

Amber Valley Borough Council



**AMBER VALLEY
BOROUGH COUNCIL**

Development Brief Land at Cinderhill, Denby

February 2007



DEVELOPMENT BRIEF LAND AT CINDERHILL, DENBY

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1 INTRODUCTION

The Vision For Cinderhill

1.1 Land at Cinderhill, Denby has been identified in successive development plans for over 25 years. The confirmation of the allocation of land for mixed-use development in the adopted Amber Valley Borough Local Plan 2006 reflects the Borough Council's vision for Cinderhill, which is to:

- bring forward a strategic site for business and industrial development that can contribute to meeting employment requirements at the regional, sub-regional and local levels
- secure the successful remediation of derelict and contaminated land within the site
- achieve a comprehensive mixed use development scheme which can contribute to a more sustainable pattern of development and land use

The Need For A Development Brief

1.2 Development briefs are an established means within the planning system for providing detailed guidance on how specific sites should be brought forward for development.

1.3 The adopted Local Plan includes a number of policies in relation to Cinderhill, which set out the broad requirements for any proposals for the development of the site.

1.4 The preparation of a development brief for the Cinderhill site is set out as a specific requirement in the adopted Local Plan. The development brief:-

- enables the Borough Council to set out in more detail the requirements for the future use and development of the site
- adds weight to the policies of the adopted Local Plan in the consideration of planning applications relating to the site
- provides an opportunity for the public to comment on and influence how the site should be brought for development
- gives greater certainty to the Borough Council, the developer and the local community as to the form and scale of development of the site, prior to any planning applications being determined

2 POLICY FRAMEWORK

2.1 Proposals for development at Cinderhill must comply with the Development Plan for the area and will need to be considered against relevant spatial planning policies and guidance at national, regional and county levels, as well as the relevant policies in the adopted Local Plan.

2.2 Proposals will also have to be considered against other relevant strategies and plans to ensure consistency with the Borough Council's strategic objectives and priorities and those of its key partners.

Spatial Planning Policies

Planning Policy Guidance Notes (PPGs)/Planning Policy Statements (PPSs)

2.3 National policy guidance on spatial planning matters is now set out in Planning Policy Statements (PPSs). PPSs replace Planning Policy Guidance Notes (PPGs), although some PPGs still remain in force pending review.

2.4 The PPGs/PPSs of particular relevance to Cinderhill are listed at Appendix 1.

Regional Spatial Strategy for the East Midlands (RSS8)

2.5 Regional planning guidance is set out in the latest version of RSS8, which was approved by the Government in 2005 and which forms part of the development plan for Amber Valley.

2.6 The policies in RSS8 of particular relevance to Cinderhill are listed at Appendix 2.

Derby & Derbyshire Joint Structure Plan

2.7 The Derby & Derbyshire Joint Structure Plan, which was adopted by Derbyshire County Council/Derby City Council in 2001, also forms part of the development plan for Amber Valley. The Joint Structure Plan provides strategic planning policies with which the policies of the adopted Amber Valley Borough Local Plan 2006 need to be in general conformity.

2.8 The policies of the Joint Structure Plan of particular relevance to Cinderhill are listed at Appendix 3.

Adopted Amber Valley Borough Local Plan 2006

2.9 There are four policies in the adopted Local Plan that refer specifically to Cinderhill.

2.10 Policy ER2 requires that proposals for development at Cinderhill:-

- remediate existing derelict and contaminated land within the site
- provide a minimum of 30 hectares for business and industrial development
- construct a new grade-separated junction on to the A38(T) to serve the development
- include local shopping and other community facilities as necessary to serve both existing and new development
- safeguard of the existing railway line within the site as a potential public transport corridor or a multi-user route for pedestrians and cyclists

2.11 Policy H1b allows up to 300 dwellings as part of a comprehensive mixed-use development scheme at Cinderhill, provided that all of these dwellings are located on those parts of the site which constitute previously developed or 'brownfield' land and that none of the dwellings are located on that part of the site which was deleted from the Green Belt in the adopted Local Plan.

2.12 Policy TP12 refers specifically to the provision of a new junction on to the A38(T) to serve development at Cinderhill and requires proposals to demonstrate that they would not have a detrimental impact on the safety and free flow of traffic on the trunk road network.

2.13 Policy EN4 refers specifically to that part of the site that was previously within the Green Belt, prior to the Local Plan being adopted.

