



For and on behalf of
Bellway Homes (East Midlands)

PLANNING STATEMENT

Ashland Road West, Sutton-in-Ashfield

**Prepared by
DLP Planning Ltd
Nottingham**

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CONTENTS	PAGE
1.0 INTRODUCTION	4
2.0 SITE DESCRIPTION AND PLANNING BACKGROUND.....	6
3.0 PROPOSAL.....	11
4.0 PLANNING POLICY	14
5.0 PLANNING CONSIDERATIONS	26
6.0 CONCLUSION.....	42

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by DLP Planning Ltd ("DLP") for and on behalf of Bellway Homes Ltd ("the Applicant") in support of an outline planning application (with all matters reserved except access) for the residential development of up to 300 dwellings with associated infrastructure and landscaping ("the proposed development") at Ashland Road West, Sutton-in-Ashfield, Nottinghamshire ("the site").
- 1.2 Due regard has been had to preapplication discussions undertaken and the Council's checklist for validation of major applications in the preparation of this application.
- 1.3 The proposed development falls within the description contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Schedule 2, Section 10 (b) (ii). An EIA Screening Opinion was requested and subsequently provided by Ashfield District Council ("the Council") as the relevant Local Planning Authority (Ref No. SCR/2019/0002). In its screening opinion dated 17 May 2019, the Council confirmed that, having regard to the criteria set out in Schedule 3 of the EIA Regulations, the development is not likely to have significant effects on the environment by virtue of factors such as nature, size and location and that a standard outline planning application was appropriate in this instance.
- 1.4 Having regard to a high standard of design, this Planning Statement should be read together with the Design and Access Statement that also accompanies the application. The application is also supported by the following documents:
- Standard Suite of Application Plans;
 - Arboricultural Assessment (by FPCR);
 - Archaeological Desk Based Assessment (by University of Leicester Archaeological Services);
 - Flood Risk Assessment and Drainage Strategy (by EWE Associates);
 - Ecological Appraisal (by FPCR);
 - Ground Investigation Phase II Site Appraisal (by GRM Development Solutions);
 - Landscape and Visual Assessment (by Golby + Luck);
 - Statement of Community involvement (by The Community Communication Partnership);

- Transport Assessment (by ADC Infrastructure);
- Travel Plan (by ADC Infrastructure);
- Air Quality Assessment (by MEC); and
- Noise Assessment (by MEC).

1.5 Section 2 of this Statement provides a description of the site and surrounding area; Section 3 provides a description of the proposed scheme; and Section 4 reviews relevant local and national planning policy. Section 5 provides the overall planning assessment, including sustainability considerations; and Section 6 provides a summary and conclusions.

2.0 SITE DESCRIPTION AND PLANNING BACKGROUND

The Site and its Context

- 2.1 The application site subject to this outline planning application extends to approximately 10.137ha and is located on the western edge of Sutton-in-Ashfield. Access to the site is from an existing field access on Ashland Road West.



Figure 1. Site Location

- 2.2 The site is currently a greenfield agricultural site, formed of two large fields. It is of poor agricultural land quality (Grade 4). The western field consisted of arable land with very wide poor semi-improved grassland margins, and the eastern field consisted of poor semi-improved grassland.
- 2.3 The site is well-contained, being surrounded by existing residential development on three sides to the east, west and south and the former restored colliery site at Brierley Forest Park to the north. Ashland Road West runs along the site's southern boundary.
- 2.4 Mature hedgerows form the majority of the site's boundaries to the north, east and west and in part to the south, where the southern boundary of the site runs along the back of residential properties between Ashland Road and Sutton Road/Huthwaite Road, and along substantial sections of the road frontage along Ashland Road West. A further field hedgerow runs north-south across the middle of the site dividing the two field parcels.

- 2.5 The site has good access to a range of existing facilities and services. The Council's 2016 SHLAA report shows the types of facilities which are within walking distance and those that can easily be accessed via public transport:

Access to Services		The site may be suitable	
Within 800m or 10 mins walking		Within 30 mins travel by public transport	
Primary school:	Yes	Bus stop:	Yes
GP:	No	Cash Machine or Post Office:	Yes
Transport Node:		Over 1km from a major public transport node	
Access to Open Space		Proximity to District Shopping centre:	
Site within 500m of Natural Open Space?:		Over 1km from a town centre Approximately 1.5km	
Site within 200m Public Open Space?:		Site within 200m accessible open space?:	
Site within 300m Parks and Rec. Grounds?:		Does site affect existing open space?:	
		No	

Figure 2. Access to facilities and services (extract from Ashfield District Council SHLAA 2016)

- 2.6 In addition to the above, there is a Co-op convenience store just over 1km away and the Asda superstore is within 2km of the site.
- 2.7 The site is served by a good quality bus service operated by Stagecoach Bassetlaw along Huthwaite Road every 10 minutes throughout the day (bus service 1 Mansfield Woodhouse – Huthwaite – Alferton) plus an additional bus service which operates on Mondays (Our Centre, 101 Huthwaite – Sutton). These link to a wide range of higher order services.



Figure 3. Bus stops closest to the site (extract from ADC Transport Assessment)

- 2.8 There are no definitive rights of way which cross the site but Sutton in Ashfield public footpath 47 runs parallel to part of the site's northern boundary. PRoW FP 39 runs within 10m of the site's north-western boundary, linking Sutton in Ashfield with Stanton Hill to the north-east. Brierley Forest Park allows free access across the Park, although the many footpaths and multi-user trails across it direct the circulation. Further information is included in the Landscape and Visual Assessment accompanying this application.
- 2.9 The highest point of the site is to the south-west, reaching approximately 180m AOD, and from there the land falls in a northerly direction towards Rooley Brook, which lies within Brierley Forest Park. The lowest part of the site lies on the north-eastern boundary, at approximately 160m AOD.
- 2.10 The Nottinghamshire Landscape Character Assessment (LCA) 2009 identifies the site on the southern edge of the Brierley Forest Park Draft Policy Zone (ML021) which comprises the man-made landform of a restored former colliery with a raised woodland covered mound comprising 'engineered' slopes of even gradient.
- 2.11 No designated heritage assets (World Heritage Sites, Scheduled Monuments or Listed Buildings) are located within the site. The nearest Scheduled Monument is the Skegby Manor House, immediately south-east of Pond Cottage, which lies 2km north-east of the assessment area. The nearest Conservation Area is the Sutton-in-Ashfield Church and Market Place, which lies around 1km south-east of the site. Both these heritage assets are separated from the site by existing built development.
- 2.12 The Government's Flood Map for Planning indicates that the site is located within Flood Zone 1, which is the designation given to sites at low risk from flooding. Whilst there is currently some localised surface water flooding on the site from a culverted drain, this issue will be resolved through the implementation of a sustainable drainage strategy for the site.

Planning History

- 2.13 A full application for the residential development of 201 dwellings, made on behalf of David Wilson Homes ('the DWH application'), was refused by the Council on 20 September 2016 (V/2014/0658). This decision was contrary to the planning officer's recommendation to approve the application. The reasons for refusal can be summarised as follows:

- 1) Conflict with policies ST1(a), ST1(b), ST1(c), ST1(e), EV2, EV4, EV5, EV6 of the Ashfield Local Plan Review (2002);
- 2) The site is prone to flooding and in accordance with the NPPF inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where necessary, making it safe without increasing flood risk elsewhere.

