

Stone Planning Services Limited



Full Planning application for the erection of 31 dwellings and associated highway, drainage and landscape infrastructure at land South of Valley Road, Overseal, Swadlincote, Derbyshire

JULY 2025

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SECTION 1: INTRODUCTION

1.1 Stone Planning Services Limited and Thornton Planning Limited are instructed by Peveril Homes Limited to prepare and submit a full application for the erection of 31 dwellings, and associated highway, drainage and landscape infrastructure at land South of Valley Road, Overseal, Swadlincote, Derbyshire.

1.2 The following comprises the submission:

a) Planning application forms, certificate and declaration.

b) Planning Drawings:

Drawing No

Site location plan ref: 23-942-303

Planning Layout ref: 23-942-302-G (includes affordable housing, cycle stores, bin storage, EVCP)

Boundary treatment plan ref: 23-942-304

Materials layout ref: 23-942-305

Hard surfacing plan ref: 23-942-306

Public spaces plan ref: 23-942-307

Street Scenes ref: 06-0165-PL002

Soft Landscaping plan ref: GLY0103 LP 01B (prepared by Golby & Luck)

Landscape Specification ref: GLY103 SP 01 (prepared by Golby & Luck)

Preliminary Drainage Strategy Plan ref: VROV-BSP-XX-XX-DR-W-0001-P08 (prepared by BSP)

Site Access Arrangement drawing ref: 3635-ADC-HGN-XX-DR-CH-0100 S1 P05 (prepared by ADC Infrastructure)

Swept Path Analysis ref: 3635-ADC-ZZ-XX-DR-Z-0101-S01-P05 (prepared by ADC Infrastructure)

Tree Constraints Plan ref: GLY0103-AR01 (prepared by Golby & Luck)

Tree Protection Plan ref: GLY0103-AR02A (prepared by Golby & Luck)

c) House Type Drawings:

Drawing No

Brassington elevations ref: 06-0165 BSSc-P01

Brassington Plans ref: 06-0165 BSSc-P02

Coton-Rosliston Elevations ref: 06-0165 Co-ROc-P01

Coton-Rosliston Plans ref: 06-0165 Co-ROc-P02

Milford Elevations ref: 06-0165 MIFc-P01

Milford Plans ref: 06-0165 MIFc-P02

Rempstone Elevations ref: 06-0165 REMc-P01

Rempstone Plans ref: 06-0165 REMc-P02

Repton Elevations ref: 06-0165 REpc-P01

Repton Plans ref: 06-0165 REpc-P02

Rosliston Elevations ref: 06-0165 ROSc-P01

Rosliston Plans ref: 06-0165 ROSc-P02

Ticknall Elevations ref: 06-0165-TCKc-P01

Ticknall Plans ref: 06-0165-TCKc-P02

d) Arboricultural Impact Assessment & Method Statement 14th July 2025 – Issue 2 prepared by Golby & Luck

e) Ecological Appraisal, including Biodiversity Report & BNG Metric July 2025 prepared

by FPCR

- f) Transport Statement ref: ADC3635-RP-A-v6 prepared by ADC Infrastructure
- g) Flood Risk Assessment and Drainage Strategy ref: VROV-BSP-XX-XX-T-W-0001-P05 prepared by BSP
- h) Phase 1 Geo Environmental Report ref:; E24180/1/2 prepared by Elemental
- i) Energy Statement July 2025 prepared by Energy & Design
- j) River Mease Impact Assessment prepared by RPS
- k) Design and Access Statement prepared by Vista Architecture
- l) Planning Statement, including Planning Obligations Statement, prepared by Stone Planning Services Limited and Thornton Planning Limited

SECTION 2: THE SITE & PROPOSAL

Application Site

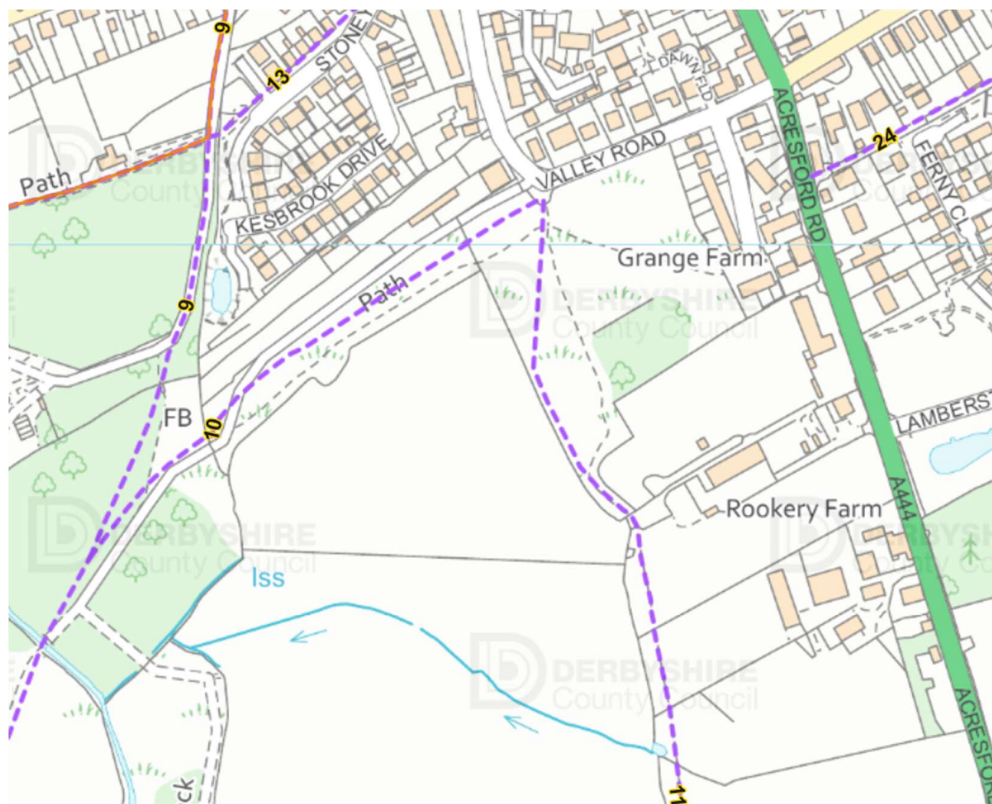
- 2.1 The application site covers approximately 1.3 hectares and is located on the southern side of Valley Road, Overseal approximately 75 metres to the west of the junction of Valley Road and A444.
- 2.2 Across Valley Road to the north are residential properties (bungalows) set back from the highway set at a slightly higher level to the application site. They have low front boundary walls to the public highway. There is no pavement on the south side of Valley Road; this boundary is demarcated by an existing hedge.
- 2.3 To the east are the rear gardens of residential properties fronting onto Squirrel Walk. These are 2 storey properties comprising detached, semi-detached and terrace units. The rear boundary is generally fencing.
- 2.4 To the south is an area of scrub and woodland. To the west is pasture land and existing field hedgerows.
- 2.5 The site has a gentle slope down from east to west.
- 2.6 Please see below an aerial image showing the extent of the application site, and its surroundings.

Figure 1 – site location



- 2.7 Two public footpaths cross the site. Both enter the site in the north western corner. Footpath 10 links onto the National Forest Way (FP 9) which links Overseal with Netherseal to the south. The other (FP11) also heads south, to the east of Cadborough Hill, and on to Netherseal.

Figure 2 – Public Rights of Way that cross the site and in the locality



- 2.8 The site is unused agricultural land. It accommodates a small number of trees and hedge boundaries and a single tree to the west of FP11.
- 2.9 STW sewer records indicate the location of a 300mm diameter surface water sewer which runs in a western direction along the southern site boundary, before running in a northern direction along the western site boundary as a 450mm diameter sewer. This sewer then discharges into a drainage ditch to the west of the site.
- 2.10 A 150mm diameter combined sewer is also shown to run across the site in a northwestern direction before connecting to a 450mm diameter foul sewer within Valley Road. This foul sewer then continues in a northern direction along Valley Road, heading away from the site.
- 2.11 An additional utilities survey was undertaken at the site, which indicates the presence of a 300mm diameter surface water sewer which runs in a western direction along Valley Road before running in a southwestern direction within the northwest of the site boundary. This sewer also discharges into the drainage ditch to the west of the site. Please see Appendices D and E of the Flood Risk Assessment and Drainage Strategy for details.