2.14 There are a number of other policies in the adopted Local Plan that are relevant to Cinderhill. These policies are listed at Appendix 4.

Other Relevant Plans & Strategies

Amber Valley Community Strategy

2.15 The Amber Valley Community Strategy has recently been reviewed and adopted by the Amber Valley Partnership. The Strategy, which covers the period 2006-09, contains 6 key themes and sets out priorities, actions and targets under each of these themes.

2.16 Development proposals at Cinderhill will need to be consistent with the key themes in the Community Strategy, as follows:-

- Safer Communities – ensuring that the layout of buildings and open space is designed to minimise both the risk of crime and the fear of crime
- Children & Young People – providing or making appropriate financial contributions towards children’s play areas, playing pitches and other facilities for young people
- Healthier Communities (incorporating Supporting Older People) – providing or making appropriate financial contributions towards health facilities
- Sustainable Housing & Environment (Housing) – providing a diverse range of size, type and tenure of housing to meet the varying needs of the population; providing a range of housing densities to maximise the efficient use of land whilst safeguarding the quality of the living environment
- Sustainable Housing & Environment (Environment) - protecting and enhancing the quality of the environment, including by protecting important areas of biodiversity, trees, hedgerows and woodland
- Thriving Economy & Employment – ensuring a diverse range of size and type of employment development to meet the varying demands of business and to increase the range of job opportunities

Amber Valley Regeneration Strategy

2.17 The Amber Valley Partnership has recently published a Regeneration Strategy for the Borough. This replaces the 2001-2011 Economic Development & Tourism Strategy. The Regeneration Strategy provides a long-term framework for growth from 2005-2015.

2.18 The key outcomes which the Regeneration Strategy seeks to achieve include:-

- a spirit of enterprise and innovation, competitive businesses, and a wide range of employment opportunities
- a strong tourism base
- an effective infrastructure for inward investment

2.19 Development proposals will need to be consistent with these desired outcomes.

Amber Valley Housing Strategy

2.20 The Amber Valley Housing Strategy, covering the period 2005-2010, sets out the Borough Council's priorities for housing in Amber Valley. These priorities include affordable housing, safer communities and decent homes.

2.21 Development proposals will need to be consistent with these priorities.

Amber Valley Environmental Strategy

2.22 The Amber Valley Partnership has recently published a draft environmental strategy for consultation. The draft strategy sets out three priorities for the Borough, namely energy/climate change, material resources/waste and the physical landscape including the street scene and public spaces.

2.23 Development proposals will need to be consistent with the three priorities in the emerging environmental strategy, by:-

- incorporating measures to improve energy efficiency in buildings and processes and to use water efficiently
- minimising waste generation and maximising the recycling of materials
- protecting and enhancing the physical landscape within the site and increasing access to public open space

3 SITE CONSIDERATIONS

The Site and its Surroundings

3.1 The development principles for Cinderhill need to be developed from a clear understanding of the characteristics of the site and its surroundings.

3.2 The Cinderhill allocation in the adopted Local Plan comprises some 86 hectares (see Appendix 5). The site is bounded to the south by the settlements of Denby Bottles and Rawson Green and by the A38(T) to the west. Open agricultural land lies to the north and east of the site. Additional land to the west of the A38(T), although not part of the Local Plan allocation, will be required to enable the construction of a new A38(T) junction to serve the site.

3.3 Much of the site has historically been affected by mineral extraction and industrial development.

3.4 The majority of the site affected by past activities has been restored and most of the site is currently in agricultural use. The only buildings within the site are:-

- Park Hall – a Grade 2* Listed Building in the centre of the site
- some small scale industrial buildings in the southern part of the site, adjacent to the disused railway line which crosses the site from east to west.
- a modern pre-fabricated agricultural building in the northern part of the site.

3.5 However, a number of areas within the site still require remediation. The most significant of these areas lies immediately to the east of the A38(T), to the south of the proposed new junction. This area has previously been subject to the dumping of acid tars and other waste products.