- 2.14 These reasons for refusal will be referenced, where relevant, in Section 5 below (Planning Considerations).
- 2.15 Prior to the DWH application, an application for residential development was refused in 1988 and subsequently dismissed at appeal. As noted in the officer's report for the DWH application, *"although the site history is a material planning consideration, the current proposal is required to be considered against up to date national and local planning policies."*

Pre-application advice

- 2.16 The proposed development was discussed with a planning officer from Ashfield District Council at a pre-application meeting on 1 July 2019. During this meeting, the officer stated that whilst the proposed development was contrary to the development plan, the Council's lack of a five-year housing land supply and the sustainable location of the site meant the principle of development was likely to receive officer support. This was also reflected by the fact that the site was formally a proposed allocation in the emerging Ashfield Local Plan.
- 2.17 Matters including the layout, access, appearance and scale, public open space, developer obligations and public consultation were discussed. Where relevant, pre-application discussions will be cross referenced in Section 5 of this Planning Statement (planning considerations).

Public Consultation

- 2.18 At the pre-application stage Bellway also engaged with local residents and representatives of the local community. This included distributing a newsletter to 2,000 neighbouring properties, creating a website with further information about the proposals and inviting feedback. Further engagement with some of the Council's elected members and officers also took place. Further detail is available in the accompanying Statement of Community

Involvement (SCI).

- 2.19 The SCI concludes that among respondents who provided feedback, the development is welcomed in the area and that local residents in Sutton-in-Ashfield can see the benefits of the diverse tenure of the proposed housing stock in addressing housing need in the area.
- 2.20 The proximity of the site to Brierley Forest Park was highlighted as an issue; the Planning Statement demonstrates how this has been taken into consideration by the proposed development.

3.0 PROPOSAL

- 3.1 On behalf of Bellway Homes (East Midlands), the application seeks outline planning permission for the residential development of the site to deliver up to 300 dwellings with associated infrastructure, landscaping and public open space.
- 3.2 The proposed development is described in detail in the accompanying Design and Access Statement and shown on the accompanying Illustrative Masterplan (P19-1014-007 Rev B).



Figure 4. Illustrative Masterplan (dwg ref. P19-1014-007 Rev B)

- 3.3 For the purposes of this Planning Statement, the relevant aspects of the proposed scheme are as follows:
- The provision of up to 300 homes, including 6% affordable housing (the tenure split of which will be negotiated through the planning determination period);
 - Development at a net density of 34 dwellings per hectare (dph) with a higher density towards the existing urban areas and lower densities near Brierley Forest Park;
 - A broad mix of house sizes and types, the majority of which will be 2 storey homes, with some occasional 2.5 storey dwellings in key locations to provide distinctiveness

in the street scene (the final mix will be determined at detailed design stage);

- Access to Ashland Road West via two new T-junctions located along the southern boundary of the site (see Figure 5 below). The primary route connecting these two junctions will be 6m wide with 2m footpaths either side and would be able to accommodate a potential future bus route through the site. This is a fixed matter, with access being considered as part of this outline application;
- From this primary route the layout incorporates a street hierarchy from streets to lanes to private drives, help to distinguish key areas of the site, aid traffic calming and encourage walking and cycling;
- Existing boundary trees and the central hedgerow will largely be retained as part of the proposed development. In addition, new native hedgerow planting and tree cover will be provided throughout the site;
- 1.34 hectares of open space and green infrastructure, with green corridors being used from north to south through the site at varying intervals, breaking up the built form and providing attractive recreational green routes (one around the existing hedgerow) through the site to Brierley Forest Park;
- The layout is arranged in perimeter blocks, meaning homes would face out on to the road layout to ensure active frontages. Regard is had to the existing residential development where it adjoins the site. Suitable separation distances are incorporated into the scheme, and back gardens adjoin existing back gardens where possible; and
- A surface water balancing area is provided in the north-east of the site.

3.4 In addition to the above, it is proposed to provide a financial contribution towards public open space, to be used towards the enhancement of Brierley Forest Park.

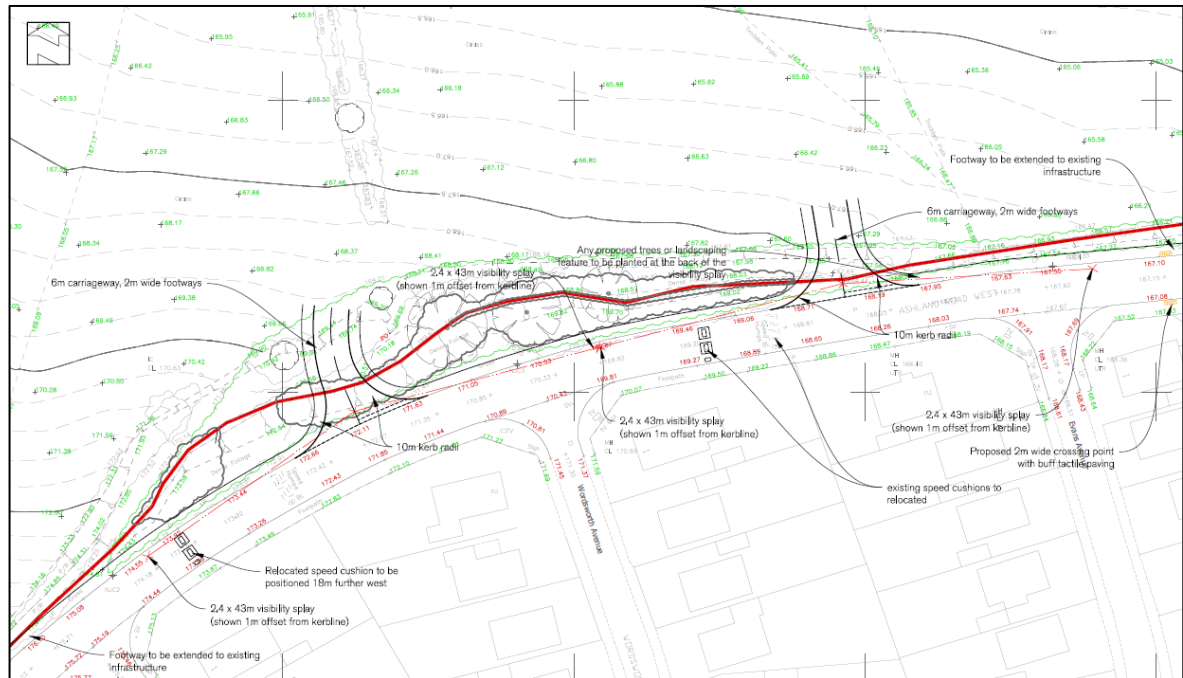


Figure 5. Proposed Access Junction Layout (dwg ref. ADC1032-DR-001-P7) *a scale copy of the drawing can be found in the Transport Assessment

4.0 PLANNING POLICY

- 4.1 This section considers the relevant planning policy framework for the site and surrounding area, having regard to the development proposed. It considers relevant national planning policy, together with policies contained within the statutory Development Plan and other local planning policy guidance.