The Proposals

- 2.12 This is a full application for the erection of 31 dwellings and associated highway, drainage and green infrastructure.
- 2.13 Vehicular access to the site will be via a simple priority-controlled T-junction onto Valley Road, at a point approximately mid-way along the site frontage, where the required visibility splays of 2.4m x 43m can be achieved.
- 2.14 To facilitate the access and improve pedestrian movements on Valley Road the boundary hedge will be removed and a 2m wide footway on the south side of the road provided. This will connect the existing footpath adjacent to 2 Squirrel Way to the public footpaths that enter the site at the north west corner.
- 2.15 Valley Road is 5.5m wide along most of its length, however along the site frontage it narrows to approximately 4m. As part of the development proposals, this section of Valley Road would be widened to 5.5m to ensure that safe two-way vehicle movements can be achieved at the access junction. The widening would also ensure that the carriageway along the site frontage is the same as the rest of the street. This widening can be achieved within the public highway or on land under the control of the applicant.
- 2.16 The proposed site access is shown on Drawing No. 3635-ADC-HGN-XX-DR-CH-0100 S1 P05.
- 2.17 The internal layout has been designed in accordance with the relevant standards to ensure that service/emergency vehicles can enter and exit the site in a forward gear. Drawing No. 3635-ADC-ZZ-XX-DR-Z-0101-S01-P05 shows the standard design 11.2m refuse vehicle entering and exiting the site in forward gear.
- 2.18 In relation to highway impact, the supporting Transport Statement advises that there is no existing road safety concern along Valley Road, or at the A444/Valley Road/Moira Road staggered crossroads. The proposed development would not introduce an unacceptable impact on highway safety. This, coupled with the fact that the impact on the road network cannot be classified as severe, means that the key policy requirements outlined in paragraph 115 of the NPPF can be satisfied. Development should not be prevented on highways grounds.
- 2.19 The site layout shows the following housing mix:

Table 1 – Proposed Housing Mix

Dwelling	Affordable	Market	Total
2 bed	4	0	4
3 bed	8	13	21
4 bed	0	6	6
TOTAL	12	19	31

- 2.20 The affordable houses will be indistinguishable from the market houses in terms of design, construction materials and landscaping. Their position is shown on Drawing No 23-942-302-G. Plots 11, 12, 25, 26, 27 and 28 will be shared ownership and Plots 5, 6, 7, 8, 9 and 10 will be affordable rent.

- 2.21 The scheme proposes a mix of detached and semi-detached dwellings. With all properties being provided with sufficient off street vehicular parking spaces, cycle storage, an electric charging point and waste and recycling storage.
- 2.22 The existing Public Rights of Way that cross the site are retained along their definitive alignment.
- 2.23 The drainage strategy includes the creation of an attenuation basin in the north western area of the site. Surface water will be disposed of via the new attenuation. There are no adverse impacts on the RPAs of trees or the Public Right of Way. Surface water will then be discharged at the appropriate restricted rate into the existing STW public sewer network to the west of the site.
- 2.21 Foul water will fall into the existing STW combined sewer located within the site via a series of gravity connections, which in turn will drain to the treatment works.
- 2.24 All utilities are available to serve the development.
- 2.25 In relation to trees, arboricultural survey information in accordance with British Standard 5837:2012 has been submitted, which details the impacts of the proposed development on the existing tree stock. The arboricultural constraints have the site have been respected, including the safeguarding of veteran trees and removal of a limited number of category C features only. New tree planting measures will secure a resilient mix of native and ornamental species that substantially increases canopy cover above baseline conditions and exceeds the requisite National Forest provision.
- 2.26 The Arboricultural Report and accompanying plans set out detailed tree protection measures to ensure retained trees are safeguarded during the construction process, in accordance with good arboricultural practice.
- 2.27 The Ecological Appraisal advises that the site was dominated by modified grassland; and that the development will have no significant impacts to the nature conservation status of any designated sites within the appropriate search radius of the site.
- 2.28 There are no built structures present within the Site and no trees with potential roost features for bats that will be impacted by the proposals. Roosting bats are therefore not considered to represent a constraint to the proposals.
- 2.29 Bird species assemblage has been assessed through a desk-top study, and it was deemed that birds are not a statutory constraint to development. Depending on vegetation clearance schedules, nesting bird checks may be required.
- 2.30 There are no badger setts within 30m of the site boundary, therefore badgers have not been identified as a statutory constraint to development. Precautionary mitigations measures during the construction phase of works have been recommended.
- 2.31 Two ponds were located within a 250m radius of the site. Pond P1 is isolated from the proposed development by existing residential development and infrastructure roads. Whilst there is connectivity between pond P2 and the Site, this pond is a relatively recent balancing facility which is isolated from other ponds in the wider environment, limiting the potential for the pond to support GCN. The grassland within the Site is suboptimal to support GCN and the boundary hedgerows only provide some limited suitability to support

GCN. Given this the presence of GCN has not been identified as a statutory constraint to development of the Site.

- 2.32 The site did not provide a suitable matrix of habitat to support a viable reptile population. Reptiles have not been identified as statutory constraint to development.
- 2.33 Appropriate mitigation and enhancement measures are proposed. Please see the Ecological Appraisal for further details.
- 2.34 In relation to BNG, the baseline at the site is 2.59 habitat units and 0.86 hedgerow units. The proposed development would result in 2.86 habitat units and 1.25 hedgerow units; resulting in a 10.56% increase in on site habitat units and 46.36% increase in on site hedgerow units. The proposals therefore exceed the mandatory 10% biodiversity net gain requirement through on site provision.
- 2.35 The site is located within the River Mease catchment and as such a River Mease Impact Assessment has been undertaken and is submitted in support of this application.
- 2.23 Please see below proposed planning layout taken from Drawing No 23-942-302-G.

Figure 3 – Extract of proposed planning layout



- 2.36 The proposed building specification for the development follows the Government's "Fabric First" approach. These measures will maximise the efficiency of each dwelling. These measures are built in for the life of the dwelling, add value and limit the emissions of carbon dioxide to the atmosphere arising from the operation of the dwellings and their services. The proposed development proposes to reduce the use of energy through design features and energy efficient measures including:

- Good levels of thermal insulation on the ground floor, external walls and roof spaces, thereby reducing heat loss.
- Opportunities for energy efficient lighting and electrical and white goods.
- Natural ventilation to ensure a healthy and comfortable living environment.

2.33 The application is supported by an Energy Statement, which sets out sustainability and energy saving measures and renewables to be incorporated into the development and demonstrates that higher standards than that required by existing Building Regulations are achieved.

2.34 This Section of the Statement has described the application site and the nature and scale of the proposed development. A series of detailed specialist reports accompany the application and their conclusions have been outlined. This Planning Statement now considers the relevant planning policy.

SECTION 3: PLANNING POLICY CONTEXT

- 3.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, the Statutory Development Plan comprises the South Derbyshire Local Plan Parts 1 and 2. In addition to the Development Plan, there is the National Planning Policy Framework. The purpose of this section is to set out the relevant planning policy background as well as identifying any key studies or reports which will assist in the justification of these proposals. For ease of reference, these are considered under the following headings:

1. National Planning Policy and Guidance
2. South Derbyshire Local Plan Part 1 2016
3. South Derbyshire Local Plan Part 2 2017
4. Emerging Planning Policy
5. South Derbyshire Design Guide SPD 2017

1 National Planning Policy Framework

- 3.2 The revised National Planning Policy Framework (NPPF) was published in December 2024. The fundamental aim of the NPPF is to promote sustainable development and to encourage Local Authorities to approve such applications unless there are compelling reasons not to do so. Paragraph 10 states:

"So that sustainable development is pursued in a positive way, at the heart of the Framework, is a presumption in favour of sustainable development".

- 3.3 Paragraph 61 identifies that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

- 3.4 Paragraph 73 of the Framework states:

"Small and medium sized sites can make an important contribution to meeting the housing requirements of an area, or essential for small and medium enterprise house builders to deliver new homes, and are often built out relatively quickly"

This is a small site of just 31 dwellings which would be built out in 18 months once the infrastructure is constructed. The applicant is submitted by a local house builder with a track record of delivery.

