

NEWHALL AREA MEETING

**AGENDA
AND
REPORTS**

TUESDAY, 11TH NOVEMBER 2003

**ROWLAND MEMORIAL METHODIST
CHURCH COMMUNITY HALL,
JAMES STREET,
MIDWAY**

7.00 p.m.



South Derbyshire District Council

Policy and Economic Development

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SOUTH DERBYSHIRE DISTRICT COUNCIL

NEWHALL AREA MEETING

(Covering Midway, Newhall and Stanton)

**Meeting to be held at
Rowland Memorial Methodist
Church Community Hall,
James Street,
Midway
on Tuesday, 11th November
2003
at 7.00 p.m.**

(Light Refreshments will be available at 6.30 p.m.)

Members:

District Councillors: Councillor Mrs. Mead (Chair), Councillor Richards (Vice-Chair) and Councillors Bambrick, Dunn, Mulgrew and Wilkins.

County Councillor: Councillor Routledge.



BUSINESS

Ordinary Business

1. Apologies for absence.
2. To note the Minutes of the Meeting held on 12th August 2003 (copy herewith).
3. Chair's Announcements (if any).
4. Report back on issues progressed since the last Meeting.

5. Public Question Time and suggestions for future local discussion items.
6. Date of next Meeting – Wednesday, 28th January 2004 at Stanton Village Hall.

Community Items

7. Presentation on the Local Improvement Finance Trust (LIFT) Project – Mr. S. Elliott, Assistant Director, Commissioning Service Improvement, Derbyshire Dales and South Derbyshire Primary Care Trust.
8. Draft Revision of Supplementary Planning Guidance: Housing and Design.

NEWHALL AREA MEETING

12th August 2003

PRESENT:-

District Council Representatives

Councillor Mrs. Mead (Chair) and Councillors Bambrick, Dunn, Mulgrew, Richards and Wilkins.

T. Neaves (Chief Finance Officer), S. Batchelor (Community and Leisure Development Manager), N. Betteridge (Democratic Services Officer) and B. Jones (Helpdesk).

Member of Parliament

Mr. M. Todd, M.P.

Members of the Public

M. Adams, P. Bambrick, M. Biddle, T. Biddle, A. Blyth, M. Coulson, M. Dent, M. Dunn, I. Fern, L. Gadsby, C. Gillespie, W. Greenfield, G. Hall, J. Hansford, D. Hardwick, M. Hardwick, A. Heath, D. Heath, R. Holden, R. House, R. Hughes, T. Leech, C. Maddock, D. Mansfield, E. Orpwood, C. Paling, M. Perry, M. Richards, P. Thompson, E. Tunnicliff and B. Woods.

NA/1. **APPOINTMENT OF CHAIR**

The Meeting noted the appointment of Councillor Mrs. Mead as Chair of the Area Meeting at the Annual Council Meeting.

NA/2. **APOLOGIES**

Apologies for absence from the Meeting were received from County Councillor Routledge, the Derbyshire Constabulary and Mr. W. Parker.

NA/3. **APPOINTMENT OF VICE-CHAIR**

It was agreed that District Councillor Richards be appointed Vice-Chair of the Area Meeting for the remainder of the municipal year.

NA/4. **MINUTES**

The Minutes of the Area Meeting held on 5th February 2003 were noted.

Residents were advised of progress on several issues contained in the Minutes which had been pursued by County Councillor Routledge. With regard to the HGV restriction signs on the A444, additional large restriction signs indicating "7.5 tonne - 1 mile" had now been erected on this road.

There was the possibility of a mini-roundabout at the junction of the A511/Wood Lane, Newhall on a trial basis if funds became available. If the trial period was unsuccessful, further alternatives would be considered, possibly traffic lights.

With regard to road humps, it was hoped that future road humps installed would be constructed from tarmac, rather than the premoulded type.

The issue of street lighting at Matts Yard was still on the list for future consideration if the necessary funds became available.

Finally, the landfill site at Newhall Tip was due to finish during late September 2003 before capping in October. However, the Civic Amenity Site would remain open until after this date.

