



CHAPTER 4: CONSERVATION AND ENHANCEMENT OF THE OPEN ENVIRONMENT

Introduction

- 4.1 The Plan area presents a range of landscape features from the dramatic topography, gritstone walls and expansive moorland around Glossop, Hayfield, New Mills and Whaley Bridge, to the limestone hills and dales of the Buxton area. Much is of high scenic value, as fine as parts of the adjoining Peak District National Park, and is the main reason for the popularity of the High Peak as an area in which to live and work and to visit.
- 4.2 The Countryside is a living landscape where people live and work but it is also a finite resource which needs managing wisely. The policies within this chapter seek to protect the countryside from inappropriate development whilst at the same time maintaining the quality of life for those who use the countryside on a day to day basis. Those policies relating to nature conservation, protected species and trees and woodlands apply to the whole of the plan area.

Policies and Proposals

Development in the Countryside

- 4.3 Beyond the Built-up Area Boundaries (as established in Policy GD2) land will be treated as 'Countryside'. Here, development should be limited to those uses which are an integral part of the rural economy and which can only be carried out in the countryside. This approach will continue to ensure that the countryside is protected for its own sake - its beauty, character and diversity of landscape, historic heritage, natural resources, ecological, agricultural and recreational value, limiting the problems created by heavy flows of vehicles on unsuitable rural roads; and making the most efficient use of facilities and services which are already provided



within the towns and villages. In short, it will make a major contribution to achieving the aims of sustainable development and growth.

- 4.4 Certain forms of development are acceptable in the countryside and, indeed, some may be actively encouraged as a means of improving facilities for public recreation and enjoyment and of diversifying the rural economy. Nevertheless, in the interests of preserving the countryside all new development requires careful control. Most forms of development of an urban character, such as housing, industry, commerce and retailing will normally be resisted in the countryside.
- 4.5 Development, which is appropriate in the countryside, is considered under individual topic headings in later chapters. It will often be related to agriculture or other acceptable developments which may include the conversion of rural buildings to new uses, farm diversification projects, small-scale extensions to existing development, countryside recreation/tourism facilities, new roads, reservoirs and development linked to waste and minerals, which clearly can only take place where the resource is available. However, in all cases particular care will be necessary to ensure that development is assimilated into the landscape in order to minimise its impact.
- 4.6 Directing most new development to the existing built-up areas will help to ensure that development and growth are sustainable, in accordance with the aims of the Local Plan. Where development in the countryside is acceptable it should contribute towards the principles of sustainability. This suggests that development should preferably be located adjacent to, or very close to, existing settlements and should be served by public transport routes. This will be particularly important where a facility is intended to serve the wider community or is likely to attract large numbers of people, since it will offer opportunities for people to reduce the need to use the private car to get there. Reusing buildings or land which has become derelict, disused or despoiled will also be preferable to erecting new buildings or using land which can continue to serve the needs of agriculture.
- 4.7 Wherever development is permitted in the countryside particular care will be needed to ensure that it is integrated sympathetically into the landscape and that its impact is minimised. Development thus needs to be viewed in its context and in some cases the cumulative impact of successive smaller developments may affect the character of the countryside.
- 4.8 Much of the countryside is also Green Belt and Special Landscape Area. It is important to understand that the exclusion of land from these designations does not imply that it is available or acceptable for development. Because Green Belt boundaries require a high degree of permanence sufficient land must be left outside them for development which may be needed in the much longer term. Similarly, just because some areas of countryside are not within the Special Landscape Area does not mean they are not attractive. Indeed, most of the countryside within the High Peak is both important and attractive, and can be seen from a variety of long and short distance public viewpoints.



- 4.9 These areas, mainly on the fringes of settlements between the Built-up Area Boundaries and the inner edge of the Green Belt and/or Special Landscape Area, are sometimes known as 'white' land. They remain defined as 'countryside' and are therefore subject to Policy OC.1. Where planning applications are received in these areas for development that is not appropriate in the countryside, such as housing and retailing, they are likely to be refused.
- 4.10 Detailed guidance upon acceptable developments in the countryside are, where appropriate, given under the individual policy headings of the Plan. All development proposals in the countryside will be judged initially against the following policy:

OC1 - COUNTRYSIDE DEVELOPMENT

THE COUNTRYSIDE WILL COVER ALL LAND BEYOND THE BUILT-UP AREA BOUNDARIES DEFINED ON THE PROPOSALS MAP, INCLUDING THE GREEN BELT AND SPECIAL LANDSCAPE AREA.

