This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about this Agenda or on the “Public Participation” initiative please call Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk

11 September 2015

To: All Councillors

As a Member or Substitute of the Planning Committee, please treat this as your summons to attend a special meeting on Tuesday 22 September 2015 at 6.00pm at the Elim Pentecostal Church, Waterside Business Park, Waterside Road, Ashbourne DE6 1DG.

Yours sincerely

[Signature]

Sandra Lamb
Head of Corporate Services

AGENDA

SITE VISITS The Committee is advised a coach will leave the ELIM PENTECOSTAL CHURCH, Waterside Park, Ashbourne at 3.30pm prompt. A schedule detailing the sites to be visited is attached to the agenda.

NB: STOUT FOOTWEAR IS ADVISABLE FOR THE SITE VISIT

1. APOLOGIES/SUBSTITUTES

    Please advise the Committee Team on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS

    Planning Committee – 8 September 2015

3. INTERESTS

    Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council’s Code of Conduct. Those Interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

Issued 11 September 2015
4. APPLICATIONS FOR DETERMINATION

Please note that for the following items, references to financial, legal and environmental considerations and equal opportunities and disability issues will be embodied within the text of the report, where applicable.

PUBLIC PARTICIPATION

To provide members of the public WHO HAVE GIVEN PRIOR NOTICE (by no later than 12 noon on the working day prior to the meeting) with the opportunity to express their views, ask questions or submit petitions relating to planning applications under consideration. Representations will be invited immediately before the relevant item of business/planning application is discussed.

Page No.

4.1 APPLICATION NO. 15/00389/OUT (Site Visit) 4 - 34

Residential Development Of Up To 70 Dwellings (Outline) Land Off Derby Road (To The East Of Bakers Lane) Doveridge

NOTE
For further information about this Agenda or on the Public Participation initiative contact the Committee Team on 01629 761133 or e-mail committee@derbyshiredales.gov.uk.

Members of the Committee
Councillors Garry Purdy (Chairman), Tony Millward BEM (Vice Chairman),

Jason Atkin, Sue Burfoot, Sue Bull, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Neil Horton, Tony Morley, Mike Ratcliffe, Lewis Rose OBE, Peter Slack and Andrew Statham, Jo Wild.

Substitute Members
Deborah Botham, Jennifer Bower, Richard Bright, Martin Burfoot, Phil Chell, Ann Elliott, Chris Furness, Alyson Hill, Angus Jenkins, Vicky Massey, Jean Monks, Joyce Pawley, Mark Salt, Andrew Shirley, Jacquie Stevens, John Tibenham.
SITE VISITS
Members will leave the Ashbourne Elim Pentecostal Church at 3.30pm prompt for the following site visits:

4.00pm  Application No. 15/00389/OUT
LAND OFF DERBY ROAD (TO THE EAST OF BAKERS LANE)
DOVERIDGE

Requested by the Ward Member and Officers to allow Members of the Planning Committee to fully appreciate the issues involved.

5.15pm  RETURN TO ELIM PENTECOSTAL CHURCH

COMMITTEE SITE MEETING PROCEDURE
You have been invited to attend a site meeting of the Council’s Planning Committee/Advisory Committee. The purpose of the meeting is to enable the Committee Members to appraise the application site. The site visit is not a public meeting. No new drawings, letters of representation or other documents may be introduced at the site meeting. The procedure will be as follows:

1. A coach carrying Members of the Committee and a Planning Officer will arrive at the site as close as possible to the given time and Members will alight (weather permitting)

2. A representative of the Town/Parish Council and the applicant (or representative can attend.

3. The Chairman will ascertain who is present and address them to explain the purpose of the meeting and sequence of events.

4. The Planning Officer will give the reason for the site visit and point out site features.

5. Those present will be allowed to point out site features.

6. Those present will be allowed to give factual responses to questions from Members on site features.

7. The site meeting will be made with all those attending remaining together as a single group at all times.

8. The Chairman will terminate the meeting and Members will depart.

9. All persons attending are requested to refrain from smoking during site visits.
15/00389/OUT

Land off Derby Road, Doveridge

Derbyshire Dales DC

Date: 14/09/2015

100019785

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RESIDENTIAL DEVELOPMENT OF UP TO 70 DWELLINGS (OUTLINE) LAND OFF DERBY ROAD (TO THE EAST OF BAKERS LANE) DOVERIDGE FOR MR J WILSON, MRS A ROE & MRS S MURBY

Parish Council: Doveridge Date of receipt: 06/06/2015
Application type: Outline Case Officer: Mr J Bradbury

THE SITE AND SURROUNDINGS:

The original application site relates to an irregular shaped 3.1 hectare parcel of land to the east of and immediately adjoining the settlement of Doveridge. The site has a frontage with Derby Road to the north-east and its western frontage is to Bakers Lane whilst the southern and south-western boundaries are within the gardens of existing dwellings.

To the south-east is an open field with individual parkland trees. The majority of the original site is located within a single gently sloping field which is enclosed with hedgerows with hedgerow trees. The field is grazing land. The site also incorporated a portion of the field to the south which is different in character as it slopes more steeply and has attractive individual mature trees within it. The two fields are separated by a mature hedgerow immediately to the south of which runs the east / west route of a public footpath.

During the course of consideration of this application the amount of the southern field incorporated into the application has been substantially reduced.

The housing on the opposite side of Bakers Lane comprises traditional brick and render properties to the south with estate properties / bungalows to the north. To the east of Bakers Lane and along the east of Alms Road is a mix of older traditional properties and a converted Methodist Chapel with more modern infill. At the corner of Alms Road and Bell Lane is the Grade II* Manor House which has extensive enclosed gardens to the east. To the west of Alms Road is Doveridge Primary School and development along Alms Road as it sweeps round the west creates a strong village streetscape. To the east of Derby Road opposite the site on the roadside are two detached properties beyond which lies a business premises but otherwise beyond Derby Road to the east is predominantly open agricultural land.

THE APPLICATION:

Outline planning permission is sought for up to 70 dwellings. The application reserves all matters although an illustrative plan has been submitted with the application. This shows vehicular access being taken from Derby Road with only pedestrian access being taken onto Bakers Lane.

The illustrative masterplan originally showed housing extending into the southern of the two fields along with a balancing pond and play area. Following further analysis of the heritage impacts of the development an amended illustrative masterplan has been submitted which contains all residential development within the northern field with only the balancing pond and play area extending into the southern field. At the time of writing a further illustrative masterplan was anticipated reflecting discussions with the applicant and proposing the removal of the play area from the southern field.
The application is accompanied by the following supporting documents:-

- Design and Access Statement
- Planning Statement
- Archaeological Desk Based Assessment
- Archaeological Geophysical Survey
- Flood Risk and Drainage Assessment
- Landscape and Visual Impact Assessment
- Arboricultural Survey and Constraints Plan
- Ecological Assessment
- Transport Statement
- Heritage Assessment
- A Draft Legal Agreement

All of these documents have been retained on the public file for examination and comment and circulated to consultees. They are referred to, where necessary, and pertinent in the 'Issues' section of the report. The broad outline of the applicant's supporting case is set out in the Planning Statement and can be summarised as follows:-

1. The site lies outside the Settlement Framework boundary for the village of Doveridge. However, given that the Council does not have a 5 year housing land supply or up-to-date plan in place, relevant policies for the supply of housing (H4 and SF4) cannot be considered up-to-date and the presumption in favour of sustainable development in paragraph 14 of the National Planning Policy Framework is invoked.

2. The loss of open countryside outside the existing settlement must be weighed against the need for housing and in light of the substantial shortfall in 5 year supply Settlement Frameworks must be reviewed to meet needs.

3. Given the slow progress on the Local Plan and further hurdles to be overcome it will be some considerable time before the Development Plan resolves land allocations.

4. The National Planning Policy Framework makes it clear that there is an absolute requirement to boost the supply of housing significantly and meet objectively assessed needs. The current housing need in an area carries substantial weight.