NA/5. **CHAIR'S ANNOUNCEMENTS**

The Chair invited the Chief Finance Officer to address the Meeting in connection with the recent installation of new shelters at Swadlincote Bus Station. Mr. Neaves advised that following works by Derbyshire County Council to install new shelters at the Bus Station, maintained by the District Council, there had been several complaints relating to reinstatements together with reports of several accidents. During the morning of 12th August 2003, a meeting had been held between Officers of the District and County Councils and the following action by the County Council and its contractors had been agreed:-

- (a) The unacceptable reinstatements around the old bus shelter posts would be made safe immediately by the contractor who demolished the old shelters. Any remaining small variations of level which may present a trip hazard, especially to older people, would be marked in yellow paint so that they were readily visible.
- (b) The "new shelter" contractor would visit the site on 14th August 2003 to make good the reinstatements around the posts to the new shelters.
- (c) The main obstacle to the completion of the work to the shelters related to the completion of repairs to electrical cables underneath the shelters for shelter lighting. Unfortunately, the electricity company could not undertake this work for three to four weeks.
- (d) When this work had been completed, the County Council would resurface all the area around the shelters so that the patchwork of the reinstatements was made good. At that time, a decision would also be made on whether seats would be provided as well as the "perch" currently in the shelters. The County Council also intended to install a fence between the shelters and the car park to protect pedestrians from parked cars and prevent cars from overhanging the footpath next to the shelters.
- (e) All claims from the public for accidents during this period would be handled by the County Council via the contractor.

The District and County Councils had worked together to improve the facilities at the Bus Station and it was regrettable that this unsatisfactory situation had developed. However, the District Council had now received the above assurances that should ensure that the improvements would be satisfactorily completed as soon as possible.

NA/6. **PUBLIC QUESTION TIME AND SUGGESTIONS FOR FUTURE LOCAL DISCUSSION ITEMS**

A resident referred to the forthcoming closure of the landfill site at the Newhall Tip and queried the site at which refuse would then be disposed. The Chief Finance Officer confirmed that the main disposal site would be at Raynesway in Derby and the Derbyshire County Council had agreed to meet the reasonable additional costs. The new site at Moira would be ready next year so the use of Raynesway was only on a temporary basis. It was noted that the disruption to properties in the vicinity of the site at Newhall associated with the refuse disposal site should cease after September and the site would then be landscaped in due course.

It was reported that barriers had not yet been erected around Fairmeadows School at Newhall to prevent access by motor cycles. Arising from this matter, a resident advised that the area of the proposed new golf course was now in regular use by motor cycles. The matter had been reported regularly to the police and it was understood that repairs to a hedge would be undertaken shortly, which should alleviate the problems. It was noted that the land was in the ownership of UK Coal and the District Council's Community and Leisure Development Manager advised that under the Crime and Disorder initiative, an anti-social active team had been formed which was currently considering ways to reduce problems caused by motor cycles in the area.

District Councillor Mulgrew expressed serious concern at the recycling scheme introduced in Upper Midway. He felt that the scheme was not operating effectively as the normal refuse bins were only collected once per fortnight and this had led to unpleasant smells and other associated problems. Accordingly, he felt that the scheme required reconsideration by the District Council and intended to raise the matter further at the earliest opportunity.

A resident referred to a particular hedgerow along Park Road, Newhall which required cutting back and it was understood that the area concerned was to be identified to the County Highways Authority at a site meeting on 13th August 2003.

Reference was made to the barrier on the barrier controlled car park at the Civic Offices, Swadlincote being vandalised and subsequently repaired on a regular basis and the District Council's Chief Finance Officer advised that the repair cost was covered under the Council's Insurance Policy. Other items of repair undertaken by the District Council were often part of a programmed repair scheme.

The current status of the Memorial Hall at Newhall was discussed as it was claimed that the plaque confirming that the premises had been donated to the people of Newhall had recently been sandblasted. This would be pursued to ascertain the current situation.

A resident referred to damage to a new fence erected on a Council dwelling and queried whether regular inspections could be undertaken to ensure that properties were maintained in a satisfactory condition. The Chief Finance Officer advised that over a period of ten years, properties were expected to be brought up to a required standard and generally, the District Council's

dwellings were in a fairly good condition in comparison to other similar authorities. District Councillor Wilkins confirmed that a decision had been made that Officers should adopt a proactive approach to inspections and if residents advised the authority of any incidents of damage, the matter would be pursued.

In response to a query at the need for notice to be given of questions to be asked at Council Meetings, the Chair advised that this procedure enabled an accurate response to be prepared for the benefit of the questioner.

A resident expressed concern at internal improvements being made to Council dwellings when not necessarily required. The Chief Finance Officer advised that a survey of the Council's housing stock had been undertaken to ascertain repair needs and repairs were undertaken as part of a scheduled programme which was the most cost effective method. It was cheaper to undertake repairs in an entire area rather than undertake repairs to single houses as necessary in due course. A resident considered that if not required at the time, the funds allocated for the improvements could be spent on other more pressing needs but the Chief Finance Officer advised that the funds to repair Council homes were allocated by the Government specifically for that purpose.

