

PARISH Pleasley

APPLICATION Residential Development
LOCATION Land Between Hill Top Farm And Allotment Gardens Chesterfield Road
New Houghton
APPLICANT Mrs K Jephson Bleakhills House Bleakhills Lane Mansfield
APPLICATION NO. 15/00124/OUT **FILE NO.** PP-04046677
CASE OFFICER Mr T Ball
DATE RECEIVED 14th March 2015

SITE

The site occupies a 7.8ha of arable farmland situated on the northwest side of New Houghton bounded between the A617 to the southwest and the existing settlement to the south and east. Properties along Pavilion Gardens, Recreation Road and Hardwick View Close bound the site along its eastern and southern edges. In addition, allotment gardens adjoin much of the south eastern boundary.

Hedges bound a large proportion of the site edges although the north western boundary is open and appears to follow an undefined line through the middle of the field.

The site affords sweeping views across the surrounding landscape. The western part of the site is elevated, although much of its topography slopes down in an easterly direction towards the existing village. Alongside the A617 the field lies slightly below the level of the road.

The former Hill top Farm with its own separate access track is situated just north of the site, although these appear to be derelict.

The land is classified as mainly grade 2 agricultural land with part of the south eastern corner grade 3.

PROPOSAL

The application seeks outline planning permission for up to 180 dwellings. Approval of access details are sought at this stage. All other matters are reserved for subsequent consideration. The application proposes a new three arm roundabout on the A617 in order to gain access into the site, together with a link into the village via Garden Avenue and Recreation Road to the east. Additional access roads are indicated on the 'Proposed Site Masterplan' providing access into adjacent areas of land (that lie outside the application site); the Planning Statement indicates that these could be to additional employment land and residential development.

Although the application is in outline and no design details are sought at this stage, the proposal is supported by a design and access statement and a Proposed Site Masterplan.

The following documents/reports have been submitted to support the application:

- Confidential Viability study – examines three options:
 - 10% Affordable housing;
 - no Affordable Housing but 10% development completed within 3 years, 50% within 5 years;
 - applicants preferred option of 5% Affordable Housing. £300,000 is set aside for

other S106 contributions.

- Ecological Survey (Extended Phase 1 Habitat Survey).
- Non-intrusive Environmental and Geotechnical Assessment.
- Ground Investigation Summary Report.
- Coal Mining Risk Assessment.
- Transport Assessment.
- Framework Residential Travel Plan.
- Landscape and Visual Impact Assessment and Landscape Strategy.
- Statement of Public Consultation.
- Planning Statement.
- Design & Access Statement.

AMENDMENTS

The following additional Information has been received:

- Flood Risk Assessment (08.04.15).
- Archaeological Geophysical Survey (18.05.15).
- Heritage Impact Assessment (02.06.15).
- Highway Safety Audit for new roundabout and response (10.06.15).
- Responses to Objectors and Professional Objectors (11.06.15).
- Response to policy issues (16.07.15)

HISTORY

None

CONSULTATIONS

Environment Agency: No objections in principle; recommends detailed condition requiring detailed surface water drainage scheme with various advisory notes. 09.04.15

Pleasley Parish Council: Object on the following grounds: 1) the effects of making an extra through route from the A617 into New Houghton; 2) Increased incidence of flooding at the lower end of the site and in Recreation Road; 3) close proximity to a nature reserve; 4) Density of housing and pressure on local services and amenities. 14.04.15

National Trust: No information to assess impacts on historic environment, in particular upon the setting of Hardwick Hall, Registered Park and Garden and Conservation Area, therefore object. Details concerns relating to strategic planning, conformity with National Planning Policy Framework and Bolsover District Local Plan, landscape and visual impacts, and impacts on agricultural land. Proposal is located around 2000m north-east of the remarkable assemblage of heritage assets at Hardwick. The development is likely to fall within the setting of Hardwick, western part of the site will be visible from the roof platform of Hardwick New Hall. May also be visible from areas of the Upper Park. No evidence provided by the applicant to assess the potential impacts as required by the National Planning Policy Framework. Expect an assessment of the likely impacts of the development on the setting of Hardwick. Photomontage visualisations of the proposed development would assist the assessment of landscape, visual and heritage impacts in accordance with industry standard guidance, those submitted within the LVIA are rudimentary photomontages of the current

landscape. Viewpoints from Pleasley Pit Country Park should be included. 20.04.15