WITHIN THE COUNTRYSIDE, PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WHICH IS AN INTEGRAL PART OF THE RURAL ECONOMY AND WHICH CAN ONLY BE CARRIED OUT IN THE COUNTRYSIDE

PROVIDED THAT INDIVIDUALLY OR CUMULATIVELY:

- **THE DEVELOPMENT WILL NOT DETRACT FROM AN AREA WHERE THE OPEN CHARACTER OF THE COUNTRYSIDE IS PARTICULARLY VULNERABLE BECAUSE OF ITS PROMINENCE OR THE EXISTENCE OF A NARROW GAP BETWEEN SETTLEMENTS; AND**
- **THE DEVELOPMENT WILL NOT GENERATE SIGNIFICANT NUMBERS OF PEOPLE OR TRAFFIC TO THE DETRIMENT OF RESIDENTIAL AMENITY, HIGHWAY SAFETY, LANDSCAPE OR AIR QUALITY OR OTHERWISE HAVE AN UNACCEPTABLE URBANISING INFLUENCE; AND**
- **THE DEVELOPMENT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE CHARACTER AND DISTINCTIVENESS OF THE COUNTRYSIDE**

POLICIES RELATING TO SPECIFIC CATEGORIES OF DEVELOPMENT ACCEPTABLE IN THE COUNTRYSIDE CAN BE FOUND UNDER INDIVIDUAL TOPIC HEADINGS ELSEWHERE IN THE PLAN.

Development in the Green Belt



- 4.11 Green Belts have been a well understood and important element of planning policy for many years. They can make a significant contribution towards sustainability objectives.
- 4.12 The North West Derbyshire Green Belt is defined in the Structure Plan as the area northwards from Whaley Bridge between the boundaries of the Peak District National Park, Cheshire, Stockport and Tameside. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the most important attribute of Green Belts being their openness. There are five principal purposes of including land in Green Belts:
- to restrict urban sprawl on a permanent basis
 - to safeguard the countryside from further encroachment
 - to maintain the separate identity of settlements
 - to assist in the regeneration of nearby urban areas
 - to preserve the setting and special character of historic towns.
- 4.13 The detailed boundaries of the Green Belt were laid down in the North West Derbyshire Green Belt Local Plan, adopted in December 1990. Some very minor boundary changes to improve consistency and to rectify anomalies (for example, where the existing boundary does not follow strong natural boundaries) have been made.
- 4.14 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development. New buildings inside a Green Belt are normally considered inappropriate, unless they are for certain clearly defined purposes. Mineral operations can be an appropriate activity in the Green Belt provided that high environmental standards are maintained and that the site is well restored. In order to preserve the character of the Green Belt development conspicuous from it should not injure the visual amenity of the Green Belt by way of siting, materials or design.
- 4.15 Detailed guidance upon development which may be acceptable in the countryside is given under Policy OC1 and relevant individual policy headings in the Plan. In addition, all development proposals within the Green Belt will be judged against the following policy:

OC2 - GREEN BELT DEVELOPMENT

IN THE AREA OF GREEN BELT DEFINED ON THE PROPOSALS MAP APPROVAL WILL NOT BE GIVEN, EXCEPT IN VERY SPECIAL CIRCUMSTANCES, FOR THE CONSTRUCTION OF NEW BUILDINGS FOR PURPOSES OTHER THAN:

- **AGRICULTURE AND FORESTRY;**



- **ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION AND CEMETERIES;**
- **LIMITED EXTENSION, ALTERATION OR REPLACEMENT OF EXISTING DWELLINGS;**
- **LIMITED INFILLING OR REDEVELOPMENT AT EXISTING MAJOR DEVELOPED SITES;**

OTHER DEVELOPMENT, INCLUDING MATERIAL CHANGES IN THE USE OF LAND AND BUILDINGS, WILL ONLY BE PERMITTED WHERE IT MAINTAINS THE OPENNESS OF THE GREEN BELT AND DOES NOT COMPROMISE GREEN BELT PURPOSES.

DEVELOPMENT WITHIN OR CONSPICUOUS FROM GREEN BELTS SHOULD NOT INJURE THE VISUAL AMENITIES OF THE GREEN BELT.