A resident advised that vehicles were still parking on the bend at Robinsons Road, Newhall, considering that an accident at this location was inevitable and the police would again be requested to monitor this situation.

The Council Tax collection rate was discussed and it was reported that the District Council was positioned in the top 25% in the Country with a collection rate of 98.5%. This was considered to be a very efficient level and non-payers were pursued with legal proceedings, if necessary. The Chief Finance Officer advised that although the District Council collected the Council Tax, only approximately 15% was retained for the District Council's services, with approximately 15% being forwarded to the Police Authority and the remainder to the County Council.

In response to a query on the detection of any fraudulent claims within the District Council, the Chief Finance Officer advised that a team of internal auditors was in place to provide the necessary checks and balances.

A resident queried whether the District Council was meeting its recycling targets. The Chief Finance Officer confirmed that the Council had difficult targets to meet and if necessary, could review the speed with which recycling facilities were being emptied in certain areas or review the level of facilities at any particular location. In this regard, a resident considered that the facilities situated within the Jacksons Supermarket at Newhall required reviewing.

A resident referred to the dangerous condition of the highway at the bottom of Coronation Street, Swadlincote and it was hoped that it would be resurfaced upon the completion of the nearby residential development.

It was suggested that a presentation could be made to a future Meeting on the South Derbyshire Local Plan, which was currently the subject of a Public Inquiry.

District Councillor Richards advised that he had been requested to raise a current problem involving properties at the Fairways, Newhall, which were occupied mainly by elderly and disabled residents. The residents maintained their own lawns but children were causing problems by playing ball games on the lawns and there had also been dog fouling in the area. The Chair advised that she had also raised the matter with the Housing Department.

NA/7. **DATE OF NEXT MEETING**

It was reported that the date and venue of the next Area Meeting would be confirmed in due course.

NA/8. **BUDGET CONSULTATION**

A verbal report was made by Mr. T. Neaves, the Council's Chief Finance Officer who reminded residents that for the last two years, the Council had tried to seek the views of local people on spending priorities. Whilst resources were limited, the Council sought to allocate some new monies each year to deliver service improvements. It wanted to ensure that these resources were used to reflect the priorities of local people. Last year, the consultation had identified four main priorities, being economic development, caring for the environment, providing Best Value services and "managing our business". These were supported by secondary priorities of providing decent homes, community and leisure development, leading the community and supporting the National Forest. This year, the Council was trying to gather further information and residents were asked to complete a short questionnaire to provide feedback.

NA/9. **COMPREHENSIVE PERFORMANCE ASSESSMENT**

A presentation was made by Mr. T. Neaves, the Council's Chief Finance Officer. He advised that the Comprehensive Performance Assessment was effectively a successor to Best Value. It was a Government initiative to help councils find out what the public wanted, to focus on the community's priorities and to improve services. The Council had produced a self assessment and was now asking people what they thought. It had identified some issues that the Council thought should be its priorities, called "key challenges". An external group had been asked to challenge the self assessment and this was known as a "Peer Challenge". The key corporate challenges were to agree with the community a shared vision and then deliver that vision through high quality, customer-focused services. The Council needed to manage its resources effectively, to listen and respond to its customers and improve service quality. It would be required to produce plans that delivered the improvements. The Peer Challengers felt that the Council was soundly managed and pragmatic. It was improving in many areas with a "can do" culture and making a difference to the people of South Derbyshire. However, the Council needed a more strategic focus and to act with greater confidence. A questionnaire had been circulated prior to the Meeting and residents were asked to complete and return it at the end of the Meeting.

NA/10. **OVERVIEW AND SCRUTINY**

It was reported that, as part of a local government review, a Scrutiny process had been introduced to District Councils. The arrangements in South

Derbyshire had been praised and were considered an example for other authorities in the East Midlands. A leaflet had been circulated to provide further information about the Scrutiny process. In South Derbyshire, it was delivered by an Overview Committee, supported by two Scrutiny Committees for Corporate and Community Services. The Chief Finance Officer expanded on the functions performed by the Scrutiny Committees and encouraged residents to attend the Meetings.

