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# Boulton Moor (Phase 2), Derby

Planning Statement

February 2016



**Boulton Moor (Phase 2), Derby**

**Planning Statement**

**Prepared on behalf of  
JSC Farming Ltd and Central Land Holdings Ltd**

|                       |                                |  |
|-----------------------|--------------------------------|--|
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## 1.0 INTRODUCTION

- 1.1 Barton Willmore LLP is instructed by JSC Farming Ltd and Central Land Holdings Limited, (“the Applicants”) to submit an application seeking Outline Planning Permission for a development comprising:

**“Up to 600 residential units; a 2FE primary school; strategic road links (connecting Boulton Moor Phase 1 and Snelsmoor Grange); public open space including children’s play provision, surface water drainage and landscaping; and ancillary supporting infrastructure at Boulton Moor (Phase 2), Derby.”**

- 1.2 The following supporting plans and documents are submitted with the application in accordance with South Derbyshire District Council's ('the Council') validation requirements:

- Applications plans including EIA Parameter Plans and other illustrative plans;
- Environmental Statement (ES) including Appendices and Non-Technical Summary, prepared by Barton Willmore LLP;
- Design and Access Statement, prepared by Barton Willmore LLP;
- Statement of Community Involvement, prepared by Barton Willmore LLP;
- Services Appraisal, prepared by Cannon Consulting Engineers;
- Desk Based Contamination Assessment, prepared by Nott Group;
- Archaeological Desk-Based Assessment, prepared by CgMs; and
- Arboricultural Impact Assessment, prepared by Aspect Consulting.

### Planning Statement Structure

- 1.3 **Chapter 2.0** of this Statement (Site Description and Surroundings) details the physical characteristics of the Site and its immediate surroundings.
- 1.4 **Chapter 3.0** (The Development Proposals) provides details of the Proposed Development.
- 1.5 **Chapter 4.0** (Planning Policy Framework) provides an overview of relevant national, regional and local planning policies and guidance against which the proposals will be assessed.

- 1.6 **Chapter 5.0** (Planning Issues) assesses the proposals against national, regional and local planning policies and demonstrates that the Proposed Development accords with the development plan and has regard to other material planning considerations.
- 1.7 **Chapter 6.0** (Conclusions) draws together all of the issues and considerations outlined in the preceding chapters and sets out a rationale as to why planning permission should be granted for the Proposed Development.

### **Consultation**

- 1.8 The preparation of this application has been informed by pre-application advice obtained from SDDC officers and the feedback received through public consultation. This is described within the Statement of Community Involvement submitted with the application.

## 2.0 SITE DESCRIPTION AND PLANNING HISTORY

### The Site

- 2.1 The Site, approximately 22.27 hectares, is located approximately 6.5km to the south east of Derby city centre and immediately southeast of Alvaston. The built up area adjoining the site to the north comprises of housing which formed part of the original Boulton Moor site (built out 1970's – 1990's).
- 2.2 The Site presently consists of flat, undulating farmland with a tree belt located along the majority of the western and southern boundary. Snelsmoor Lane runs along the southern edge of the Site which provide a route between Chellaston (to the west) and the A6 (to the east).
- 2.3 The Site is located within the local authority of South Derbyshire District Council (SDDC) however the western boundary of the Site lies adjacent to the administrative boundary of Derby City Council (DCC). A Site Location Plan is provided at **Appendix 1**.
- 2.4 A more detailed description of the Site and its surroundings is provided within the Design and Access Statement (DAS) accompanying this application.

### Planning History

- 2.5 An outline planning application was submitted in 2015 for a new primary school to be located within the Site (SDDC reference 9/2015/0959). The proposal is associated with the relocation of the primary school site which is already approved as part of the Boulton Moor (Phase 1) development. This proposals is discussed in more detail below and within the DAS accompanying this application.
- 2.6 An outline planning application (which included an ES) was submitted to SDDC in May 2005 for residential development and ancillary uses at Land at Boulton Moor (referred to within this application as Boulton Moor (Phase 1)) (SDDC reference 9/2005/0611)). Boulton Moor (Phase 1) is located immediately to the east of the Site. Following the deemed refusal of planning permission, an appeal was lodged with the Planning Inspectorate in January 2007 (PINS reference APP/F1040/A/07/2035346).

- 2.7 Following a conjoined public inquiry, the Secretary of State granted outline planning permission for Boulton Moor (Phase 1) in January 2009, subject to a number of planning conditions.
- 2.8 On 10<sup>th</sup> December 2010 an application to extend the time limit for the implementation of this outline application was submitted to SDDC (LPA reference 9/2010/1134) which included amendments to the approved masterplan. This application was approved on 29<sup>th</sup> November 2011. A copy of the approved Application Masterplan is provided at **Appendix 4**.
- 2.9 In connection with the approved outline application for Boulton Moor Phase 1, a reserved matters application for part of the site for the erection of 284 dwellings with associated infrastructure, access roads, drainage and public open space has submitted to SDDC (LPA reference 9/2013/0802) and approved 11<sup>th</sup> April 2014. This Site lies directly adjacent to the north east boundary of Boulton Moor Phase 2. Dwellings on this Site are already been constructed.
- 2.10 An outline planning application (LPA reference: 04/13/00351) was submitted to DCC in 2013 for a development including up to 800 dwellings on Lane North of Snelsmoor Lane, Chellaston (referred to as 'Snelsmoor Grange') which lies directly to west of the Boulton Moor Phase 2. This application was received by the Council on 2<sup>nd</sup> April 2013 and has yet to be determined.

### **Planning Policy Designations**

- 2.11 The Site forms part of land called 'Boulton Moor (South East of Derby)' which is proposed to be allocated for a residential development within Policy H13 of the South Derbyshire Local Plan Part 1. Further details relating to this allocation are explained within Chapter 4 of this Statement.

### 3.0 THE DEVELOPMENT PROPOSALS

3.1 The application seeks:

**“Up to 600 residential units; a 2FE primary school; strategic road links (connecting Boulton Moor Phase 1 and Snelsmoor Grange); public open space including children’s play provision, surface water drainage and landscaping; and ancillary supporting infrastructure at Boulton Moor (Phase 2), Derby.”**

3.2 The application proposals are explained in ES submitted with the application including parameter plans for ‘Land Use’ and ‘Building Heights’. The application is supported by an Application Masterplan (**Appendix 2**) and an Illustrative Layout (**Appendix 3**) indicating how key character areas of the site could come forward. The DAS contains a series of proposed ‘masterplan principles’ to provide further guidance for the future delivery of the Boulton Moor (Phase 2) development.

#### Land Uses

- 3.3 The application proposes the development of the Site to provide up to 600 new residential dwellings.
- 3.4 The proposal will also include a 2FE primary school which will have the capacity to accommodate 420 pupils. The primary school is proposed in the north-eastern part of the Site adjoining the boundary with Boulton Moor (Phase 1).
- 3.5 Areas of Open Space and Landscaping Buffers are distributed across the site. In addition, the site includes formal and informal open space.
- 3.6 The Land Use Parameter Plan which forms part of the submitted ES shows the land use zones forming part of the Proposed Development. The illustrative proposals are shown within the
- 3.7 The various land uses proposed as part of this application are as follows:

|                                |                       |
|--------------------------------|-----------------------|
| - Residential                  | 15.33 hectares        |
| - Primary School               | 2.04 hectares         |
| - Main Movement Infrastructure | 0.96 hectares         |
| - Open Space                   | 3.95 hectares         |
| <b>Total</b>                   | <b>22.27 hectares</b> |

### **Housing Mix and Affordable Housing**

3.8 The indicative housing mix for the development is as follows:

- 20% 2 bedroom dwellings
- 45% 3 bedroom dwellings
- 35% 4/5 bedroom dwellings

3.9 At this stage it is anticipated that up to 25% of the residential development will comprise affordable homes with a mix of tenures. Therefore, for up to 600 dwellings, this will equate to a maximum of 150 affordable homes with a mix of tenures.

### **Building Heights and Density**

3.10 The development will include buildings up to 3 storeys in height though the majority of the development will be limited to up to 2 storeys. The approach to building heights is detailed within the DAS and as shown within the Building Heights Parameter Plan which forms part of the ES.

3.11 The average proposed residential density of the site will be approximately 39 dwellings per hectare.

### **Access**

3.12 The Site will be accessed via two primary routes, both of which will extend broadly east-west across the Site, linking Boulton Moor (Phase 1) to the Snelsmoor Grange site. These form part of an 'internal loop' which is an important part of the holistic vision for the wider Boulton Moor strategic urban extension (discussed in more detail in Chapter 5 below)

3.13 The Site will also be accessed via proposed pedestrian connections to the east and west in addition to routes to the north leading to Mill Hill which forms part of the original Boulton Moor site.

### **Public Open Space & Landscaping**

3.14 The DAS submitted with the application explains the proposals for the provision of public open space and landscaping. These are shown illustratively in the Illustrative Layout at **Appendix 3**.

- 3.15 In summary, it is proposed that the development will include approximately 3.95 hectares of Open Space including watercourses, surface water drainage features and existing and proposed buffer planting.
- 3.16 The provision of children's play also forms part of the Proposed Development and is shown illustratively within the DAS and as indicated within the Application Masterplan (**Appendix 2**). These could include the provision of Local Areas of Play (LAP) and/or the provision of Locally Equipped Areas of Play (LEAP).