5. The site is in a sustainable location close to the range of services and facilities that Doveridge has to offer and the village has good transport links. This, and the shortage of available housing, means that demand will be high and the housing will come forward quickly making a meaningful contribution to housing shortfall.

6. Paragraph 14 calls for decision takers to approve development consistent with the Framework without delay, unless the harm of doing so would significantly and demonstrably outweigh the benefits. The development is sustainable in accordance with the Framework definition and policy guidance.

7. The development will not result in harm in terms of amenity, community, landscape, environmental, traffic, technical or other public interests. Whilst it will result in the loss of 3.1 hectares of open countryside this has to be weighed against the need for housing.

8. The main benefits of the scheme are summarised as follows:-
Social

- A deliverable site will make a meaningful contribution to the districts 5 year housing supply shortfall. The provision of 11 units of affordable housing would help address an identified need.

- The development will enhance use of public Footpath 9 linking the village with Derby Road.

- The development will deliver a play area for occupiers of the development and village.

- A modest increase in village population will help to ensure the continued vitality and viability of local services.

Environmental

- A sustainable location for new housing where residents will not be wholly reliant on the private car.

- The swale and balancing pond can be developed as a wildlife habitat and enhance green infrastructure.

- Existing boundary hedgerows and mature trees along the frontage with Derby Road and Bakers Lane will be retained and incorporated into the public domain.

Economic

- Employment generated during construction and additional spending power of residents will add to the local economy.

9. On balance, the benefits of the development outweigh the limited harm that would result from the loss of open countryside and as such it must be viewed as sustainable development.

In recognition of the further analysis undertaken by the applicants it is also relevant to incorporate these findings into the broad case made for development. The supplementary submission made on 3rd September covers the following points:-

Impact on Landscape and Heritage

In response to consultee observations a heritage assessment has been undertaken particularly in relation to the Grade II* Manor House and unlisted former Doveridge Methodist Chapel. The assessment identified no detrimental impact on the setting of the former Chapel. In relation to the historic landscape setting of the house it found that this would be better preserved if built development was confined to the field to the north of the public right of way. The illustrative masterplan has been amended accordingly.
**Site Access Position**
The proposed point of access has been moved 15m north-west on the amended illustrative layout to take account of Local Highway Authority concerns. This will involve hedgerow removal but the hedge is species poor and of little ecological value.

**Flooding and Drainage**
Note the concerns expressed by Derbyshire County Council Flood Risk Management Team, however, a balancing facility is proposed with adequate capacity. This will be fully detailed in a reserved matters application.

**Minerals**
Whilst the concerns of the County Council are noted the viability and practicality of excavating underlying sand and gravel for a 3 hectare site is questioned. The need for housing should override this.

**Agricultural Land Grade**
The objections in relation to the lack of an assessment of agricultural land grade are noted. The land is shown as grade 3, however, its use for grazing tends to suggest that it is not “the best and most versatile agricultural land”. In any event the overriding benefits of developing the site for new housing allow for its release under Plan Policy SF6. Doveridge is surrounded by Grade 3 land and there will not be sufficient sites of lower grade to meet village housing need.

**RELEVANT HISTORY:**
No relevant history.

**CONSULTATIONS:**
Parish Council:

Have employed planning consultants to object on their behalf. A detailed submission has been made which runs to in excess of 20 pages. The concerns raised are condensed into an executive summary which highlights the following concerns / objections.

1. The Parish Council submit that the application is contrary to saved Local Plan Policy, National Policy and guidance contained in the National Planning Policy Framework and National Planning Practice Guidance.

2. It is acknowledged that there are benefits arising from this development, however, none are unusual or unique. These benefits must be weighed against adverse impacts. These are considered to be conflicts with 4 Development Plan policies and the fact that the pre-weighted planning balance should not be engaged in this instance due to the impact on the setting of a designated heritage asset means that the proposal is considered contrary to both National and Local Plan Policy.

3. The Parish Council object to the proposal as the development would constitute inappropriate development outside of a defined Settlement Boundary in the countryside contrary to Policies SF4 and H4 of the Local Plan and policies in the National Planning Policy Framework.
4. Object on the basis that insufficient evidence has been provided that the site is not the best and most versatile agricultural land. In the absence of such information it is considered that the development is contrary to Policy SF6 of the Local Plan.

5. Object on the basis that insufficient evidence has been submitted to demonstrate that future occupiers of dwellings would not be adversely affected by noise pollution from the A50 to the north. In the absence of such information it is considered that the development is contrary to the National Planning Policy Framework and National Planning Policy Guidance.

6. Object as insufficient evidence has been provided to demonstrate that the development would not have an adverse impact on the setting and, therefore, cause harm to a designated heritage asset of the highest significance, the Grade II* Manor House. In the absence of such information it is considered that the development is contrary to Policy NBE16 of the Local Plan and the National Planning Policy Framework. Due to the potential effect on the Grade II* Listed Manor House, a designated heritage asset, the relevant restrictive policies of the National Planning Policy Framework, Footnote 9 to paragraph 14 of the National Planning Policy Framework applies and the pre-weighted (or tilted) balance set out in the second bullet point of paragraph 14 is, therefore, not engaged.

Additional comments have been received from the Parish Council which raise further concerns over:-

- The density of development which is greater than other schemes and not sympathetic to the village scene.
- Impact on bats. Residents have noted bats in the trees and vegetation. The applicants have not produced any evidence that survey work has been undertaken.
- Overall planning for Doveridge. Other schemes have been submitted or are out to public consultation. Upwards of 150 dwellings could result from proposed development. This would raise serious concerns over sustainability in relation to impact on roads, sewers, electricity and schools. Original Local Plan work indicated 27 dwellings for the village. The applications should be looked at together to fully assess their impacts.

Local Highway Authority:
Initial consultation response:-
Note that the 85th percentile speeds captured in the traffic survey carried out over 1 day exceed the speed limit of 30 mph, being 38.66 mph and 39.96 mph. These have been adjusted down for wet weather but this adjustment appears debatable as the highway appears wet in photographs taken. This survey is just an isolated ‘snapshot’ of vehicle speeds in any event.

The longer 13 day Automated Traffic Survey (ATC) 85th percentile speeds reveal a 2 way average of 45 mph. These higher values adjusted for wet weather should inform visibility splay requirements.

There is also variability with the HGV count between the two surveys with the ATC revealing 10% HGV traffic which should also feed into the visibility requirements.
Using the ATC figures adjusted for wet weather gives 114m (desirable) or 89m (minimum) visibility splay requirements for 42.5 mph speeds. This is achievable within the site frontage but a revised plan should be submitted for completeness and to ascertain impact on trees.

Whilst it is recognised that all matters are reserved further consideration may need to be given to the optimum access location to balance the impact of visibility splays and the site frontage / mature trees.

Appropriate highway conditions can be drafted to address visibility splays should the District Council be minded to support the application and there is no highway objection in principle.

Further Response
Have considered amended plan which revises the access position but scale makes it difficult to establish if visibility fully incorporated. Notwithstanding this, given the extent of site frontage, a safe access can be achieved and this can be secured through appropriate conditions as all matters are reserved with this application.

Conditions are suggested relating to the following matters.

1. No development to be commenced until temporary access for construction created.
2. No development to take place until construction management plan or method statement agreed.
3. As part of any reserved matters or full application a detailed design for the permanent estate street junction to Derby Road shall be submitted and approved with 5.5m carriageway, 2m footways and 2.4m x 114m visibility splays.
4. Prior to first occupation of any dwelling on site the permanent estate street junction to Derby Road shall be laid out and constructed.
5. Reserved matters application shall include details of internal layout to comply with "Manual for Streets" and 6C's design document.
6. No development shall take place until construction details of the residential estate roads and footways have been agreed.
7. Carriageways and footways serving any dwelling shall be constructed up to and including binder course surfacing before dwellings occupied. The carriageway and footways shall then receive final course within 12 months of occupation.
8. The premises shall not be occupied until the estate street has been provided with suitable turning arrangements to enable service and delivery vehicles to turn.
9. The premises shall not be occupied until individual manoeuvring and parking facilities have been provided for each dwelling within curtilage as appropriate.
10. Within 28 days of the new access to Derby Road being formed all other existing means of vehicular access to the site from Derby Road and Bakers Lane shall be permanently closed.
11. As part of any reserved matters or full application for the site a detailed scheme for the disposal of highway surface water shall be agreed.
12. Details of arrangements for the storage of bins and collection of waste to be submitted and agreed.
13. Detailed designs for the provision / improvement to pedestrian facilities running through or alongside the site including interfaces with the public highway to be agreed.
Derbyshire County Council (Strategic Infrastructure):
Request that the development be afforded access to high speed broadband services and that new homes be designed to Lifetime Homes standard

In relation to education the proposed development falls within and directly relates to the normal areas of Doveridge Primary School and QUEGS Secondary School. A development of 70 dwellings would generate the need for 14 primary school places, 10 secondary and 4 post 16 education places.