NA/11. **CRIME AND DISORDER PARTNERSHIP UPDATE**

The Area Meeting received a presentation by Stuart Batchelor, the District Council's Community and Leisure Development Manager. By way of background, Mr. Batchelor outlined the duties introduced by the 1998 Crime and Disorder Act, including the establishment of local partnerships and the production of a crime audit and strategy every three years. The strategy for 2002-05 contained a mixture of priorities from Government, public service agreement and local targets. Mr. Batchelor spoke of the staffing and financial resources available to the Partnership and gave examples of the initiatives undertaken from covert police operations to partnership working, crime reduction projects to sports and arts development. Statistics were provided which showed the success of the Partnership, particularly in relation to house burglary and auto crime. In Newhall, a 60% reduction had been achieved in house burglary rates. Previously, Newhall had been the highest burglary area in the District. The Partnership's future proposals included the establishment of a Community Police Office in Newhall, making use of CCTV and establishing mediation services. Other target areas were reducing domestic abuse, a home security project and establishing local crime reduction groups, through Neighbourhood Watch. The disposal of abandoned vehicles, providing a BMX/ skateboard park and environmental improvements were further objectives. Discussions were also ongoing regarding improvements at Newhall Park.

Residents expressed concern at the regular unruly gatherings on Newhall Park which required litter-picking afterwards.

MRS. J. MEAD

CHAIR

The Meeting terminated at 8.35 p.m.

SOUTH DERBYSHIRE DISTRICT COUNCIL

NEWHALL AREA MEETING

(Covering Midway, Newhall and Stanton)

11th November 2003

REPORT BACK ON ISSUES RAISED AT THE LAST MEETING

At the last meeting held on 12th August 2003 at The Old Post Centre, High Street, Newhall, a number of issues were raised. These issues are listed below, together with progress made to date:-

ISSUES	PROGRESS	RESPONSIBLE OFFICER
1. Recycling Scheme in Upper Midway.	Compost Scheme Review Working Panel established by the Environmental and Development Services Committee on 21st August 2003 to consider current refuse collection service delivery issues and to investigate options to address them.	Paul Evans Waste & Cleansing Manager Tel: (01283) 595764
2. Overgrown hedgerow along Park Road, Newhall.	Hedgerow now cut back.	County Highways Authority Tel: (01629) 580000
3. Status of Newhall Memorial Hall.	Title deeds show that the premises were purchased by Derbyshire County Council from the Earl of Caernarvon and his Trustees on 7th January 1922 for £800. There are no restrictions in the title and there has been no change in the status or usage. The name of the premises has now been changed to "Newhall Support Centre" and the sign outside the building has been changed to reflect this.	Estates Officer Derbyshire County Council Tel: (01629) 580000
4. Recycling Facilities	From the beginning of October, the contractor has had the benefit of a new vehicle with a larger capacity. The frequency of collections has also changed and an ongoing review is currently considering increased signage to local centres.	Gillian Coates Recycling Officer Tel: (01283) 595783

ISSUES	PROGRESS	RESPONSIBLE OFFICER
5. The Fairways, Newhall – Ball games and dog fouling.	Sign to be erected on the car park advising that children should not play on the car park for their own safety. The owners of properties have been contacted relating to dog fouling and no further complaints have been received. Branches on a nearby tree have been removed to discourage climbing activities.	Karen Talbot Tenant Liaison Officer Tel: (01283) 595870

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DRAFT REVISION OF SUPPLEMENTARY PLANNING GUIDANCE:
HOUSING AND DESIGN

Supplementary Planning Guidance (SPG) is used by Local Planning Authorities to add detail to, and aid in the application of, policies contained in the Local Plan. The Council is required to consult widely as to the format and content of such guidance prior to adoption, in order to ensure that the guidance will carry weight when applied either in the determination of planning applications or as a material consideration set before inspectors on appeal. SPG's are a material consideration when applications are considered.

This SPG, which has formed the basis on which planning decisions have been taken by the Council for a considerable time, requires revisions due to the relatively recent publication of a revised Planning Policy Guidance Note No. 3 on "Housing". The basic thrust of the PPG is that new development should be located within urban areas, wherever possible, and in sustainable locations, wherever possible and have a particular regard to local distinctiveness.

The PPG also places greater insistence, at the local level, that new housing layouts should be more intensive, in terms of the number of houses per hectare, and that there should be a higher quality of design and layout promoted both by Local Planning Authorities and site developers. The draft SPG seeks to interpret this and to direct developers towards a form of layout that is likely to be acceptable to this Council. However, the draft SPG moves away from the traditional stance of the Council, whereby it has sought to ensure that the spaces about and between dwellings are at a set level, to a position where only existing dwellings are protected from intrusive and over bearing forms of new development. This would have the effect of allowing developers within new housing areas to accommodate a larger number of houses whilst freeing them to come up with innovative and interesting designs whilst maintaining existing standards for the occupiers of existing dwellings.