### **Energy, Sustainability and Climate Change**

- 3.17 The Development will seek to deliver energy efficient homes and buildings, meeting the high standards required by nationally prescribed Building Regulations.
- 3.18 Sustainable Drainage Systems (SuDS) will be used in relation to the Proposed Development. The main drainage networks will convey surface water runoff (in a controlled and contained manner) from the impermeable areas into a series of on-site attenuation features (such as swales, attenuation basins as well as permeable paving and sub-base storage) situated around the Site.

### **Utilities**

- 3.19 The Development will be served by water, sewerage, gas, electricity and telecommunications services designed to meet daily and seasonal peak demands. Design and/or technical approval will be acquired from the licensed utility undertakers and all water, sewerage, gas, electricity and telecommunications networks will be adopted where possible.

### **Wastewater**

- 3.20 Severn Trent Water (STW) owns and maintains the wastewater sewerage network serving Derby. There are twin wastewater sewers located at the north-western corner of the site which were originally laid to serve Boulton Moor Phases 1 and 2. These connect with the Chellaston Trunk Sewer which ultimately conveys flows to Derby Sewage Treatment Works.

- 3.21 The Services Appraisal submitted with this application provides details of a Sewer Capacity Assessment undertaken in 2015. This concluded that the Derby Sewage Treatment Works currently has available capacity to treat the flows of the Development.

## **4.0 PLANNING POLICY FRAMEWORK**

- 4.1 This Section outlines the key planning policy considerations relevant to the proposed development at both a local and national level.
- 4.2 It follows Section 54(a) of the Town and Country Planning Act (1990), as amended by Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that Local Planning Authorities (LPAs) should determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.3 At a national level, relevant policy and guidance is set out within the National Planning Policy Framework ('the NPPF') published in 2012 and its recent Planning Practice Guidance ('the PPG') published this year.
- 4.4 The Development Plan for South Derbyshire District Council comprises:
- Saved Policies of the Adopted Local Plan 1998 ('the ALP').
- 4.5 The Council submitted its Local Plan Part 1 in August 2014 for an Examination. In addition, a schedule of Proposed Minor Modifications to the Plan was also submitted. Most recently, in January 2016, resumed Examination hearings were held and it is anticipated that the document will be adopted by summer 2016. Due to its advanced stage of production, this document is relevant in determining planning applications and should be afforded significant weight.

### **NATIONAL PLANNING POLICIES**

#### **The National Planning Policy Framework (March 2012)**

- 4.6 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012 and replaced the majority of Planning Policy Statements and Planning Policy Guidance Notes alongside a range of other guidance. The NPPF establishes that while planning decisions should be taken in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, they should also be made in the context of a presumption in favour of sustainable development. Sustainable development is identified as having a social aspect, an economic aspect and an environmental aspect.

## - **The Presumption in Favour of Sustainable Development**

- 4.7 Paragraph 11 of the NPPF confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 emphasises that the NPPF does not change the statutory basis of the development plan as the starting point for decision making. It advises that:

**“Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise....”**

- 4.8 The NPPF constitutes guidance for local planning authorities and decision makers as a material consideration when determining planning applications.

- 4.9 Paragraph 14 is important. It highlights the fact that at the heart of the NPPF is:

**“...a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking”**

- 4.10 For decision taking, unless material considerations indicate otherwise, this means:

- o **“Approving development proposals that accord with the development plan without delay...**
- o **Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:**
- o **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; or**
- o **Specific policies in this Framework indicate development should be restricted.”**

## - **Core Planning Principles**

- 4.11 Paragraph 17 of the NPPF sets out 12 core land use planning principles that should underpin both plan-making and decision taking. The 12 principles are that planning should:

1. Be genuinely plan led, empowering local people and providing a practical framework within which planning decisions can be made. Plans should be kept up to date;
2. Not simply be about scrutiny, but be a creative exercise in finding ways to improve and enhance the places within which people live their lives;

3. Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
4. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
5. Take account of the different roles and character of different areas, promoting the vitality of main urban areas, protecting the Green Belt, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
6. Support the transition to a low carbon future in a changing climate;
7. Contribute to conserving and enhancing the natural environment and reducing pollution;
8. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided it is not of high environmental value;
9. Conserve heritage assets in a manner appropriate to their significance;
10. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling;
11. Take account of and support local strategies to improve health, social and cultural well being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

- **Promoting Sustainable Transport**

- 4.12 Sub section 4 of the Delivering Sustainable Development part of the NPPF deals with the promotion of sustainable transport.
- 4.13 Paragraph 29 explains that there is a need to give people a 'real choice' about how they travel; however:

**"...the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport measures will vary from urban to rural areas."**

- 4.14 Paragraph 32 requires all developments that generate 'significant' amounts of movement to be supported by a Transport Statement or a Transport Assessment. Decisions should take account of the opportunities that have been taken for sustainable transport modes, having regard to the nature and location of the site; whether safe and suitable access to the site can be achieved for all people; and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the developments. The NPPF confirms that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
- 4.15 Paragraph 35 advises that developments should be located and designed where practical to, inter alia:

**“give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.”**

As well as considering

**“the needs of people with disabilities by all modes of transport.”**

- 4.16 Paragraph 38 confirms that for larger scale residential development, where practical, key facilities such as primary schools and local shops should be located within walking distance of most properties.

**- Delivering a Wide Choice of High Quality Homes**

- 4.17 Sub-section 6 begins (paragraph 47) by stating what measures local authorities should undertake to boost significantly the supply of housing. These are:
1. Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
  2. Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the

buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

3. Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
4. For market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
5. Set out their own approach to housing density to reflect local circumstances.

4.18 In relation to the requirements of housing applications, Paragraph 49 advises that housing applications should:

**“...be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.”**

4.19 Paragraph 50 of the NPPF outlines that a wide choice of high quality homes should be delivered, including a mix of housing to meet the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes). Moreover, Local Planning Authorities should identify the size, type and tenure of housing that is required in certain locations, reflecting local demand. Where they have identified that affordable housing is needed, authorities should set policies for meeting this need on site, unless off-site provision of a financial contribution can be robustly justified. Paragraph 52 confirms that the supply of new homes can sometimes be best achieved through planning for larger scale development, such as extensions to existing towns.

**- Requiring Good Design**

4.20 Sub section 7 of the Delivering Sustainable Development aspect of the NPPF addresses design.

4.21 Paragraph 56 states:

**“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”**

4.22 Paragraph 57 emphasises the importance of achieving high quality and inclusive design for all development including individual buildings, public and private spaces and wider area development schemes.

4.23 Paragraph 60 advises that planning decisions:

**“...should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”**

4.24 Paragraph 61 acknowledges that the visual appearance and architecture of individual buildings are important factors but confirms that:

**“...securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”**

#### **- Promoting Healthy Communities**

4.25 Sub section 8 of Delivering Sustainable Development explains how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

4.26 Paragraph 69 states that planning decisions should, inter alia, aim to achieve places which promote:

**“...safe and accessible developments, containing clear and legible pedestrian routes, which encourage the active and continual use of public areas.”**

- 4.27 Paragraph 70 confirms that to deliver the social, recreational and cultural facilities and services the community needs, decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.
- 4.28 Paragraph 72 states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. This includes the need to create, expand or alter schools.
- 4.29 Paragraph 73 advises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well being of communities.

- **Meeting the Challenge of Climate Change, Flooding and Coastal Change**

- 4.30 Section 10 of the NPPF requires that in order to support a move towards a low carbon future, Authorities should plan for new development in locations and ways which reduce greenhouse gas emissions and support developments which comply with local requirements for decentralised energy supply and which take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 4.31 Paragraph 100 of the NPPF seeks to direct development to those areas which are at least risk of flooding, taking account of the effects of climate change. Paragraph 103 of the NPPF clarifies this further, stating that development should also ensure that flood risk is not increased elsewhere.

- **Conserving and Enhancing the Natural Environment**

- 4.32 Sub section 11 of Delivering Sustainable Development looks at how the planning system should contribute and enhance the natural and local environment.
- 4.33 Paragraph 109 states that it should do this by, inter alia:

**“protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures....”**

- 4.34 Paragraph 112 advises that where significant development of agricultural land is demonstrated to be necessary, LPAs should seek to use areas of poorer quality land in preference to that of a higher quality. Paragraph 118 confirms that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.
- 4.35 Paragraph 119 states that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

Paragraph 123 notes that decisions should aim to avoid noise from giving rise to significant impacts on health and quality of life as a result of new development. Where significant noise is expected appropriate mitigate measures are necessary.

- **Pre-application Engagement and Front Loading**

- 4.36 Paragraph 188 encourages good quality pre-application discussion, advising that this enables better coordination between public and private resources and improved outcomes for the community.
- 4.37 Paragraph 189 advises that local planning authorities cannot require that a developer engages with them before submitting a planning application, but they should encourage the take up of any pre-application services they do offer.

- **Determining Applications**

- 4.38 Paragraph 196 confirms the role of the NPPF as a material consideration in planning decisions. Paragraph 197 states that:

**“In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.”**

- **Planning Conditions and Obligations**

- 4.39 Paragraph 203 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations; planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

- 4.40 Paragraph 204 echoes the content of former Circular 05/2005, now cancelled, which states that planning obligations should only be sought where they are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 4.41 Paragraph 205 advises local planning authorities to take account of market conditions over time when seeking or revising planning obligations; they should be 'sufficiently flexible' to prevent planned development being stalled. Paragraph 206 confirms that conditions should only be applied where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Paragraph 209 confirms the importance of up to date plans. Paragraph 213 advises that Plans may need to be revised to take account of the policies in the Framework and this should be progressed as quickly as possible, either through a partial review or by preparing a new Plan.