School pupil roll number projections were updated in January 2015.

Doveridge has a capacity of 105 with 82 on roll. Projections indicated the number of pupils will fall to 48 in 5 years. The development can, therefore, be accommodated.

QUEGS has a current capacity of 1384 and currently has 1301 on role. Projections indicate this will fall to 1197 over 5 years. There would, therefore, be capacity to accommodate secondary and post 16 pupils from the development.

County Council Minerals:
The site is underlain by sand and gravel resources and is a Minerals Consultation Area in the Minerals Local Plan. This plan ensures that minerals are safeguarded and taken into account in assessment of applications to avoid needless sterilisation.

Policy MP17 of the Minerals Plan should be taken account of in assessing the application. This seeks to prevent sterilisation of economically workable deposits except where there is considered to be an overriding need for development and it is shown that extraction of the mineral, prior to or as part of the development, cannot reasonably be undertaken or is unlikely to be practicable or environmentally acceptable.

The applicant is requested to provide further supporting information which assesses the quantity and quality of underlying deposits and the viability and practicality of extraction.

County Council – Rights of Way:
Doveridge Footpath No. 9 crosses the site running east / west. Advisory footnotes are suggested for the applicants.

Peak and Northern Footpaths Society:
Do not object. The route of Footpath No.9 appears to have been considered and it must remain open to its full width unless temporary closure is sought.

The Ramblers:
No objection provided that the footpath is not closed or obstructed during construction and, that it is enhanced as promised in the submitted Design and Access Statement.

Historic England:
The site is located near to the Grade II* Listed Manor House and given the size of the site may have an impact upon the setting of it.

The site contains mature tree planting which could be characteristic of former parkland. The site also has an open character and setting to the village. It would be preferable to restrict development to the north of the site.
It is noted that the development seeks to retain parkland planting with development focused on the northern part of the site. In determining this application recommend full consideration is given to the impact of the amount, location and design of residential development on the significance of the Manor House, which derives in part from its landscape setting. Highlight the requirement under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to take account of the statutory requirement to have special regard to the desirability of preserving the buildings or its settings – irrespective of the level of harm.

Development Control Archaeologist:

The application is accompanied by desk-based and geophysical surveys which satisfy the requirements of paragraph 128 of the National Planning Policy Framework.

The site contains earthwork ridge and furrow of medieval date (part of HER 19124). The site stretches north and east and covers c20ha. The land to the north, however, has been planted with arable crops such that the site is a rather isolated survivor from this once extensive landscape and, therefore, the coherence should not be overstated. The earthworks are diffuse and shallow in form.

In relation to below ground archaeology the results of the geophysical survey show the majority of the site to be low potential. Two areas of interest merit further investigation and it is suggested that this is addressed through a conditioned scheme of archaeological work in line with National Planning Policy Framework Paragraph 141.

County Council Flood Risk:

Object on the basis that there is insufficient evidence of the means of surface water disposal. The FRA states that infiltration will be used to manage surface water but no ground soakaway tests have been submitted. The underlying geology suggests that infiltration may be constrained.

If infiltration is not practical the FRA has not demonstrated any further options. There are no watercourses available to discharge to and there are uncertainties surrounding the ability to connect to public surface water or combined sewer.

The FRA team strongly recommend that the developer clarifies how these issues can be addressed in order to demonstrate sustainable drainage.

The developer should also be asked to demonstrate that appropriate provision for maintenance of the drainage scheme has been secured prior to development commencing.

The objection can be overcome by submitting information to demonstrate that surface water can be disposed of sustainably at which point the Flood Risk Team would be in a position to recommend conditions.

Crime Prevention Design Adviser:

Within the indicative layout there are a number of rear parking courts. Vehicles here would be hidden by fencing and possibly in an area unlit at night. It is suggested that the rear parking courts are removed or re-designed to incorporate properties that overlook them.
Derbyshire Fire and Rescue:
Strongly recommend the installation of a Domestic Sprinkler System. If one is not installed recommend a minimum 32mm water supply capable of delivering the required volume of water to allow later installation.

Derbyshire Wildlife Trust:
The application is supported by an Extended Phase 1 Survey. From the results it is apparent that the grassland present does not represent a habitat of substantive nature conservation value.

The fields are bounded by hedgerows with trees. The hedgerows meet the definition of UK BAP priority habitat and should be retained wherever possible with any loss being compensated by new planting. The hedgerow between the fields is “important” under the Hedgerow Regulations and its retention is welcomed.

The main hedgerow impact will result from the formation of the access to Derby Road. A new native hedgerow should be planted to compensate for any loss. The retention of hedgerows as landscape buffers rather than garden boundaries is to be welcomed and a condition is suggested to retain hedgerows with a management regime as part of the reserved matters.

Satisfied that unlikely to be any impacts on badger or great crested newts. All the trees have been assessed for roosting bats. Of 3 trees affected by the proposal only 1 had the potential for bat roosts and inspection revealed no evidence of use. Support further inspection of this tree prior to works being undertaken to it.

A condition to protect breeding birds is recommended.

The production of a landscape and ecological management plan for all retained and created habitats is welcomed and a condition suggested.

Head of Housing:
The following on-site provision is required (11 homes) with the remainder as an off-site contribution.

Three : 3 bedroomed 5 person houses to rent
Four : 2 bedroomed 4 person bungalows – 2 rent and 2 shared ownership
Four : 2 bedroomed 4 person houses – 2 rent and 2 shared ownership

Environmental Health:
Raise no objections in principle. However, as the development is relatively close to a busy ‘A’ road and minor road carrying traffic there is a possibility of road traffic noise disturbance to the proposed properties. However, not aware of any past problems being reflected in complaints of nuisance from existing properties a similar distance away. Would conclude that unlikely that a noise nuisance would exist for future residents. Would, however, suggest a condition requiring the applicants to undertake a noise survey of current background levels with the results being used to ascertain if noise remediation measures should be incorporated into final design.
REPRESENTATIONS:

A total of 83 representations including one from Doveridge Preservation Society and one on behalf of the Doveridge Neighbourhood Forum. The comments from the latter two parties are summarised first with the comments in the remaining 81 letters summarised as a group.

Doveridge Preservation Society

1. The development needs to be looked at both for the impact it will have in the immediate vicinity and from the wider perspective for the adverse impact it will have on the character and heritage features of this Derbyshire village.

2. Doveridge is first and foremost a village comprising approximately 600 homes, a church, a village shop, a club and public house. This and other potential development conjures up a vision of Hilton, a village that has ballooned into a commuter development and lost its character through a monotony of residential developments. This should not be imposed on another Derbyshire community.

3. A key component of the character of Doveridge is the balance between the built framework and existing open greenfields. To fill in these green spaces will change its character.

4. This development is the start of the alteration of the character of Doveridge.

5. The proposed 70 plus houses are completely out of character with the density of housing on previous developments. An adjoining development is 17.5 houses per hectare. The housing proposal would be densely packed.

6. Single storey dwellings opposite Cavendish Close will do little to alleviate the built up and dominant form of the development.

7. The southern area of land proposed for development formed part of a small park belonging to the Manor House. The mature trees clearly form a major feature in this area adding character to the environment as well as habitat. The land around the Manor House quite clearly helps to define the setting of the grade II* listed building giving it context and a sense of scale in the locality.