National Planning Policy Framework (NPPF) 2019

- 4.2 The NPPF emphasises the role of the development plan in decision making (paras 2, 12 and 47) but also states that the NPPF itself is a material consideration in the determination of planning applications. The NPPF is underpinned by a presumption in favour of sustainable development and those provisions that are relevant to this proposal are identified below.

Achieving Sustainable Development

- 4.3 Paragraph 7 describes that the purpose of planning is to contribute to the achievement of sustainable development. Paragraph 8 proceeds that the planning system, in the context of sustainable development, has 3 overarching interdependent objectives:

- An economic objective;
- A social objective; and,
- An environmental objective.

- 4.4 Paragraph 10 states that to ensure sustainable development is pursued in a positive way, there is a presumption in favour of sustainable development at the heart of the Framework. For decision-taking, paragraph 11 confirms that this means:

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:*
 - *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or*
 - *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.*

- 4.5 Footnote 6 confirms that policies in the Framework that protect areas or assets of particular

importance are those *“relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”*

4.6 Footnote 7 of the NPPF makes clear that, for applications involving the provision of housing, policies will be regarded as out-of-date *“where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in [NPPF] paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”*

4.7 Transitional arrangements for the Housing Delivery Test are set out in Annex 1 of the NPPF, and a definition of ‘deliverable’ is provided at Annex 2:

To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

Decision-making

4.8 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way, working proactively with applicants and seeking

to approve applications for sustainable development where possible.

- 4.9 Paragraphs 39 to 45 promotes early engagement and pre-application discussions.
- 4.10 Paragraph 47 requires decisions on applications to be made as quickly as possible and within the statutory timeframes unless a longer period has been agreed. Paragraph 48 proceeds that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the emerging policies to those in the Framework (being minded of the transitional arrangements set out at footnote 22).
- 4.11 Paragraphs 54 to 56 require local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, subject to compliance with the relevant tests.

Delivering a sufficient supply of homes

- 4.12 Paragraph 59 states that it is important a sufficient amount and variety of land can come forward where it is needed, that needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay to support the Government's objective of significantly boosting the supply of homes.
- 4.13 Paragraph 64 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
- 4.14 Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of:

a) 5% to ensure choice and competition in the market for land; or

b) 10% where the local planning authority wishes to demonstrate a five-year supply

of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

Promoting healthy communities

- 4.15 Paragraph 91 describes the importance of creating healthy, inclusive and safe places. Planning policies and decisions should therefore promote social interaction, safe and accessible environments which reduce the potential for crime and disorder (including fear of crime) and enable / support healthy lifestyles.
- 4.16 Paragraph 96 considers that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

Promoting sustainable transport

- 4.17 Paragraph 103 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, as this can help to reduce congestion and emissions, and improve air quality and public health.
- 4.18 In the consideration of planning applications, as is outlined in Paragraph 108, it should be ensured that:
- *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - *safe and suitable access to the site can be achieved for all users; and*
 - *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
- 4.19 Paragraph 109 states that development proposals should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the

residual cumulative impacts on the road network would be ‘severe’.

- 4.20 Paragraph 110 considers that development proposals should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. Further to this, the needs of people with disabilities and reduced mobility should be addressed, and places should be created that are safe, secure and attractive.

Making effective use of land

- 4.21 Paragraph 117 requires that policies and decisions promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.22 Planning policies and decisions should support development that makes efficient use of land, as is considered in Paragraph 122, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
 - b) local market conditions and viability;*
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
 - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
 - e) the importance of securing well-designed, attractive and healthy places.*
- 4.23 Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site, in accordance with paragraph 123.

Achieving well-designed places

- 4.24 As is stated in Paragraph 124, the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Further to this, the Paragraph considers that good design is a key aspect of sustainable development which creates better places in which to live and work and helps make development acceptable to communities.
- 4.25 Paragraph 127 outlines a number of requirements which planning policies and decisions should enforce to ensure that development achieves well-designed buildings and places. These include ensuring that development is visually attractive, sympathetic to local character and history, establishes a strong sense of place, and optimises the potential of the site to support local facilities and transport networks.
- 4.26 Paragraph 128 considers that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 4.27 Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Meeting the challenge of climate change, flooding and coastal change

- 4.28 In determining planning applications, local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 153b).
- 4.29 When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 163). A Flood Risk Assessment is required for sites in Flood Zone 1 where they are 1 hectare or more (footnote 50). Major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (paragraph 165). Where appropriate, applications should be

supported by a site-specific flood-risk assessment.

Conserving and enhancing the natural environment

- 4.30 Paragraph 170 seeks to contribute to and enhance the natural and local environment, for example by protecting and enhancing sites of biodiversity in a manner commensurate with their statutory status (part a), recognising the intrinsic character and beauty of the countryside (part b), minimising impacts on and providing net gains for biodiversity (part d), preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution (part e) and remediating contaminated and unstable land (part f).
- 4.31 Paragraph 175 states that when determining planning applications, local planning authorities should apply a number of principles relating to biodiversity. This includes if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 4.32 Paragraph 178 seeks to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 4.33 Paragraph 180 seeks to ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes taking into account any impacts on/from noise and light.
- 4.34 Paragraph 181 seeks opportunities to improve air quality or mitigate air quality impacts, such as through traffic and travel management, and green infrastructure provision and enhancement.

Planning Practice Guidance

- 4.35 The Planning Practice Guidance (PPG) was launched by the Department for Communities and Local Government (DCLG) on 6 March 2014. It is an online resource that's brings together planning practice guidance for England.

- 4.36 The PPG contains extensive guidance on matters of design. Paragraph 001 of this element of the guidance (ref ID 26-001-20140306) highlights that achieving good design is about creating places, buildings or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.
- 4.37 Of notable reference to the current application is paragraph 40 (ref ID: 26-040-20140306) which highlights design issues that are particularly relevant to housing design. The PPG states that well-designed housing should be functional, attractive and sustainable. It should be adaptable to the changing needs of its occupants.
- 4.38 The PPG states that affordable housing, in well-designed places, is indistinguishable from private housing by its design and should not be banished to the least attractive part of the site. Consideration should be given to the servicing of dwellings, together with carefully planned bin storage. Car parking and service areas should also be considered in context to ensure that the most successful outcome can be delivered for the site.

Local Policy

- 4.39 Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires that determinations must be made in accordance with the development plan, unless material considerations indicate otherwise. From this regard the development plan for Ashfield District Council currently consists of the 'saved' policies of the Ashfield Local Plan Review 2002 (LP).
- 4.40 A new Local Plan was previously being assembled by the Council to replace the 'saved' policies of the Ashfield Local Plan Review 2002. It had progressed through to submission to Secretary of State on 24 February 2017 with Examinations held in October 2017. However, the Council subsequently resolved at a meeting on 6th September 2018 to withdraw the emerging Local Plan and restart the process.
- 4.41 It is material to note that the application site was a proposed residential allocation in the withdrawn Local Plan (for approximately 235 dwellings (site ref. SKA3c). Whilst this holds no weight, the evidence base supporting the withdrawn Plan demonstrates that the site is a sustainable option for housing development.
- 4.42 The Council has started work on a new Local Plan for the period of 2018 to 2037. The Council held a Call for Sites consultation in March 2019, and a submission for the application

site was submitted by Bellway Homes as part of this process.