Conservation Officer (BDC): Agrees with National Trust that in order to evaluate the potential impact of the development upon Hardwick Hall that it will necessary to submit a photomontage visualisation concentrating on views from the Hardwick Estate. This will allow further detailed comment. 24.04.15

Following receipt of the Heritage Impact assessment and a visit to Hardwick Hall with National Trust Planning Adviser satisfied that the development would not be seen from the Hall roof or from within the grounds. The development will be screened to a large extent by a hillside and extensive tree coverage. 17.07.15

Crime Prevention Design Adviser: No comments. 21.04.15

Local Highway Authority (DCC): Concerns regarding the sustainability of the location, few facilities at New Houghton and little opportunity for employment which is confirmed by the submitted Transport Assessment. While there are some public transport services it will still be necessary for residents to rely on the private car. However, the principle of a suitably designed roundabout junction to serve the development off the A617 is acceptable. On the basis that access is not a reserved matter it is necessary for a detailed drawing of the roundabout supported by a Safety Audit to be submitted before making any further comment. 30.04.15 Provides detail comments on the submitted Travel Plan mainly relating to issues which could be developed or included. 23.04.15 There has been no response following submission of the safety audit.

Environmental Protection Officer (Contamination): No objections in principle, agrees with phase1 report that further intrusive investigation is required due to the previous uses of the site and the infilled quarries in close proximity. Require a full gas risk assessment. Recommends condition requiring further investigation, assessment and remediation as appropriate. 06.05.15

Environmental Protection Officer (Noise): No noise assessment has been undertaken. Due to close proximity of the A617 recommend conditions requiring a noise assessment. 06.05.15

Derbyshire Wildlife Trust: Extended Phase 1 Habitat Survey with an additional walkover survey identify the site to be dominated by arable land with hedgerows. The hedgerows meet the definition of UK BAP priority habitat and, as such, we support their retention and enhancement. Support the recommendation that these should be adequately protected during works in accordance with details to be required by condition. The Masterplan shows drainage by Suds and a balancing pond, these should be designed to provide maximum benefit to biodiversity. Following a site visit notes the presence of a landscaped buffer adjacent to Hardwick View Close; this is now getting well established and the UK BAP priority butterfly Small Heath was recorded in association with the grassy element of the buffer. Strongly recommend that the buffer and the well established native hedgerow along the south-east boundary are retained within the development and enhanced to provide maximum biodiversity benefit. The Masterplan does not respect or retain these features. Any Reserved Matters application should be accompanied by an Ecological Mitigation and Enhancement

Plan for all areas retained and for all created habitats to include biodiversity enhancement, and a programme of long term management. 11.06.15

Further comments that now in possession of information regarding the presence of reptiles (slow worm and grass snake) which are Species of Principal Importance, therefore essential that the presence or otherwise of reptiles on the site and the extent that they may be affected is established prior to the determination of the application. Acknowledge that arable fields are generally regarded as providing sub-optimal habitat for reptiles; have no reason to dispute the recently received local information. Of the view that the field margins, especially the tall ruderal habitat strip between the two fields and along the northern boundary of the site adjacent to Pavilion Gardens, together with the habitats around Hilltop Farm and the adjacent allotments provide suitable habitat for reptiles. Detailed reptile survey required and any required mitigation provided for consideration prior to the determination of the application. 02.07.15

Arts Development Officer: Refers to Local Plan Policy which requires % for art. 02.04.15

Coal Authority: Site does not fall within the defined High Risk Area, refer applicant to standing advice. 02.04.15

Development Control Archaeologist: Potential for archaeological remains of prehistoric date. NPPF requires that the applicant establish the significance of any archaeological remains within the site, and in the absence of any archaeological information within the application this requirement has not been met. The applicant should submit the results of archaeological field evaluation. Holding objection on grounds of non-compliance with National Planning Policy Framework. 08.04.15