- 3.5 As will be demonstrated, the proposal represents sustainable development and the proposal is consistent with the NPPF when taken as a whole.

2 South Derbyshire Local Plan Part 1 2016

- 3.6 The South Derbyshire Local Plan Part 1 was adopted in 2016 and provides a specific context for determining planning applications.

- 3.7 Policy H1 Settlement Hierarchy states:

The Settlement Hierarchy is based on the range of services and facilities that are offered by each settlement. The level of development for each settlement will be of a scale appropriate to the size and role of that settlement. As planning applications are received the merits of each individual site will be assessed through the Development Management process.

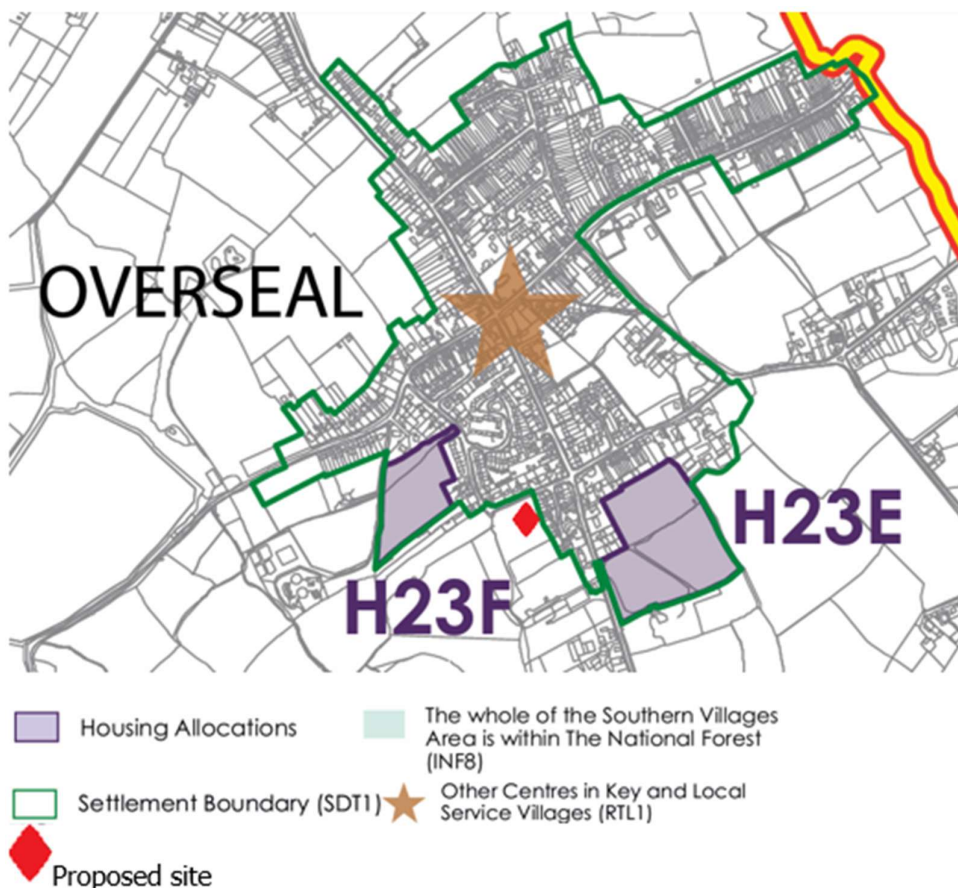
The distribution of new development outside of allocations over the period of this Plan will be in accordance with the Settlement Hierarchy below:

1. *Urban Areas – the urban areas of Swadlincote including Woodville, adjacent to Derby and adjacent to Burton upon Trent*
2. *Key Service Villages*
 - Aston on Trent*
 - Etwall*
 - Hatton*
 - Hilton*
 - Melbourne*
 - Overseal**
 - Repton*
 - Shardlow*
 - Willington*
 - Linton*

For the above two tiers, development of all sizes within the settlement boundaries will be considered appropriate and sites adjacent to settlement boundaries as an exceptions or cross subsidy site as long as not greater than 25 dwellings.

- 3.6 The application site lies immediately adjacent the settlement boundary of Overseal as identified on the Policies Maps. Please see Figure 4 below for an extract of the Adopted Local Plan Parts 1 and 2 policies map, with the site identified by the red diamond.

Figure 4 - Extract of Adopted Local Plan Parts 1 and 2 policies map



3.7 The Council's settlement hierarchy establishes

Tier 1 - Swadlincote and adjacent Burton and Derby

Tier 2 - Key service Villages

Tier 3 - Local Service Centres

Tier 4 Rural Villages

Overseal is a Key Service Village

3.6 The Part 2 Plan established new settlement boundaries; as shown on figure 4 above for Overseal. The settlement hierarchy was based on the Settlement Hierarchy Topic Paper prepared for the Part 1 Plan.

3.7 A Settlement Hierarchy Service List is reproduced within the Topic Paper. This demonstrates the sustainability credentials of Overseal and why it is one of a small number of Key Service Villages. It contains:

Post Office
Shops
Public Houses
Primary School
Day Nursery

Places of Worship
Community venue
Places of employment
Play Areas
Access to extensive areas of good quality green infrastructure.

- 3.8 In addition it has a good bus service linking Overseal to Ashby, Swadlincote and Burton. Further details are set out in the supporting Transport Statement.
- 3.9 The Part 2 Local Plan allocated two housing sites at Overseal:
- Policy 23F Valley Road - 66 dwellings. This site was the subject of a planning application in 2014, some 11 years ago.
 - Policy 23E - Acresford Road – 70 dwellings. This site relates to a planning application in 2015.
- 3.10 Both are long built out and all of the houses occupied. Overseal is clearly an attractive village to live and has good everyday services and facilities. Notwithstanding that the site does not lie within the village settlement boundary we consider that the proposal would represent a logical sustainable extension to this Key Service Village and is slightly in excess of the stated 25 dwellings.
- 3.11 The Council undertook a SHELAA Assessment of the site (Site 194) (2024). It assumed a Yield of 45 dwellings over the 2.1 ha site. The site area is smaller due to the dense vegetation cover of the southern part of the SHLAA site; the application red line area is just over 1.3 hectares. Furthermore, the site is crossed by existing sewers and public footpaths. On site surface water attenuation is provided together with some National Forest planting. As a consequence, the site will deliver 31 dwellings, including 40% affordable.
- 3.12 In terms of availability it stated:
- "From the information provided on submission, it is considered that the site is currently in single ownership and, there is developer interest. There are no known legal or ownership constraints. The site is considered available".*
- 3.13 Regarding achievability it stated
- "The site is located within the River Mease Special Area of Conservation (SAC). Impact on/appropriate mitigation on the River Mease Special Area of Conservation would need to be investigated further. Sites within the Mease catchment would only be acceptable where it can be demonstrated that measures can be delivered to mitigate impact on the SAC. However, at this stage the site is considered to be achievable".*
- 3.14 The Final Assessment concluded:
- "The site is considered available and achievable. A number of suitability criteria would need to be overcome/require mitigation. The site is located within the River Mease Special Area of Conservation (SAC). Impact on/appropriate mitigation on the River Mease Special Area of Conservation would need to be investigated further. Sites within the Mease catchment would only be acceptable where it can be demonstrated that measures can be delivered to mitigate impact on the SAC. Could be suitable subject to impact on River Mease SAC /appropriate mitigation."*
- 3.15 As the site is located within the River Mease Special Area of Conservation (SAC), local plan policy INF7 Green Infrastructure is relevant. Criterion C of policy INF7 advises:

C All proposals for development within the catchment for the River Mease will need to demonstrate that they will have no adverse effects on the integrity of the Special Area of Conservation (SAC) either alone or in combination with other proposals and will contribute to long-term objectives to improve the condition of the site.

- 3.16 Local Plan policy BEN3 Biodiversity criterion A ii) advises that the Local Planning Authority will support development which contributes to the protection, enhancement, management and restoration of biodiversity or geodiversity and delivers net gains in biodiversity wherever possible by:

ii) Delivering long term plans to restore the River Mease Site of Special Scientific Interest (SSSI)/Special Area of Conservation (SAC) to a more natural condition and improve water quality within Mease and other catchments failing to meet Water Framework Directive objectives.