### **Planning Policy Guidance (PPG)**

- 4.42 The NPPG was published live on the internet on 6th March, 2014 and provides guidance notes on various matters including Air Quality; Design; Noise; Open Space, Sports and Recreation Facilities, Public Rights of Way and Green Space; and Climate Change.

## **LOCAL PLANNING POLICY**

### **Saved Policies of Adopted Local Plan 1998**

- 4.43 Saved Housing Policy 11 (Layout and Design) states that proposals for new housing developments will be permitted, subject to them providing: a reasonable environment for the public at large; reasonable amenities in terms of light, air and privacy for both existing and proposed new dwellings; safe, functional and convenient layouts; private amenity space, and space for landscaping; adequate public open space; and for the development of any suitable adjoining land.
- 4.44 In relation to the protection of trees, Saved Environment Policy 9 (Protection of Trees and Woodland) states that development will not be permitted which would lead to the loss of areas of woodland or specimen trees of value to their landscape setting. Furthermore, the policies state that conditions will be imposed on planning permissions to secure the planting of trees and woodlands in association with development proposals.

- 4.45 In regards to ecology, Saved Environment Policy 11 (Sites and Features of Natural History Interest) notes that development will not be permitted which would result in any disturbance to sites of special scientific interest; or national and local nature reserves; or significant disturbance to other sites and features of county and district importance for nature conservation or containing protected species of wildlife.
- 4.46 Saved Environment Policy 11 goes onto to state that where proposals do development would likely disturb recognised features of natural history interest, applicants will be required to submit a statement of the ecological interest of the site, and an indication of the mitigation measures to be undertaken.
- 4.47 Saved Environmental Policy 14 (Archaeological and Heritage Features) states that development will not be permitted which would result in significant disturbance to other known archaeological or other heritage features of major significance.
- 4.48 In regards to Transport, Saved Transport Policy 6 (New Development) notes that major new development should be sited close to the principle road network, linked and served by appropriate standard of highway. The Policy also states that all proposals should incorporate adequate provision for access, parking, manoeuvring and off-street servicing.
- 4.49 Saved Transport Policy 7 (Pedestrians and People with Disabilities) states proposals for new buildings will be permitted subject to the provision of safe, pleasant and convenient conditions for pedestrians and people with disabilities.
- 4.50 In regards to cycling, Saved Transport Policy 8 (Cycling) provision will be made for safe, pleasant and, where possible, networks of segregated cycle routes wherever opportunities arise.
- 4.51 Saved Recreation and Tourism Policy 4 (Provision of Outdoor Playing Space in New Housing Development) notes that proposals for new housing developments will be permitted provided that adequate provision is made, in accordance with the Council's standards, for outdoor playing space to meet the needs of the development.
- 4.52 Saved Community Facilities Policy 1 (New Community Facilities) states that for proposals for new community facilities will be permitted that:
- Does not cause disturbance to local amenity by virtue of noise or traffic generation;

- Has adequately provided pedestrian and vehicular access, parking, servicing, screening and landscaping; and
- Are of an appropriate scale and design and are well integrated with their surroundings.

4.53 The Policy also states that major residential development will not be permitted unless adequate provision has been made for community facilities, infrastructure and amenities made necessary by that development.

**Pre-Submission South Derbyshire Local Plan Part 1 (March 2014) and Minor Modifications (August 2014)**

4.54 Emerging Policy S1 (Sustainable Growth Strategy), emphasises that South Derbyshire will promote sustainable growth to meet the objectively assessed housing and commercial in the Plan period. This Policy states that there is a total requirement to build at least 13,454 dwellings within the Plan period to be met on a mixture of brownfield and Greenfield sites.

4.55 In addition, Policy S1 notes that the Local Plan will provide new infrastructure to support the growth across the District. This includes new transport and education provision, and other services and facilities.

4.56 Policy S2 (Presumption in Favour of Sustainable Development) states that SDDC will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF to secure development that improves the economic, social and environmental conditions in the area.

4.57 Policy S3 (Environmental Performance) notes that the Council will support developers in bringing forward more sustainable homes by supporting the Government's drive towards improved housing standards including in respect of access, security, water and energy efficiency. In order to meet targets for zero carbon development the Council will, where appropriate, encourage developers to maximise carbon reductions on site.

4.58 Policy S4 (Housing Strategy) states that provision will be made in the Local Plan Part 1 for at least 12,618 dwellings over the plan period. The remaining circa 600 dwellings will come forward through the Local Plan Part 2 to be dealt with across non-strategic sites.

4.59 Policy S4 also states that the Council will maintain a five year rolling land supply of specific deliverable sites.

- 4.60 In regards to sustainable access, Emerging Policy S6 (Sustainable Access) states that the Council will seek to minimise the need to travel and encourage modal shift away from the private car and road based freight toward walking, cycling and public transport. This Emerging Policy states that such measures can be achieved through the provision of new or enhanced walking, cycling and public transport and the use of promotional measures and improved communication to encourage sustainable travel.
- 4.61 Importantly, draft Policy H13 (Boulton Moor (South East of Derby)) is focussed on the strategic allocation at Boulton Moor which includes land subject to this application.
- 4.62 Policy H13 states that a residential development on Land at Boulton Moor will provide for around 1,950 dwellings within South Derbyshire and a further 800 new homes within the administrative boundary of Derby City. The Council will require the below listed site specifics and accordance with Local Plan policies:
- i) That South Derbyshire District Council, Derby City and developers continue to work together to ensure that the proposals offer a holistic vision for an urban extension which is delivered in a comprehensive manner across the local authority boundaries. Delivery mechanisms will need to be established to ensure the necessary level of coordination to effectively deliver the infrastructure and facilities to support the development;**
  - ii) A jointly prepared development framework shall be produced;**
  - iii) A cross boundary approach to housing design, layout, density, open space and landscape shall be developed/undertaken;**
  - iv) A cross boundary approach to the provision of affordable housing shall be developed/undertaken;**
  - v) A plan of phasing for the delivery of this cross boundary site shall be submitted with any application;**
  - vi) The provision of sustainable transport measures, including contributions to the delivery of a new park and ride and bus service to serve the wider urban extension site;**
  - vii) Highway works, including improvements to Snelsmoor Lane to ensure that the impact on its junctions with the A6 and High Street are satisfactorily mitigated;**

- viii) Flood mitigation measures, to address fluvial and surface water issues relating to the Thulston Brook watercourse and ground water levels;**
- ix) An appropriate flood risk assessment shall be submitted with any application;**
- x) Improvements to existing green infrastructure shall be made, along with the provision of new green infrastructure on the site;**
- xi) High quality pedestrian and cycle routes within the site and links between these and existing and proposed routes and green spaces beyond the site;**
- xii) A significant green buffer and landscaping boundary on the outer edges of the developments, to help soften the housing developments impact on the surrounding countryside, create a new defensible boundary and help mitigate the urbanising impact of new development upon Derby City's Green Wedge;**
- xiii) A new district centre shall be provided, anchored by a supermarket complemented by a range of smaller units providing for day to day needs of the wider neighbourhood;**
- xiv) The scale of the anchor store will be commensurate with the needs of the new community, the level of growth anticipated and the need to maintain the vitality and viability of other centres. The location of the centre should be the focal point at the heart of the new community;**
- xv) The provision of a two form entry primary school to cover phases 1 and 2 with separate primary provision to serve the site in Derby;**
- xvi) The urban extension as a whole shall not adversely impact upon the setting of nearby Elvaston Historic Park and Garden and other heritage assets and will contribute towards softening the settlement edge around Boulton Moor;**
- xvii) Any built development to the east of the A6 and west of the B5010 shall be in accordance with Green Belt Policy;**
- xviii) In order to safeguard the operation of the Strategic Road Network an assessment of the impact of development traffic will be carried out and developer contributions will be sought.**

- 4.63 In regards to affordable housing, Emerging Policy H20 (Affordable Housing) states that the Council will seek to secure up to 30% of new housing development as affordable housing on sites of over 15 dwellings. Consideration will also be given to the: local housing market; the viability of any proposed scheme; the tenure mix and dwelling type on the site will be based on the SHMA in conjunction with the Council; and the phases of development that are being proposed.
- 4.64 Policy SD1 (Amenity and Environmental 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 Emerging Policy states that the Council will take into consideration the potential for development to affect surface and ground water quality.
- 4.65 Policy SD2 (Flood Risk) notes that the Council will give priority to the development of sites with the lowest risk of flooding. Where there is a risk, the proposal should be resilient to flooding through design and layout and incorporate appropriate mitigation measures.
- 4.66 This emerging policy also states that suitable measures to deal with surface water will be required on all sites in order to minimise the likelihood of new development increasing flood risk locally. This could be managed through the incorporation of SUDS.
- 4.67 Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) states that the Council will work with Derbyshire County Council, Water Companies, Developers and other Authorities to ensure that adequate water supply, sewerage and drainage infrastructure needed to service new development is delivered in tandem with identified growth.
- 4.68 In addition this Emerging Policy states that foul flows generated by new development will be expected to connect to the mains sewer.
- 4.69 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. The Emerging Policy goes on to state that it would be expected that all proposals for major development should perform highly when assessed against the Council's Design SPD.
- 4.70 Policy BNE2 (Heritage Assets) states that development that affects heritage assets will be expected to protect, conserve and enhance the assets and their settings in accordance with national guidance.