The applicant has now submitted the results of a geophysical survey of the site. Although geophysics is not a foolproof technique it appears on the balance of probabilities that the archaeological potential of the site is very low. Therefore recommend on balance that there is no need to place any further archaeological requirement upon the applicant. 22.06.15

Flood Risk Management Team (DCC): Proposed site is unlikely to be subject to surface water flooding during the critical storm duration; no records of historical flooding within the site boundaries or within close proximity of the site; due to the historic mining and mineral extraction operations in Derbyshire, networks of old stone soughs (drainage channels, sometimes known as adits) may exist beneath the ground surface, potential for hidden watercourses should be investigated. 08.04.15

Strategic Infrastructure (DCC): No requirements for S106 Planning obligation contributions, advice notes regarding access to high speed broadband and designing new homes to 'Lifetime Homes' standards. Proposed development would generate 36 primary pupils, 27 secondary pupils and 11 post-16 pupils. Anthony Bek Primary School capacity is 210, 163 on role projected to increase but remain incapacity in the next 5 years. Shirebrook Academy capacity 960, 745 on role projected to increase to 844 in the next 5 years. This analysis indicates that the normal area primary and secondary schools could accommodate the additional pupils from the development, therefore no contribution required. 14.04.15

Severn Trent Water: No objection subject to a condition requiring drainage plans for surface water and foul sewage disposal. Advise that there is a public sewer located within the site. 11.05.15

Leisure Services: Would normally expect to see on-site provision including LEAP standard play area for toddlers and young children and due to proximity to existing play area (Rotherham Road) and to Millennium Green (informal open space) would like to see commuted sum invested in enhancing and improving these community facilities with additional play and recreational opportunities for older children and adults. The level of commuted sum allocated to enhancing and improving off-site facilities would need to be negotiated and will depend upon the cost of providing an on-site play area. Also request commuted sum for formal built and outdoor sports facilities of £898 per dwelling which would be invested in enhancing and improving existing facilities within Pleasley, principally the football pitch at Rotherham Road. Also requests maintenance payment for any land etc adopted by the district council.

Suggests a dedicated cycleway along A617 from Green Lane to footbridge across A617 into Pleasley which would significantly improve cycling opportunities. 01.07.15

Urban Design: Considers the site has poor connectivity with village and primary school following examination of routes, shortest route (avoiding narrow alleyway) from centre of site is 1200m to primary school; nearest bus stops over 400m along a busy road which represents a hostile environment for pedestrians. Successful Places SPD considers up to 1000m maximum acceptable for walk to primary school, applicant appears to have based their assessment on straight distance from the site, not walking routes. Given the location of the site its limited connectivity to the village and the poor quality of some of those links it is uncertain that the development would achieve sufficiently good connections to New Houghton to encourage active travel, reduce reliance on the car and deliver a sustainable location for residential development. Submitted masterplan is unacceptable in terms of urban design, at least 13 issues identified at this stage which would require attention; fails to comply with the National Planning Policy Framework and guidance contained within the NPPG and the Council's SPD 'Successful Places'. Access into site on A617 with a three arm roundabout considered an inappropriate urbanising feature in an otherwise rural landscape. Access from Garden Avenue is along a road where most properties do not have off-street parking with resultant on-street parking and effective narrowing of carriageway restricting its ability to function as an effective bus route. This connection would also serve to redirect traffic avoiding the Pleasley roundabout.

The Site Masterplan represents a poor layout that would fail to comply with design policy and guidance. As such, this is not considered to form a suitable template on which to base subsequent reserved matters proposals. Any future detailed proposals should have regard to the detail comments and the design amended to achieve a satisfactory development in terms of its urban design to secure an appropriate amount and form of development that is sensitive to its context. Based upon the Proposed Site Layout drawing, the applicant should be advised that the proposals would be unacceptable in terms of urban design considerations. Any future reserved matters applications would need to address the issues identified above in accordance with the NPPF, NPPG and Successful Places Interim SPD (2013). 22.05.15

No responses from: Environmental Health (Air Quality); Strategic Housing; NHS North Derbyshire Clinical Commissioning Group.