- 3.17 The application is supported by a River Mease Impact Assessment, which following a detailed assessment concluded that the proposal will have no adverse effects on the integrity of the SAC with appropriate mitigation.

- 3.18 The site is also located within the National Forest. Local Plan Policy INF8 advises:

*B Within the National Forest all **residential schemes over 0.5ha** and industrial, commercial and leisure developments over 1ha will be expected to incorporate tree planting and landscaping in accordance with National Forest Planting Guidelines (as set out in Table 6)*

Table 6: National Forest Planting Requirements

National Forest Planting Requirements			
Housing sites under 0.5 ha	Normal landscaping appropriate to the sites setting	Industrial, Commercial and Leisure Developments under 1 ha	Normal landscaping appropriate to the sites setting
Housing sites between 0.5 ha - 10ha	20% of the development area to be woodland planting and landscaping	Industrial, Commercial and Leisure Developments over 1 ha	20% of the development area to be woodland planting and landscaping
Housing sites over 10ha	30% of the development area to be woodland planting and landscaping	Industrial, Commercial and Leisure Developments over 10ha	30% of the development area to be woodland planting and landscaping
New Road Schemes or improvements to existing routes	New road schemes should achieve well-wooded settings with planting adjoining the road and off site. Appropriate landscaping should also accompany road improvements. In each scale the levels of planting will depend on the scale and impact of the development.		
Commuted Sums	In exceptional circumstances where the planting guidelines cannot be met, a commuted sum should be paid instead. This should reflect the most up to date guideline rate identified by the National Forest as set out in the Guide for Developers and Planners.		

Landscaping will generally involve woodland planting, but can also include the creation and management of other appropriate habitats, open space provision associated with

woodland and the provision of new recreational facilities with a woodland character. The appropriate mix of landscaping features will depend upon the setting characteristics, opportunities and constraints that individual sites present. The District Council recommend that early discussions are held with the National Forest Company. Further information is available from the National Forest Company's Guide for Developers and Planners.

C In exceptional circumstances, a commuted sum may be agreed where planting and landscaping cannot be accommodated within or close to the development site. This will be used for tree planting (including urban tree planting); purchasing land for tree planting; creating new woodlands and maintaining those works or other agreed projects for a minimum of five years.

D Within the National Forest new development should ensure that:

- i) the siting and scale of the proposed development is appropriately related to its setting within the Forest,*
- ii) the proposed development respects and does not adversely affect the character and appearance of the wider countryside.*

- 3.19 Other than the removal of the frontage hedgerow and trees to facilitate the development, all other trees and hedgerows on and adjacent to the site are to be retained. In accordance with Table 6, in excess of 20% of the site is to be soft landscaped and incorporate tree and hedgerow planting (27.5%). Please see the supporting soft landscaping drawing for further details. The PRoW including the National Forest Right of Way are to be retained on their definitive routes and incorporated into the development.

- 3.20 Local Plan Policy H20 Housing Balance states:

A The Council will seek to provide a balance of housing that includes a mix of dwelling type, tenure, size and density. The overall mix of housing will take account of the Strategic Housing Market Assessment (SHMA) and Local Housing Needs Study.

B The density of any site will be considered individually as there is no evidence to support a set density across all sites.

C Any housing development would be expected to make the most efficient use of the land whilst taking into account what is appropriate for the surrounding local built and natural environment.

D The viability of development will be considered through determining a schemes housing mix.

E The Council will also promote a mix of housing that is suitable and adaptable for different groups of people such as single occupiers, people with disabilities, people wanting to build their own homes and the ageing population of the District.

- 3.21 The Derby Housing Market Area Strategic Housing Market Assessment 2019 to 2028 (January 2020 – GL Hearn) for South Derbyshire District Council recommends the housing mix as detailed in Table 2 below:

Table 2 - Strategic Housing Market mix (January 2020 – GL Hearn)

	1-bed	2-bed	3-bed	4+-bed
Market	0-5%	20-25%	50-55%	20-25%
Affordable home ownership	10-15%	40-45%	35-40%	5-10%
Affordable housing (rented)	25-30%	35-40%	25-30%	5-10%

Source: GL Hearn, 2020

- 3.22 The proposed housing mix (as detailed in table 1) provides a mix of 2, 3, and 4 bedroom properties incorporating detached and semi-detached properties. The proposals are broadly in accordance with the Derby Housing Market Area Strategic Housing Market Assessment mix, albeit it needs to be recognised that this is a relatively small development, where it is very challenging to fully adhere to the mix contained within table 2 above.
- 3.23 Local Plan Policy H21 Affordable Housing, states the following:
- "A The Council will seek to secure up to 30% of new housing development as affordable housing as defined in the NPPF on sites of over 15 dwellings.*
B Consideration will also be given to the:
- i) The local housing market.*
 - ii) The viability of any proposed scheme which will be assessed through independent viability assessments.*
 - iii) The tenure mix and dwelling type on the site will be based on the SHMA or other up to date housing evidence in conjunction with the Council;*
 - iv) The phases of development that are being proposed".*
- 3.24 The proposal will provide 40% affordable housing (12 dwellings) rather than the policy requirement of 30%, which is an integral part of the development. These will comprise 50% affordable rent and 50% shared ownership, as detailed in Table 3 below.

Table 3 – affordable housing proposals

Dwelling	Affordable Rent	Affordable Shared Ownership	Total
2 bed	2	2	4
3 bed	4	4	8
4 bed	0	0	0
TOTAL	6	6	12

- 3.25 The affordable houses will be indistinguishable from the market houses in terms of design, construction materials and landscaping. Their position is shown on Drawing No 23-942-302-G. Plots 11, 12, 25, 26, 27 and 28 are proposed to be shared ownership and Plots 5, 6, 7, 8, 9 and 10 proposed to be affordable rent.
- 3.26 The delivery of 12 much needed affordable homes at the development, comprising a mix of 2 and 3 bedroom properties of two different tenure types, results in a significant public benefit.
- 3.27 Policy BNE1 Design Excellence states:

A 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 Design Principles below.

i) Design Principles

- a) Community safety: New development should be designed to ensure that people feel comfortable and safe by minimizing opportunities for crime and anti-social behaviour, providing good natural surveillance and appropriate demarcations between public and private areas;*
- b) Street design, movement and legibility: Streets should be designed to relate to their context, with a balance being struck between place-making needs and vehicle movement needs. Streets should be attractive, pedestrian and cycle friendly and meet the needs of all users. New development should be easy to find your way around, have a clear hierarchy of streets and take advantage of available opportunities for connections to local services, including public transport;*
- c) Diversity and community cohesion: New development should be designed to be diverse, vibrant, possess a sense of place and encourage social interaction.*
- d) Ease of use: New development should be accessible to all user groups, well managed and should be able to adapt to changing social, environmental, technological and economic conditions, including the needs of an ageing society;*
- e) Local character and pride: New development should create places with a locally inspired character that respond to their context and have regard to valued landscape, townscape and heritage characteristics;*
- f) National Forest: Within The National Forest, new development should be encouraged to follow National Forest Design Charter and Guide for Developers & Planners and fully reflect the forest context;*
- g) Visual attractiveness: New development should be visually attractive, appropriate, respect important landscape, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality;*
- h) Neighbouring uses and amenity: New development should not have an undue adverse affect on the privacy and amenity of existing nearby occupiers. Similarly, the occupiers of new development should not be unduly affected by neighbouring land uses;*
- i) Cross boundary collaboration: New areas of growth that span administrative, land ownership, developer parcel or phase boundaries should be considered and designed as a whole through a collaborative working approach;*
- j) Healthy Lifestyles: New development should address social sustainability issues, by supporting healthy lifestyles, including through the promotion of active travel, the provision of public open space, sports and other leisure facilities.*
- k) Resource Use: New development should be designed to facilitate the efficient use of resources and support the reuse and recycling of waste throughout the lifecycle of all developments from design, construction, use and after use. New development should*

provide adequate space for the storage of waste and where appropriate the treatment or collection of waste.