Additionally, the draft SPG reflects the stance of the PPG and the latest revision to the Local Plan in promoting lower levels of car parking provision for each new dwelling. This reflects the government's intention to reduce the reliance on the private motor vehicle.

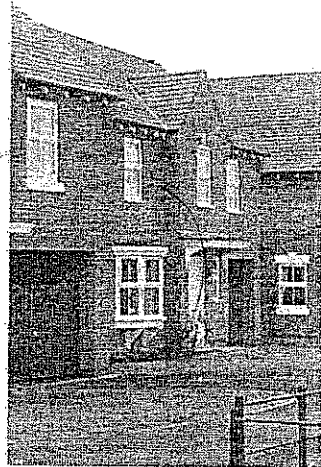
The Council would welcome any comments on the draft guidance within 28 days of today addressed to The Planning Services Manager.

Should you require help with any technical detail set out in the document please contact Tony Sylvester on 01283 595743.

South Derbyshire District Council



Planning Services



**Housing
Design
& Layout**

supplementary planning guidance

Purpose of the Guidelines

The Supplementary Planning Guidance (SPG) has been prepared in accordance with the requirements of Policy 11 of The South Derbyshire Local Plan (Policy ENV 21 of the reviewed Local Plan). It updates the previous SPG and has specifically been amended in light of the advice of the revised Planning Policy Guidance Note (PPG) No.3 on "Housing" and the advice contained in PPG 13 "Transport".

The advice is intended to act as a guide to the design and layout of all new housing. Where new housing is proposed next to existing dwellings, the advice has particular regard to the protection of the amenity of the people who already live there.

This guidance will be applied along side all relevant policies of the Development Plan and any changes made to the Development Plan. In all cases the policy advice contained in the Plan will be the most important.

Introduction

Satisfactory design in residential development can only be achieved when the particular character of a site and its surroundings have been assessed fully and taken into account in the proposed design and layout. This assessment is now a requirement placed on housing developers by PPG3 and this Council considers the assessment of a site essential in view of the diverse character of the District. PPG3 also requires that the detailed design and layout of housing should be attractive and assist in promoting a sense of place. The Council will seek to ensure that new housing development, in terms of its detailed design, respects the best of the traditional design of South Derbyshire and promotes local distinctiveness. Poor, unimaginative designs will be resisted.

This leaflet provides general guidance on the form of new residential development. However, the Council acknowledges that in certain cases, for example in historic environments, some modification of these guidelines is necessary to reflect the particular character of such areas.

Experience shows that the most successful new developments will be those where there has been a dialogue between the Council and the designers prior to the submission of a formal application. The Council encourages this approach.

Other factors will also influence the final form of the development. These may include the need to provide a particular form of housing or a specific requirement of the building regulations. The Council acknowledges this. However, the overriding aims of the Council are:

- (i) to ensure the productive use of previously developed land,
- (ii) to achieve a pleasant environment in which to live that respects the character of the area in which it is situated,
- (iii) safe, functional, convenient and appropriate layouts,
- (iv) reasonable levels of amenity for occupants of existing and new dwellings,
- (v) appropriate levels of amenity around dwellings including the provision of areas of public open space and landscaping, and,
- (vi) Safeguards to ensure new development on adjoining sites is not unnecessarily prohibited.

The Guiding Principles

The Council is aware that it is national planning policy that new housing development should be directed towards existing settlements and, where it is possible, should seek to ensure the use of previously developed land.

These aims are the main planks of the government's programme of sustainable development. This Council welcomes those aims and will, wherever possible, ensure they are achieved.

These aims have the consequence of seeking to ensure housing densities are higher than previously sought and that former standards relating to private amenity space, privacy and parking provision may be relaxed. This is a change from the previous stance of the Council and specifically reflects the change in the policy of Central Government.

This Council supports these objectives and will seek, wherever it is appropriate, to pursue these policies. However, this will not be at the expense of seeking to ensure that new housing respects the local vernacular and distinctiveness of South Derbyshire.

The Layout of Residential Areas

In designing the layout of new residential areas there will be many factors that will need to be taken into consideration. Many of these will stem from the site character assessment that will be carried out by the developer.

This will inevitably lead to the development respecting the landform of the site, the form and nature of the surrounding development, the design and orientation of properties so as to maximise natural light to habitable rooms, and the use of materials that reflect local distinctiveness.