- 4.43 As the emerging Plan is at a very early stage, with the Consultation Draft Local Plan expected to be published in January 2020. As such, the subject application will be considered solely against the saved Policies of the Ashfield Local Plan Review. In accordance with paragraph 213 of the NPPF, due weight should be given to these policies according to their degree of consistency with the NPPF. The NPPF, PPG and relevant Supplementary Planning Guidance are material considerations.

Ashfield Local Plan (LP)

- 4.44 The strategic policies of the Ashfield Local Plan Review, including ***Policy ST1***, express the Council's approach in overall terms to the future physical form of the District. The policy states that development will be permitted where it does not conflict with other policies in the Local Plan (part a) and would not adversely affect the environment in which it is located (part b). Further to this, the policy seeks to prevent development which would adversely affect highway safety (part c) and will not conflict with an adjoining or nearby land use (part e). **Parts a, b, c and e of Policy ST1 were cited in the DWH refusal notice.**
- 4.45 ***Policy ST2*** states that development will be concentrated within the main urban areas of Hucknall, Kirkby in Ashfield and Sutton in Ashfield.
- 4.46 ***Policy HG3*** seeks to control the density of housing developments on sites of 0.4ha and greater through the proximity of the development to District shopping centres, Robin Hood line stations or Nottingham Express Transit rail stops.
- 4.47 In the West Notts. Sub Area, ***Policy HG4*** seeks 6% affordable housing on housing development of 25 dwellings or more.
- 4.48 In order to establish that new residential development is designed to a high standard in the District ***Policy HG5*** provides a number of broad guidelines for residential proposals to meet which, upon meeting all guidelines, would result in gaining planning permission. The policy states that residential development will be permitted where:

a) *The amenity of neighbouring properties is protected,*

- b) The design and layout of dwellings minimises potential overlooking and provides a reasonable degree of privacy and security,*
- c) Adequate private garden space is provided,*
- d) Boundary treatment provides an acceptable standard of privacy and visual amenity,*
- e) Access for vehicles, pedestrians and cyclists and public transport where appropriate, is safe and convenient and integrated with existing provision,*
- f) Parking facilities are provided in accordance with Council standards, as outlined in Appendix 7 (of the Ashfield Local Plan Review),*
- g) Its design is acceptable in terms of appearance, scale and siting, and*
- h) Landscaping complements and enhances its appearance.*

4.49 **Policy HG6** directs the Public Open Space (POS) requirements for new residential developments on sites of two hectares and above, where 10% of gross housing area is to be provided as POS.

4.50 **Policy EV2** states that in the countryside, permission will only be given for appropriate development. A definition of what comprises appropriate development is listed at parts a) to h) of the policy. Major housing development, such as that proposed as part of this application, does not fall within the Council's definition of appropriate development in the countryside. **Policy EV2 was cited in the DWH refusal notice.**

4.51 **Policy EV4** states that development which does not adversely affect the character and quality of mature landscape areas (MLA) will be permitted. The closest MLA policy to the application site is Huthwaite/Spring Wood (Local Plan reference EV4Rm), approximately 1km to the north of the site. **Policy EV5 was cited in the DWH refusal notice.**

4.52 **Policy EV5** states that proposals likely to affect Sites of Special Scientific Interest will be subject to special scrutiny and where such development may have an adverse effect, directly or indirectly will not be permitted unless the reasons for development clearly outweigh the nature conservation value of the site. **Policy EV5 was cited in the DWH refusal notice.**

4.53 **Policy EV6** states that development which adversely [affects] local nature reserves will only be permitted where provision is made within the development for the protection of features of nature conservation, or the development cannot be located elsewhere. **Policy EV6 was cited in the DWH refusal notice.**

4.54 **Policy EV8** states that development which adversely affects trees worthy of retention, including woodland and individual trees, will not be permitted. Where trees are lost as a result of development, replacement or mitigating planting will be required.

Ashfield Residential Design Guide SPD (November 2004)

4.55 This SPD sets out how Ashfield District Council expects the location, form and type of residential development will be considered through the design process. It will be referred to in Section 5 of this Planning Statement, mainly in relation to Ashfield Local Plan Policy HG5. However, this SPD is more material to detailed planning applications seeking the approval of layout, appearance, scale and landscaping.

Residential Car Parking Standards (2014)

4.56 This SPD sets out the Council's minimum requirements for parking provision to serve new residential developments within Ashfield District. One bedroom dwellings should provide a minimum of one space per dwelling plus one visitor space per two dwellings (off-plot); two/three bedroom dwellings should provide two spaces per dwelling and four+ bedroom dwellings should provide three spaces per dwelling. As with the Residential Design Guide, this is more of a consideration for full or reserved matters applications.

Nottinghamshire Highway Design Guide (6Cs)

4.57 This document provides guidance on the design of development layouts to ensure the safe and free movement of all road users. It includes guidance on road layouts, speed control, pedestrians, cyclists and parking, which has informed the site access design and Illustrative Masterplan submitted as part of this application.

Ashfield District Council Housing Land Monitoring Report (2019)

4.58 This document is a material consideration in the context of NPPF paragraph 73 which requires local planning authorities to demonstrate a five year housing land supply of deliverable sites. This document sets out the Council's current housing land supply position as at 1 April 2019, concluding that the Council has a supply equivalent to just 2.67 years.

Further analysis on what this means for the determination of this planning application is set out in Section 5 below.

5.0 PLANNING CONSIDERATIONS

Policy and Statutory Considerations

- 5.1 Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 Whilst it does not displace s.38(6) of the 2004 Act, NPPF paragraph 11 is a key material consideration, as it sets out the Government's intention that planning decisions should apply a presumption in favour of sustainable development and provides guidance on how planning decisions should be made. A key consideration when applying paragraph 11 is whether the development plan in question is up-to-date.
- 5.3 In this case, the development plan consists of the Ashfield Local Plan Review, adopted in November 2002 and intended to guide development in the District up to 2011. It is not disputed that the proposals, which are for major residential development at a site identified as countryside, do not accord with the Ashfield Local Plan, specifically Policy EV2 which defines the site as countryside.

