		

client

Clowes
DEVELOPMENTS

project

**Dove Valley Park
Plot 3b**

drawing title

Plot 3b Proposed Site Plan

date April 2026 drawn MW
scale@A1 1:500 checked DRS
AEW Reference Number 15318