- 4.71 Policy BNE3 (Biodiversity) states that the District Council will support development which contributes to the protection, enhancement, management and restoration of biodiversity or geodiversity and delivers new gains in biodiversity where possible.
- 4.72 Following from Emerging Policy BNE3, Emerging Policy BNE4 (Landscape Character and Local Distinctiveness) notes the character, local distinctiveness, and quality of South Derbyshire's landscape and soilscape will be protected and enhanced through the careful design and sensitive implementation of new development. This Emerging Policy states the need for new development to retain key valued landscape components such as mature trees, established hedgerows and topographical features.
- 4.73 Policy BNE4 also notes that the Council will seek to protect soils that are 'Best and Most Versatile' (Grades 1, 2 and 3a in the Agricultural Land Classification).
- 4.74 Policy INF1 (Infrastructure and Developer Contributions) states that new development that is otherwise in conformity with the Local Plan but generates a requirement for infrastructure will normally be permitted if the necessary on and off-site infrastructure required to support and mitigate the impact of that development is either already in place or there is a reliable mechanism in place to ensure that it will be delivered in the right place, at the right time.
- 4.75 In regards to sustainable transport, Emerging Policy INF2 (Sustainable Transport) states that planning permission will be granted for development where: travel generated by development should have no detrimental impact upon local amenity, the environment, highway safety and availability of public transport services; appropriate provision is made for safe and convenient access for pedestrians, cyclists, public transport users and the private car; and car travel generated by the development is minimised relative to the needs of the development.
- 4.76 Policy INF2 also states that development should include appropriated car parking provision having regard to parking standards.
- 4.77 Policy INF6 (Community Facilities) notes that development that increases the demand for community facilities and services either provide the required community facilities as part of the development; or make appropriate contributions towards providing new facilities or improving existing facilities.
- 4.78 Policy INF7 (Green Infrastructure) states that the District Council will seek to conserve, enhance and wherever possible extend green infrastructure in the District.

- 4.79 Policy INF9 (Open Space, Sport and Recreation) notes that opportunities to create new and enhanced facilities will be sought by the District Council and where possible it will be expected that new open spaces to connect to existing Green Infrastructure in order to improve accessibility across and between sites and enhance the biodiversity.

## **SUPPLEMENTARY PLANNING DOCUMENTS**

### **Section 106 Agreements (Version 8): A Guide for Developers (April 2010)**

- 4.80 This document includes a 'Contribution Matrix' which confirms the developer contributions generated by residential development exceeding 4 dwellings. Contributions will be expected in regards to Recreation (Open Space, Outdoor Facilities and Built Facilities), Health and Education.

### **Provision of Outdoor Playing Space in New Developments SPG**

- 4.81 This SPG provides further details in regards to Open Space Standards for Proposed Development's.

### **Trees & Development SPG**

- 4.82 The purpose of this SPG is to provide information to developers 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.

### **South Derbyshire District Council Cycling Strategy 2001 (March 2001)**

- 4.83 This document provides further guidance in regards to the provision of cycling and how it can be appropriately considered through the design and layout of proposals for new development.

## **OTHER RELEVANT DOCUMENTS**

### **Derby City Council's Local Plan - Part 1: Pre-submission Core Strategy (August 2015)**

- 4.84 The Derby City Local Plan Part 1 was submitted to the Secretary of State on 18<sup>th</sup> December 2015 ahead of Examination in 2016.
- 4.85 The draft plan includes allocations at Boulton Moor (Emerging Policy AC23) for a minimum of 1,000 homes. The policy states that 800 of these new homes, located to the south of Field Lane (Snelsmoor Grange), will be a component part of a new strategic urban extension to Derby which will include the phased development of 2,750 homes, of which 1,950 will be built on land within South Derbyshire (as indicated within Emerging Policy H13 of South Derbyshire's Pre-Submission Local Plan Part 1, discussed above).
- 4.86 In addition, Policy AC23 notes that DCC will work with SDDC and developers to ensure that proposals offer a holistic vision for a new suburb that are delivered in a comprehensive manner across local authority boundaries.

## 5.0 PLANNING ISSUES

- 5.1 In developing proposals for Boulton Moor (Phase 2) the Applicants has sought to ensure that the Development complies with all relevant national, regional, and local planning policies and has regard to the relevant guidance, as discussed below.

### **Boulton Moor – Strategic Urban Extension**

- 5.2 As stated at paragraph 5.56 of the Council's Local Plan Part 1, 'Land at Boulton Moor' is a cross boundary location which will provide a sustainable urban extension to Derby City by providing 2,750 dwellings over the lifetime of the Plan (2008-2028).
- 5.3 Forming part of this allocation is the Site subject to this planning application. On this basis it is essential that this Proposed Development complies with the criteria laid out within draft Policy H13 of South Derbyshire's Pre-Submission Local Plan Part 1.
- 5.4 The list below refers to the criteria set out within draft Policy H13 and also refers to the relevant sections of this Chapter where each criterion is considered:
- **That South Derbyshire District Council, Derby City and developers continue to work together to ensure that the proposals offer a holistic vision for an urban extension which is delivered in a comprehensive manner across the local authority boundaries. Delivery mechanisms will need to be established to ensure the necessary level of coordination to effectively deliver the infrastructure and facilities to support the development.** Please see section headed 'Comprehensive Approach', page 28.
  - **A jointly prepared development framework shall be produced.** Please see section headed 'Comprehensive Approach', page 28.
  - **A cross boundary approach to housing design, layout, density, open space and landscape shall be developed/undertaken.** Please see sections headed 'Comprehensive Approach' (page 28) and 'Design Principles' (page 31).
  - **A cross boundary approach to the provision of affordable housing shall be developed/undertaken.** Please see sub-section 'Affordable Housing' under section headed 'South Derbyshire District Council's Housing Needs' on page 30.

- **A plan of phasing for the delivery of this cross boundary site shall be submitted with any application.** Please see section headed 'South Derbyshire District Council's Housing Needs', page 29.
- **The provision of sustainable transport measures, including contributions to the delivery of a new park and ride and bus service to serve the wider urban extension site.** Please see section headed 'Transport and Access', page 32.
- **Highway works, including improvements to Snelsmoor Lane to ensure that the impact on its junctions with the A6 and High Street are satisfactorily mitigated.** Please see section headed 'Transport and Access', page 32.
- **Flood mitigation measures, to address fluvial and surface water issues relating to the Thulston Brook watercourse and ground water levels.** Please see section headed 'Water Resources & Flood Risk', page 37.
- **An appropriate flood risk assessment shall be submitted with any application.** Please see section headed 'Water Resources & Flood Risk', page 37.
- **Improvements to existing green infrastructure shall be made, along with the provision of new green infrastructure on the site.** Please see section headed 'Design Principles', page 31.
- **High quality pedestrian and cycle routes within the site and links between these and existing and proposed routes and green spaces beyond the site.** Please see section headed 'Transport and Access', page 32.
- **A significant green buffer and landscaping boundary on the outer edges of the developments, to help soften the housing developments impact on the surrounding countryside, create a new defensible boundary and help mitigate the urbanising impact of new development upon Derby City's Green Wedge.** Please see section headed 'Landscape and Visual Assessment', page 33.
- **A new district centre shall be provided, anchored by a supermarket complemented by a range of smaller units providing for day to day needs**

**of the wider neighbourhood.** Please see section headed 'Education Provision', page 31.

- **The scale of the anchor store will be commensurate with the needs of the new community, the level of growth anticipated and the need to maintain the vitality and viability of other centres. The location of the centre should be the focal point at the heart of the new community.** Please see section headed 'Education Provision', page 31.
- **The provision of a two form entry primary school to cover phases 1 and 2 with separate primary provision to serve the site in Derby.** Please see section headed 'Education Provision', page 31.
- **The urban extension as a whole shall not adversely impact upon the setting of nearby Elvaston Historic Park and Garden and other heritage assets and will contribute towards softening the settlement edge around Boulton Moor.** Please see section headed 'Cultural Heritage', page 38.
- **Any built development to the east of the A6 and west of the B5010 shall be in accordance with Green Belt Policy.** Please see section headed 'Landscape and Visual Assessment', page 33.
- **In order to safeguard the operation of the Strategic Road Network an assessment of the impact of development traffic will be carried out and developer contributions will be sought.** Please see section headed 'Transport and Access', page 32.

### **Comprehensive Approach**

- 5.5 Emerging Policy H13 of SDDC's Local Plan Part 1 and emerging Policy AC23 of DCC's Local Plan Part 1 both identify Boulton Moor as a cross-authority 'strategic urban extension' which, as indicated above, will provide 2,750 homes in total.
- 5.6 The Site subject to this application is located within the centre of this 'strategic urban extension' area lying immediately to the west of Boulton Moor (Phase 1) and immediately to the east of Snelsmoor Grange, the latter of which is located within the administrative area of DCC.

- 5.7 Therefore the Proposed Development plays an important role not only as part of the Boulton Moor strategic urban extension but also as a 'connecting piece' between proposed development areas across two local authorities.
- 5.8 The DAS which is submitted with this application explains in detail how the Site has been designed to ensure that it forms an integral part of the Boulton Moor strategic urban extension. This includes, as part of the Proposed Development, providing strategic access routes linking the development, an integrated network of green infrastructure including SuDS, and a primary school which will serve the development.
- 5.9 The Proposed Development has been informed by, and is consistent with, the draft joint Development Framework Document which is currently being prepared by the landowners/developers involved in delivery the development of the Boulton Moor strategic urban extension. This document is due to be completed and agreed with both SDDC and DCC by spring 2016.
- 5.10 On the basis of the above it is considered that the Proposed Development supports the future spatial strategy and the relevant requirements of emerging Policy H13.