- ii) All proposals for new development will be assessed against the Council's Design SPD;*
- iii) The Council will decide which development proposals should be taken to a formal panel for design review*

3.28 The new development has been designed to make a positive contribution to the public realm and sense of place, to create an attractive, safe, inclusive and healthy environment and to reinforce value local characteristics. The proposals results in economic, social and environmental gains and constitute a sustainable form of development. Please see the supporting Design and Access Statement for a detailed assessment.

3.29 The application is also supported by an Energy Statement which sets out Applicants commitment to the sustainability and energy saving; and demonstrates that higher standards than that required by existing Building Regulations are achieved.

3 South Derbyshire Local Plan Part 2

3.30 The South Derbyshire Local Plan Part 2 was adopted in November 2017. Policy SDT1 relates to Settlement Boundaries and Development. It states:

*"Settlement boundaries define the built limits of a settlement.
Within settlement boundaries as defined on the policies map and in Appendix A, development will be permitted where it accords with the development plan.*

Outside of settlement boundaries and allocated sites, within the Rural Areas as defined in Policy H1, development will be limited to that considered acceptable inter alia by Policy BNE5.

Settlement boundaries will be applied in the following settlements:

Urban Area:

Swadlincote including Woodville

Key Service Villages:

*Aston on Trent, Etwall, Hatton Hilton, Linton, Melbourne, **Overseal** Repton, Shardlow Willington"*

3.31 The Part 2 Local Plan allocated two sites at Overseal:

- Policy 23E - Acresford Road – 70 dwellings. This site relates to a planning application in 2015.
- Policy 23F Valley Road - 66 dwellings. This site was the subject of a planning application in 2024, some 11 years ago.

3.32 These two allocated sites are shown on Figure 4 - Extract of Adopted Local Plan Parts 1 and 2 policies map.

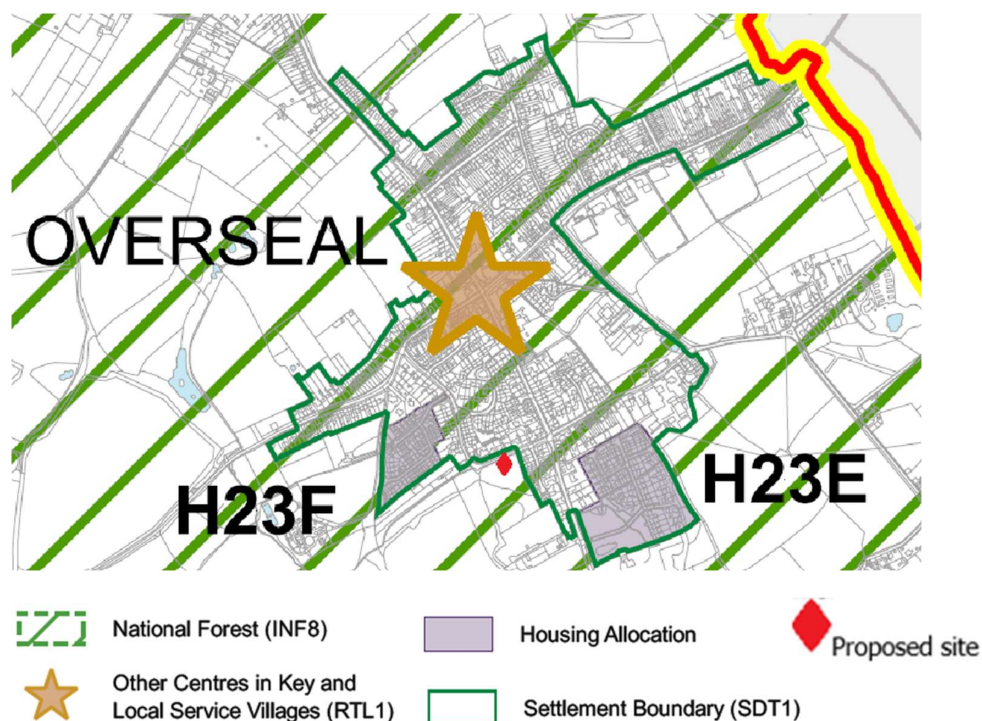
3.33 As advised earlier in this report, both of these allocations are long built out and all of the houses occupied. Overseal is clearly an attractive village to live and has good everyday

services and facilities. Whilst being located just outside of the village settlement boundary, it is considered that the proposal would represent a logical sustainable extension to this Key Service Village.

4 Emerging Planning Policy

- 3.34 South Derbyshire's Local Plan Part 1 2022-2041 (Publication Version) consultation ran between 10th March 2025 and Friday 25th April 2025.
- 3.35 The settlement framework boundary remains unchanged in the emerging local plan, with the application site continuing to lie immediately adjacent the settlement boundary of Overseal as identified on the Proposed Policies Maps. Please see Figure 5 below for an extract of the Proposed Local Plan Part 1 policies map, with the site identified again by the red diamond.

Figure 5 - Extract of Emerging Local Plan Part 1 policies map



- 3.36 Emerging policy H1 Settlement Hierarchy continues to identify Overseal as Tier 2 Key Service Village. Where for the first two tiers, development of all sizes within the settlement boundaries is continued to be considered appropriate and sites adjoining settlement boundaries in accordance with Policy H21 as long as not greater than 25 dwellings.
- 3.37 Whilst it is acknowledged that the proposed development is for slightly over 25 dwellings, the site is in all other respects in accordance with emerging policy H1, it is technically acceptable in all respects and would represent a sustainable form of development.
- 3.38 Emerging Policy H20 Housing Balance states:

A. Housing and mixed-use major development proposals should comprise a range of dwelling sizes, broadly apportioned as follows:

	1-bedroom	2-bedrooms	3-bedrooms	4+-bedrooms
Market	9%	35%	40%	16%
Affordable home ownership	19%	45%	29%	7%
Affordable housing (rented)	32%	39%	24%	5%

Where a proposal comprises a range of dwelling sizes that is significantly at variance with these proportions, the applicant will be expected to provide written justification, which should include reference to market signals, local housing needs and scheme viability. The housing mix targets will not be applied to proposals for housing with support, housing with care or residential care bed spaces, where these are on unallocated sites and do not form part of wider housing development schemes incorporating non-specialist housing,

B. The Council will seek the provision of sufficient numbers of new homes to meet the identified needs of people with disabilities, including housing with support, housing with care and residential care bed spaces. This will be achieved by requiring provision within allocated housing and mixed use sites and by supporting other proposals incorporating suitable provision where consistent with relevant Local Plan policies.

C. Residential development in the form of bungalows or other suitable single level accommodation will be supported where they would not cause harm to the character of the surroundings. For schemes of 15 dwellings or more a proportion of 1 and 2 bedroom homes should be in the form of bungalows or other suitable single level accommodation. These requirements will not be applied in the case of proposals comprising only apartments, although it is recognised that ground floor apartments can assist in meeting needs for accommodation without stairs.

D. For major development comprising housing or mixed-use proposals on a site of more than 0.5 hectares):

- i) 5% of all market homes will be required to meet Part M4(3)(a) of the Building Regulations (wheelchair adaptable dwellings) where practicable; and*
- ii) 10% of all affordable homes will be required to meet Part M4(3)(b) of the Building Regulations (wheelchair user dwellings) where practicable. Provision of M4(3)(a) (wheelchair adaptable dwellings) will be considered where justified and agreed with the Council prior to the granting of planning permission.*

Where demonstrated to be impracticable reduced levels of provision to those identified will be negotiated.

- E. i) Within development boundaries proposals that would include provision of dwelling plots to be made available for sale to self-builders and custom builders will be supported.*
- iii) Sites of 30 or more homes should make provision for 10% of housing capacity to be for serviced plots for self and custom housebuilding. Developers will be expected to enter into a legal agreement to facilitate their delivery and a lower proportion will only be accepted where a viability assessment clearly demonstrates*

that the full policy requirement cannot be achieved. These requirements will not be applied in the case of proposals comprising only apartments.

- 3.39 As detailed earlier in this report, the proposed housing mix (as shown below in Table 4) provides a mix of 2, 3, and 4 bedroom dwellings incorporating detached and semi-detached properties. Whilst no one beds are proposed, the proposed mix is broadly in accordance with the Derby Housing Market Area Strategic Housing Market Assessment mix and has been based on market research undertaken by the Applicant. It should also be recognised that this is a relatively small development where it is extremely challenging to fully adhere to a prescribed mix.