8. The former Methodist Chapel is not listed but is an historic building of major significance in Doveridge. It has been recently converted but retains its character. The proposed development would alter the context of this building and its connection to the landscape would be lost.

9. Medieval ridge and furrow features exist in the landscape. They are important to the heritage of the village whose history dates back to the Domesday Book. The development will break the link with farming heritage.

10. The housing development will have a major impact on the community and infrastructure in Doveridge. The roads are narrow and on street parking is an increasing problem and threat to pedestrian’s safety.

11. Although access is shown from the A50 the development will undoubtedly increase traffic on Bell Lane and Bakers Lane which on the latter is a threat to pedestrians.
12. The road infrastructure of the whole village will be affected by up to 140 new cars which will both affect safety and the character of the village.

13. The trees and boundary hedges along the A50 and Bakers Lane frontage are historically important and contribute to local ecology.

14. A substantial increase in Doveridge population is not sustainable as it will promote commuting in the private car and pollution as a result.

15. The village experiences noise from the A50 and a survey should be carried out.

16. Doveridge is heavily reliant on Uttoxeter for secondary education and services.

17. The expansion of Doveridge will put pressure on the doctors surgery in Sudbury and already stretched resources in Sudbury and Uttoxeter.

18. The primary school will be put under pressure. The expansion of Uttoxeter by 600 houses is already putting secondary education under pressure and the places offered to Doveridge may no longer be offered, such that children would need to travel to Ashbourne or Etwell whose schools are also under pressure.

19. Existing waste water and drainage facilities will be put under increased pressures.

20. The promise of a play area was not delivered on Waterpark Road and should not be seen as a major incentive of this scheme.

21. Brownfield land should be used first.

Doveridge Neighbourhood Forum – comments on the Transport Statement

1. The site was subject to an automated traffic count for six days and a one day survey in person for 3½ hours. The automated traffic count is considered to provide the more reliable data on traffic speeds and yet the shorter survey has been utilised by the applicants to design the scheme. This short survey suggests lower vehicle speeds, though still exceeding the speed limit, with a consequent reduction in visibility splays.

2. If the longer survey is taken as accurate the visibility splays would increase to 81.1m in a south easterly direction which would be restricted by the existing tree in the highway verge.

3. It is recommended that the developer provide traffic calming along Derby Road from the beginning of the 30mph speed limit to the south east of the site to the roundabout to the northwest. The traffic calming should be such that the 85th percentile vehicle speeds are reduced to 30mph.

4. With a speed of 30mph the maximum visibility splay would be 70m. This can be accommodated without being impeded by the existing trees.

5. Without traffic calming the visibility splays proposed are not correct and would result in a substandard access detrimental to highway safety, and would warrant refusal.

The points made in the remaining 81 representations can be summarised as follows:
1. Doveridge infrastructure cannot cope with additional pressures.

2. Roads are too narrow and cannot cope with existing traffic let alone further burden.

3. The existing drains cannot cope with existing surface water flows. The loss of greenfields will exacerbate runoff.

4. The existing water supply network is inadequate.

5. The proposal will alter the character of the village with an increase in noise and light pollution loss of privacy and increased antisocial behaviour.

6. The site is greenfield and supports important flora and fauna.

7. It is unacceptable to develop greenfields where brownfield sites are present in nearby Uttoxeter.

8. The large houses proposed will not benefit village residents who require small first time buyer houses.

9. The village character of Doveridge will be lost and it will be turned into a small town like Hilton with its sprawling urban character.

10. A huge amount of housing is being built in the locality in Tutbury, Burton-on-Trent, Willington, Repton and Uttoxeter.

11. The village is poorly served by infrastructure and lacks a doctors or dentist and appropriate transport links.

12. Cannot see any benefits to the village of expansion on this scale.

13. The trees to the Manor House are protected by an Area Tree Preservation Order.

14. Concerned about ‘open season’ for planning applications.

15. Concerned about lack of planning strategy by Local Authorities.

16. Lack of consultation with local residents.

17. Lack of affordable housing and concentration in one small area.

18. Wider infrastructure investment should be sought e.g a cycle route linking to Sudbury.

19. 70 units is too dense for the site.

20. The community feel of the village would be lost by substantial expansion.

21. New residents would be exposed to the road noise from the A50 to the detriment of their amenity.

22. If this development goes ahead with one at Park Crescent the village will expand by 25% which is far too much.
23. The housing proposal on the caravan site is sufficient to address the village need.

24. Increasing housing and developing agricultural land increases out reliance on food imports.

25. The schools cannot accommodate additional numbers.

26. The increase in traffic will be detrimental to highway safety and the safety of horse riders and pedestrians.

27. Local towns have insufficient secondary school places.

28. The proposal disregards the work done on a village plan where an acceptable number of houses was agreed.

29. The character of the village will completely change if all developments go ahead.

30. The entrance to the village will be harmed by the development of this land.

31. There is no gas supply in the village so the houses should be energy efficient.

32. The proposed new development in Uttoxeter mean that children would have to go to QUEGS for secondary school which would force year 5 and 6 children to remain at Doveridge, increasing school numbers by 20 and making accommodating new house children implausible in the village school.

33. There is no source of employment locally and new residents would need to drive to work.

34. The absence of local services means residents would need to travel to do most things on a daily basis.

35. Planning this site cannot be done in isolation and an overall infrastructure plan is needed.

36. The footpath affected by the development should be retained.

37. The absence of pavements on local roads poses a threat to pedestrian safety with increased traffic proposed.

38. Significant parking concerns will arise around the school and village shop.

39. The number of dwellings should be reduced to 50 with more space for gardens and communal living.

40. This is acceptable only if it is the sole scheme that comes forward for Doveridge.

41. Houses should have gardens fit for families.

42. Based on previous noise surveys undertaken on Bakers Lane the whole site will be exposed to background noise levels exceeding 60 decibels as a result of proximity to the A50.
43. All sites now proposed for development between Doveridge and the A50 will be exposed to noise levels of between 63 and 72 dB where planning permission should not normally be granted.

44. Although houses can be insulated to address noise levels residential amenity would still be seriously compromised in gardens.

45. The lower end of the village is inundated with water during storms and Derby Road floods. Both could be exacerbated.

46. The design brief is flawed.

47. The community consultation was hastily arranged and happened during working hours.

48. The suggestion that 70 dwellings represent only a 10% increase does not have regard to the other developments proposed for the village.

49. Pedestrian egress onto Chapel Green is at a point with no pavement to the detriment of pedestrian safety.

50. The visibility splays for the access do not comply with highway guidance.

51. The setting of the grade II* Manor House will be adversely affected by development in the parkland.

52. Bats inhabit the site and this has not been properly addressed by the applicant. Whilst the report recognises the suitability of the site, no survey work has been submitted to inform any layout or to allow for assessments of the impacts.

53. The site is protected for its ridge and furrow field pattern.

54. Loss of privacy to residents of Cavendish Close.

55. The doctors surgery cannot cope with expansion in patient numbers.

56. Antisocial behaviour will increase as village character/sense of community changes.

57. The failure to ratify the local plan leaves Doveridge wide open to development.

58. This is good agricultural land which should not be sacrificed for housing.

59. Housing provision should target starter homes and homes for the elderly.

60. Catching public transport to Ashbourne involves a change in Uttoxeter and takes at least an hour.

61. The increased traffic on roads will frustrate the operation of local farms.

62. Drivers on Derby Road do not abide by the speed limit.

63. The location of a drainage pond next to a children's play area would be dangerous.
64. Starter homes are needed for the young population of the village.

65. Lack of sufficient information on sewerage and drainage.

66. A proper village plan is needed to avoid piecemeal development.

67. The site frontage is heavily vegetated and queries the accuracy of visibility splays in summer months.

68. The lack of footpaths at the site frontage and in the village in general will put pedestrians at risk.

69. The proposal conflicts with the local plan whose policies are still relevant.

70. The agricultural land has a high grade which should preclude it from development.

71. Encouraged by the inclusion of starter homes which will allow young people to stay in the community.

72. The trees on site are homes for Buzzards and Jackdaw and Kestrels, Sparrow Hawks, Wood Peckers, Barn Owls and Tawny Owls also frequent the area.