The Council recognises that the designing of residential streets around the functional requirements of cars, service vehicles and utilities, with inadequate attention being paid to other important amenity requirements, has been one of the greatest failings of much recent development and has resulted in the loss of local identity and distinctiveness. With this in mind, the Council will promote the urban design principles as set out in the companion guide to PPG 3 'Better Places To Live' and the other criteria set out earlier in this document. More specifically, the following will be encouraged:

- Layouts that give priority to the needs of pedestrians rather than the movement and parking of vehicles. This includes the use of secure rear courtyard parking which can remove the dominance of cars parked on property frontages;
- layouts which are safer for pedestrians by reducing forward visibility (and other such devices) that force drivers to proceed with caution, reduce their speed and make the experience anti-intuitive;
- Streets should display characteristics which convey an appropriate sense of place. For example, the main access road to a site could be treated as an avenue with tree planting on each side to give it a grander more spacious feel in marked contrast to the smaller more intimate enclosed streets or 'homezones' which it serves. Where possible, dwellings should be set back a minimum distance from the footway (or to the edge of the shared surface) and the street landscaped to encourage a more intimate environment and create enclosure in the street, a common feature in more historic streets in South Derbyshire.

In addition a number of other factors will need to be taken into consideration including crime prevention and the provision of public open space. These are considered to be particularly relevant to the policies of sustainability that are promoted by both central government and this Council. The Council has an adopted cycling strategy and new housing development may need to contribute to the delivery of that strategy either through on site or off site works.

In the interests of promoting crime prevention, pedestrian/cycle routes and areas of public open space should be overlooked, where possible, to avoid the creation of dark, intimidating areas and so reduce the potential for crime.

In some circumstances, particularly, in historic environments, the rigid application of guidelines may lead to an inappropriate form of development. In such cases the innovative nature of a design, which lends itself to the character of an historic area, such as the layout of

the roads, the orientation of properties and their position within the plots, requires particular consideration.

Further advice on many of the issues raised above can be found in additional publications to this one, which have also been adopted by the Council as SPG. These are detailed at the end of this document.

Building Design & Materials

Traditionally, buildings in South Derbyshire have been constructed with red brick walls (although stonework is evident in some locations) with plain clay tiles or natural slate roofs. However, this traditional approach has been eroded in some parts of the district by the use of non-traditional materials.

The Council is committed to improving the built environment of South Derbyshire in accord with the advice contained in the South Derbyshire Local Plan and PPG3. The site character assessment that will be produced should identify the design and materials used in the local area and the submitted scheme should include features that promote local distinctiveness. In some settings, for example, a traditional feature of South Derbyshire has been narrow gables and the use of plain eaves and verge details.

Inappropriate design that does not respect local distinctiveness will be resisted unless the applicant can demonstrate circumstances showing why a particular design has been chosen.

Particular attention to design will be applied in Conservation Areas and adjacent to listed buildings as detailed in the South Derbyshire Local Plan and as explained in the SPG "Historic South Derbyshire". In such cases, development will generally not be permitted unless full details of the proposal are submitted and they are considered appropriate to the setting.

The Council will, where appropriate, adopt further Supplementary Planning Guidance in the form of village design statements and development briefs. These will set out what the Council consider is the local character of certain areas of South Derbyshire. Where these are published they will be material considerations in the determination of planning applications.

New built development should also be sympathetic to the landscape in which it is situated. A landscape character assessment has been undertaken and prospective house developers are advised to consult the relevant information prior to the submission of an application and take account of the advice in any planning submission.

Overlooking & Overshadowing

The Council is committed to the intensive re-use of both previously developed land and to the development of green field sites, where it is deemed necessary to achieve the aims of the Development Plan. In view of this the Council no longer intends to rely on restrictive guidance on the space about and between dwellings **within** new housing schemes. However, whilst minimum standards will not be applied, the Council will expect a high standard of design incorporating an imaginative use of space and the provision of attractive areas of open space to create a feeling of place for future residents.

Where new development abuts existing development the Council will seek to ensure that the privacy and amenity of existing occupiers is respected. The following guidelines will be used as a basis for ensuring this is maintained and will be applied where existing occupiers are affected by proposed development. The guidelines aim to secure a reasonable level of privacy is retained for existing occupiers in terms of both direct overlooking and over bearing.

In order to protect the occupiers of the existing dwelling from overlooking and to protect privacy, the primary windows of the existing dwelling should not fall within the minimum distance (as set out in the fig. 1) within the sector of view of the primary windows of the proposed dwelling. Secondary windows to either property will not

be considered by this methodology but on the particular merits of the case. Generally, however, such windows will not be protected.