### **South Derbyshire District Council's Housing Needs**

#### **- Delivery**

- 5.11 The NPPF states at paragraph 47 that Local Planning Authorities should:

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

- 5.12 Emerging Policy S4 of SDDC's Local Plan Part 1 document states that provision will be made in this plan for at least 12,618 additional dwellings over the plan period.
- 5.13 To assist in achieving this housing requirement for the Plan period, the Local Plan Part 1 includes a number of strategic site allocations including 'Boulton Moor (South East of Derby)' (emerging Policy H13) which includes the Site subject to this application.

- 5.14 Emerging Policy H13 states that Land at Boulton Moor will provide 2,750 dwellings during the plan period (up to 2028), of which 1,950 dwellings is expected to come forward within South Derbyshire.
- 5.15 The Proposed Development will continue to assist in meeting SDDC's housing strategy which in turn will help to ensure that the Council is able to achieve an annual five year supply of housing in line with NPPF guidance.
- 5.16 On this basis the Proposed Development supports the sustainable growth strategy of the District as indicated through emerging Policy S1 of SDDC's Local Plan Part 1.

- **Housing Mix**

- 5.17 Emerging Policy H19 (Housing Balance) of SDDC's Local Plan Part 1 emphasise that the Council will seek a balance of housing that includes a mix of dwelling type, tenure, size and density.
- 5.18 As indicated within Chapter 3, the proposed outline development has been designed to ensure that an appropriate mix of dwellings to cater for a variety of individuals will be provided in line with emerging Policy H19 (Housing Balance) of SDDC's Local Plan Part 1.

- **Affordable Housing**

- 5.19 The NPPF makes clear at paragraph 50 the need for Local Planning Authorities to deliver a wide choice of high quality homes including affordable housing.
- 5.20 Emerging Policy H13 advises that a cross-boundary approach across the Boulton Moor strategic urban extension will be taken for the provision of affordable housing.
- 5.21 Emerging Policy H20 states that the Council will seek to secure up to 30% of new housing development as affordable housing on sites of 15 dwellings or more.
- 5.22 The proposal includes 25% provision of affordable housing subject to viability. The applicants will enter into discussions with the Council to negotiate the level of affordable housing to be provided as part of the Proposed Development.

### **Education Provision**

- 5.23 The Proposed Development includes the provision of a 2FE primary school. As discussed above, a separate planning application has been submitted, on behalf of the Applicant, for outline planning permission for the 2FE primary school to ensure that it can be brought forward in a timely fashion to serve the Boulton Moor strategic area. This is due to be determined by the Council imminently. However, the school is also included as part of this application.
- 5.24 In addition, by moving the primary school to a more central position within the overall strategic urban extension, it will better serve future residents in accordance with the objectives of emerging Policy H13 of SDDC's Local Plan Part 1. The proposed location has the support of the local education authority (Derbyshire County Council).
- 5.25 The new Primary School site will replace the already approved location as part of the Boulton Moor (Phase 1) outline planning permission. The Primary School is to be delivered at an early stage in the delivery of new housing at Boulton Moor.

### **Design Principles**

- 5.26 The DAS accompanying this application provides an analysis of the Site and its surroundings which then underpins the parameters and masterplan principles for the Proposed Development, as described in that document.
- 5.27 The Proposed Development has been informed by and is consistent with the emerging joint Development Framework Document for Boulton Moor in terms of land use, access and movement, green infrastructure and the broad principles contained within the document.
- 5.28 Fundamentally, the aim of the proposal is to ensure that it forms an integrated part of the Boulton Moor strategic urban extension proposed within this location. On this basis, the layout of the Proposed Development is based around linkages within the surrounding future development areas including most prominently transport networks and green infrastructure networks.
- 5.29 The Proposed Development therefore accords with the requirements of emerging Policy H13 and other relevant emerging policies of the Council's Local Plan Part 1.

## **Transport and Access**

- 5.30 Emerging Policy H13 of SDDC's Local Plan Part 1 states the need to for a comprehensive approach to transport in regards to the Boulton Moor allocation. Specifically this comprehensive approach must consider sustainable transport measures.
- 5.31 The Transport Assessment which is appended to the ES submitted with the application provides the detailed assessment of the Proposed Development including the access proposals. The DAS also provides relevant principles for the access and movement strategy which underpins the development parameters.
- 5.32 The Proposed Development includes two strategic access routes running across the Site from east to west. These two routes provide connections with Boulton Moor Phase 1 to the east and Snelsmoor Grange to the west. These routes will form part the primary movement route and the proposed bus route which will run through the strategic urban extension linking Phase 1, the Site and Snelsmoor Grange.
- 5.33 Discussions have already taken place with the local bus operator, Arriva, to consider new and improved bus services for the Site. It is expected that this service should operate with a target frequency of around 15 minutes (i.e. four services per hour).
- 5.34 The internal layout of the site has been designed pleasant, safe and secure and is designed so that all properties are within 400 metres of a bus stop. The layout of the scheme will not restrict pedestrian movements and will provide links to the existing provision in the area.
- 5.35 The Proposed Development has been designed to ensure that it will provides sufficient routes crossing the Site, to link pedestrian and cycle routes within the adjoining Boulton Moor (Phase 1) and Snelsmoor Grange developments in the strategic urban extension.
- 5.36 A pedestrian and cycle route is proposed to the north, providing a link with the existing Boulton Moor residential area. This will assist to ensure that the Proposed Development is not only integrated to the development areas proposed within the surrounding area but also the existing built area which form the suburbs of Derby City.
- 5.37 A separate Residential Travel Plan (RTP) has been prepared to support the Proposed Development. The objective of the RTP is to reduce car dependency of residents and their visitors and to promote more sustainable transport. It is proposed that through the

implementation of the RTP, a reduction of 10% of vehicle trips associated with the Proposed Development is to be expected.

- 5.38 All local junctions have been assessed and it is concluded that the Proposed Development will not have a detrimental impact on these junctions.
- 5.39 It is expected that parking provision will be considered at a Reserved Matters stage but SDDC's Car Parking Standards have been taken into account when preparing the masterplan proposals as presented in the DAS submitted with the application.
- 5.40 On the basis of the above it is therefore considered that the Proposed Development is in accordance with saved Transport Policies 6, 7 and 8 of SDDC's Local Plan and emerging Policies S6, H13 and INF2 of SDDC's Local Plan Part 1.

### **Landscape and Visual Assessment**

- 5.41 Chapter 7 of the ES assesses the likely significant effects of the Proposed Development in terms of 'Landscape and Views'. This includes a summary of the landscape objectives for the Proposed Development Appended to this chapter is a Landscape and Biodiversity Management Strategy (LBMS) produced by Barton Willmore LLP. Landscape principles are also contained within the DAS.
- 5.42 Although the land subject to development would change in character, the key landscape features that contribute to the character of the surrounding landscape, would be retained, maintaining a physical and visual enclosure of substantial vegetation which contains the potential visual effects of development from surrounding areas of countryside. The impact of the Development on the character of adjacent areas would be further minimised by the proposed landscape strategy which reinforces existing landscape features that contain available views and achieves a cohesive open space framework that reinforces the representation of planting characteristic of the wider area.
- 5.43 The findings of the visual appraisal conclude that visibility from surrounding areas towards the Site is limited, primarily due to the existing boundary vegetation, vegetation in the wider landscape and the combination of approved and existing development. The Site remains physically and visually contained alongside the existing Boulton Moor residential area to the north and the consented Boulton Moor Phase 1 site to the east and does not result in ribbon development or a fragmented pattern of development that extends into open areas of rural countryside.

- 5.44 Overall, the detailed assessment demonstrates that the Site is capable of absorbing or accommodating the Development with limited significant adverse landscape or visual impacts. Whilst the character within the Site would change, the enclosed nature of the Site in combination with adjoining residential development and the screening and context provided by existing features and forthcoming landscape proposals along its boundaries, would effectively limit the visual impact of the Development from surrounding areas. The Development therefore promotes a reinforced landscape setting without resulting in significant harm to surrounding areas of open countryside.
- 5.45 On the basis of the above, it is therefore considered that the Proposed Development is acceptable from a landscape and visual perspective and complies with saved Policy 9 of SDDC's Local Plan, and emerging Policies H13 and BNE4 of SDDC's Local Plan Part 1.

### **Arboriculture**

- 5.46 Pursuant to SDDC's policy requirements, Aspect Arboriculture have undertaken a BS5837:2012 survey and Arboricultural Impact Assessment (AIA) of the Site to inform the retention of important trees and their contribution to amenity.
- 5.47 The proposed layout seeks to retain all significant arboricultural features on the Site which are considered important in facilitating the proposal's integration within the wider setting (see 'Landscape and Visual Assessment' section above for further details regarding the role of existing landscape features).
- 5.48 The AIA provides details regarding methods to be used to ensure tree retention during the development however the report recommends that an Arboricultural Method Statement should be prepared which could be requested by condition.
- 5.49 It is therefore considered that the Proposed Development is compliant with Saved Environment Policy 9 of SDDC's Local Plan and emerging Policy BNE4 of SDDC's Local Plan Part 1.

### **Ecology and Nature Conservation**

- 5.50 Chapter 8 of the ES considers 'Ecology and Nature Conservation' which includes, as an appendix, an Ecology Report produced by Penny Anderson Associate Ltd.