3.6 The site lies within the Natural England (former Countryside Commission) Joint Character Area (JCA) 'Nottinghamshire, Derbyshire & Yorkshire Coalfield', which has been further sub-divided by 'The Landscape Character of Derbyshire' into the 'Coalfield Village Farmlands', described as a 'broad industrial landscape characterised by many pit villages, dairy farming and small woodlands'. The principal landscape features within the site comprise:-

- a linear belt of woodland alongside the existing brook course running north-south through the site (Morrells Wood Brook)
- a belt of mature trees, together with an area of predominantly open land alongside the existing brook course running along the southern boundary of the site (Bottle Brook)
- some historic hedgerows to the west of Park Hall
- hedgerows and groups of trees, generally between 20 and 30 years old, which have been planted as part of opencast mining restoration schemes

3.7 The extent of disturbance and loss of original ground surface as a result of past activities within the site have impacted on its archaeological interest. There are no Scheduled Ancient Monuments within the site or its immediate surroundings, although two sites of archaeological interest remain, namely the route of the Openwoodgate (railway) incline and some remains of a former brick and tile works.

3.8 The principal bus route serving the site is Derby Road (B6179), which runs through Denby Bottles immediately to the south of the site. Frequent (hourly) services are provided along this route to Belper, Ripley and Derby.

3.9 Educational facilities are provided within the locality of the site at:

- Street Lane Primary School, Street Lane (approximately 0.5 km to the north east of the site)
- Denby Free Primary School, Denby Village (approximately 0.5 km to the east of the site)
- Kilburn Infant and Junior Schools (approximately 1.5 km to the south of the site)
- John Flamsteed Secondary School, Derby Road (B6179), Denby Bottles (immediately to the south east of the site on the southern side of Derby Road)

3.10 Existing community facilities are provided immediately to the south of the site at the Denby Institute, comprising a multi-purpose community building with meeting/activity rooms, a bowling green, a football pitch and associated car parking area.

3.11 Public open space adjacent to the site includes the football pitch at the Denby Institute and the Millennium Green to the east of Park Hall Road, immediately to the south east of the site.

3.12 There are no existing health facilities within the immediate locality, with the nearest GP surgeries being within the settlements of Belper, Ripley and Horsley Woodhouse.

3.13 Local shopping facilities in the immediate locality consist of a general store located on Derby Road (B6179) in Denby Bottles, with the nearest supermarkets and a wider range of shops being available in Belper and Ripley town centres. There are also a number of local shops within Kilburn village.

4 DEVELOPMENT OPPORTUNITIES & CONSTRAINTS

Opportunities

4.1 Development at Cinderhill provides the opportunity to secure the three objectives set out in the vision for the site at paragraph 1.1, namely:-

- providing a strategic employment site
- remediating derelict and contaminated land
- achieving a more sustainable pattern of development and land use

4.2 However, there are also opportunities to maximise the range of infrastructure and community benefits that development at Cinderhill can provide for the local community. These could include:-

- enhancement and/or additional provision of public open space to meet the needs of different age groups
- improvements to land drainage infrastructure, to avoid any increase in flood risk as a result of development, as well as to reduce existing problems associated with flood risk, by making additional flood storage provision within the site
- traffic management measures, improvements to public transport and facilities for walking and cycling
- enhancement of existing educational facilities
- new local shopping and other community facilities at an appropriate scale to meet the needs of existing communities adjacent to the site as well as those of new residents/businesses within the site
- affordable housing
- public art
- improvements to biodiversity through habitat and species enhancement
- enhancement of local landscape character

4.3 The provision of infrastructure and community benefits will require appropriate conditions to be attached to any planning permissions and/or the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990.

Constraints

4.4 There are a number of potential constraints to achieving a form of development that will meet the Borough Council's vision for the site. The key constraints relate to:-

- Contaminated Land - the need to remediate the tar pits and other areas of known dereliction and contamination within the site, and to address any other dereliction/contamination problems that might be identified during development
- Transport - the need to a) provide a new fully grade-separated junction on the A38(T), to maximise the potential attraction of the site as a strategic location for employment development, as well as to accommodate additional traffic movements as a result of development and b) provide traffic management measures on the existing local road network to accommodate additional traffic movements as a result of development
- Flood Risk - the need to avoid any increase in flood risk as a result of additional development and to secure the betterment of existing flood risk in the local area
- Land Ownership - the need to assemble land currently within an number of different ownerships in order to achieve a comprehensive mixed use development scheme
- Heritage - the need to safeguard the setting of the Grade 2* Listed Building at Park Hall
- Biodiversity – the need to safeguard protected species and to minimise the impact of development on important sites of biodiversity interest, including through mitigation measures where necessary
- Landscaping – the need to retain important features (trees, woodland, hedgerows) and to provide additional landscaping, using natural species, to mitigate the impact of development within the site, especially alongside the A38(T) - the landscaping should pay particular attention to key structural planting supported by more detailed planting as the development takes place
- Ground Conditions – the need to avoid any new buildings or other structures on unstable ground which cannot realistically be restored to a suitable condition to accommodate those buildings or structures
- Sewerage – the need to enhance the capacity of the local sewerage network and treatment works and to secure the necessary connections to and consent for use of the network
- Surface Water – the need to ensure appropriate arrangements for disposal