In order to protect existing dwellings from over bearing and to protect outlook, the blank/non-habitable elevation of a proposed two-storey property should not breach the minimum distance within the sector of view of the relevant **ground** floor primary windows of the existing property. New single storey dwellings will be considered, in terms of their affect on existing dwellings, on their own merits.

Where lounge, dining room, kitchen or conservatory windows on a proposed dwelling (or rooms large enough to be considered as such) are located at first floor greater distances may be required. Such cases are not the norm and will be treated on their own merits.

Side windows to a conservatory will be treated as a secondary window.

The guidelines assume a relatively level topography and little or no screening. Where this is not the case, the minimum distances may be increased/decreased as appropriate.

Distance Guidelines

NEIGHBOURING DWELLING

PROPOSED EXTENSION	NEIGHBOURING DWELLING					
	all distances in metres	lounge/dining room	kitchen	bedroom (first floor)	bedroom (ground floor)	conservatory
lounge/dining room		21	18	15	18	21
kitchen		18	15	15	15	18
bedroom (first floor)		21	18	15	18	21
bedroom (ground floor)		18	15	15	15	18
conservatory		21	18	15	18	21
blank elevation		12	9	no minimum	9	9

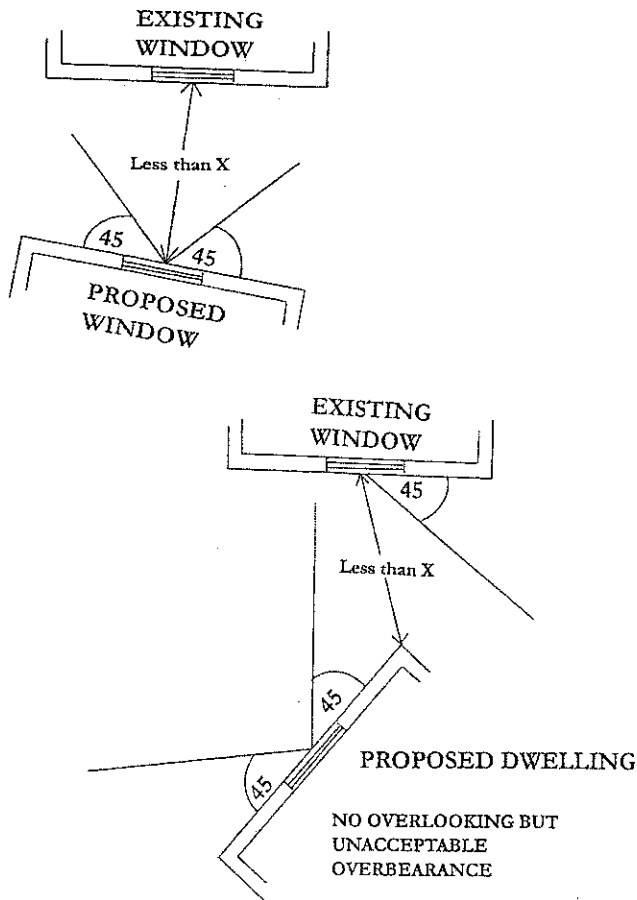
Sector of View (set out opposite)

Where an application is submitted in outline, the Council should be satisfied that the standards set out above could be met. This may require the submission of an indicative plan at the outline application stage.

For dwellings of three or more storeys, greater distances, of the order of 20% more, will be required based on the particular merits of the proposal.

Where there are opposing elevations, separated by public areas, such as a highway, and having regard to the overall character of the surrounding area, the guidelines may be relaxed.

Sometimes, the garden of existing dwellings will be of such a depth that the distances between dwellings will be met regardless of how close to the boundary the new property would be sited. In these cases, the presence of first floor primary windows in the new dwelling could lead to a significant loss of privacy to the entire private space of the existing property. In such cases, the Council will seek to ensure that the proposed dwelling is located an appropriate distance from the boundary of the existing dwelling, of the order of half the distances in the guidelines above.



Private Amenity Space

In order to encourage an increase in the density of housing on development sites the Council will set no minimum level of required provision. However, the design of the layout should reflect the need or otherwise for gardens. For example, the removal of the requirement for gardens does not necessarily mean they are not to be provided at all. As in all matters of design a variety of units using the site is considered the correct approach. Therefore, some units are still likely to have garden areas.

Additionally, the extra area within a site that would otherwise have been used to accommodate gardens will be available for the use in innovative design.

For blocks of flats some level of amenity area will be expected to be provided for the use of residents, for example, to facilitate the storage of a refuse bin and allow for the drying of washing.