Development in the Special Landscape Area

- 4.16 The Council strongly supports protection of the local landscape, some of which is as fine as that found within the adjoining Peak District National Park. Much of the countryside within the Local Plan area has been defined as "Special Landscape Area" in the Derbyshire Special Landscape Areas Local Plan, adopted in June 1988. Part of this area also enjoys Green Belt designation. The Special Landscape Area has a very high intrinsic quality because of the strength and variety of its scenery, with its steep slopes, undulation, woodland, patterns of hedgerow or boundary walls, areas of water and heritage features, and freedom from despoliation such as quarries and electricity pylons that detract from its quality. Accordingly the siting, design and landscaping of new development in the Special Landscape Area must have special regard to its landscape quality and character.
- 4.17 The High Peak Local Plan largely incorporates the existing defined Special Landscape Area, subject to some minor changes to improve consistency and to rectify some anomalies (for example, where the existing boundary does not follow strong natural boundaries). Recent changes in Government legislation require that all countryside designations, such as the Special Landscape areas are reassessed and they should only be maintained where normal planning policies cannot provide the necessary protection. As a replacement for the Special Landscape Area designation, Derbyshire County Council, in partnership with the districts is undertaking Landscape Character appraisals. At the time of the Structure Plan Examination in Public this work was not sufficiently advanced to replace the Special Landscape Areas designation. The Special Landscape Area has therefore remained in the current Structure Plan.



- 4.18 Within the Special Landscape Area new development or major extensions to existing development is normally resisted unless it can be shown to be essential in its proposed location or would enhance the character of the area. Detailed guidance upon development which may be acceptable in the countryside is provided under Policies OC1 and OC2 and relevant individual policy headings in the Plan. In addition, all development proposals in the Special Landscape Area will be judged against the following policy:

OC3 - SPECIAL LANDSCAPE AREA DEVELOPMENT

WITHIN THE SPECIAL LANDSCAPE AREA DEFINED ON THE PROPOSALS MAP, DEVELOPMENT IN ACCORDANCE WITH POLICIES OC1 AND OC2 WILL BE PERMITTED, PROVIDED THAT IT WILL NOT DETRACT FROM THE SPECIAL QUALITIES AND CHARACTER OF THE SPECIAL LANDSCAPE AREA.

WHERE DEVELOPMENT IS PERMITTED IN THE SPECIAL LANDSCAPE AREA THE DEVELOPER WILL BE REQUIRED TO HAVE SPECIAL REGARD TO THE LANDSCAPE QUALITY OF THE AREA IN RELATION TO SITING, DESIGN AND LANDSCAPING.

Landscape Character

- 4.19 Government advice in PPG7 The Countryside - Environmental Quality and Economic and Social Development 1997 required that existing landscape designations be reassessed and replaced with a character appraisal approach. This is based on the Countryside Agency's Character of England Regional Character Areas. It was recognised that these areas were too broad to assist in policy formulation and in 2000 Derbyshire County Council began a more detailed landscape character assessment of the whole of Derbyshire (with the exception of Derby City and other urban areas) in conjunction with the District Councils. This has been carried out following guidelines issued by the Countryside Agency and published in Landscape Assessment Guidance 1993 (CCP423). It gives a consistent categorisation which goes beyond administrative boundaries within Derbyshire and also takes account of adjoining landscape types in other counties.
- 4.20 The 9 landscape character types identified in High Peak Plan area by the Derbyshire Landscape Character Assessment are split between the Regional Character Areas, the White Peak and Dark Peak (including Southwest Peak and Manchester Pennine Fringe). They are

- **White Peak**
Plateau Pastures
Limestone Dales
Limestone Moorland



- **Dark Peak**
Open Moors
Enclosed Moor and Heath
Moorland Fringe
Settled Valley Pastures
Wooded Upland Valleys
Riverside Meadows

4.21 Development which is considered to be appropriate in the countryside as defined in policies OC1, OC2 and OC3, will be required to be designed in a way which complements and relates to the particular type of landscape in which it is located. Many of the landscape types cut across local authority boundaries. As resources permit Supplementary Planning Guidance on each of the landscape types will be written to indicate the design principles that are appropriate to each one. This will include such things as characteristic building materials, local building styles and details, grouping and siting of buildings, enclosure and other landscaping details

OC4 - LANDSCAPE CHARACTER AND DESIGN

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT CONSIDERED APPROPRIATE IN THE COUNTRYSIDE PROVIDED THAT ITS DESIGN IS APPROPRIATE TO THE CHARACTER OF THE LANDSCAPE.