73. Residents of adjoining development will have amenity undermined by car headlights.

74. The housing layout needs greater variety to sit comfortably with the village character.

75. The site has been rejected for development in previous local plan and the logic of this remains.

76. Business on opposite site of Derby Road has the potential to generate noise and nuisance.

77. The pleasant walk through the field would be lost.

78. Bed and breakfast business will be harmed during building works.

79. The facilities/accommodation on offer at the village school are not fit for purpose if school numbers expand.

80. The infrastructure of the village cannot be changed to accommodate the development without significantly undermining its character.

81. The junction of Bakers Lane with Alms Road has severely restricted visibility and increased traffic will increase the risk of accidents.

82. More trade could help support the village shop, pub and club but often newcomers do not use local facilities.

83. The larger teenage population will need more facilities.

84. The woodland part of the site should be protected as a public amenity.
85. No applications should be determined ahead of the local plan.
86. The character of Bakers Lane should be safeguarded.
87. Loss of views from neighbouring properties.
88. Overbearing impact on neighbouring properties.
89. Previous starter homes have been extended to make them unaffordable and any provision in this scheme should be carefully safeguarded.
90. Concerns about lack of cross border cooperation with Staffordshire to ensure infrastructure is adequate.
91. The character of Doveridge derives from the village nature with farmsteads and former farmsteads marking the limits. Breaking out into fields will dramatically change and harm its character.
92. The scheme proposed does not comply with guidance in the National Planning Policy Framework in terms of design quality and its response to context.
93. All prospective developments for the village should be considered jointly to make a proper assessment on sustainability.
94. The community should be allowed the opportunity to prepare a neighbourhood plan to shape the future of Doveridge.
95. The site is used by amphibians in spring with standing water.
96. Lapwings have recently returned to the area and could be threatened.
97. The trees are hundreds of years old and should be preserved as a priority.
98. Access to broadband would be worsened by increased demand.
99. Further development of the village school to accommodate housing numbers would lead to loss of playing fields.
100. Significant additional light pollution will arise.
101. Small properties and bungalows are needed to allow existing housing stock to be freed up for families.
102. Other villages such as Sudbury and Marston Montgomery should take a share of the housing requirements.

POLICIES:
1. Adopted Derbyshire Dales Local Plan (2005)
   SF4: Development In The Countryside
   SF5: Design and Appearance of Development
   SF6: Protection Of The Best Agricultural Land
SF7: Waste Management And Recycling
H4: Housing Development Outside Settlement Framework Boundaries
H9: Design and Appearance Of New Housing
H13: Affordable Housing Exceptional Sites In Rural Areas
NBE4: Protecting Features Or Areas Of Importance To Wild Flora And Fauna
NBE5: Development Affecting Species Protected by Law Or Are Nationally Rare
NBE6: Trees and Woodlands
NBE7: Features Important In The Landscape
NBE8: Landscape Character
NBE12: Foul Sewage
NBE16: Development Affecting A Listed Building
NBE24: Archaeological Sites And Heritage Features
NBE26: Landscape Design In Association With New Development
NBE27: Crime Prevention
TR1: Access Requirements And The Impact Of New Development
TR2: Travel Plans
TR3: Provision For Public Transport
TR8: Parking Requirements For New Development
CS8: Provision Of Community Infrastructure
L6: Outdoor Playing And Play Space In New Housing Developments

   Paragraphs 7, 12, 14, 17, 47, 49, 50, 56, 73, 109, 112, 118, 123, 129, 132, 133, 134, 135, 139, 144
   Annex 1 : Implementation Paragraphs 210, 214, 215

3. National Planning Practice Guidance

ISSUES:
1. Planning Policy Context
   Before assessing the planning merits of this particular application, it is important to set
   out the policy context (local and national) and the weight to be given to the different
   components of the development plan. Conformity or conflict with the policy context will
   then need to be weighed in the planning balance with other material considerations.

   The Derbyshire Dales Local Plan is the sole development plan for the area. Its policies
   have been saved and continue to have force where consistent with the NPPF.

   The National Planning Policy Framework (NPPF) was published in March 2012. Whilst
   the Framework does not change the statutory status of the development plan as the
   starting point for decision-making (Paragraph 12), in accordance with Paragraph 212
   the policies contained within the Framework are material considerations which must be
   taken into account.

   Paragraph 214 of the Framework gave full weight to existing plan policies for 12 months
   from March 2012. Paragraph 215 advises that beyond the end of March 2013, due
   weight should still be given to relevant policies in existing plans according to their
   degree of consistency with the Framework (the closer the policies in the plan to the
   policies in the Framework, the greater the weight that may be given). The current
   application therefore needs to be determined having regard to Paragraph 215 advice.
Paragraph 14 advises that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date Local Plan; and also in circumstances where the development plan is absent, silent or relevant policies are out-of-date granting permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.

The calculation of the five year supply figure for housing in the current circumstances has to be based on the Council objectively assessed needs. The Council sought to promote a local plan on a figure of 4400 in summer 2014 but were forced into withdrawing that plan because the Inspector who chaired the first two days of the examination in public concluded that this figure did not actually reflect the objectively assessed need which he concluded was in the region of 6500 and the Council had not fully demonstrated why this or a higher figure could not be met through available sites and/or cooperation with neighbouring authorities. Until the Council are able to fully justify an alternative figure any calculation of five year supply in the interim has to be based on this OAN figure of 6500. The Council even allowing for the recent granting of permission at Ashker Lane in Matlock and on the assumption that both Ashbourne Airfield and Leys Farm Ashbourne will soon be issued as decisions cannot currently demonstrate a supply of developable sites equivalent to five years plus 20% as required by the NPPF.

**The Adopted Local Plan**

Policies SF4 and H4 of the Local Plan deal with settlement frameworks and development in the countryside. It is important to reflect on how these sit with the NPPF, what conclusions Planning Inspectors have reached on their applicability and how this impacts on the planning balance.

The Council received the decision on a housing appeal at Asker Lane, Matlock at the start of July. The Council sought to argue in this instance that the landscape harm outweighed the benefits of the scheme. The Council agreed with the appellants that they were unable to demonstrate a 5 year housing land supply and this remains the case. The Inspector concluded that having regard to paragraph 49 of the NPPF in the absence of a 5 year supply both policies H4 and SF4 had to be viewed as out of date and should be disregarded in the planning balance which instead should focus on the wording of paragraph 14.

The other local plan policies quoted above remain largely in tune with the aims of the NPPF and as such can continue to carry weight in decision making.

**The National Planning Policy Framework and Paragraph 14**

In accordance with the above and in the absence of a 5 year supply of deliverable housing sites the NPPF directs decision making on planning applications to the guidance in paragraph 14.

It states:
For decision taking this means:
- Approving development proposals that accord with the development plan without delay and
- Where the development plan is absent, silent or relevant policies are out-of-date granting permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or
  - Specific policies of the Framework indicate that the development should be restricted.

The decision taker is effectively asked to weigh the economic, social and environmental benefits and disbenefits against one another and only where those disbenefits significantly and demonstrably outweigh the benefits reject the scheme.

The remainder of this report will analyse the scheme against this policy requirement.

2. **Other Planning Considerations**
   In assessing the scheme for its specific affects, both positive and negative, it is useful to break the report down further into the topic areas as follows:-

   (i) The sustainability of housing provision on this scale in Doveridge and relationship with the Local Plan process.
   (ii) The impact of development on the character and appearance of the area.
   (iii) The impact on heritage assets and their setting.
   (iv) Residential amenity impacts for existing and proposed residents.
   (v) Provision of affordable housing.
   (vi) Highway / pedestrian safety.
   (vii) Provision for childrens play.
   (viii) Provision of infrastructure through developer contributions / infrastructure capacity.
   (ix) Land quality as a planning consideration.
   (x) Impact on ecology.
   (xi) Drainage.
   (xii) Minerals.