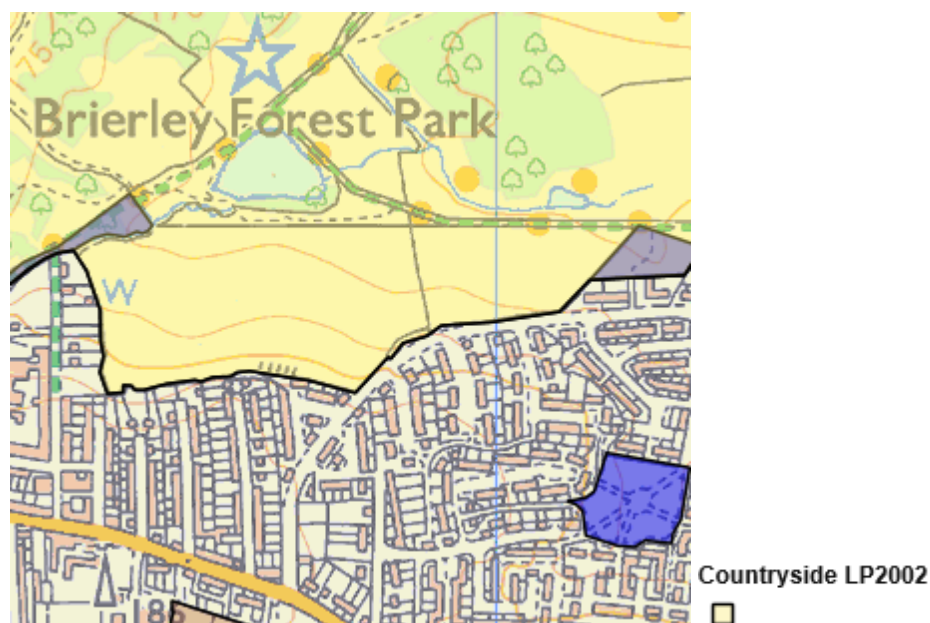


Figure 6. Extract from saved Local Plan Proposals Map showing countryside designation

5.4 However, the Ashfield Local Plan is clearly out-of-date with regards to the matters of housing land supply because:

- It is time expired and settlement boundaries were drawn to reflect a housing need for the period up to 2011; and
- It is the Council's position that it cannot demonstrate a five year housing land supply as required by the NPPF. The Council's 2019 Housing Monitoring Report (published July 2019) states that the District can demonstrate a housing land supply of 2.67 years; a significant undersupply of housing.¹

5.5 For applications involving the provision of housing and where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, footnote 7 to the NPPF is clear that relevant development plan policies should be regarded as out-of-date.

5.6 The application should be determined in accordance with paragraph 11(d) of the NPPF and permission should be granted, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- 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.*

5.7 In its decision notice for the DWH application, the Council cited a conflict with Policy EV5, which seeks to protect Sites of Special Scientific Interest (SSSI). SSSI's are one of the policies in the Framework relevant to limb i) above (as set out at NPPF footnote 6) which protect areas or assets of particular importance. As set out in the accompanying Ecological Assessment, the site is approximately 2km from the Teversal Pastures SSSI. Paragraph 175(b) of the NPPF states that development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. However, the accompanying Ecological Assessment, prepared by FPCR, states that the development of the application site for housing at a separation distance of around 2km is "not considered to pose a risk to this

¹ Given that the anticipated housing shortfall is so significant, no further analysis of the Council's housing land supply methodology is considered necessary at this stage.

SSSI.” As such, limb i) **is not satisfied and may not be relied upon to refuse permission of the application.**

5.8 The decision maker should therefore apply limb ii) (referred to as “the tilted balance”) in the determination of this application and consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposals, when assessed against the policies in the Framework taken as a whole.

5.9 In considering the impacts of the proposals, the following matters are considered relevant to the determination of the application:

- Housing Delivery
- Site Location
- Highways and Transport
- Flood Risk and Drainage
- Landscape Impact
- Ecological Impact
- Archaeological Impact
- Air Quality
- Noise
- Design

Housing Delivery

5.10 The application proposals have the potential to deliver up to 300 homes. This is a significant benefit to be weighed in favour of the application, particularly given the Council's substantial housing shortfall. As set out above, the Council's 2019 Housing Land Monitoring Report states a supply of just 2.67 years (as 1 April 2019). It is material to note that this is a decline from the previous year's figure (1 April 2018) of 3.92 years and that the 2019 Housing Delivery Test Figure has reduced from in excess of 100% to 95%. This represents a worsening position and one to which the application scheme could make a positive contribution.

5.11 The Council's current position represents an under supply of 1,161 dwellings for the 2019 to 2024 period. Table 1 of the Council's Monitoring Report estimates that shortfall for the 2019

to 2037 plan period is 5,639 dwellings. It would be Bellway Homes' intention to prepare and submit a reserved matters application approximately 2-3 months from receiving outline consent and to commence on site as soon as practically possible. This site therefore has the potential to contribute towards the latter stages of the next five year period (2020-2025).

- 5.12 The proposals will also deliver a policy compliant amount of affordable housing, the tenure of which will be negotiated during the determination process. A broad mix of housing sizes and types would be delivered, from two to five bed homes.
- 5.13 To summarise, the government has a clear objective to significantly boost the supply of homes (NPPF, paragraph 59). At present, it cannot demonstrate a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement (NPPF, paragraph 73). The application scheme would make a significant contribution towards the Council's housing shortfall in, as the next sections demonstrate, a sustainable location with minimal adverse impacts.

Location of Development

- 5.14 It is material that the site is located in the main urban area of Sutton-in-Ashfield, which the Local Plan supporting text states is "*where services are concentrated and access to facilities is best.*" Whilst the supporting text does specify that proposals should not conflict with other land use designations, it has already been established that Policy EV2 is out-of-date because of the Council's housing land supply shortfall. Furthermore, the Council's housing need cannot be met within its out-of-date settlement boundaries, meaning greenfield sites will need to be released. The site is a logical extension to the town and is well contained on three sides by the existing urban area and the Brierley Forest Park LWS on its northern side.
- 5.15 As set out in Section 2 of this Planning Statement, the site has excellent access to facilities, services and public transport routes, thereby providing new development in a location which offers a choice of transport modes, as advocated by paragraph 103 of the NPPF.
- 5.16 The Council's own evidence also concludes that the site is suitable for residential development. The Strategic Housing Land Availability Assessment (SHLAA) for Sutton in Ashfield was published in November 2016 and included a desktop appraisal for all sites submitted to the Council through the SHLAA process. The appraisal of each site included an analysis of the potential capacity for residential development and deliverability over a 15-

year period. The application site was assessed as part of this appraisal.

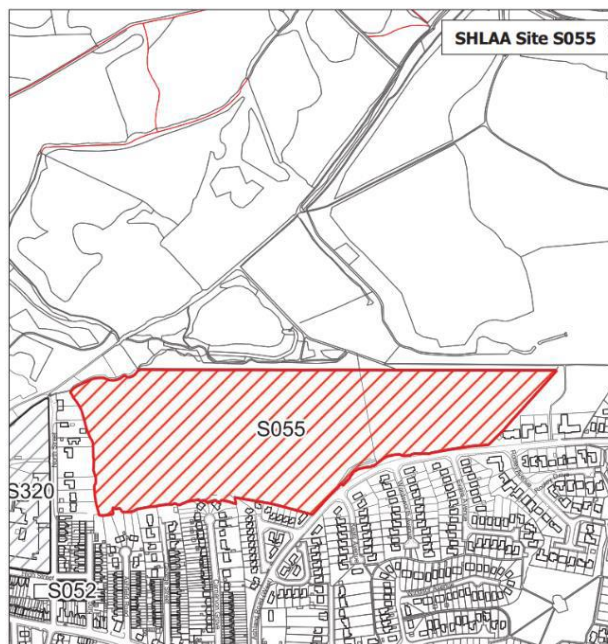


Figure 7. SHLAA Site S055 – Land off Ashland Road West, Sutton-in-Ashfield

5.17 The SHLAA assessment concluded that the site could be considered:

- Suitable: in terms of character, land use and location; access to services being within 10 minutes walking distance to a range of basic services, within 30 minutes travel by public transport to a greater range of everyday facilities, and with immediate access to natural and public open space; in terms of physical constraints subject to a further flood risk assessment albeit the site lies within flood zone 1 being at low risk of flooding; and in terms of its impact on landscape and bio-diversity.
- Available - with no ownership constraints, confirmed as available by the landowner within 5 years.
- Achievable – the site is considered to be viable through the Nationwide CIL Services Viability Assessment, December 2013.