APPROPRIATE DESIGN OF DEVELOPMENT SHALL ACCORD WITH THE CHARACTERISTICS OF THE TYPE OF LANDSCAPE WITHIN WHICH IT IS LOCATED INCLUDING HAVING REGARD TO AND CONSERVING:

- **THE LANDFORM AND NATURAL PATTERNS OF DRAINAGE;**
- **THE PATTERN AND COMPOSITION OF TREES AND WOODLAND;**
- **THE TYPE AND DISTRIBUTION OF WILDLIFE HABITATS;**
- **THE PATTERN AND COMPOSITION OF FIELD BOUNDARIES;**
- **THE PATTERN AND DISTRIBUTION OF SETTLEMENTS AND ROADS;**
- **THE PRESENCE AND PATTERN OF HISTORIC LANDSCAPE FEATURES;**
- **THE SCALE, LAYOUT, DESIGN AND DETAILING OF VERNACULAR BUILDINGS AND OTHER TRADITIONAL MAN MADE FEATURES.**

EXISTING FEATURES WHICH ARE IMPORTANT TO THE LOCAL LANDSCAPE CHARACTER, SHALL BE RETAINED, INCORPORATED INTO THE DEVELOPMENT AND PROTECTED DURING CONSTRUCTION WORK.



WHERE APPROPRIATE THE LOCAL PLANNING AUTHORITY WILL IMPOSE PLANNING CONDITIONS AND/OR SEEK TO ENTER INTO A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Development Conspicuous from the Peak District National Park

- 4.22 The Council supports the need to give the highest priority to protection of the Peak National Park, which is of both regional and national importance, and which contains some of the country's wildest and most beautiful landscape. Much of the upland area adjoining the National Park falls within the Special Landscape Area and is of a similarly fine quality. If the special qualities of the Peak District are to be protected careful controls need to be exercised. The hilly nature of the High Peak means that many developments are seen from above, and from long as well as short distance viewpoints. Planning permission should not be granted for development considered to be harmful to the valued characteristics of the National Park. The types of proposals that may be unacceptable are those that could adversely affect the purposes of the National Park Authority. This could include development conspicuous from within the National Park, nearby development that generates harmful pollution from industrial activities, power generation and agriculture or development that would interfere with the enjoyment of the National Park by the public.

OC5 - DEVELOPMENT CONSPICUOUS FROM THE PEAK DISTRICT NATIONAL PARK

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH, DUE TO ITS USE, SCALE, DESIGN, SITING, EXTERNAL APPEARANCE OR LANDSCAPE TREATMENT, WOULD MATERIALLY HARM THE PURPOSES OR VALUED CHARACTERISTICS OF THE NATIONAL PARK.

Agricultural Development in the Countryside

- 4.23 Clearly, agriculture is a rural activity, and development associated with agriculture is normally acceptable in the countryside. However, there are instances where some limitation on agricultural development is justified.
- 4.24 There may, for example, be critical open breaks between settlements or prominent open areas where a large agricultural building could be as damaging as a factory. The Derbyshire County Council Landscape Character assessments have identified the landscape types which are capable of accommodating new development. In addition the Supplementary Planning Guidance will identify the types of building and materials and mitigating landscape species suitable in each landscape type. Some landscape character types may not be able to accommodate any such building without having a detrimental effect on the character whereas others will be less sensitive to development. Wherever possible, the Council will encourage



farmers to re-use and adapt existing buildings, particularly in the Green Belt and Special Landscape Area, to avoid undue proliferation of potentially intrusive modern buildings in the countryside. For development in prominent or isolated locations conditions may be imposed requiring the removal of a building once the specific agricultural need has ceased.

- 4.25 In assessing applications for agricultural development the Council will wish to be satisfied that there is an agricultural need for the development and that the scale of development is appropriate to that area. Part 6 of Schedule 2 of the Town and Country (General Permitted Development Order) 1995 grants permitted development rights for a range of agricultural buildings and operations. However, in some cases, this planning permission cannot be implemented until the developer has asked the Council to determine whether prior approval will be required for details of siting, design and appearance. This allows the Council to consider the impact of the proposed development on the landscape, listed buildings and their setting, sites of recognised nature conservation value and so on, although the principle of development will not be at stake. Policy OC6 will be employed for agricultural development requiring planning permission and its criteria will also be applied to applications for prior approval.