(i) **The sustainability of housing provision on this scale in Doveridge and relationship with Local Plan process**
The development of green fields outside settlements is to a degree unsustainable but this has to be judged in the wider context of the need to provide an adequate supply of housing to meet the future needs of the district. Even if all suitably located brownfield sites across the district came forward for development there would still be the need to develop green fields outside existing settlements to meet the indicative figure set by Inspector Holland of 6500 which forms the current basis for analysis against objectively assessed needs.

Although the Council chose to withdraw the emerging Local Plan in order to carry out further analysis of objectively assessed need and the capacity of the district to accommodate this, it is considered relevant to reflect on the general approach to meeting housing needs that was adopted across the range of settlements within the Planning Authority area in that emerging plan document.
It was always anticipated that the major settlements, which are intrinsically the most sustainable locations to live with their access to jobs and services, would accommodate the majority of housing growth. However, it was accepted, even in relation to meeting a housing figure of 4,400 that some housing growth could be met and indeed would be desirable in underpinning the sustainability, services and infrastructure in and around the larger villages. In this regard Doveridge, along with Brailsford, in the south of the district were identified for some growth.

In the case of Doveridge, residents in responding to this application, have referred to the previous acceptance of a scheme for 27 houses as a draft allocation at Marston Lane.

Clearly, matters have moved on since this draft plan was published in 2013 but the broad conclusion on intrinsic sustainability which identified Doveridge as a suitable settlement for some growth, remains valid. Doveridge is a substantial village with some 600 houses in the village and immediate hinterland, a primary school, shop, public house and club. It has good transport links with access to the A50 and benefits from its proximity to Uttoxeter in residents being able to readily access the full range of services and employment.

In this context it is considered that some modest expansion of the settlement can be accommodated within the village's existing infrastructure. Although most people would still need to travel to access employment and services such as doctors and dentists other existing village amenities would benefit from a modest increase in population.

The provision of up to 70 houses would represent a 11.5% percentage increase in the scale of the village. This will not, it is considered, dramatically change the character of the village or overwhelm its existing facilities and residents of new houses would be able to access facilities that do exist in the village easily through existing and proposed footpath links.

Residents are understandably concerned about how this development might be combined with other proposals which are currently in planning or being prepared for submission but these individual future applications will have to be considered on their merits having due regard also to the outcome of this application. It does not necessarily follow that support for this scheme if forthcoming would lead to support for later schemes. Although ideally all sites would have gone through Local Plan assessment prior to submission, the early stage of the plan means that delaying consideration until all come forward is not a viable planning stance to take and would be contrary to government guidance on this matter.

Overall, in terms of the nature of Doveridge, and in the context of the housing needs identified for the district, its facilities and location, it is considered that the provision of a maximum of 11.5% additional houses can be accommodated without being at odds with the objective of promoting sustainable development.

(ii) The impact of development on the character and appearance of the area
As with any rural village an important component part of its character is its landscape setting. The public comment refers both to the important buildings within the village but also how the village has evolved without losing its connection to the farms and rural lanes on which it is based.
The development breaks beyond a well-established limit to the village in Bakers Lane with its narrow form and substantial hedge boundary. This will undoubtedly cause some harm to the current setting of the village and character and appearance of the countryside. However, this is an inevitable consequence of meeting housing needs across the district as the level of need can clearly not be met within existing Settlement Framework boundaries.

The northern part of the site is relatively level grazing land immediately adjoining the settlement which is bounded by Derby Road around its north eastern side. This field is enclosed with hedgerows interspersed with mature trees.

On the opposite side of Derby Road at this point is some scattered residential development and a business premises. This field it is considered can be developed with only limited localised harm to the character and appearance of the landscape as it is not open to wider views and is closely associated with the village. Residential development can be successfully integrated by retention of hedgerows and trees.

The portion of the southern field originally identified for housing is considered to be intrinsically more sensitive to development. The field is sloping, has a much less manicured appearance and has a number of attractive mature trees. It forms an important and attractive component of the approach to the village and is considered to have a visual relationship with the Grade II* Manor House to the south west.

Having regard to the comments of consultees and officers, the applicant has chosen to remove built development from this southern field with only a balancing pond to remain. This, it is considered, can be readily assimilated into a dip in the landscape and provide a biodiversity benefit to offset any landscape impact.

Overall, in its modified form, the impact of the development on the character and appearance of the landscape is not a substantial concern.

(iii) The impact on heritage assets and their setting
The Manor House to the south west of the site is a Grade II* listed building. In addition, the public have highlighted the former Methodist Chapel as an unlisted building of interest and the Development Control Archaeologist has described the remnant ridge and furrow that exists on the site. The impact on all of these heritage assets need to be assessed in reaching a planning judgement. As pointed out in the representations received under paragraph 14 of the National Planning Policy Framework, even where there is a strong presumption in favour of development in the absence of a 5 year housing supply where there is harm to a heritage asset this can outweigh this presumption.

The comments of Historic England spell out the requirements of Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990, which for a decision-maker places a statutory requirement on them to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses. This test has to be applied in relation to the Manor House and Historic England expressed concern over the potential for impact on the setting of the building by reason of development within
the land immediately to its north which was considered could be characteristic of parkland associated with the Manor House. In response to this concern and those of officers the applicants carried out a heritage assessment. In relation to the setting of the Manor House it concludes that, whilst the parkland was not necessarily designed to provide a setting to the Manor House, the field retains the character of an historic landscape. As the Manor House and field co-exist in close proximity it can be considered to be part of its setting as the two are viewed from footpaths and surrounding roads. The land to the north of the footpath is considered visually well contained with a strong hedgerow and trees separating it from the parkland such that it is not readily appreciated as part of the setting.

This analysis concludes that the setting of the Manor House would be better preserved if development were confined to the northern field only. This conclusion concurs with the view formed by officers and consequently the scheme has been amended by the removal of built development from the southern field. With this amendment it is not considered that any significant harm to the setting of the heritage asset should result.

Paragraph 135 of the National Planning Policy Framework requires consideration of the effect of development on the significance of a non-designated heritage asset. The former Methodist Chapel is such an asset but has been converted and had its context changed over time. Given the revisions to the scheme and separation of the Chapel from the site, it is not considered that any significant effects will result to the setting of this non-designated asset.

The Development Control Archaeologist has assessed the impact of the development on the remnant ridge and furrow within the northern field. He has concluded that its significance should not be overstated and is happy with a condition to carry out archaeological investigation as part of the development process.

Overall, whilst it is recognised that impact on heritage assets can be a very important consideration in balancing the merits of development in this case as the scheme has been modified to reduce any impact to being not significant, it is not considered to be an issue which is weighted against development of the site.

(iv) Residential amenity impacts for existing and proposed residents
The comments made in public representations and on behalf of the Parish Council highlight concerns over noise levels in the locality and the potential for this to impact on the amenity of future residents and also raise concerns about how development might impact on the amenity of nearby residents in the terms of issues such as overlooking.

The Parish Council refer to a previous noise survey undertaken in 2007 and suggest that the site would be exposed to noise at a similar level of 63 – 72 dB daytime. In the absence of a noise survey they suggest that permission should not be granted as the applicants have failed to demonstrate that future residents would not be exposed to significant noise nuisance.

An up to date and detailed assessment of noise would clearly be beneficial in reaching a definitive judgement on this issue. However, its absence does not mean that a reasoned assessment cannot be made. From visiting the site it is apparent that residents in this part of Doveridge experience background noise
from traffic on the A50. This is audible on the site which is unprotected by any significant barriers to its transmission. However, it has to be recognised that in the development of the site measures/characteristics can be incorporated which will ameliorate the noise impact for future residents. Dwellings themselves are a barrier to noise, the landscaping of the site can soften noise impacts and particularly noise sensitive plots can have their design reflect that sensitivity. It will clearly be important to take these factors into account in a detailed design and it would be appropriate when a further submission is made to have the design informed by up to date noise survey information. On balance, whilst the views of the Parish Council are noted, and have some validity on this issue, the absence of a noise survey in this particular instance is not considered to render the site unsuitable for development having due regard to its location and characteristics subject to the design of an appropriate layout at detailed stage which has full regard to further noise analysis. This approach is considered to accord with guidance in paragraph 123 of the National Planning Policy Framework.