- Utilities – the need to reinforce existing networks as necessary to serve new development
 - Archaeology – the need to evaluate and establish the need to safeguard important archaeological features within the site
- 4.5 The Borough Council will need to have regard to the views of the relevant statutory and other consultees, in considering development proposals in relation to the above constraints.
- 4.6 The Borough Council will need to attach appropriate conditions to any planning permissions and/or include appropriate matters within a legal agreement under section 106 of the Town and Country Planning Act 1990, to ensure that any constraints to development can be overcome.

5 DEVELOPMENT AND DESIGN PRINCIPLES

5.1 A development brief for Cinderhill provides an appropriate opportunity to set out the key development and design principles against which any proposals for the site can be considered.

5.2 These principles derive from:-

- the policy framework (set out in section 2 of the brief)
- the characteristics of the site and its surroundings (set out in section 3 of the brief)
- the opportunities for and constraints to development (set out in section 4 of the brief)

Land Uses

5.3 The majority of the site will be developed for business and industrial uses (as defined by Use Classes B1, B2 and B8 of the Use Classes (Amendment) Order 2005) and residential use, as set out in policies ER2 and H1b respectively in the adopted Local Plan.

5.4 However, the site also offers the scope for other forms of development to meet demand and/or local needs and which could help to create a more sustainable pattern of development and land use. Suitable other uses could include:-

- small-scale shopping facilities to meet local needs
- a new community facility to replace the existing building at the Denby Institute
- a hotel/petrol filling station/pub/restaurant adjacent to the new A38(T) junction, although it is recognised that these uses will require separate justification against Transport Policy 19 of the Derby & Derbyshire Joint Structure Plan

5.5 A number of areas within the site will need to be retained as open land, having regard to the various development constraints set out in section 4. These areas include:-

- land immediately to the east of the A38(T) and south of the proposed new junction - this part of the site could provide an area of biodiversity interest/informal open space following the remediation of contaminated land
- land immediately to the west of Park Hall – this will safeguard the setting of Park Hall and could either be retained in agricultural use or provide additional public open space
- the linear woodland running north-south through the site alongside the watercourse (Morrells Wood Brook), subject to the outcome of a flood risk assessment – this corridor should provide a footpath/cycleway corridor linking the areas of employment and housing development
- the disused railway line through the southern part of the site – this *should* be developed as a footpath/cycleway corridor
- the belt of trees alongside the watercourse (Bottle Brook) on the southern boundary of the site, subject to the outcome of a flood risk assessment
- the constraints to development arising from previous activities within the site, e.g. mine shafts and the ‘high walls’ of backfilled opencast excavations - these areas could provide landscaping and/or open space.

Design Principles

5.6 The scale of development envisaged at Cinderhill and its potential environmental impact requires the highest possible quality of design, both in relation to new buildings and areas of land to remain free from development. In particular, the following elements will need to be considered:-

- the precise location and height of buildings
- the character of new built development in relation to existing development in the locality, including the use of appropriate materials
- the character of new built development in relation to its potential impact on the surrounding countryside and local landscape character
- the density of development and the need to maximise the efficient use of land without compromising quality
- the need for a wide mix of dwelling types and sizes to meet the varying needs of the population, including the provision of an element of affordable housing, which will be expected to be within the range of 20-30%, in line with policy H10 of the adopted Amber Valley Borough Local Plan
- the need to safeguard the site and surrounding areas from potential sources of pollution as a result of new development and associated activity
- the retention and enhancement of existing open space and the provision of new areas of open space
- the extent of additional landscaping required to mitigate the visual and noise impact of new built development
- the overall layout of buildings, roads/footpaths and open spaces in relation to community safety
- ensuring that new development is accessible to all sections of the population
- maximising the use of public transport and walking/cycling in relation to both employment and housing development
- the need to maximise the potential for development to contribute to reducing emissions and stabilising climate change, having regard to the location of different land uses; landform, layout, building orientation, massing of buildings, density and mix of development; landscaping and open space around new buildings, biodiversity, energy supply and sustainable construction measures

Location & Height Of Buildings

5.7 It will be necessary to significantly alter existing ground levels within the site to establish appropriate platforms for employment development. The design of such platforms will need to have regard to the location and levels of any existing features that need to be retained, such as watercourses and woodland, as well as the opportunity to secure effective surface water management and reduction of flood risk.