PUBLICITY

Advertised in press. Site notice posted, 72 neighbours notified, 52 responses.

The main issues raised can be summarised as:

Traffic/transport (raised by 40 respondents) – the new roundabout and connection onto Garden Avenue will become a new through route into and out of the village, avoiding the Pleasley roundabout; Garden Avenue /Recreation Drive are unsuitable to function as such a link comprising old persons bungalows and properties with no off-street parking, use of road for parking by nearby repair garage all effectively reducing the width of the carriageway, health implications of additional traffic.

Environmental impact (raised by 40 respondents) – loss of countryside, habitat, views and pollution issues (including additional noise and disturbance and problem of Radon), loss of landscaped area adjacent Hardwick View Close, loss of productive agricultural land.

Pressure on local services and amenities (raised by 36 respondents) – New Houghton has one small shop and post office, overcrowded doctors surgery at Pleasley, school at capacity (pupils recently turned away) poor bus service (one every 2 hours) and implied future development of adjoining allotments.

Flooding (raised by 25 respondents) - Properties backing on to the site on Pavilion Gardens and Garden Avenue have suffered flooding from run-off from the fields, concerns about the infiltration pond at a higher level than Garden Avenue properties.

Loss of privacy from overlooking, loss of sunlight (raised by 22 respondents) – Ground levels of the application site are higher than ground levels of properties adjoining several of which are bungalows along Pavilion Gardens and Garden Avenue.

Other comments made by individuals: the site as countryside is complimentary to the beauty of Hardwick Park; there is brownfield land available elsewhere, the new housing on the redevelopment site on Medan Avenue is not selling well; the size of the development is out of proportion to the village with a clear hint of future expansion, changing the character of the village; the village has successfully transformed its character from a mining settlement to a country village.

A petition raising many of the above issues in objection to the application has also been submitted with 34 signatures.

There have been detailed planning objections from planning agents acting for a land owner interested in another site at New Houghton and from planning agents acting on behalf of 60 households from New Houghton. These detail relevant policy from the National Planning Policy Framework and the Bolsover District Local Plan and explain how the proposal is contrary to those policies in respect of the principle of the development, traffic considerations,

village infrastructure, and layout and design finishing with a table outlining the planning balance weighing against the proposal.

Residents on Hardwick View Close have written separately to request a Tree Preservation Order on the north-western side of this small development. The tree belt was planted as part of the planning permission and related S106 Planning Obligation to provide a softer settlement edge to New Houghton.

POLICY

Bolsover District Local Plan (BDLP)

Shows site as beyond the settlement framework for New Houghton and in the countryside where general open countryside control policies apply, in particular ENV3 (Development in the Countryside), GEN1 (Minimum Requirements for Development) and GEN2 (Impact of Development on the Environment). The site is also shown as being within the important open break between New Houghton/Pleasley and Glapwell within which policy GEN10 (Important Open Areas) applies.

National Planning Policy Framework (NPPF):

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration with a presumption in favour of sustainable development. As the Bolsover District Local Plan was adopted prior to 2004 due weight should be given to its policies according to their degree of consistency with the NPPF. Local Planning Authorities should be able to demonstrate a 5 year supply of deliverable housing otherwise they should look to approve sustainable housing development.

Core principles include securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings, taking account of the different roles and character of different areas recognising the intrinsic character and beauty of the countryside, managing patterns of growth to make the fullest possible use of public transport, walking and cycling, and focusing significant development in locations which are or can be made sustainable, all within a presumption in favour of sustainable development with its three dimensions: economic, social and environmental.

Other (specify)

Interim Supplementary Planning Document: Sustainable Places, a Guide to Sustainable Housing Layout and Design (2013) which provides guidance to help provide places that enhance the quality of life.