5.18 The Council's evidence base on the suitability of sites for housing underpinned the withdrawn Ashfield Local Plan (Publication Version, September 2016). Whilst the withdrawn plan holds no weight in the determination of the application, it is material to note that the application site was considered by the Council to represent a sustainable option for housing development

and was a proposed housing allocation for approximately 235 dwellings (site ref. SKA3c). The supporting text described the site as follows:

This site is located adjacent to the main urban area of Sutton and is well contained by residential development on three sides and Brierley Forest Park to the north. The site is identified in the Ashfield Strategic Flood Risk Assessment as a potential flood risk area due to the adequacy of the existing drainage system, however a flood risk assessment has identified that this can be mitigated. A local Wildlife Site lies adjacent to the boundary and any development would need to include mitigation of any negative impact on this. The site has been assessed as deliverable in the SHLAA (ref.S55) and is considered to be deliverable within 5 years (Publication Local Plan, paragraph 5.50)

- 5.19 It is also worth noting that the planning officer who dealt with the DWH application stated in the Planning Committee report (25 August 2016) that *“the application site is considered to be within a sustainable location on the urban fringe and is bound by the main urban area to the southern and western boundaries of the application site.”*
- 5.20 To summarise, the Council has on numerous occasions acknowledged that the application site is in a sustainable location for the delivery of housing and this should be regarded as a significant benefit in the determination of this application.

Highways Impact

- 5.21 The application is supported by a Transport Assessment in order to assess the impact of the development in highways terms.
- 5.22 The two main access points has been designed to be safe and suitable, to meet relevant highways standards and provide a loop which could accommodate a bus through the site.
- 5.23 As confirmed above, the site has good opportunities for walking, cycling and public transport. The proposed development would generate 29 pedestrian journeys, 7 by cycle, 13 by bus and three by train during a peak hour. The existing and proposed infrastructure would be able to accommodate that increase in demand. The development would further enable sustainable transport by the implementation of a Travel Plan, which would target a 10% reduction in single occupancy car journeys through a package of measures.
- 5.24 In terms of traffic generation, the development would generate up to 233 traffic movements in a peak hour. The impact of that traffic on the surrounding highway network has been examined at four key junctions - B6026 Huthwaite Road/Ashland Road West; Ashland Road

West/Highfield Road; Westbourne Road/Riley Avenue; and B6026 Huthwaite Road Westbourne Road. All junctions have the capacity to accommodate the proposed development without the requirement for mitigation measures.

- 5.25 With reference to paragraph 108 of the NPPF, the development would provide opportunities for travel by sustainable transport modes; safe and suitable access can be achieved for all users; and the impact of the development would be cost effectively mitigated. In accordance with NPPF paragraph 109, the application should not be refused on highways grounds as it would not result in an unacceptable impact on highway safety or a severe residual cumulative impact on the road network.

Flood Risk and Drainage

- 5.26 The decision notice for the DWH application cited flood risk as a reason for refusal, claiming that the site was prone to flooding and thus contrary to the NPPF which seeks to direct development away from areas at highest risk. This was contrary to no objections being raised by the Environment Agency, Severn Trent Water and the Council's drainage team. A Flood Risk Assessment (FRA) and Drainage Strategy forms part of the application submission further demonstrates that this was an unwarranted reason for refusal and should not be applied to this application.
- 5.27 The site is elevated sufficiently above the nearest main river watercourses and is thus identified in Flood Zone 1 of the Environment Agency Flood Map, meaning it is suitable for residential development in flood risk terms.
- 5.28 However, the FRA does identify a local watercourse to the north of the site which if it became blocked could result in localised flooding to the north of the site. To mitigate against this potential occurrence, the FRA recommends the proposals achieve certain minimum ground and internal floor levels.
- 5.29 In addition, the proposals will incorporate adequate measures to dispose of surface water drainage and to ensure the proposals do not increase the risk of flooding elsewhere. Sustainable Drainage Systems (SuDS) in the form of a balancing pond and hydrobrake, designed to account for climate change effects, will form part of the layout.
- 5.30 To summarise, the development will be located away from areas at highest risk of flooding

(Flood Zones 2 and 3) and will not increase the risk of flooding elsewhere, in accordance with paragraphs 155 and 163 of the NPPF. The proposals also incorporate SuDS in line with NPPF paragraph 165 and notably will also provide multifunctional benefits in the form of habitat creation (part d of paragraph 165).

Landscape Impact

- 5.31 A Landscape and Visual Assessment forms part of the application. It concludes that the site and proposed development are set within an established envelope of built-form that is already a key characteristic of this landscape setting. This assessment has confirmed that the development of the site is unlikely to result in any adverse effect to the wider character of the Brierley Forest Park landscape area or the main urban area that would be of significance to the planning decision making process. The only notable effect would be the loss of the open farmland setting of the site.
- 5.32 The site is not covered by any statutory or non-statutory designations that would prohibit it from being developed for residential purposes. The main landscape features of the site beyond its existing land use are its boundary hedgerows and tree cover all of which are both common and widespread in the locality and should therefore not represent a significant constraint to development. However, the Illustrative Masterplan seeks to substantially retain these features and reinforce them with new planting measures that over time will secure an attractive landscape setting and soften the appearance of the development.
- 5.33 While the proposed development is likely to materially alter the setting of views, this is a level of effect that is not uncommon or unexpected for this type of development. In response to this, the housing layout will be designed in accordance with recognised amenity standards and include new landscape measures to secure an appropriate and attractive transition with the existing residential areas as well as Brierley Forest Park to the north.
- 5.34 The Council cited Policy EV4 in the DWH refusal notice, inferring that the development would have an adverse impact upon the Mature Landscape Area of Huthwaite/Spring Wood (Local Plan reference EV4Rm). The Landscape and Visual Assessment demonstrates that this would be an erroneous reason for refusal to apply to this application.
- 5.35 The proposals should be regarded as being sympathetic to the site's landscape setting in accordance with NPPF paragraph 127. It is also material to note that the Council's landscape

team had no objections to the DWH application subject to the imposition of suitable conditions in respect of future landscaping. The planning officer also concluded that “the change of any green field site to residential will inevitably have an impact but it is considered that when this is balanced against other matters detailed in this report that this does not outweigh the benefits of the scheme.” The same conclusions should be applied to this application.