OC6 - AGRICULTURAL DEVELOPMENT

PLANNING PERMISSION WILL BE GRANTED IN THE COUNTRYSIDE FOR DEVELOPMENT REQUIRED FOR AGRICULTURAL PURPOSES, PROVIDED THAT;

- **THE SCALE OF DEVELOPMENT IS APPROPRIATE TO THE AGRICULTURAL NEED; AND**
- **THE DEVELOPMENT IS DESIGNED AND SITED SUCH THAT IT DOES NOT CAUSE SIGNIFICANT HARM TO VISUAL OR RESIDENTIAL AMENITY, OR LOCAL LANDSCAPE CHARACTER; AND**
- **BUILDINGS WILL BE DEMOLISHED IF NO LONGER REQUIRED FOR AGRICULTURAL PURPOSES IN PROMINENT OR ISOLATED LOCATIONS AND IN OTHER LOCATIONS IF AN ACCEPTABLE ALTERNATIVE USE CANNOT BE FOUND.**

Re-use of Buildings in the Countryside

- 4.26 Within the Plan area there are many existing rural buildings which may become empty or available as a result of changing needs and practices, and which could now be more effectively used for other employment purposes such as business use, recreation or tourism. These buildings are often constructed of natural stone,



with vernacular features of the Peak District, and make a valuable contribution to the character of the area.

- 4.27 The Council encourages the re-use and adaptation of rural buildings, rather than letting them fall into disrepair, where the building itself and the character of the area are suitable for the intended use. Finding new uses for these buildings can help diversify the rural economy, encourage new enterprises, provide jobs and reduce the need for new building in the countryside.
- 4.28 Where the proposed development involves the re-use of a traditional vernacular building it will usually be important to conserve its form, character and setting. The new use should be capable of being carried out without substantial extension or alterations and without harming the setting of the building by ancillary development or activities. Where new materials are employed these should accord with the character of the building and local area. Occasionally endangered species may be encountered within redundant buildings and in accordance with other statutory protection, the roosts of bats and owls will be safeguarded.
- 4.29 In general, new uses of rural buildings should enhance and complement employment opportunities in the countryside and existing sources of employment should be maintained wherever possible (for example, in old mill buildings). Residential conversions, especially in open countryside, should be treated with care. Not only do residential conversions tend to have minimal benefits for the rural economy but they often need a greater degree of adaptation to meet modern day living standards. This can be detrimental to the fabric and character of the building and harm its landscape setting. A residential use should not normally be contemplated unless it can be shown that a business use is not feasible or the proposal is subordinate to a scheme for business related conversion. The provisions in policy H1 will apply to applications for residential reuse of buildings made in the Glossopdale and Central areas. Consideration also has to be made regarding the sustainability of the re use of the building. The provision of the necessary services may not be sustainable if the building is not close to other buildings. If the reuse of the building is not sustainable applications for conversion will be refused.
- 4.30 Buildings which are no longer standing, or are so derelict that they could only be brought back into use by complete or substantial reconstruction, fall outside the scope of this policy, and will be treated as proposals for new build.

OC7 - RE-USE OF BUILDINGS IN THE COUNTRYSIDE

PLANNING PERMISSION WILL BE GRANTED FOR THE RE-USE OR ADAPTATION OF BUILDINGS IN THE COUNTRYSIDE, PROVIDED THAT:

- **THE PROPOSED USE, INCLUDING ASSOCIATED ACTIVITIES, WILL NOT MATERIALLY HARM THE CHARACTER OF THE AREA OR THE BUILDING ITSELF; AND**



- **THE BUILDING IS OF ADEQUATE SIZE, SHAPE, CONSTRUCTION AND STRUCTURAL INTEGRITY FOR THE USE WITHOUT SIGNIFICANT ENLARGEMENT OR ALTERATION; AND**
- **THE FORM, BULK AND GENERAL DESIGN OF THE BUILDING IS IN KEEPING WITH THE SURROUNDINGS; AND**
- **SERVICE PROVISION, INCLUDING ACCESS, PARKING, AMENITY AND OTHER AREAS WILL NOT CAUSE UNDUE HARM TO THE SETTING, CHARACTER OR APPEARANCE OF THE BUILDING OR TO THE WIDER LANDSCAPE; AND**
- **PROVISION IS MADE WITHIN THE SCHEME TO SAFEGUARD THE ROOSTS OF BATS AND OWLS**

WHERE APPROPRIATE, CONDITIONS WILL BE IMPOSED TO CONTROL THE EXTENT OF DEMOLITIONS AND RECONSTRUCTIONS, FUTURE EXTENSIONS AND/OR ALTERATIONS TO THE BUILDING AND OTHER DEVELOPMENT WITHIN THE CURTILAGE OF THE SITE WHICH MIGHT BE HARMFUL TO THE CHARACTER OR APPEARANCE OF THE AREA.