5.8 New employment development is likely to have a greater visual impact than new housing development and particular consideration will need to be given to the precise location of new employment buildings within the site. Modern business requirements for large-scale modern warehousing (B8) development are for buildings up to 10-15 metres in height. These are likely to be most appropriately located in the northern part of the site, where the impact on the setting of Park Hall can be minimised. However, development at this height could potentially have a significant impact on views into the site from existing residential areas to the west of the A38(T) (Belper and Openwoodgate) and particular attention will need to be paid to how such impact can be minimised, through appropriate landscaping measures.

Character

5.9 The settlements immediately adjoining the site to the south (Denby Bottles and Rawson Green) predominantly comprise residential development and contain a variety of building forms. As such, there is no particular form that new dwellings at Cinderhill will need to reflect. This allows scope for a wide range of dwelling types, sizes and styles and a variety of materials of construction. Any employment development in the southern part of the site is likely to be most suitable for office/light industrial (B1) uses, which are more compatible with residential development.

5.10 Opportunities exist to create a distinct character for the site, through the imaginative use of built form, including corner buildings and gateway features to reinforce the street scene and terminate vistas. There is an opportunity to provide gateway buildings and other features at key locations within the site, including in the vicinity of the access points into the site from the A38(T)/B6179. Such buildings can also include innovative architectural details and could create landmarks.

Density

5.11 The density of new housing development will need to reflect Government guidance in PPG3, that residential development should generally be at a net density of no less than 30 dwellings per hectare, and within a range of 30-50 dwellings per hectare, depending on the character and location of individual sites. An average density of 35 dwellings per hectare is considered appropriate for the Cinderhill site, having regard to the density and character of existing housing in the immediately adjoining settlements.

Dwelling Mix

5.12 Government guidance in PPG3 refers to the need for local authorities to promote a mix of dwelling types and size to meet the range of housing requirement within their communities. New housing development at Cinderhill will therefore need to include an appropriate mix of apartments, terraced, semi-detached and detached properties, providing a range of 1, 2, 3 and 4+ bedroomed properties.

5.13 An element of affordable housing will also need to be provided within the site, having regard to Government guidance in PPG3 and Circular 6/98 and policy H10 of the adopted Local Plan. The precise number of affordable dwellings and the mix of tenures will need to be agreed by the Borough Council.

Public Open Space

5.14 Those open spaces within the site to be retained, enhanced and developed within the site (see paragraph 5.5) will need to be established as an integrated network, in order to complement new built development and provide a high quality sustainable pattern of development and land use. A management plan will need to be established for the on-going maintenance of open spaces.

Landscaping

5.15 Detailed proposals for additional hard and soft landscaping will need to be provided in relation to specific parts of the site. Landscaping proposals will need to include:-

- identification of 'hard landscape' components including paving for streets, footpaths and parking areas
- identification of tree planting for key streets and other public spaces
- design of seating and play areas
- definition of boundary features in keeping with landscape character e.g. by providing hedgerows rather than close-boarded fences in certain situations, particularly where this can a) assist in absorbing new buildings into the surrounding landscape and b) where strategic hedgerow planting can 'bring the countryside' into the development and visually link built development with the surrounding countryside, as well as creating habitat corridors
- arrangements to secure the long-term management of existing and new landscaping, including recognition of nature conservation interests and the need to maximise biodiversity wherever possible
- pedestrian access to public spaces
- provision of communal gardens

- a clear definition between public and private space
- location and detailed design of children's play areas

5.16 Streets other than the main access roads serving the site will need to be designed to give priority to pedestrians and cyclists rather than vehicles. The provision of shared surfaces along secondary streets will be favoured, with pedestrian and cyclists having priority over vehicles.