Ecological Impact

- 5.36 An Ecological Assessment has been prepared as part of the application. In terms of onsite habitats (a Habitat Plan is at Figure 3 of the Assessment), it concludes that the site predominantly consists of arable land and poor semi-improved grassland which are of low ecological value. Other habitats onsite include tall ruderal vegetation around the site boundaries (most of which will be lost) dense and scattered scrub, semi-mature and mature trees and hedgerows (the majority of which will be retained).
- 5.37 The site also lies adjacent to Brierley Forest Park, which is a Local Nature Reserve / Local Wildlife Site and a statutory site of local importance. The impact upon the Park was inferred in the DWH decision notice, by citing a conflict with Policy EV6.
- 5.38 As part of the Ecological Assessment, the site and surrounding area was also assessed for the presence of protected species. The findings are set out below.

Bats

- 5.39 Onsite hedgerows and dense scrub provided foraging habitat for bats – this habitat will largely be retained (with the exception of a small sections of dense scrub and hedgerow H3 which will be removed to facilitate a primary access routes through the site as the linear nature of these habitats will not be lost they will retain their suitability as bat commuting habitat). Four onsite trees have low bat roosting potential, these will also be retained.
- 5.40 To mitigate for the loss of any foraging resources as a result of the proposed development, the enhancement of hedgerow H2 is recommended in the form of gapping up of the current structure with native hedgerow species that reflect the rest of the hedgerow, as well as a long-term ecological management scheme of all hedgerows at the site
- 5.41 Other mitigation measures will include a site-specific sensitive lighting scheme, new areas of

wildlife habitat around the proposed surface water balancing area and the provision of bat boxes.

Badger

- 5.42 An assessment of badger setts was undertaken. Because badgers are a wide-ranging and dynamic species which can establish setts quickly, further badger surveys are required prior to the commencement of development, in order to establish the status of badgers within the site and accessible land within a 30m radius of the site.

Hedgehog

- 5.43 No field signs were observed during the field surveys for hedgehog however the scrub with trees, and tall ruderal vegetation at the site was suitable for use by hedgehogs for foraging, commuting and hibernating as this species require a mixture of habitats for foraging, nesting and mating.
- 5.44 As part of the proposed development, a large proportion of suitable hedgehog shelter and foraging habitat will be retained at the site peripheries. It is also recommended that any losses of hedgehog habitat be mitigated for via incorporating log piles using natural materials produced by the ecological management of trees and hedgerows on site, and provision of hedgehog access points within perimeter garden fences and hedgerows

Birds

- 5.45 The proposals will result in the loss of grassland, arable land and tall ruderal vegetation, habitats which provide nesting and foraging opportunities for birds. However, these habitats are widespread and well represented in the wider local area, while bird nesting and foraging habitats at the site peripheries, consisting of dense scrub, trees (of semi-mature age and older) and majority of all three hedgerows, will be retained and enhanced. In addition, domestic gardens will create areas of additional suitable habitat for urban edge bird species.

Reptiles

- 5.46 The hedgerows and scrub with adjacent tall ruderal habitat represent some potential foraging and refuge areas for reptiles while the poor semi-improved grassland and arable field that made up the majority of the site were of low value to foraging reptiles while basking opportunities were limited and no reptile evidence was found during the field survey

- 5.47 Due to the small scale of the suitable reptile habitat which will be lost as a result of the proposed development it is considered that further survey effort would be disproportionate. However, in order to ensure no breach of the relevant legislation takes place it is recommended that site clearance takes place under ecological supervision in a directional manner in accordance with a Great Crested Newt and Common Reptiles Method Statement (prepared by FPCR and included as part of the Ecological Assessment).
- 5.48 Habitat retention on the site peripheries will benefit common reptile species, should they be present, and will also create and enhance wildlife corridors and connectivity of habitats within the local landscape.

Great Crested Newts and Amphibians

- 5.49 Two ponds are located within proximity of the site boundary (identified as P1 and P2 in the accompanying Ecological Assessment). P1, a fishing pond had poor suitability for GCN whereas P2 had good suitability. In addition, the onsite hedgerows and areas of dense scrub are considered to provide potential habitat for foraging and commuting.
- 5.50 The vast majority of the terrestrial habitats that provide opportunities for amphibians within the site for foraging, commuting, rest and shelter, will be retained and enhanced as part of the proposed development, while maintaining connectivity to suitable amphibian habitat to the north of the site (in Brierley Forest Park LNR/LWS). These habitats sit along the site boundaries, creating a buffer between the area of proposed development footprint and the ponds to the north, and will include all three hedgerows, dense scrub, and scattered trees and tree groups
- 5.51 In addition, an attenuation basin will be created in the south western site corner, directly south from P2, where recommended habitat creation includes new native species rich neutral grassland and native species scrub planting around the attenuation basin. Along with this, it is recommended that log piles also be incorporated in this area. The combination of these habitat features in this location will create foraging and sheltering opportunities for any GCN (and other common amphibians) which may enter the site, as well as improving general habitat connectivity. As referred to above, a Great Crested Newt and Common Reptiles Method Statement accompanies the application to ensure there is no breach in the legislation which protects Great Crested Newts.

Brierley Forest Park

- 5.52 The impact on Brierley Forest Park was a reason for refusal for the DWH application. The site is already used by residents to access the Park, albeit the proposed development would increase the footfall. However this is a Park which encourages public access by including a football pitch, children's play area and play trail, fishing, mountain bike track, sculpture features and a visitor centre with café facilities.²
- 5.53 Despite the public already accessing the Park from the site, the applicant proposes to implement the following:
- Direct public footfall to the official points of access while also preventing any unofficial access from being created which may lead to unnecessary damage to the surrounding habitat;
 - Provide signage at the proposed entry points in order to highlight the nature conservation of the site as well as promoting the use of footpaths and good dog walking conduct;
 - Provide and maintain bins at the access points with the aim of reducing litter and dog-waste; and
 - Ensuring the protection of trees along the boundary with the Park.
- 5.54 To summarise, in ecological terms the proposals seek to minimise impacts on and provide net gains for biodiversity (in the form of new planting and habitat creation) in accordance with NPPF paragraph 170(d). Any ecological harm can be adequately mitigated, and in accordance with paragraph 175(a) should not be refused in ecological terms.

Archaeological Impact

- 5.55 An Archaeological Assessment forms part of the application submission. It concludes that there is low potential for prehistoric, Roman, medieval and post-medieval archaeology and that the impact upon the nearby Sutton Conservation Area is considered to be negligible and unlikely to be impacted by the proposals.
- 5.56 There is no conflict with the NPPF in heritage terms. It is also material that heritage impact was not previously cited as a reason for refusal and there are no changes in circumstances

² <https://www.ashfield.gov.uk/visiting/parks-and-visitor-centres/brierley-forest-park/>

that would warrant a refusal in this terms for this application.