In terms of the amenity of adjoining occupiers it will clearly be important to the detailed design of the layout to ensure that existing residents do not suffer adverse impacts from overlooking, overshadowing or overbearing but these matters can only properly be considered once a detailed layout is tabled for consideration.

(v) Provision of Affordable Housing
The significant release of land to meet the housing needs of the District as explained above is running ahead of the emerging local plan process. The existing 2005 local plan never envisaged large scale land releases outside settlement frameworks and rural affordable housing has previously been delivered through exception sites outside villages to meet the needs identified through Parish Needs Surveys.

Meeting the Objectively Assessed Housing Needs of the District as part of the new local plan process involves breaking beyond settlement frameworks to meet need and also entails making strategic decisions on where housing growth can be accommodated. As explained earlier in this report Doveridge is considered a sustainable location for meeting some of that strategic housing demand.

The emerging local plan in light of the above rather than differentiating between the major settlements and villages is likely to base the requirement for affordable housing on sites on their size rather than location, thereby securing the strategic objective for the District. The work done on the withdrawn emerging local plan underpinned with research on need and viability had a draft policy which sought 45% provision on a scheme of this scale. In the absence of any more compelling or up to date evidence to the contrary it is considered appropriate to apply this threshold.

The Councils Head of Housing has asked for 11 units to be delivered on site which is a reflection of current knowledge on Parish needs. This is obviously well short of the 45% requirement of policy. However at this moment in time they consider this meets known needs for the Parish but having regard to the strategic objective on affordable housing they have asked that an off-site financial contribution also be sought to facilitate the funding of affordable units in the future. This contribution should fund the remaining percentage of units to bring provision up to
45%. This is considered an appropriate and pragmatic response to deliver affordable housing in the current circumstances.

(vi) **Highway/ Pedestrian Safety**
There is understandable concern from the public as to how a substantial new development on the edge of the village might add to existing problems being experienced in relation to parking and highway/pedestrian safety. It is apparent from visiting the site that Derby Road is a good standard approach road to the development. Although there are some inconsistencies in the transport assessment in relation to recording vehicle speeds the length of the site frontage to Derby Road should facilitate a safe access with appropriate visibility. In principle future residents will be able to safely access their dwelling and appropriate parking can be secured through the planning process.

The impacts that are more difficult to assess relate to how residents will use village roads and how this will impact on highway/pedestrian safety.

Bakers Lane is a particular concern as are the surrounds to the school. In relation to the former whilst the residents of the estate will be likely to use Bakers Lane along with other village residents they will have no vehicular access to the estate from this road. Bakers Lane currently lacks a footpath putting pedestrians and cars into conflict. The development of this site will allow for the creation of a footpath link which can run behind the existing hedgerow and allow for safe pedestrian movements for future and existing residents. The arrangement where this exits the southwest corner of the site will need some thought but overall pedestrian safety can benefit.

Residents of the site will also have ready access to the footpath which runs east/west across the southern field. Whilst the planning system cannot compel residents not to use their cars the availability of convenient footpath links increases the likelihood of walking to access facilities in the village such as the school and shops.

On balance whilst it would be misleading to suggest additional parking will not occur the development incorporates the potential for trips by means other than the private car in line with government policy.

(vii) **Provision for children’s play**
Under adopted local plan policy L6 a development of this scale should include open space and an equipped play area to meet the needs of future resident’s children. The initial proposal for the site involved locating the play area in the southern field alongside the balancing pond facility. However for the reasons identified earlier in this report the scheme has been amended to take built development out of this field with only a balancing pond to remain. The applicants are aware of the continuing need to accommodate an equipped play area and in their amended illustrative plan are likely to locate this in the southern portion of the site. In this location the open space provision will both help to soften the impact of the development along its southern boundary and also allow for ease of access to the footpath which will encourage use by other village children. The incorporation of an appropriate open space to be utilised by residents and other village children can be viewed as a positive outcome of the development if permission is granted.
(viii) **Provision of infrastructure through developer contributions/ infrastructure capacity**

The public comment on this application expresses concern about how this development will impact on existing infrastructure. The concern covers matters such as education but also extends into other areas associated with the capacity of the village to cope with expansion. In relation to education the County Council have been consulted on this application. They have provided detailed comments on both the primary schools and secondary school capacity. The location of Doveridge on the edge of the district in close proximity to Uttoxeter does however raise some interesting questions over how existing children are educated and how expansion of housing in Uttoxeter might affect current arrangements. It is clear from the letters submitted that whilst primary school children are educated at the village school in the County, secondary school age children appear to some degree to be utilising the secondary school in Uttoxeter. The concern is that if places are fully taken up by Uttoxeter children as it expands places will no longer be available to Doveridge and this will also have a knock on effect on the primary school as year 5 and 6 children revert back.

Whilst this concern is understandable it is clear from the comments of the County Council that the primary school has capacity and with projected school roll falling this capacity will increase and is capable of absorbing back year 5 and 6 pupils.

In the absence of knowledge of school rolls in Uttoxeter it is not possible to say how provision of secondary education will be affected but what is clear is that Derbyshire County Council are confident that pupils can be accommodated in Ashbourne. This would involve more travelling if it transpires which would be less sustainable but in terms of access to infrastructure would not be basis to resist the application.

The public comment has also highlighted access to doctors and dentists as a concern. It is clearly not ideal that residents have to travel to access these and the situation regarding Uttoxeter practices is noted. However, this is not an overriding objection and medical facilities can and do expand to meet increasing needs.

Concern in relation to sewerage has also been raised but this it is considered a matter that can be adequately addressed by the sewage authority and is not a basis for objecting the scheme.

(ix) **Land quality as a planning consideration**

The Parish Council have raised objection to the scheme on the basis that insufficient evidence has been submitted to demonstrate that the site is not the best and most versatile agricultural land. In the absence of such information they consider the development conflicts with local plan policy SF6.

The applicants have not done a detailed analysis of agricultural land quality but on the basis of nationally available maps suggest that the site falls within grade 3. This categorisation is split into grade 3a which is ‘best and most versatile’ and 3b which is not. The land is currently grazing land and appears to have been so for some time. The best and most versatile land is usually recognised as having been utilised for arable purposes as well.

Whilst there is no definitive evidence as to whether the land falls in category 3a or 3b it is pertinent in any event to look at the wording of policy SF6.
It states that planning permission should not be granted on grade 1, 2 and 3a land with provisos or (d) unless there are overriding benefits resulting from the development that would outweigh the harm caused to the best and most versatile agricultural land.

As discussed above the Council have a need to expand housing provision in line with government policy. The provision of such housing in the absence of a current 5 year supply is considered to be a substantial benefit of the scheme. The development of grade 3 land in a sustainable location where other development opportunities are also likely to involve development of land of the same categorisation is considered to be an overriding benefit which outweighs the harm.

Therefore, whilst the views of the Parish Council are acknowledged the absence of information on the precise categorisation of the land in this case is not a sound basis for rejecting the scheme.

(x) **Impact on ecology**

The public comment expresses concern over the impact on wildlife including bats and bird species. The applicant has submitted an ecology report with the application which has been independently assessed by Derbyshire Wildlife Trust. They have raised no major concerns and suggested conditions. With this in mind and having regard to the ability of a balancing pond to contribute to biodiversity there are no overriding ecology concerns in this case.

(xi) **Drainage**

The applicant has advised that they intend to drain the site in accordance with SuDS criteria. To achieve this a balancing pond is to hold back surface water flows in times of heavy rainfall with the suggestion that this will then discharge to a culverted watercourse under the southern field.

Derbyshire County Council as drainage authority have raised a holding objection to the scheme. However this is not an objection in principle to the scheme but rather one whereby the applicant is being asked to demonstrate that the solution proposed can work in practice. A dialogue between the parties is continuing but it is anticipated ultimately that a scheme can be safely conditioned given the land holding under the applicant's control.