Nature Conservation

- 4.31 One of the main environmental aims of the Plan is to ensure the effective conservation of wildlife and natural history resources and to seize opportunities for habitat creation. The term nature conservation includes matters of geological as well as ecological interest. The Council is a partner in the Peak District Biodiversity Action Plan, and will assess development proposals in relation to their effects on flora and fauna, and wildlife habitats. European habitat regulations require the protection of features of importance for wild flora and fauna.
- 4.32 The Council recognises that nature conservation should not be limited to a few exceptional sites but is concerned with protection and enhancement of the wider environment. There is also increasing recognition that within towns and villages sites of even relatively modest landscape character and wildlife interest may be valuable.
- 4.33 The need to allow relatively unhindered movement of wildlife between the countryside and the towns and villages is addressed by several provisions of the Plan. These include the protection of strategic areas of open land which surround, separate and penetrate settlements by the Built-up Area Boundaries and Green Belt and Special Landscape Area designations. At the more local and site specific level are policies which carefully control the scale, siting and layout of new development, including requiring new landscaping, where appropriate. In addition, policies relating to the Improvement Corridors, Conservation Areas, protection of



recreation land, sites of nature conservation importance, natural and man-made features, trees and woodlands and protected species will combine to ensure that the importance of these places for wildlife remains. A key concern will be to prevent fragmentation or disturbance of these areas of land to an extent which would seriously impede wildlife movement within and between them.

- 4.34 The Council is also mindful of the indirect effects of development on nearby recognised nature conservation sites, but it believes that much new development can be successfully designed around nature to achieve attractive and stimulating environments which will benefit humans and wildlife alike. Where appropriate, the advice of expert bodies such as English Nature, Derbyshire Wildlife Trust, the Royal Society for the Protection of Birds and the Environment Agency will be sought on wildlife issues.
- 4.35 Nationally important sites in the Plan area are recognised through their statutory notification as Sites of Special Scientific Interest (SSSIs). These sites are designated by English Nature as examples of irreplaceable parts of the national heritage, because of their outstanding flora, fauna, geological or physiographical features. There are eight SSSIs in the Plan area - Toddbrook Reservoir, Combs Reservoir, Waterswallows Quarry, Duchy Quarry, Poole's Cavern and Grinlow Wood, Wye Valley, Dark Peak and Goyt Valley, the latter three crossing the boundary with the Peak District National Park. Their protection is clearly essential. SSSIs, together with National and Local Nature Reserves, will be protected from any development which would be harmful to them. Nature conservation sites of international importance within the locality are designated Special Protection Areas (SPAs) or are candidate Special Areas of Conservation (SAC) under the EC directives on the Conservation of Wild Birds and the Conservation of Natural Habitats and Wild Fauna and Flora ('Habitats Directive'). Relatively small parts of the Plan area are so denoted, but all proposals for development will be stringently assessed having regard to the site's nature conservation value, its integrity and the necessity for the proposed works.
- 4.36 Local authorities have powers to set up and manage Local Nature Reserves (LNRs). Potential sites must be owned or leased by a local authority, or agreement from the landowner that the site can be designated and managed as a Local Nature Reserve must be obtained.
- 4.37 At present there are two statutory Local Nature Reserves in the Plan Area, at Watford Lodge, New Mills and the Brookfield Pond at Whaley Bridge. A further designation is underway at Goytside Meadows, New Mills and Derbyshire Wildlife Trust has identified additional further sites.
- 4.38 The Derbyshire Wildlife Sites Register, prepared by Derbyshire County Council and the Derbyshire Wildlife Trust, identifies natural history sites of more local significance. The preparation of a separate register of Regionally Important Geological Sites is being co-ordinated by the County Council. English Nature has produced an inventory of Ancient Woodlands in Derbyshire and concluded that