- 5.51 The habitats within the Site include a large arable field, boundary hedgerows with trees and a narrow corridor of plantation woodland. The Proposed Development would bring about significant change in land use that largely affects the arable fields, which are of relatively low ecological value.
- 5.52 The hedgerows and trees are of greater ecological value and these, for the most part, are to be retained. The only loss would be short sections of hedgerow and the possible loss of a small number of trees where access roads and pedestrian routes are required.
- 5.53 Protected species that use the Site include bats and breeding birds. Bats use the Site for commuting and foraging, which is confined mainly to the hedgerows and the woodland edges. These habitats also provide foraging and nesting potential for breeding birds.
- 5.54 The partial fragmentation of some hedgerows on Site, as a result of the Proposed Development may affect the flight behaviour of local bat populations but this is unlikely to compromise the local bat population.
- 5.55 It is expected that the provision of trees along new roads and additional planting of native species on the Site margins adjoining existing hedgerows will assist in enhancing the ecological value of the Site. Other beneficial ecological enhancement measures that could be adopted include the installation of bat boxes both integrated in the building designs and externally fixed to encourage bats into areas where there are few roosting sites.
- 5.56 It is on this basis that it is considered that the Proposed Development is in accordance with Section 11 of the NPPF; Saved Environmental Policy 11 of South Derbyshire's Local Plan; and emerging Policy BNE3 of SDDC's Local Plan Part 1.

### **Socio Economic Assessment**

- 5.57 Chapter 6 of the ES assesses the likely significant socio-economic effects of the Proposed Development.
- 5.58 It is expected that the construction phase of the Proposed Development will generate a significant number of jobs across all construction disciplines, from ground workers to construction management. Based on the CITB Labour Forecasting Tool, it is likely that 121 full-time equivalent jobs per annum would be generated during the construction period.

- 5.59 The completed development is to provide up to 600 dwellings, across a mix of styles, size and tenure. Based upon an indicative 2.3 average household size, it is likely that the Proposed Development could provide homes for up to 1,380 people. This supports the 'social' role of sustainable development as indicated within the NPPF by providing a supply of housing to meet present and future generations.
- 5.60 The introduction of up to 600 additional households in SDDC will also inevitably bring consequential benefit of additional expenditure on a range of local convenience goods and additional comparison goods.
- 5.61 The Proposed Development includes a 2FE primary school which will generate a mixture of full-time and part-time employment which could provide in total 32 to 42 jobs.
- 5.62 In addition the Proposed Development is likely to generate 120 aged children therefore the proposed primary school will be able to accommodate pupils living in the Development and have sufficient capacity to accommodate an additional 300 pupils from the surrounding area including Boulton Moor Phase 1.
- 5.63 Chapter 6 of the ES confirms that there is adequate GP provision has been identified to accommodate the residents of the Proposed Development.

### **Noise & Vibration**

- 5.64 Wardell Armstrong has undertaken a noise assessment of the Site which has been considered within Chapter 12 of the ES.
- 5.65 The dominant source of noise measured during the noise survey was road traffic on the surrounding road network.
- 5.66 It is considered that the significance of noise effects during the construction phase is negligible with Site mitigation measures in place. Such mitigation measures include restrictions on working hours and implementation of 'best working' practice.
- 5.67 Once the Proposed Development is complete is considered that the change in noise levels would have a negligible effect on existing sensitive receptors.
- 5.68 In regards to the proposed primary school, mitigation measures will be incorporated into the final design to achieve internal noise levels detailed in BB93.

- 5.69 On the basis of the above it is considered that the Proposed Development will not result in detrimental levels of noise in accordance with the NPPF and emerging Policy SD1 of SDDC's Local Plan Part 1.

### **Air Quality**

- 5.70 An air quality assessment has been completed and is submitted as part of the ES (as discussed in Chapter 11 of the ES).
- 5.71 An assessment of the potential impacts on air quality during the construction phase has been carried out and it has shown that releases of dust and PM<sub>10</sub> are likely to occur through on-site activities. However through the use of suitable mitigation measures, which can be set out in a Construction Environmental Management Plan (CEMP), such impacts would become negligible.
- 5.72 Air quality modelling has indicated that predicted NO<sub>2</sub> and PM<sub>10</sub> concentrations would be 'well below' the relevant air quality objectives for the Site therefore the impact of the completed development regarding exposure of future occupants to poor air quality is considered to be negligible.
- 5.73 On the basis of the above it is considered that the Proposed Development would not have a detrimental impact on air quality therefore is in accordance with emerging Policy SD1 of SDDC's Local Plan Part 1.

### **Water Resources & Flood Risk**

- 5.74 Cannon Consulting Engineers have undertaken a Flood Risk Assessment of the Site which is submitted as part of the ES accompanying the application.
- 5.75 The FRA advises that the Site is considered to lie within Flood Zone 1 and is therefore not considered to be at risk of flooding from main rivers or significantly sized watercourses.
- 5.76 Surface water run-off will be managed via several attenuation features all sized to manage the 1 in 100 year storm plus 30% allowance for climate change. The proposed surface water management scheme relies on a network of swales and drains which convey runoff to attenuation features on the boundaries. The proposed discharge rate will be at or below the mean annual greenfield rate for the Site.

- 5.77 The inclusion of SuDS (compliant with Emerging Policies SD2 and SD3 of South Derbyshire's Pre-Submission Local Plan Part 1) to intercept, convey and treat development runoff will manage the impact of the Proposed Development on the water environment, such that the residual effects on the water environment are considered negligible.
- 5.78 The Proposed Development is therefore in compliance with Chapter 10 of the NPPF and emerging policies SD2 and SD3 of SDDC's Local Plan Part 1.

### **Agricultural Land Quality**

- 5.79 Reading Agricultural Consultants Ltd has undertaken an Agricultural Land Classification, which forms chapter 12 of the ES.
- 5.80 This confirms that the Site includes approximately 20.4 ha of Grade 3b of agricultural land, none of which comprises "*best and most versatile agricultural land*". Furthermore, the land at the Site is comparable, and in some cases of a lower grade than other agricultural land around Boulton Moor.
- 5.81 On this basis the Proposed Development complies with the NPPF (paragraph 112) and emerging Policy BNE4 of SDDC's Local Plan Part 1, as it enables development to be located on areas of poorer quality land in preference to that of higher quality.

### **Cultural Heritage**

- 5.82 CgMs has undertaken an Archaeological Desk-Based Assessment for the Site which supplements this application.
- 5.83 The assessment has established that there are no designated heritage assets within the Site.
- 5.84 The Registered Park and Garden of Elvaston Castle and a Grade II Listed Milepost are located within the 1km search area of the Site however these heritage assets are screened from the Site by intervening built development, mature tree planting and local topography. Accordingly, the Proposed Development will not directly or indirectly impact on any designated heritage assets in compliance with Chapter 12 of the NPPF.

- 5.85 The assessment concludes that no further archaeological works are necessary to support this outline application however the Applicant is aware that the County Council Archaeologist may advise SDDC that further evaluation of the Site will be required prior to or when reserved matters applications are submitted. This can be secured through a standard planning condition.
- 5.86 The setting of the Registered Park and Garden of Elvaston Castle was considered as part of the proposals for Boulton Moor (Phase 1). It was concluded that the development was acceptable and this permission has been implemented. The Proposed Development would not have an adverse impact of this or other heritage assets.
- 5.87 It is therefore considered that the Proposed Development is compliant with Saved Environment Policy 14 of SDDC's Local Plan, and emerging Policies H13 and BNE2 of SDDC's Local Plan Part 1.

### **Ground Conditions**

- 5.88 A Desk Based Contamination Assessment of the Site is submitted with this application.
- 5.89 Historical maps indicate the Site has been predominantly fields from the earliest maps reviewed to the present day. A farm with farm buildings has been noted in the central part of the site from 1882 until approximately 1975. No on-site sources of contaminations have been identified other than farm buildings.
- 5.90 The conceptual model developed and risk assessment undertaken therefore indicates that there is an overall low risk of encountering contamination during development.

### **Foul Sewage and Utilities**

- 5.91 A Services Appraisal for the Site prepared by Cannons Consulting Engineers is submitted with this application.
- 5.92 Severn Trent Water (STW) own and maintain the wastewater sewerage network serving Derby. There are twin wastewater sewers located at the north-western corner of the Site which connect with the Chellaston Trunk Sewer which ultimately flows to Derby Sewage Treatment Works.

- 5.93 The Proposed Development will need to pump flows to the twin sewers at the north-western corner of the Site. STW undertook a capacity assessment this year which concluded that this new scale of development could be accommodated within the existing conveyance network.
- 5.94 There are existing STW portable water mains within the local road network adjacent to the Site. Correspondence with STW confirms that the Proposed Development as a whole can be accommodated within the mains laid as part of Boulton Moor Phase 1.
- 5.95 The electrical network in the area is owned and maintained by Western Power Distribution (WSD). Initial correspondence with WPD provides a budget estimate for serving the proposed scale of development. The indicative cost includes an 11kV cable circuit from WPD's Primary Sub-station to interconnect with the distribution network installed as part of the Boulton Moor Phase 1 works.
- 5.96 In terms of Gas Supply, National Grid (NG) has existing medium and low pressure gas mains adjacent to the Site within the local road network. NG has confirmed that a connection can be made to the existing medium pressure gas main located 500m to the north-east of the Site within Shardlow Road, which currently has sufficient capacity.
- 5.97 Regarding telecommunications, BT operates a service in the area and has underground cables located within the adjacent road networks. BT has a statutory obligation to provide telecommunication services but it will be the developer's responsibility to arrange the required service as the appropriate time when the development proposals are advanced.
- 5.98 Virgin Media records also indicate there are existing underground cables adjacent to the Site within the local road network providing alternative telecommunication supplies.
- 5.99 In conclusion the report confirms that the proposed development can be serviced by connections to existing utility infrastructure.