(xii) **Minerals**

The County Council as Minerals Planning Authority have raised concerns that the potential sand and gravel deposits on site are not sterilised by development. They have requested that the applicant provide supporting information which assesses the quantity and quality of underlying sand and gravel deposits and the practicability or viability of extracting them prior to or as part of the development.

It is acknowledged that minerals are an important and finite resource that requires safeguarding. However, the site is of very limited scale for mineral extraction on a commercial basis. With this in mind it is not considered reasonable at this stage to require the applicant to do a full feasibility analysis which would delay determination of the application. It is, however, suggested that this matter is fully explored as part of a reserved matters submission in order to demonstrate that this
potential site asset is fully appraised and exploited if feasible. A condition is therefore suggested.

3. **The Planning Balance**

Part 1 of this 'issues' section set out the Local and National Policy Guidance that applies in assessing the merits of this application and the other material considerations that need to weigh in the planning balance.

The Councils adopted local plan can still be the primary consideration in assessing planning applications. However, following on from the local plan inspectors finding on Objectively Assessed Housing Need in July last year and the subsequent withdrawal of the local plan the Council are currently having to assess 5 year housing land supply on the 6500 figure he provisionally identified. This figure not only sets a higher supply need but the Council also have to add buffers for historic undersupply of 20% and incorporate a backlog into the target. Therefore the Council are still unable to demonstrate a 5 year housing land supply.

In the absence of a 5 year housing land supply the guidance in paragraph 49 of the NPPF is clear that the housing policies of the local plan are out of date. Accordingly, both policies H4 and SF4 carry no weight in the consideration of this substantial housing application immediately adjoining the settlement boundary and the Council are directed to paragraph 14 of the NPPF in particular and the framework as a whole to reach a balanced judgement on the merits of an application.

Paragraph 14 requires the decision maker in assessing the merits of an application to grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.

The Inspector on the recent appeal decision at Asker Lane approached this balancing exercise by weighing the benefits and adverse impacts in terms of the three dimensions of sustainability, namely economic, social and environmental. It seems entirely logical to approach this scheme in the same manner.

As described above the Council has a shortfall in housing land supply. Whilst ultimately this development may not deliver 70 dwellings it will nevertheless make an important contribution to meeting the shortfall in supply, which lends substantial weight to supporting the scheme.

The provision of affordable housing to meet current parish needs and also to meet future needs through an offsite contribution in line with policy also has to be given significant weight even though it merely aligns with development plan policy.

The social dimension would be served by the provision of an open space and play equipment available to the development and other village residents. This social benefit has only limited weight. In regard to other community infrastructure the development will help to underpin the school and other community facilities without it is considered leading to them being overburdened.

The economic dimension would be served by employment generated during construction and by a benefit to businesses within the village from additional resident spend.
In environmental terms the site immediately adjoins the village and residents would have easy access to village facilities to which they could walk or cycle. However to access major retail, employment or community services most would need to use the private car to travel to Uttoxeter. This reliance on the car even for short car journeys counts against the development and it is unlikely that the scale of development will lead to a greater penetration with public transport.

The development of this site will have an adverse impact on the character and appearance of the countryside. However, the Council have to release green fields to meet housing need and so all such developments have an impact. The development has been scaled back to remove it from the more sensitive southern field and as a result and given the relatively flat enclosed and lower sensitivity of the northern field the overall harm to the character and appearance of the countryside is not substantial.

The environmental impacts also have to have regard to consequence for heritage assets. National legislation protects their significance which includes safeguarding their setting as well as safeguarding the asset itself. Significant harm to the significance of an asset can outweigh other planning considerations even when a Council is assessing applications under paragraph 14. The application as originally submitted was considered to have an impact on the setting of the Manor House and consequently its significance. The Manor House setting has been substantially altered over time with adjoining housing and a dense boundary woodland screen but the adjoining parkland is still viewed with it so as to form part of its setting. The applicants have taken built development out of the southern field to overcome this potential for impact on setting and in its reduced form it is not considered that any significant impact will result. This is therefore neutral in environmental terms.

Flora and fauna around the site will be affected to some degree with the loss of hedgerow but with appropriate replanting and management and biodiversity management of the balancing pond it is considered that this impact is essentially neutral.

In highway terms it is considered that the development can be well served by access from Derby Road without threat to safety or congestion. Additional dwellings will increase traffic on village roads, however this can be counterbalanced by creating a footpath parallel to Bakers Lane and facilitating ready use of the existing public footpath to the south of the site. Overall in highway / pedestrian safety terms the outcome is considered a neutral one.

When all of the above matters are weighed in the balance, although the expansion of Doveridge to meet district housing needs has adverse environmental credentials in terms of reliance on the private car to access jobs and wider services and some harm to the character and appearance of the countryside these impacts are outweighed by the substantial benefits of the housing to meet identified needs and also offset by the economic benefits to local businesses of additional spending power which will help enhance their viability. Whilst Doveridge would not be a suitable location for unrestrained housing growth, the proposal which represents a maximum of 11.5% growth in village properties is considered to be acceptable. As the adverse impact of granting planning permission do not significantly and demonstrably outweigh the benefits the presumption in favour of granting planning permission enshrined in paragraph 14 of the NPPF applies.
OFFICER RECOMMENDATION:

That on resolution of the holding objection from the Derbyshire County Council Flood Risk Team authority be delegated to the Development Manager to grant outline planning permission subject to the completion of a Section 106 Planning Obligation Agreement to secure 11 affordable dwellings on site and an offsite contribution to make up provision to the equivalent of 45% and subject to conditions covering the following matters:

1. Application for reserved matters to be made within 3 years

2. An application for details of the reserved matters to be submitted and approved before the commencement of works.

3. Amended plan

4. No development to be commenced until temporary access for construction created.

5. No development to take place until construction management plan or method statement agreed.

6. As part of any reserved matters or full application a detailed design for the permanent estate street junction to Derby Road shall be submitted and approved with 5.5m carriageway, 2m footways and 2.4m x 114m visibility splays.

7. Prior to first occupation of any dwelling on site the permanent estate street junction to Derby Road shall be laid out and constructed.

8. Reserved matters application shall include details of internal layout to comply with “Manual for Streets” and 6C’s design document.

9. No development shall take place until construction details of the residential estate roads and footways have been agreed.

10. Carriageways and footways serving any dwelling shall be constructed up to and including binder course surfacing before dwellings occupied. The carriageway and footways shall then receive final course within 12 months of occupation.

11. The premises shall not be occupied until the estate street has been provided with suitable turning arrangements to enable service and delivery vehicles to turn.

12. The premises shall not be occupied until individual manouvring and parking facilities have been provided for each dwelling within curtilage as appropriate.

13. Within 28 days of the new access to Derby Road being formed all other existing means of vehicular access to the site from Derby Road and Bakers Lane shall be permanently closed.

14. As part of any reserved matters or full application for the site a detailed scheme for the disposal of highway surface water shall be agreed.
15. Details of arrangements for the storage of bins and collection of waste to be submitted and agreed.

16. Detailed designs for the provision / improvement to pedestrian facilities running through or alongside the site including interfaces with the public highway to be agreed.

17. Detailed design and maintenance regime for surface water drainage system to be submitted and agreed.

18. Notwithstanding the submitted detail the reserved matters layout shall as appropriate incorporate measures to minimise the impact of noise on future residents informed by an up to date noise survey of the site.

19. The reserved matters submission shall incorporate an assessment of the nature of sand and gravel deposits on site, details of the viability of their extraction and exploitation as part of the development if feasible.

20. A scheme of archaeological investigation to be agreed and implemented.

21. Landscape and Ecological Management Plan to be submitted and agreed.

22. A scheme for the laying and, landscaping and future management of play areas and open spaces shall be submitted and agreed.

23. A scheme for the provision of affordable housing on site, its transfer and future management to be submitted and agreed.

24. Measures to assess the site for contaminants and remediation as appropriate to be submitted and agreed.