Table 4 – Proposed housing mix with percentages

Dwelling	Market (%)	Affordable Rent (%)	Share Ownership (%)	Total (%)
1 bed	0	0	0	0
2 bed	0	2 (33%)	2 (33%)	4 (13%)
3 bed	13 (68%)	4 (67%)	4 (67%)	21 (68%)
4 bed	6 (32%)	0	0	6 (19%)
TOTAL	19	6	6	31

- 3.40 Whilst the housing proposals are not fully compliant with the provisions within emerging policy H20, the local plan review is ongoing, with the emerging Local Plan Part 1 not being adopted and therefore not forming part of the Development Plan for the District. Only limited weight can therefore be given to these matters at this stage.
- 3.41 In relation to affordable housing, emerging policy H21 seeks to secure up to 40% of new housing development as affordable housing as defined in the NPPF on sites of over 10 dwellings.
- 3.42 This proposed change to policy H21 reflects the need for affordable housing in the District as set out in the Derby and South Derbyshire Local Housing Needs Assessment 2023. Table 6.72 provides an estimate of the gross need for affordable home ownership as 196 per year. The report also indicates a need for 214 rented affordable homes per year. This equates to 410 affordable houses per year, this is a very challenging target.
- 3.43 The annual housing target as set out in the Development Plan 742 dwellings. Hence some 55% of the total housing delivery would need to be affordable. Table 4 of the Annual Monitoring Report 22-23 shows that 132 affordable homes were delivered in that year. Whilst market housing is delivering in the District there is clearly an under delivery of affordable housing.
- 3.44 Generally affordable housing will be delivered via one of two routes:
1. As part of a market scheme.
 2. As an Exception site.
- 3.45 As previously stated, Overseal has had two allocations set out in the 2017 Part 2 Plan:
- Acresford Road - 70 dwellings
 - Valley Road - 64 dwellings
- 3.46 Both sites are built out. Overseal is a Key Service Village but is unlikely to deliver any further Affordable Housing of note unless there are broader residential housing allocations. Exception sites have not come forward and are unlikely to do so.

- 3.47 Without affordable housing local people will need to move away from the village which in itself adversely impacts the social architecture of Overseal. There are no options for young families with strong local connections to move to and continue their lifelong association with Overseal. The Applicant would be content for there to be a "Overseal" residents first option for the occupation of the affordable homes to provide local opportunities. Historically, the Applicant has found that small developments adjacent Key Villages are very attractive to local people who are either downsizing or moving into a first home. Local people with a strong village connection are attracted to both the market and affordable homes.
- 3.48 The proposals include 40% of the total number of units to be delivered as Affordable Housing. Equating to the delivery of 12 much needed affordable homes with a mix of 4 x 2 bedroom dwellings and 8 x 3 bedroom dwellings to be split equally between affordable rent (50% - 2 x 2 beds and 4 x 3 beds) and shared ownership (50% - 2 x 2 beds and 4 x 3 beds). This also recognises the emerging policy with regard to the proposed increased level of affordable housing from 30% to 40%.
- 3.49 Policy BNE1: Design Excellence

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 Design Principles below.

i) Design Principles

a) Community safety:

New development should be designed to ensure that people feel comfortable and safe by minimising opportunities for crime and anti-social behaviour, providing good natural surveillance and appropriate demarcations between public and private areas;

b) Street design, movement and legibility:

Street layouts should be designed to relate to their context and to ensure that a hierarchy of movement is in place, with walking, cycling and wheeling as the primary modes of transport. Street layouts should be such that routes to everyday local destinations, including schools, shops and services, are more appealing, direct and easier than those for motorised transport, thus encouraging the use of active and sustainable modes including public transport.

c) Diversity and community cohesion:

New development should be designed to be diverse, vibrant, possess a sense of place and encourage social interaction.

d) Ease of use:

New development should be accessible to all user groups, well managed and should be able to adapt to changing social, environmental, technological and economic conditions, including the needs of an ageing society;

e) Local distinctiveness, character and pride:

New development should create places with a locally distinctive and inspired character that respond to their context and have regard to valued landscape, townscape and heritage characteristics;

f) National Forest:

Within The National Forest, new development should follow the Guide for Developers & Planners, any National Forest Design Guides/Design Charter and where relevant the Sustainable Tourism Accommodation Design Guide and fully reflect the Forest context

g) Visual attractiveness:

New development should be; visually attractive, sustainably constructed, appropriate, respect important landscape and existing natural features, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality;

h) Neighbouring uses and amenity:

New development should not have an undue adverse effect on the privacy and amenity of existing nearby occupiers. Similarly, the occupiers of new development should not be unduly affected by neighbouring land uses;

i) Cross boundary collaboration:

New areas of growth that span administrative, land ownership, developer parcel or phase boundaries should be considered and designed as a whole through a collaborative working approach;

j) Healthy Living:

New development should address social sustainability issues, by supporting healthy living, including through the promotion of active travel, the provision of public open space, sports and other leisure facilities and good quality green Infrastructure.

k) Resource Use:

New development should be designed to facilitate the efficient use of resources and support the reuse and recycling of waste throughout the lifecycle of all developments from design, construction, use and after use. New development should provide adequate space for the storage of waste and where appropriate the treatment or collection of waste.

ii) All proposals for new development will have regard to the Council's Design SPD and any future Council Design Guide and/or Codes;

iii) The council will decide which development proposals should be taken to a formal panel for design review.

3.50 The new development has been designed to make a positive contribution to the public realm and sense of place, to create an attractive, safe, inclusive and healthy environment and to reinforce value local characteristics. The proposals results in economic, social and environmental gains and constitute a sustainable form of development. Please see the supporting Design and Access Statement for a detailed assessment.

3.51 The above matters have also been assessed in more detail under Part 5 of this Policy Assessment - South Derbyshire Design Guide SPD 2017.

3.52 Policy INF8: The National Forest criterion B states:

Within the National Forest all residential schemes over 0.5ha and industrial, commercial and leisure developments over 1ha will be expected to incorporate tree planting and landscaping in accordance with National Forest Planting Guidelines.

Landscaping will generally involve woodland planting, but can also include the creation and management of other appropriate habitats, open space provision associated with woodland and the provision of new recreational facilities with a woodland character. The appropriate mix of landscaping features will depend upon the setting characteristics, opportunities and constraints that individual sites present. The District Council recommend that early discussions are held with the National Forest Company. Further information is available from the National Forest Company's Guide for Developers and Planners.

- 3.53 This National Forest policy requirements remain largely unchanged and as previously advised the proposals include in excess of 20% of the site to be soft landscaped and incorporate tree and hedgerow planting (27.5%). Please see the supporting soft landscaping drawing for further details.

- 3.54 Policy SD3: Sustainable Water Supply, Drainage and Sewerage Infrastructure states at criterion:

A v) that this includes 'Ensuring that all relevant developments within the catchment of the River Mease, support the delivery of the River Mease Water Quality Management Plan in order to improve the quality of the River Mease Special Area of Conservation'; and

A vi) New development within the catchment will only be allowed where there is sufficient headroom capacity available at the named/identified Wastewater Treatment Works to which flows from the development will go; and the proposed development will not cause an adverse effect on the integrity of the SAC where appropriate, the provision of bespoke mitigation measures or contribution to any future strategic mitigation scheme should be made; and

C Where there is no headroom capacity available at appropriate wastewater treatment works; or no capacity available within the Developer Contributions Scheme in operation at the time; or exceptionally, as part of the development, developers should propose a bespoke mitigation package to avoid an adverse effect on the River Mease SAC with the agreement of the Environment Agency. Development will only be allowed where it is demonstrated that the proposal, on its own and cumulatively with other built and permitted development, will not have an adverse impact, directly or indirectly, on the integrity of the River Mease SAC.

- 3.55 The application is supported by a River Mease Impact Assessment which following a detailed assessment concluded that the proposal will have no adverse effects on the integrity of the SAC with appropriate mitigation. The proposals are therefore in accordance with emerging policy SD3.

- 3.56 Policy S3: Environmental Performance states:

The Council will support developers in bringing forward more sustainable homes and commercial properties by supporting the Government's drive towards improved housing standards including in respect of access, space standards, security, water and external waste storage where specific justification exists for seeking higher standards locally than set out in Building Regulations.