Public Open Space & Play Areas

Small areas of open space and landscaping within a housing site can add significantly to the character and sense of place of that development and will be expected to be part of the submitted detailed design of the housing layout. Whether these areas can be counted against the provision of formal play space will depend on the site specific

circumstances. However, in accord with Recreation and Tourism Policy 4 of The South Derbyshire Local Plan, developers will be required to provide a more formal area of public open space to meet the needs of the development. This should be in accordance with the standards set out in the Council's Supplementary Planning Guidance "Provision of Outdoor Playing Space in New Developments". On occasion, commuted sums for the enhancement of existing facilities nearby in lieu of formal play space may be more appropriate. The Council will normally adopt recreation spaces (see SPG).

Unprotected gable areas adjacent to open spaces should be avoided as damage and nuisance can be caused by ball games played against such walls. Landscaping or some private space along the wall with a solid boundary will usually avert the problems.

Changes in level should be ramped as well as, or instead of, stepped to facilitate access for disabled people to these play areas and areas of open space.

Access & Parking

All roads and footpaths are to be designed in accordance with Derbyshire County Council's "Roads in Housing" document (under review at the time of going to press) as amended by the principles of PPG3.

PPG3 has also revised the average level of car parking to be provided within housing. The Council will, therefore, seek to ensure that an average of 1.5 parking spaces per dwelling are provided within new residential areas in accordance with the standards appended to the Local Plan. Notwithstanding this the Council will also seek to ensure that sufficient space is designed into the layout of new residential areas for visitor parking. Such parking should be integral to the scheme and should be well landscaped.

Landscaping

Landscaping plays an important role in enhancing the quality of the built environment. For all new housing developments a landscaping scheme will be required detailing all new planting and the retention of any existing vegetation on the site. The Council will encourage the retention of existing vegetation and expect it to become an integral part of the scheme.

Within the National Forest structural landscaping may be required in accord with the National Forest Strategy/Planting Guidelines. Regard should also be had to the County Council's Landscape Strategy in designing schemes.

Planning Obligations

Where necessary, to make a proposal acceptable from a land use point of view and to meet the needs of new residents, planning obligations under section 106 of the Town and Country Planning Act may be entered into either in partnership with the Council or on a unilateral basis. These obligations will often seek off site works and have the benefit of ensuring the wider aims of the Council are met and should be in accordance with Circular 1/97. One example may be assistance in fulfilling the Council's commitment to provide an integrated cycle network.

Examples of facilities that may be secured in this way include the following:

- (i) the creation of cycle routes,
- (ii) the provision of improvements to traffic calming,
- (iii) the provision of affordable housing,
- (iv) the provision and maintenance of public areas or play space,
- (v) financial contributions towards the provision of additional school places in local schools
- (vi) the provision of street furniture or other works of art, and,
- (vii) the provision of health facilities and other community services.

Additionally, much of the District lies within the National Forest. In areas that fall within the National Forest there will be a requirement that planting, is carried out either on or off site, or, as an alternative to both, through the provision of monies that will be put towards planting elsewhere in the forest within South Derbyshire. Details of the level of planting, or alternative provision, that will be required is contained in the National Forest Guide: "The National Forest: A Guide for Developers and Planners".

Other Matters

Other important considerations when designing housing schemes may include the following:

- the need to ensure that any new house is designed fully in accordance with the building regulations and particularly Part M "Access and facilities for disabled persons"
- the need to ensure the layout is consistent with the Council's aim to provide safe and secure residential areas
- the need for new housing to be sustainable allowing for new housing to be adapted to accommodate occupants of all ages
- the need to incorporate within the design of new houses facilities to allow for the re-use of renewable energy sources, such as solar power, and the re-use of other resources, such as water.

Definitions:

No Minimum: The application is to be considered on its merits.

Primary window: Main window to a lounge, dining room, kitchen, bedroom or conservatory.

Secondary window: Any subsidiary window to a lounge, dining room, kitchen, bedroom, or conservatory affording light to that room.

Blank elevation: An elevation with either no windows or with windows to rooms other than to a lounge, dining room, kitchen, bedroom or conservatory.

Further Advice

This leaflet is one of a series of leaflets (Supplementary Planning Guidance) published by South Derbyshire District Council Planning Service. Other documents in the series are as follows:

Car Parking Standards

(as appended to the South Derbyshire Local Plan)

Cycling Strategy

Historic South Derbyshire

House Extensions

Provision of outdoor playing space in new development

Protecting Trees

Satellite Dishes

Shardlow Article 4 Direction

Melbourne Article 4 Direction

If you require any further advice or require clarification on any of the issues raised or other planning matters please contact:

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