5.17 Existing trees and other vegetation alongside the watercourse which runs north-south through the site will need to be retained except where access roads need to be provided through them. Such accesses should be kept to the minimum required.

5.18 The existing trees and vegetation alongside the Bottle Brook on the southern boundary will need to be retained except for the provision of access to the site.

Noise

5.19 Potential noise sources affecting any housing development are the A38(T) and the B6179 and industrial development within the site. Internal noise levels within dwellings should meet the NEC A criteria of Planning Policy Guidance Note 24: Planning and Noise.

Community Safety

5.20 Development proposals will need to reflect the principles of community safety, by including measures to minimise both the risk of crime, nuisance and disorder and the fear of crime. Appropriate conditions will need to be placed on any planning permissions, in accordance with Government advice in Circular 1/85, to secure crime prevention objectives. Proposals should take into account the principles of 'Secured by Design' (as set out in Government advice in Circular 5/94 and subsequent publications).

Accessibility

5.21 Development proposals will need to demonstrate that they achieve the principles of accessibility for all sections of the population, both in terms of individual buildings and the overall design and layout of built development, roads/footpaths/cycleways and open spaces.

Transport

5.22 Development proposals will need to incorporate a range of measures to maximise the potential for journeys to and from the site to be made by means other than the car. These will include:-

- designing the layout of new roads to enable buses to penetrate into the site, rather than simply maintain current services adjoining the site
- retaining the disused railway running east-west through the southern part of the site as a transport corridor and establishing a footpath/cycleway along the route
- providing a network of other footpath/cycleway routes to create effective links between different land uses within the site

5.23 Proposals will also need to include traffic management measures within the site and/or provide financial contributions towards off-site works, to mitigate the impact of additional traffic movements on the surrounding road network. The details of appropriate measures or financial contributions will need to be considered in consultation with Derbyshire County Council, as the relevant Highway Authority.

5.24 The overall level of car parking provision and its design and location will help to minimise dependency on the use of the car for journeys. The Borough Council will have regard to the maximum car parking standards for the various uses, as set out in the adopted Local Plan.

5.25 On-street car parking will need to be minimised through the provision of dedicated garages and parking courts, to avoid the domination of the car within the street scene and to allow for the narrowing of the width of streets.

5.26 The sensitive design of garaging and parking courts will also enable a more efficient use of land as well as encouraging a greater sense of public ownership.

5.27 Proposals should also make provision for cyclists, through designated and secure cycle parking and storage areas.

Climate Change

5.28 In December 2006, the Government published draft proposals for a supplement to Planning Policy Statement 1 (PPS1): Delivering Sustainable Development. The proposed supplement, entitled 'Planning and Climate Change, sets out how spatial planning should contribute to reducing emissions and stabilising climate change. At the same time, the Government also published a 'Code for Sustainable Homes', which provides a national standard for the design and construction of homes and measures the sustainability of a home against a range of design categories, namely energy/CO₂, water, materials, surface water run-off, waste, pollution, health and well-being, management and ecology.

5.29 The form and scale of development anticipated at Cinderhill provides an opportunity to make a significant contribution towards the objectives of the proposed supplement to PPS1 and to reflect the new 'Code for Sustainable Homes', as follows:-

- Location of land uses – integrating the provision of new employment, housing and other development within the site in a way that maximises the potential to walk or cycle to work or to use other local services and facilities, as well as designing new transport routes into and within the site to maximise the use of public transport for journeys to and from the site
- Landform, layout, building orientation, massing of buildings, density and mix of development - to minimise energy consumption, including maximising cooling and avoiding solar gain in the summer and maximising natural ventilation
- Landscaping and open space – ensuring that the planting of trees, hedgerows and shrubs around buildings helps to create shelter from wind to reduce heat loss, creates sun traps to reduce heat and provides appropriate shade to reduce the need for artificial air conditioning in summer
- Biodiversity – sustaining and enhancing existing habitats
- Energy supply – fully exploring the opportunity to supply energy for new development from decentralised, renewable or low-carbon energy sources
- Sustainable construction methods – incorporating measures within new development to minimise energy use, including storage of rainwater to improve water efficiency, installation of renewable energy sources as a means of power e.g. photovoltaic cells (solar panels) or wind turbines, high standards of insulation and measures to minimise waste