### **Planning Obligations**

- 5.100 The Applicants is aware that the Council will require planning obligations (subject to viability) via a Section 106 agreement. However such financial contributions must be justified in accordance with the three requirements of regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (reflected by paragraph 204 of the NPPF) and should therefore be:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.

5.101 The Applicants will seek to engage with the Council at a very early stage to discuss planning obligations and the mechanisms for securing these, having regard to the commitments already secured as part of the Phase 1 permission and the requirements for the development of Snelsmoor Grange (within DCC's administrative area) and other developments in the area.

## 6.0 CONCLUSIONS

- 6.1 Barton Willmore LLP is instructed by JSC Farming Ltd and Central Land Holdings Limited to submit an application seeking Outline Planning Permission for the development of Boulton Moor (Phase 2).
- 6.2 The Site comprises approximately 22.27ha of land located immediately to the west of Boulton Moor (Phase 1), which is now under construction, and immediately to the east of land referred to as 'Snelsmoor Grange', for which a hybrid planning application was submitted to DCC in April 2013.
- 6.3 The preparation of the application has been informed by pre-application advice received from SDDC and Derbyshire County Council officers and public consultation undertaken by the Applicants.
- 6.4 The Proposed Development comprises up to 600 residential dwellings including affordable homes; a new primary school (the relocation of the already approved primary school forming part of the Phase 1 planning permission); strategic access links connecting the Site with the adjoining development of Boulton Moor Phase 1 and Snelsmoor Grange; open space including children's play, surface water attenuation and landscaping; and utilities infrastructure. The development is shown illustratively in the Application Masterplan and Illustrative Layout (**Appendix 2** and **Appendix 3**).
- 6.5 The Site forms part of the proposed strategic site allocation at Boulton Moor, included within the emerging Local Plans being prepared by SDDC and DCC. The South Derbyshire Local Plan Part 1 was submitted in August 2014 and is due to be adopted in 2016. It is at an advanced stage and should be afforded significant weight.
- 6.6 Emerging Policy H13 of SDDC's Local Plan Part 1 provides a set of requirements for any proposals within the Boulton Moor strategic urban extension. This Statement, together with the comprehensive documentation and plans submitted with this application, demonstrates how the Proposed Development complies with the requirements of emerging Policy H13 and other relevant local policies. The Proposed Development complies with the development plan.

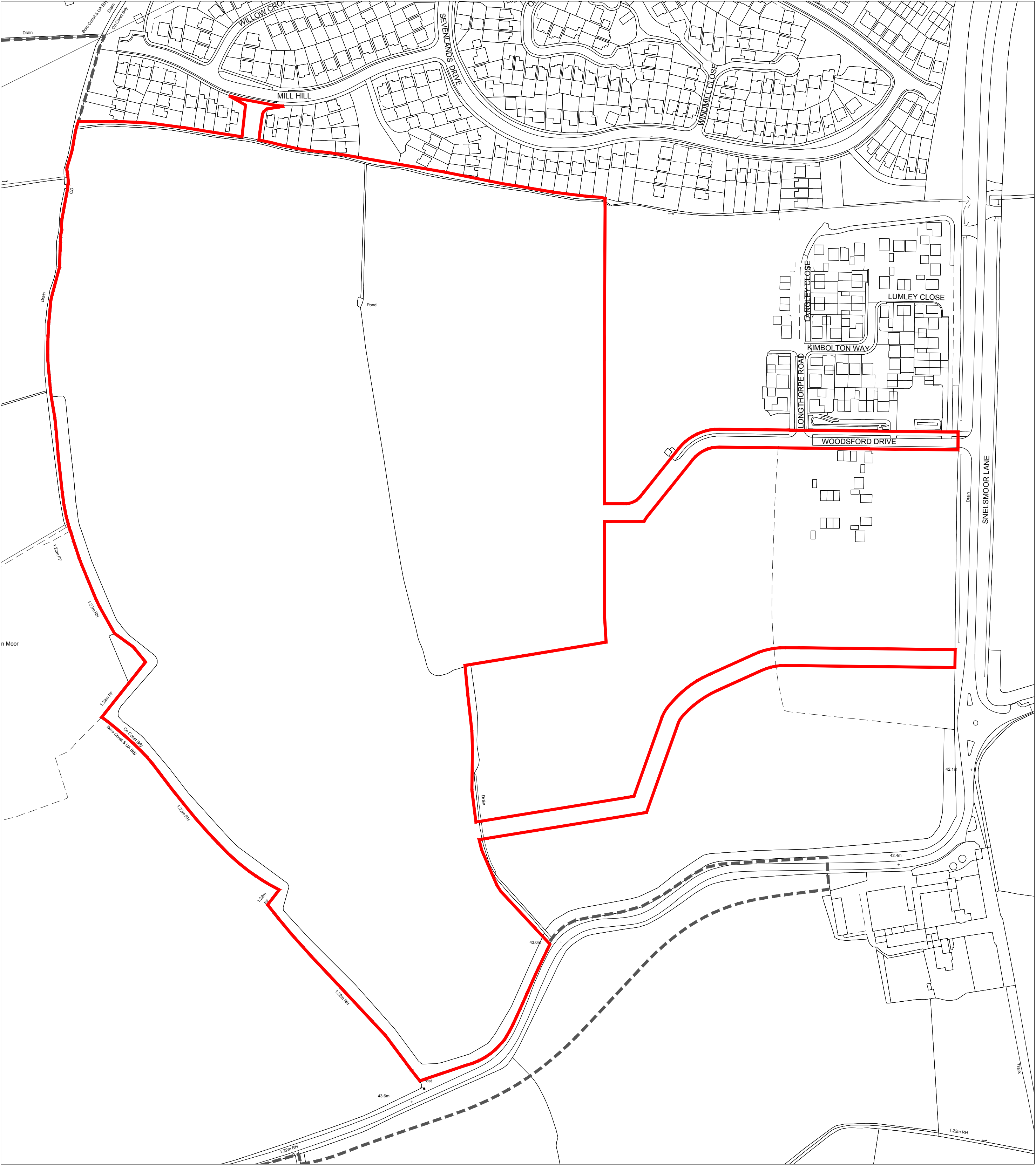
- 6.7 This Statement also provides an assessment of the Proposed Development against other material considerations including national policies (NPPF) and demonstrates that all relevant requirements will be met. The development will result in a range of benefits which would not be significantly and demonstrably outweighed by adverse impacts.
- 6.8 The documents and plans submitted with the application provide a set of parameters and design principles which provide a robust framework for a high quality development being delivered at Boulton Moor (Phase 2). In particular, the proposals are consistent with the emerging joint Development Framework Document which the Applicants are involved in preparing.
- 6.9 The Proposed Development of Boulton Moor (Phase 2) is an integral component of the overall delivery of the Boulton Moor strategic urban extension. In addition to its contribution to housing delivery, which forms part of the Council's current five year housing land supply, the Proposed Development will connect the wider developments in the area, to deliver the comprehensive development approach envisaged in H13. It follows the delivery of development within Phase 1, currently under construction, which the Applicants secured planning permission.
- 6.10 The Applicants will continue to engage with the Council and other consultees to assist in the determination of this application including to discuss S106 requirements for the Development and planning conditions which need to be imposed in granting planning permission.
- 6.11 We therefore respectfully request that planning permission should be granted for this application.



## **Appendix 1**

Site Location Plan





Application Boundary  
- 22.27Ha / 55.03Ac

Project  
**BOULTON MOOR,  
DERBY**  
Drawing Title  
**APPLICATION BOUNDARY PLAN**

|            |            |          |          |
|------------|------------|----------|----------|
| Date       | Scale      | Drawn by | Check by |
| 22.10.15   | 1:2000@A2  | M.D.     | A.P.     |
| Project No | Drawing No | Revision |          |
| 6748       | RG-M-135   | B        |          |