Air Quality

- 5.57 An Air Quality Assessment was requested at pre-application stage. The report concludes that air quality within the District of Ashfield is good and to date, no Air Quality Management Areas have been designated. The impact of the development upon local air quality will be negligible and since the air quality assessment indicates that annual mean air quality objectives are met at the most exposed receptor locations, it can be concluded that the air quality over the site is acceptable for residential development. The results do not indicate a requirement for more detailed dispersion modelling.
- 5.58 There is no conflict with the NPPF or PPG in air quality terms and it is material to note that no objections were made to the DWH application by the Council's Environmental Health Officer.

Noise

- 5.59 A Noise Assessment forms part of the application submission. This shows that the part of the site immediately adjacent to Ashland Road West falls within a category of low noise risk, for which government guidance maintains will be acceptable from a noise perspective provided that a good acoustic design process is followed confirms how the adverse impacts of noise will be mitigated and minimised in the finished development.
- 5.60 Away from Ashland Road West, the noise exposure reduces to a negligible risk for which the guidance states that applications need not normally be delayed on noise grounds.
- 5.61 In order to mitigate potential noise impacts, the following mitigation measures are proposed:
- Selection of glazing, acoustically attenuated ventilation and building fabric with a sufficient sound reduction index; and
 - Installation of 1.8m high acoustically sound fencing at garden boundaries adjacent to Ashland Road West.
- 5.62 It is considered that with the implementation of the specified mitigation strategy, sound levels across the proposed development can be readily attenuated to achieve acceptable external and internal sound levels. As such, there is no conflict with the NPPF or PPG in noise terms.

It is also material that there were no objections to the DWH application from the Council's Environmental Health Officer.

Design

- 5.63 The accompanying Design and Access Statement describes how the proposals have evolved in design terms. As this is an outline application, matters of layout, appearance, scale and landscaping are reserved for later approval.
- 5.64 As part of this outline submission, a broad layout has been prepared to demonstrate that the site can developed for up to 300 dwellings whilst achieving:
- a suitable and safe access for both vehicles and pedestrians;
 - a permeable and legible layout;
 - a layout which responds well to the existing site levels;
 - the retention of natural landscape features;
 - the provision of links to the Forest Park are provided;
 - natural surveillance (via the inclusion of perimeter blocks and active frontages);
 - positive assimilation with the existing surrounding built form;
 - a road layout which, from a highways adoption perspective, is informed by the local highways authority's requirements; and
 - appropriate levels of residential amenity (i.e. in the form of separation distances).

The tilted balance

- 5.65 The NPPF outlines the overarching interdependent objectives for planning to achieve sustainable development: social, economic and environmental.

Social

- 5.66 The main social benefit would lie in the provision of up to 300 additional dwellings, particularly in the context of the Council's significant housing shortfall. The proposals would also deliver policy compliant affordable housing and a range of housing types and sizes to meet local need.
- 5.67 Other social benefits include:
- Housing development in a sustainable location which is accessible to facilities and

services, employment opportunities and public transport links;

- The provision of formal pedestrian links to Brierley Forest Park (there are no formal public rights of way crossing the site at present).
- A financial contribution towards the enhancement of Brierley Forest Park, which will of benefit to the local community.

5.68 In the context of the Council's housing land supply shortfall and the government objection to significantly boost the supply of housing, these social benefits are considered to attract significant weight

Economic

5.69 There will be a number of economic benefits during the construction and operational phases of the development:

- Direct and indirect employment and investment generated by the construction of the dwellings over a five to six year period;
- An increase in spending at local businesses and services in the local area when the development is occupied;
- Payments to the local authority the form of the New Homes Bonus and Council Tax.

5.70 The economic benefits are considered to be of moderate weight.

Environmental

5.71 It is accepted that by changing the nature of the site from greenfield to residential, there will be some negative environmental impacts, relating to landscape and visual impact and ecology.

5.72 However, the accompanying Landscape and Visual Assessment concludes that beyond the immediate boundaries of the site, the proposals are unlikely to result in adverse effects that would be of significance to the planning decision making process.

5.73 In ecological terms, the proposals seek to minimise impacts on and provide net gains for biodiversity (in the form of new planting and habitat creation) in accordance with NPPF paragraph 170(d). Any ecological harm can be adequately mitigated, and in accordance with paragraph 175(a) should not be refused in ecological terms.

- 5.74 Elsewhere, the above Statement demonstrates that the impacts in terms of highways, flood risk, archaeology, noise, air quality can be mitigated effectively. In addition, any adverse impact on education / healthcare provision demonstrated by the relevant providers should be capable of being offset via a financial contribution to the extension or enhancement of existing services.
- 5.75 In applying the tilted balance, the proposed development's primarily social and economic benefits would not be significantly and demonstrably outweighed by its minimal adverse environmental impacts. The tilted balance at limb ii) of NPPF paragraph 11 therefore supports the approval of this application.

6.0 CONCLUSION

- 6.1 This Planning Statement has been prepared by DLP Planning Ltd ("DLP") for and on behalf of Bellway Homes Ltd ("the Applicant") in support of an outline planning application (with all matters reserved except access) for the residential development of up to 300 dwellings with associated infrastructure and landscaping ("the proposed development") at Ashland Road West, Sutton-in-Ashfield, Nottinghamshire ("the site").
- 6.2 The application submission is informed by pre-application advice from the Council and a public consultation exercise.
- 6.3 The application site subject to this outline planning application extends to approximately 10.137ha and is located on the western edge of Sutton-in-Ashfield. The site is currently a greenfield agricultural site, formed by two large fields. The site is well-contained, being surrounded by existing residential development on three sides to the east, west and south and the former restored colliery site at Brierley Forest Park (a Local Wildlife Site/Local Nature Reserve with public access and recreational facilities) to the north. Ashland Road West runs along the site's southern boundary.
- 6.4 The site is in a sustainable location, as acknowledged during pre-application advice and by the fact that it was previously a proposed housing allocation in the (now withdrawn) emerging Ashfield Local Plan. The site was submitted to the Council's call for sites exercise in March 2019.
- 6.5 An application for residential development was refused by the Council in September 2016 (application reference (V/2014/0658). A number of Local Plan policies were cited in the decision notice, and related to the location of the development and ecological/landscape issues. A second reason for refusal related to flood risk.
- 6.6 The application proposals are accompanied by an Illustrative Masterplan which shows how the site could be developed. The site will be accessed via two new T-junctions from Ashland Road West. The link between these roads has been designed to accommodate a potential future bus route, at the request of the local highways authority. Another key feature of the scheme are the green links through the site connecting the site and existing development to the south with Brierley Forest Park. The majority of existing trees and hedgerows will be

retained and new planting will be provided to increase potential wildlife habitat on the site.

- 6.7 Whilst the site is currently defined as countryside in the Ashfield Local Plan Review (2002), this Planning Statement concludes that the Local Plan is out of date, by virtue of being time-expired and because the Council cannot demonstrate a five year housing land supply. As such, the application should be determined in accordance with the tilted balance at NPPF paragraph 11 d) ii).
- 6.8 In applying the tilted balance, the proposed development's primarily social and economic benefits would not be significantly and demonstrably outweighed by its minimal adverse environmental impacts. The tilted balance at limb ii) of NPPF paragraph 11 therefore supports the approval of this application and planning permission should be granted accordingly.

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