6 PHASING OF DEVELOPMENT

6.1 The scale and nature of the proposals envisaged at Cinderhill will require development to be phased. Details of phasing will need to be set out in conjunction with development proposals for the site, in order to ensure a) that site remediation, infrastructure and community benefits are all provided alongside the development at appropriate stages and b) a balanced release of employment land and new housing development, in line with the need to secure a comprehensive mixed use scheme which can contribute to a more sustainable pattern of development and land use. The arrangements for phasing will need to have regard to the following requirements:-

- The implementation of the proposals for the remediation of derelict and contaminated land within the site, particularly the tar pits, is commenced at the start of the development process and that appropriate controls are placed on the level of occupancy of new dwellings/employment accommodation prior to the completion of remediation works, to the satisfaction of the Borough Council and the Environment Agency
- The implementation of the proposals for the new A38(T) junction is commenced at the start of the development process and controls are placed on the level of occupancy of new dwellings/employment accommodation prior to the completion of the junction, to the satisfaction of the Borough Council and of the Highways Agency/Derbyshire County Council, as the relevant Highways Authority
- a safe and satisfactory means of access to the site is secured, together with improvements where necessary to the wider highway network, at appropriate stages of the development process, to the satisfaction of a) the Borough Council and b) Derbyshire County Council, as the relevant Highways Authority
- adequate surface water capacity is provided for each phase of development in accordance with a drainage strategy, taking account of site characteristics of different stages of construction, to the satisfaction of the Borough Council and the Environment Agency
- drainage infrastructure is in place prior to the build-out of the site
- adequate sewerage infrastructure is provided as necessary at each phase of the development, to ensure that there is sufficient capacity to serve the completed development
- appropriate controls are placed on the scale of new housing development to be provided in advance of new employment land and buildings being brought forward

7 INFRASTRUCTURE AND COMMUNITY BENEFITS

7.1 In order to secure the provision of or financial contributions towards infrastructure and/or community benefits which are considered to be necessary as a result of development at Cinderhill, the Borough Council will attach conditions to planning permissions and will require the developer to enter into a Section 106 Agreement.

7.2 The range of infrastructure and community benefits that are likely to be the subject of conditions and/or a Section 106 Agreement include:-

- the provision of affordable housing, as an element of the overall housing provision within the development, having regard to the requirements of policy H10 of the adopted Amber Local Plan
- the enhancement of existing public open space, either immediately adjacent to the site or within the locality and/or the provision of new areas of public open space within the site
- the provision of financial contributions towards the enhancement of existing primary and secondary educational facilities within the locality, subject to the views of Derbyshire County Council as the relevant education authority
- the provision of financial contributions towards the enhancement of existing medical facilities within the locality
- the provision of transportation measures within the site and on the surrounding transport network to mitigate the impact of additional traffic movements as a result of new development, subject to the views of Derbyshire County Council and the Highways Agency as the relevant Highway Authorities
- measures to maximise the use of public transport and walking and cycling, as well as to minimise the use of journeys by car, in accordance with as travel plan, subject to the views of Derbyshire County Council as the relevant Highway Authority
- measures to manage flood risk and surface water and enhancement to sewerage infrastructure

7.3 The phasing of development will also need to be addressed through appropriate conditions and/or a Section 106 Agreement.

7.4 Any provision or financial contributions sought in relation to the above and any other facilities will be consistent with the principles set out in Government guidance on Planning Obligations (Circular 05/05), in that they are necessary, relevant to planning, directly related to the proposed development and fairly and reasonably related in scale and kind to the proposed development.

8 SUPPORTING INFORMATION

8.1 Planning applications for development at Cinderhill will need to be supported by a range of information to enable proper assessment of proposals against development plan policies and other material considerations. The information required will need to reflect that included in the Borough Council's Major Development Checklist for planning applications (see www.ambervalley.gov.uk).