high priority should be given to preventing further reductions in the area or nature conservation value of ancient woodland. These woodlands, which have existed under woodland management from before 1600AD afford excellent habitats for wildlife because of their unrivalled structure and shelter, as well as having a significant landscape presence. The best of the ancient woodlands have been incorporated in the Wildlife Sites Register. These sites and the Regionally Important Geological Sites reflect the High Peak's rich and diverse heritage of moorland, meadowland, woodland, bog and wetland. The Council will give protection from significant loss or adverse impact from development to such sites. However, if other material factors are sufficient to override nature conservation considerations, measures will be taken to minimise and mitigate impact on identified sites. Certain species of flora and fauna are included in the Endangered Wildlife in Derbyshire publication, known as the Country Red Data book. Assessment of the impact of development on these species should be included.

- 4.39 The Wildlife Sites Register and the identified Regionally Important Geological Sites are being reviewed by Derbyshire Wildlife Trust on a rolling programme. Other additional sites are also being investigated and if appropriate they are being designated as Wildlife Sites. The Council will normally require further detailed investigation of proposed sites to be carried out to assess the nature conservation value and the impact of the development, including proposed mitigation measures. This assessment will help the Council to decide, on the basis of the most up to date information, the importance to be attached to nature conservation interests.
- 4.40 In the few instances where specific proposals of the Local Plan might have an adverse effect on known natural history interests the Council is satisfied of the need for the development but will seek to minimise and mitigate disturbance.

OC8 - SITES OF IMPORTANCE FOR NATURE CONSERVATION

DEVELOPMENT WHICH INDIVIDUALLY OR CUMULATIVELY WITH OTHER DEVELOPMENT MAY AFFECT A PROPOSED OR DESIGNATED SITE OF EUROPEAN IMPORTANCE WILL BE SUBJECT TO RIGOROUS EXAMINATION AND WILL ONLY BE PERMITTED WHERE:

- **THERE ARE NO IMPERATIVE REASONS OF OVER-RIDING PUBLIC INTEREST FOR THE DEVELOPMENT SUCH AS HUMAN HEALTH OR PUBLIC SAFETY OR FOR BENEFICIAL CONSEQUENCES OF PRIMARY IMPORTANCE FOR NATURE CONSERVATION.**
- **THERE IS NO ALTERNATIVE SOLUTION; AND**

DEVELOPMENT IN OR LIKELY TO AFFECT SITES OF SPECIAL SCIENTIFIC INTEREST WILL BE SUBJECT TO SPECIAL SCRUTINY AND WILL ONLY BE PERMITTED WHERE:

- **MEASURES ARE PUT IN PLACE TO ENSURE THE PROTECTION AND ENHANCEMENT OF THE SITE'S NATURE CONSERVATION INTEREST.**



- **THE REASONS FOR DEVELOPMENT CLEARLY OUTWEIGH THE NATURE CONSERVATION VALUE OF THE SITE ITSELF; AND**

DEVELOPMENT LIKELY TO HAVE AN ADVERSE EFFECT ON LOCAL NATURE RESERVES, A DERBYSHIRE WILDLIFE REGISTER SITE OR A REGIONALLY IMPORTANT GEOLOGICAL SITE WILL ONLY BE PERMITTED WHERE:

- **MEASURES ARE IN PLACE TO ENSURE APPROPRIATE MITIGATION AND COMPENSATORY MEASURES INCLUDING THE MANAGEMENT OF SUCH PROVISION**
- **IT CAN BE CLEARLY DEMONSTRATED THAT THERE ARE REASONS FOR THE PROPOSAL THAT OUTWEIGH THE NEED TO SAFEGUARD THE SUBSTANTIVE NATURE CONSERVATION VALUE OF THE SITE; AND**

Protected Species

- 4.41 The Wildlife and Countryside Act 1981 and subsequent legislation give protection to birds, animals and wild plants, including specific protection for a number of named species such as bats, badgers and great crested newts. Many of these species exist outside Sites of Special Scientific Interest or other sites which are protected in the Plan for their nature conservation value. Consequently, they may occur in places where they are vulnerable to destruction or disturbance from development activities, and the very presence of humans. Nationally rare species are those listed as rare, vulnerable or endangered in a published and current UK red data book.
- 4.42 In assessing development proposals which would be likely to affect a protected species the Council will need to consider whether reasonable precautions can be taken to prevent a breach of the Wildlife and Countryside Act and other wildlife legislation, in consultation with English Nature and other appropriate bodies. It may be possible to ensure that the species is adequately protected by incorporating its place of shelter (either alone or together with sufficient of the immediate habitat for its continued survival) into the development, or, in exceptional circumstances, by translocating the species. Where these courses of action are not practicable the application will normally be refused. There may in exceptional circumstances be occasions where, despite having an adverse effect on protected or nationally rare species, development may be acceptable.