FIGURE 1

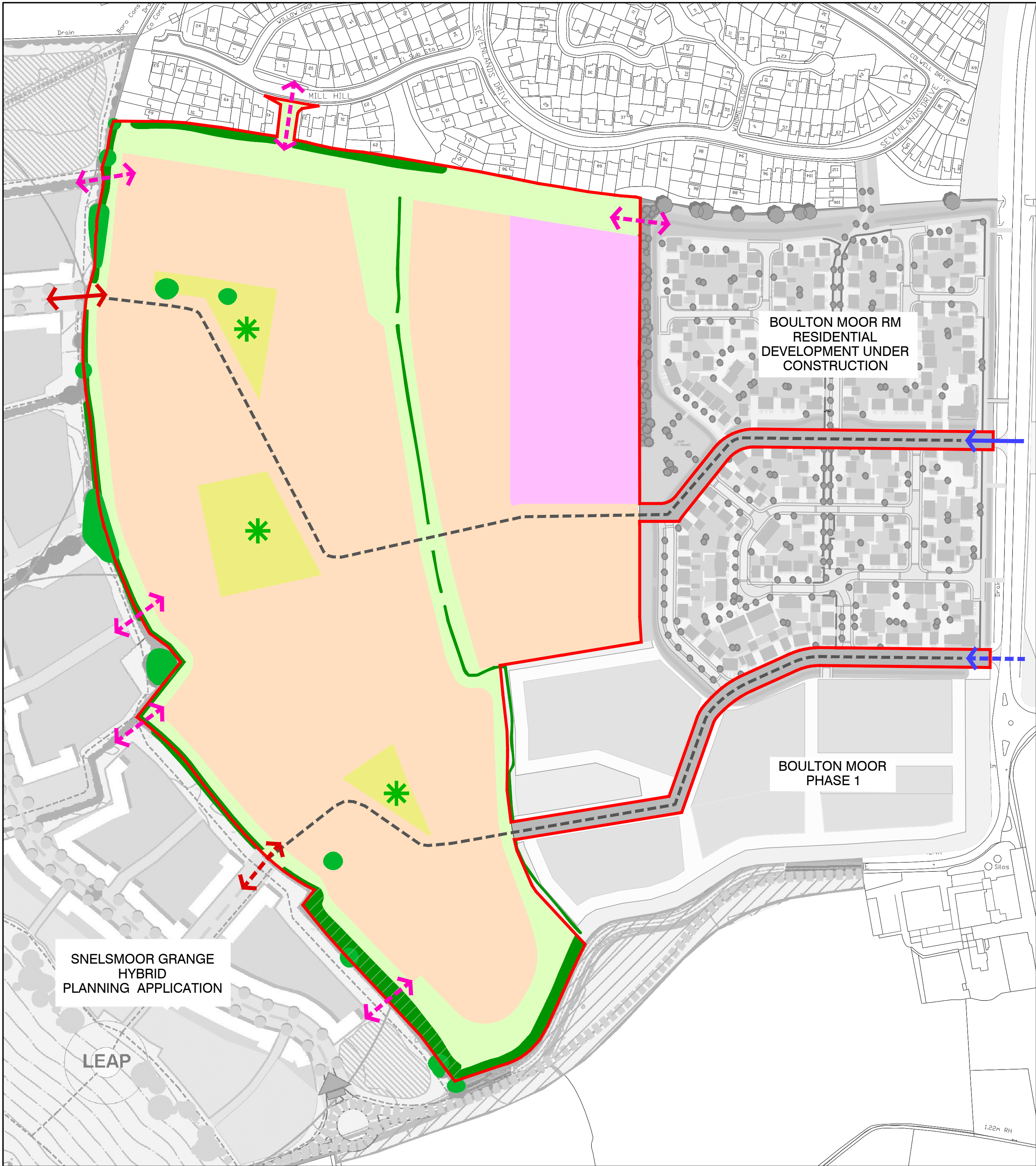




## **Appendix 2**

Application Masterplan





- |                                                    |                                                   |                                                 |                                              |
|----------------------------------------------------|---------------------------------------------------|-------------------------------------------------|----------------------------------------------|
| Application Boundary - 22.29Ha / 55.08Ac           | Existing Buffer Planting                          | Primary Access Connection to Snelsmoor Grange   | Indicative Position of Spine Road Connection |
| Main Movement Routes                               | Retained Hedgerow - cuttings made for access only | Secondary Access Connection to Snelsmoor Grange |                                              |
| Residential                                        | Existing Trees to be Retained                     | Potential Pedestrian Connections                |                                              |
| School Site                                        | Primary Site Access Snelsmoor Lane                | Key Spaces / Public Formal Open Space           |                                              |
| Open Space Including Drainage Attenuation Features | Secondary Site Access Snelsmoor Lane              | Approximate Location of LAP if Children's Play  |                                              |

Project  
**BOULTON MOOR, DERBY**  
Drawing Title  
**APPLICATION MASTER PLAN**

|                    |                        |                |                  |
|--------------------|------------------------|----------------|------------------|
| Date<br>24.07.15   | Scale<br>1:2000@A2     | Drawn by<br>NO | Check by<br>A.D. |
| Project No<br>6748 | Drawing No<br>RG-M-127 | Revision<br>B  |                  |



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## **Appendix 3**

Illustrative Layout





Application Boundary

Project  
**BOULTON MOOR,  
DERBY**  
Drawing Title  
**ILLUSTRATIVE LAYOUT**

|                    |                        |                |                |
|--------------------|------------------------|----------------|----------------|
| Date<br>30.07.15   | Scale<br>1:1250@A1     | Drawn by<br>NB | Check by<br>AD |
| Project No<br>6748 | Drawing No<br>RG-M-114 | Revision<br>F  |                |

0 10 20 30 40 50m

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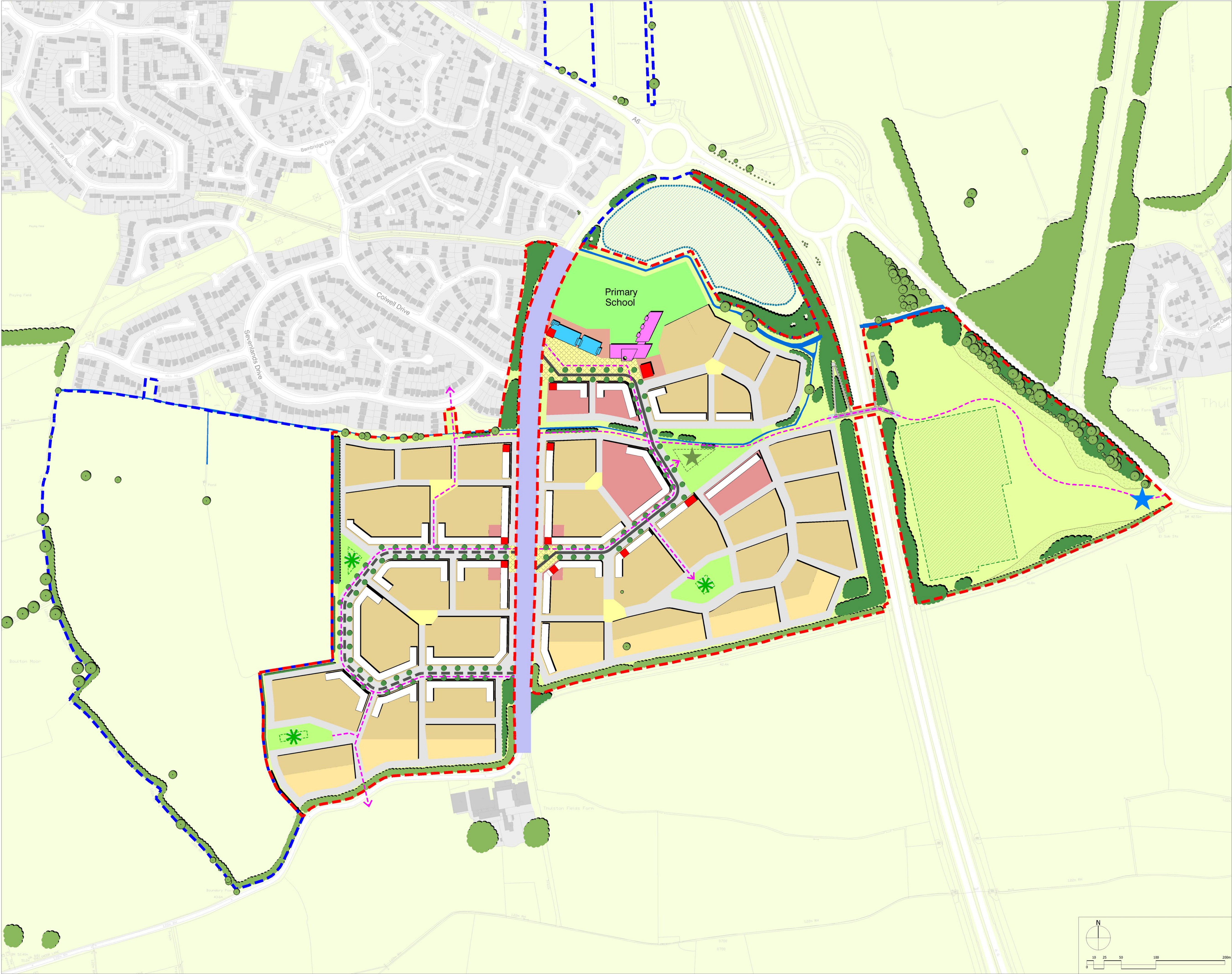
Offices at Reading London Bristol Cardiff Ebbw Vale Edinburgh Leeds Manchester Solihull



## **Appendix 4**

Approved Boulton Moor (Phase 1) Application Masterplan





The scaling of this drawing cannot be assured

- Application Boundary
- Future Potential Development Site
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Landmark Building
- Residential Frontage
- Mixed Use Local Centre
- School
- Main Square
- Local Square
- Main Street & Bus Route
- Secondary Route
- Residential Roads
- Footpath
- Formal Open Space
- NEAP
- LEAP
- Informal Open Space
- Proposed Planting
- Existing Planting
- Proposed Tree Planting
- Area to be Levelled and Drained to Provide Playing Pitches
- Watercourses
- Pavilion & Car Park
- Proposed Location for Park & Ride Facility in Accordance with Policy T10
- Detail of Indicative Snelsmoor Lane Principles Provided in DAS. Area Subject to Future Design Work Pursuant to Condition 25 of Permission APP/F1040/A/07/2035346

Project  
**BOULTON MOOR, DERBY**

Drawing Title  
**MASTER PLAN**

Date  
17.11.10

Scale  
1:2500@A1

M.D./NO  
A.P.

Project No  
6748

Drawing No  
1000

Revision  
D