The Council will work collaboratively with developers, and other organisations wishing to bring their own environmental or social sustainability standards to market for utilisation on a voluntary basis.

- 3.57 The application is supported by an Energy Statement, which sets out sustainability and energy saving measures and renewables to be incorporated into the development and demonstrates that higher standards than that required by existing Building Regulations are achieved. Please see the supporting Energy Statement for further details.

5. South Derbyshire Design Guide SPD 2017

- 3.58 The South Derbyshire Design Guide SPD 2017 sets out the Design Principles for new residential development. The framework of the SPD is set around the various design criteria set out in both adopted and emerging Policy BNE1.

3.59 BNE1a - Community Safety

The scheme has been designed to ensure there are active frontages to key elevations. Windowless elevations to key areas have been avoided. Properties are fronted onto highways including the public right of way which passes through the site. Street lighting will be designed to the Highway Authorities standards. Parking is generally within curtilage, plots 7-10 have frontage parking which is overlooked. There is clear demarcation proposed between public and private areas, through boundary treatment or landscaping.

3.60 BNE1b - Street Design & Legibility

The street pattern is very simple with a cul de sac off Valley Road. A small number of properties are served off private drives. The scheme will link to the existing public rights of way that runs north-south through the western part of the site.

The proposals include 2m wide footways being extended along either side of the site access carriageway to the junction. A new section of 2m wide footway will be constructed along the Valley Road as it fronts the site, tying into the existing footways and the existing layby will be closed providing an unbroken link along the southern edge of the road. Dropped kerbs with tactile paving units will be provided at the site access to facilitate pedestrian crossing. As well as providing pedestrian access to and from the site, this enhanced provision will provide a general betterment of the public realm for all users, and local residents.

Connections are proposed to the public rights of way, which will be retained along their definitive routes and incorporated into the significant areas of landscaping within the scheme. All relevant highway standards will be achieved.

Car and cycle parking within the site will be provided in accordance with the standards contained in South Derbyshire Design Guide as follows:

- a minimum of two spaces per dwelling for three or below bedroom houses.
- three spaces per dwelling for four or more-bedroom houses.

The parking spaces do not include garage spaces and shall be provided in addition to garage provision.

The local pedestrian network is good, with footways and street lighting along the main desire lines. There are signal controlled pedestrian crossings at on the A444, the main road through the village, north of the site at the crossroads with Lullington Road and Woodville Road.

There are two bus services passing through the village, offering hourly services between Overseal and Burton on Trent, Ashby de La Zouch and Swadlincote. The nearest bus stops are within 400m walking distance of the whole site.

3.61 BNE1c - Diversity and Social Cohesion

There will be a single character area; this is a relatively small development of 31 dwellings. Affordable housing is included within the scheme including affordable rented and shared ownership tenures; its design will be indistinguishable from the design of the market houses.

Land on the western side of the site will contain green and blue infrastructure for local residents and users of the local public footpath network.

3.62 BNE1d - Ease of Use

This small scheme has a simple highway framework, which provides for ease of access with pedestrian crossing points being provided in key locations. All properties are built to be flexible to the changing needs of their owners/ occupiers.

The buildings are designed and orientated to ensure that good levels of natural light are achieved, particularly to habitable rooms. Plots are provided with good levels of outdoor private amenity space and have easy access to the local footpath connections, including to the existing public rights of way. All plots are provided with safe and secure cycle parking and space to store waste bins in accordance with the Councils standards and Building Regulations. An electric charging point is also provided to each plot.

3.63 BNE1e - Local Character and Pride; and BNE1g - Visual Attractiveness

A high quality development is proposed both in relation to the dwellings themselves plus the landscaping areas. A landscape led approach has been adopted, respecting the sites edge of settlement and National Forest location with significant areas of landscaping being proposed. Frontage trees have also been incorporated to further soften the development.

The proposed materials and architectural details have been carefully selected to ensure that the development is in keeping with the local character of the area, whilst also providing a sense of place.

3.64 BNE1f - National Forest

The area of woodland and scrub to the south has been excluded from the application site. It will be retained. Existing trees on site will be retained, as will the majority of the boundary hedges. The hedge to Valley Road will need to be removed to ensure the widening of Valley Road and the provision of a footway. There will be additional tree and hedge planting proposed, resulting in biodiversity net gain.

Importantly at 27.5% the proposals provide significant areas of landscaping in excess of the required 20% for residential developments between 0.5 hectares and 10 hectares. The proposals also retain the public rights of way along their definitive alignment and provide connectivity from the site to these local footpaths networks, including the National Forest path. A SUDS pond is also incorporated into the proposals and in

additional to providing a sustainable form of drainage for the site will result in biodiversity net gains.

3.65 BNE1h - Neighbouring Uses and Amenity

The new properties are located away from existing properties to the north, which are at an elevated level, and the rear elevations of properties on Squirrel Walk. Distances accord with the standards set out in the table on page 70 of the SPD.

There are no adverse impacts arising from overlooking or overshadowing. The street lighting will be designed to the standards established by the Highway Authority. There are no adverse impacts on existing properties.

3.66 BNE1i - Cross Boundary Collaboration

The entire site is located within South Derbyshire. The site is approximately 1.25 km away from the District boundary with North West Leicestershire District Council.

3.67 BNE1j - Healthy Lifestyles

The site is well located to the existing sport and leisure facilities in Overseal. It is immediately adjacent to two public rights of way, which give easy access to countryside walks and into the National Forest. The site is also close to public transport links. There are two bus services passing through the village, offering hourly services between Overseal and Burton on Trent, Ashby de La Zouch and Swadlincote. The nearest bus stops are within 400m walking distance of the whole site. All properties will be provided with safe and secure cycle parking. All properties are also provided with private outdoor amenity space.

The large recreation ground located to the rear of the village hall is located approximately 700m walk away from the site (8-10 minute walk), which offers a range of recreational facilities including football pitches, and a multi user games area and playground.

3.68 BNE1k - Resource Use

Peveril Homes will provide a Construction Management Plan which will incorporate a Waste Management Plan. Construction materials will be sourced locally where practical. Each property will have a dedicated area for refuse bins.

Properties will have water minimisation features as standard and heat pumps.

Gas is not proposed at the site and instead power will be electric. Properties will be fitted with PV panels and/or air source heat pumps. All properties will also have an electric charging point and safe and secure cycle storage.

A sustainable urban drainage system is also proposed.

3.69 The above assessment against each of the design criteria demonstrates that the proposals are consistent with the design guidance set out in the SPD and a high quality sustainable development will be delivered at the site. Please also see the Design and Access Statement for further details.

SECTION 4: PLANNING OBLIGATIONS STATEMENT

4.1 Planning Obligations A Guide for Developers and Applicants SPD was adopted in November 2024.

4.2 Planning obligations cannot be considered a reason to grant planning permission unless they meet the tests laid out in Regulation 122 of the Community Infrastructure Regulations 2010 (as amended), that they are:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

4.3 The South Derbyshire Local Plan Part 1 Policy INF1 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:

i. Already in place, or

ii. There is a reliable mechanism in place to ensure that it will be delivered in the right place, at the right time and to the standard required by the Council and its partners.

4.4 In accordance with the Development Plan, including the Planning obligations SPD, it is anticipated that the proposed development for 31 dwellings and associated highway, drainage and landscape infrastructure on the 1.3 hectare site off Valley Road in Overseal will incorporate a Section 106 Agreement that may include the following:

- **30% provision of affordable housing on site.** However, it should be noted that a 40% provision in line with emerging local plan policy H21, is proposed for this development, which the Applicant is happy to be secured in the legal agreement.
- **On site provision of Public Open Space and SUDs.** A total of 0.3629 hectares of on-site open space is proposed. The Planning Obligations SPD refers to 34.5 square metres per person of open space is expected, which taking an average occupancy rate of 2.4 people gives a requirement of 82.8 square metres per dwelling. The proposals are for 31 dwellings therefore the total open space requirements for the development is 2,566.8 square metres. The proposals include 3,629 square metres, which is in excess of the SPD requirement. To be supplemented by off-site contributions to existing recreational facilities if deemed necessary, directly related and reasonable.
- **Outdoor Sports Facilities.** Consultation with the Council's Open Space Team will take place as part of the application process which will determine the position in relation to outdoor sports facilities in the locality. This will ascertain whether or not an outdoor sports facilities contribution is deemed necessary, directly related and reasonable for this proposed development.