APPENDIX 1

PLANNING POLICY STATEMENTS (PPSs) AND PLANNING POLICY GUIDANCE NOTES (PPGs) RELEVANT TO CINDERHILL

Planning Policy Statements (PPSs)

PPS1	Delivering Sustainable Development
PPS9	Biodiversity & Geological Conservation
PPS12	Local Development Frameworks
PPS22	Renewable Energy
PPS23	Planning & Pollution Control
PPS25	Development & Flood Risk

Planning Policy Guidance Notes (PPGs)

PPG3	Housing
PPG4	Industrial & Commercial Development & Small Firms
PPG13	Transport
PPG15	Planning & The Historic Environment

**POLICIES IN REGIONAL SPATIAL STRATEGY FOR THE EAST MIDLANDS
(RSS8) RELEVANT TO CINDERHILL**

- Policy 2 Locational Priorities For Development**
- Policy 3 Sustainability Criteria**
- Policy 4 Promoting Better Design**
- Policy 18 Regional Priorities For Affordable Housing**
- Policy 20 A Regional Target For Re-Using Previously Developed Land & Buildings For Housing**
- Policy 22 Regional Priorities For Employment Land**
- Policy 27 Protecting & Enhancing The Region's Natural & Cultural Assets**
- Policy 28 Priorities For Enhancing The Region's Biodiversity**
- Policy 30 Priorities For The Management & Enhancement Of The Region's Landscape**
- Policy 31 Regional Priorities For The Historic Environment**
- Policy 36 A Regional Approach To Managing Flood Risk**
- Policy 40 Regional Priorities For Energy Reduction & Efficiency**
- Policy 47 Regional Car Parking Standards**

APPENDIX 3

POLICIES IN DERBY & DERBYSHIRE JOINT STRUCTURE PLAN RELEVANT TO CINDERHILL

General Development Strategy Policy 1:	Sustainable Development
General Development Strategy Policy 2:	Scale & Nature Of Development
General Development Strategy Policy 3:	Location & Density Of Development
Economy Policy 2:	Location Of Business, General Industrial & Minor Distribution Development
Economy Policy 3:	Location Of Major Distribution Provision
Transport Policy 1:	Reducing The Need To Travel
Transport Policy 4:	Land Use & Transport
Transport Policy 8:	Traffic Management
Transport Policy 9:	Pedestrians
Transport Policy 10:	Cycling
Transport Policy 12:	Environmental Impact
Transport Policy 13:	New Highway Infrastructure
Transport Policy 15:	Parking & Servicing
Transport Policy 16:	Disused Transport Routes
Transport Policy 19:	Roadside Service Areas
Town Centre & Shopping Policy 5:	Local Shopping
Leisure & Tourism Policy 3:	Provision Of Specific Recreation Facilities
Environment Policy 1:	Landscape Character
Environment Policy 5:	Derelict Land Reclamation

Environment Policy 6:	Water Resources
Environment Policy 7:	Former Landfill Sites, Unstable Ground & Contaminated Land
Environment Policy 10:	Historic Buildings
Environment Policy 14:	Sites & Features Of Nature Conservation Importance
Environment Policy 15:	Habitats
Environment Policy 16:	Trees & Woodland
Environment Policy 17:	Design Quality
Environment Policy 18:	Safe Environments
Environment Policy 19:	Renewable Energy
Housing Policy 9:	Amber Valley Borough
Economy Policy 9:	Amber Valley Borough

APPENDIX 4

POLICIES IN ADOPTED AMBER VALLEY BOROUGH LOCAL PLAN RELEVANT TO CINDERHILL

Policy LS1 Sustainable Development

Policy LS2 Community Safety

Policy LS3 Design

Policy LS4 Accessibility

Policy LS5 Provision Of Infrastructure & Community Benefits In Conjunction With Development

Policy ER2 Cinderhill

Policy ER3 Proposed Business & Industrial Development

Policy ER6 Storage & Distribution Uses

Policy ER8 Small Firms

Policy ER11 Quality & Design Of Business & Industrial Development

Policy H1b Cinderhill

Policy H10 Affordable Housing

Policy H12 Quality & Design Of Housing Development

Policy TC6 Local Shopping Facilities

Policy TP1 The Impact Of Development On The Transport Network

Policies TP2, 3 Walking & Cycling

Policy TP6 Car Parking

Policy TP8 Disused Transport Routes

Policy TP12 Highway Improvements

Policy EN4 Amendments To The Green Belt

Policy EN7	Landscape Character Areas
Policies EN8, 9	Landscape Features
Policies EN13, 14	Biodiversity
Policy EN15	Development & Flood Risk
Policy EN16	Pollution
Policy EN18	Derelict, Unstable & Contaminated Land
Policy EN24	Listed Buildings
Policy EN36	Use Of Renewable Energy Resources
Policy LC1	Provision Of Outdoor Playing Space
Policy LC2	Children's Play Areas
Policy LC6	Leisure Facilities
Policy LC12	Community Facilities