OC9 - PROTECTED SPECIES

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH IS LIKELY TO HAVE A MATERIALLY ADVERSE EFFECT ON A PROTECTED SPECIES, OR ONE IDENTIFIED AS BEING NATIONALLY RARE UNLESS:



- **THE DEVELOPMENT WILL INCORPORATE A VIABLE POPULATION OF THE SPECIES INCLUDING ITS PLACE OF SHELTER, IMMEDIATE HABITAT AND ROUTES OF MOVEMENT; OR**
- **IN EXCEPTIONAL CIRCUMSTANCES, THE DEVELOPMENT WILL INCLUDE SATISFACTORY RELOCATION OF THE SPECIES TO A CONVENIENT AND SUITABLE ALTERNATIVE SITE IN THE NEIGHBOURHOOD**

CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE THAT APPROPRIATE STEPS ARE TAKEN TO ADEQUATELY PROTECT, MANAGE AND ENHANCE THE PLACE OF SHELTER, ROUTES OF MOVEMENT OR IMMEDIATE HABITAT OF THE SPECIES.

Trees and Woodlands

- 4.43 Whether solitary, in small groups or in woodlands and forests, trees are very important. In both urban and rural areas they make a significant contribution to the character and attractiveness of places, and they often provide a resource for quiet recreation and a haven for wildlife. They can also help the rate of CO₂ 'fixing', since trees lock up carbon as they grow, and so a progressive increase in tree cover as appropriate (especially broad-leaved trees) is desirable.
- 4.44 Local authorities have powers to make Tree Preservation Orders (TPOs) as a means of protecting trees of amenity value. The Council frequently uses these powers where trees appear to be under threat, and will continue to do so. Trees in conservation areas are also protected and consent is needed for felling or lopping. However, TPOs are only a means of protecting trees as they stand, and do not ensure positive management or even renewal. Indeed, in some cases there is a need for selective felling in the interests of good tree management, subject to appropriate re-planting. New development proposals can sometimes provide these opportunities, and felling is more likely to be accepted where it forms part of a comprehensive woodland management scheme. Woodland management agreements are tailor-made for each woodland, and provide greater scope to encourage good husbandry and woodland regeneration.
- 4.45 As well as protecting important trees and woodlands from felling and development, the Council wishes to encourage additional tree planting in appropriate locations. The establishment of new woodlands in partnership with the local community and statutory bodies will be explored where opportunities arise. The use of native species is preferred, particularly in the countryside and on the fringes of settlements. The Landscape Character Assessments will identify the types of species most suitable for the particular landscape area type. Wildlife considerations are important in considering tree planting proposals, though it is



recognised that, sometimes, the existing habitat may be more valuable than the potential of newly created woodland.

- 4.46 The Council has published a leaflet entitled "Protection of Trees on Development Sites", the advice in which applicants will be encouraged to follow.

OC10 - TREES AND WOODLANDS

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:

- **IT WILL NOT RESULT IN THE LOSS OF, OR MATERIALLY INJURE THE HEALTH OF, A WOODLAND (IN WHOLE OR IN PART) OR OTHER SIGNIFICANT INDIVIDUAL, GROUP OR AREA OF TREES, UNLESS REQUIRED IN THE INTERESTS OF SAFETY, GOOD TREE MANAGEMENT OR A WIDER SCHEME OF CONSERVATION AND ENHANCEMENT; OR**
- **EXCEPTIONALLY, WHERE LOSS OR INJURY IS ACCEPTED, ADEQUATE REPLACEMENT PLANTING, IN TERMS OF NUMBERS, SPECIES, PLANTING DENSITY AND LOCATION, WILL BE PROVIDED AS PART OF THE DEVELOPMENT**

CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE ADEQUATE PROTECTION AND MANAGEMENT OF INDIVIDUAL, GROUPS AND AREAS OF TREES AND WOODLANDS WHICH ARE IMPORTANT FOR LANDSCAPE, AMENITY, RECREATION OR NATURE CONSERVATION REASONS.