- **Biodiversity Net Gain.** The BNG Metric demonstrates that the proposals can achieve a 10.56% net gain on site, which is in accordance with the Mandatory Statutory requirement of 10%. Potential further enhancement off site and/or via financial contributions to also be explored through the application process.
 - **Education.** Consultation with the Local Education Authority will take place as part of the application process which will determine the position in relation to the capacity of educational facilities in the locality. This will ascertain whether or not an education contribution is deemed necessary, directly related and reasonable for this proposed development.
 - **Healthcare.** Consultation with the Derby and Derbyshire Integrated Care Board (DDICB) will take place as part of the application process which will determine the position in relation to the capacity of healthcare facilities in the locality. This will ascertain whether or not a healthcare contribution is deemed necessary, directly related and reasonable for this proposed development.
 - **National Forest.** In accordance with Policy INF8, in excess of 20% of the development area to be woodland planting and landscaping 0.3629 hectares provision of a total 1.3197 hectare site. Therefore in this instance a financial contribution is not required.
 - **Cemeteries.** The Planning Obligations SPD refers to £128.16 per person being secured to provide and maintain burial space to service the new developments. Taking an average occupancy rate of 2.4 people gives a requirement of £307.584 per dwelling. The proposals are for 31 dwellings therefore the total potential cemetery contribution for the development is £9,535.10 (if deemed necessary, directly related and reasonable for this proposed development).
 - **River Mease.** The site falls with the River Mease Special Area of Conservation and as such the application is supported by an River Mease Impact Assessment. Consultation with the Environment Agency will take place as part of the application process which will determine the position in relation to the River Mease. This will ascertain whether or not mitigation measures or a contribution is deemed necessary, directly related and reasonable for this proposed development.
 - **Library Contribution.** Consultation with the County Council will take place as part of the application process which will determine the position in relation to library facilities in the locality. This will ascertain whether or not an education contribution is deemed necessary, directly related and reasonable for this proposed development.
 - **District Council Monitoring Contribution Fee** of £1,000 in accordance with the Planning Obligations SPD.
- 4.5 During the consultation period of the consideration of the planning application the Section 106 requirements for this proposed development will be identified and discussed.
- 4.6 The Applicant will work positively with the Council to ensure that a Section 106 Agreement is prepared and completed in a timely manner to secure all provisions that have been demonstrated are necessary, directly related and reasonable for this proposed development.

SECTION 5: SUSTAINABLE DEVELOPMENT

- 5.1 Paragraph 8 of the NPPF sets out the three overarching objectives in the achievements of sustainable development.
- 5.2 The development proposals need to be assessed within the context of the Development Plan and other relevant guidance as set out in the previous section and also other material considerations which assist in the justification of the grant of planning permission.
- 5.3 Overseal is a Key Village in the South Derbyshire settlement hierarchy. It has a wide range of everyday facilities and services for local people to use.
- 5.4 Overseal has witnessed some recent growth following the allocation of two sites in the South Derbyshire Local Plan Part 2. Both sites were built out and fully occupied.
- 5.5 The application site lies immediately adjacent the settlement boundary. The site is well contained with existing housing on two sides, vegetation to the south and a public footpath and hedge to the west. It is a natural extension to Overseal. There are no promoted sites within the settlement. Without development adjacent the settlement boundary there will be no housing opportunities for local people.
- 5.6 The proposal will deliver 12 much needed affordable homes with 2 and 3 bedrooms and a mix of affordable rented and shared ownership tenures. This equates to a 40% of the total number of dwellings on the site being affordable, which is betterment to the Local Plan 30% requirement.
- 5.7 The supporting Energy Statement sets out the sustainability and energy saving measures and renewables to be incorporated into the development and demonstrates that higher standards than that required by existing Building Regulations are achieved.
- 5.8 Extensive areas of landscaping incorporating additional tree and hedgerow planting, delivering biodiversity gains, are proposed. The National Forest requirements are delivered on site. The public rights of way that run through the site are incorporated within the landscaping areas and are retained along their definitive routes, with direct connections being proposed from the development, promoting healthy lifestyles and recreational opportunities.
- 5.9 Economically, during the construction period jobs will be created and once occupied there will be 31 additional households benefiting the local economy.
- 5.10 The properties are of high quality design that can be adopted to the changing needs of the occupants over time; and will not adversely affect the amenity of existing residents.
- 5.11 There are no technical issues associated with the development; the site is not located within an area of flood risk and incorporates a sustainable drainage system (that also delivers ecological benefits), would not adversely affect the River Mease Special Area of Conservation, and ensures that a safe access point is provided and that the additional dwellings can be accommodated within the local highway network.
- 5.12 The below table summarises the above, demonstrating that there are significant benefits to this proposal. There are no adverse impacts that would significantly and demonstrably outweigh the benefits associated with the development. It represents Sustainable Development and paragraph 11 is engaged.

Table 5: Achieving Sustainable Development

Objective	Potential Benefits	Potential Adverse Impacts
<u>Economic</u>	- Construction jobs will be created. The Economic Footprint of UK House Building (Nathaniel Lichfield) indicates that each house will create 1.2 jobs. Hence 31 dwellings could create 37 jobs. - Ratable income will be received by the Council to invest in the community - Increased spending in the local economy will result from the increased population	None
<u>Social</u>	- Increase vitality and viability in Overseal - Market Housing will be provided in a location where there is known demand. - Affordable Housing will be provided at a time when there is a shortage in the Borough. 40% affordable housing is provided which reflects emerging policy. - Retention of existing public rights of way and increased connectivity to them enhancing recreational opportunities. - Significant areas of on-site open space provided	None
<u>Environmental</u>	- Enhanced biodiversity will arise within the site as a result of the development, delivering in excess of the 10% net gain mandatory requirement. - Sustainable form is drainage system is proposed. - No adverse impacts on the River Mease Special Area of Conservation - Additional tree and hedgerow planting - Incorporation of sustainability measures, energy saving and renewables at each plot achieving higher standards than that required by existing Building Regulations.	The site is well contained but there will be a low level of impact on the localised countryside

SECTION 6: CONCLUSION

- 6.1 The development proposals need to be assessed within the context of the Development Plan and other relevant guidance as set out in the previous section and also other material considerations which assist in the justification of the grant of planning.
- 6.2 Overseal is a sustainable location and identified as a Key Service Village within South Derbyshire. The two allocated housing sites within Overseal were completed and occupied some time ago and there are no other sites coming forward.
- 6.3 This site is located immediately adjacent to the defined settlement framework boundary and has existing residential development to the north and east and hence represents a logical extension to Overseal that will have minimal impact on the countryside.
- 6.4 Whilst it is acknowledged that the proposals are for just over the stated 25 dwellings, it is considered that the development should be considered in accordance with policy H1 and therefore the proposals being acceptable in principle.
- 6.5 The proposals would deliver a mix of 2, 3 and 4 bedroom, detached and semi-detached high quality and sustainability constructed properties, situated within a landscape led scheme that respects its edge of settlement position.
- 6.6 The development will deliver 40% of the total number of dwellings as affordable homes, which reflects the higher emerging percentage requirements.
- 6.7 The on-site landscaping proposals ensure that the National Forest requirements and BNG requirements are complied with and are actually exceeded.
- 6.8 All technical requirements and standards, including importantly drainage and highways, have been full complied with and there are no technical issues associated with the proposals.
- 6.9 This Statement has demonstrated that the proposals are in accordance with the Local Plan Parts 1 and 2, the Design SPD and the Planning Obligations SPD, plus the NPPF.
- 6.10 This Statement also demonstrates that the proposal represents sustainable development when tested against the three planning objectives set out in paragraph 8 of the NPPF.
- 6.11 Peveril Homes Limited is a locally based regional house builder with a proven track record of delivery of high quality developments and homes.
- 6.12 In conclusion the proposal represents a sustainable form of development. There are no adverse impacts relating to this development that would significantly and demonstrably outweigh the benefits. Indeed, if permission is forthcoming then there are significant benefits that will arise from the development as set out in this Statement. The Council is therefore requested to grant planning permission for this sustainable development.