ASSESSMENT

Principle of development

The site is within the countryside but adjoins the settlement of New Houghton, directly adjoining the residential area of New Houghton on the north-eastern side of the site (principally Pavilion Gardens), allotments (part used) and a small newer housing development (Hardwick View Close) to the south eastern side. The current agricultural use and appearance read visually as part of the open countryside landscape beyond the established village. Policy ENV3 (Development in the Countryside) of the Bolsover District Local Plan

restricts development in the countryside, amongst other things, to that which is necessary in such a location or would result in a significant improvement to the rural landscape. Clearly the proposal does not comply with this policy.

In addition the site is within a protected open break between New Houghton and Glapwell which includes all the fields fronting, and on both sides of, the A617 between the two settlements. Policy GEN10 (Important Open Areas) allows development in such areas only if it does not detract from the objective of maintaining the open character of the 'break'. The intention of such breaks is to protect them from development which would reduce their effectiveness as open breaks between the settlements concerned. Such open breaks have been established because they provide the setting to the settlements which gives them their character and identity.

New Houghton is centred on Rotherham Road (not Chesterfield Road A617) off which the remaining village facilities are located and which provides access to the main built up areas. Development which extends close to Chesterfield Road is situated closer to the built up area of Pleasley and is set back with open areas and native hedging. An exception is the small development of Hardwick View Close of 12 houses. The village is then set back from the A617 as the countryside opens up on both sides of the road (after the reclaimed colliery tips which are now a Country park on the opposite side of the A617) revealing in the distance the towers of Hardwick Hall within its countryside setting. Development into the openness of this countryside area would significantly detract from this character and setting to the village of New Houghton and reduce the gap with Glapwell.

The proposal is clearly contrary to this development plan policy GEN10 (Important Open Areas) as it introduces a significant amount of built development into the open break, extending the settlement of New Houghton into this important area of countryside detrimental to the setting and character of the village and the openness of the countryside between New Houghton and Glapwell.

However the Bolsover District Local Plan in the terms of the National Planning Policy Framework is 'out of date' and due weight should only be given to its policies according to their degree of consistency with those of the National Planning Policy Framework. The Council does not currently have a five year supply of deliverable housing as required by the National Planning Policy Framework and the Framework has a presumption in favour of sustainable housing development.

The Bolsover District Local Plan Open Break policy has been held to be broadly consistent with the Framework by Inspectors in appeals for development within the Important Open Area between Pinxton and South Normanton. These have involved proposals for the siting of mobile homes, a gypsy residential site and recently residential development. As the adopted Bolsover District Local Plan has been through public consultation and Inquiry it broadly accords with policy 76 of the National Planning Policy Framework which indicates that Local Green Spaces should be capable of enduring beyond the end of the plan period allowing local communities to rule out development other than in very special circumstances.

The emerging Local Plan Strategy which was withdrawn in 2014 considered the expansion of New Houghton and at the next stage would have identified suitable sites or a site for such expansion, various sites were put forward including the application site, the other sites were not within the protected open break. While this shows that other sites for development which do not intrude into the protected open break, are possible at New Houghton this is not current policy. The withdrawal of the Local Plan Strategy means that the proposals for growth at New Houghton have also been removed and are no longer relevant. The new Bolsover Local Plan is under preparation which will review growth strategies and housing sites using an up dated evidence base. At this stage the Council has no emerging plan policies to point to or give weight to in its planning application decision taking.

The Council's Strategic Housing Land Availability Assessment (December 2013) (SHLAA) shows that the site as a whole or as two individual development plots as fields, is not in a sustainable location. It is not within 2000m of a town or local centre or within 800m of a primary school. In addition reference is made to impact on the landscape character.

Urbanisation of a designated green area of special protection will impact on the setting and character of New Houghton. The loss of countryside from the development will significantly narrow the gap with Glapwell and cause a wider intrusion into the appreciation of distant views and the open countryside setting of Hardwick Hall through the loss of the perception of openness on both sides of the road on this eastern approach to the Hardwick estate and to an extent diluting the visitor experience on the journey to the Hall.

The application site while at a slightly lower level in relation to the A617 is higher than the established development area to the north-east. Indeed the site enjoys views over the roofs of these (2 storey) dwellings. As a result development would be intrusive into the landscape extending the settlement onto higher land and relinquishing one of New Houghton's significant characteristics of not being particularly intrusive in the general countryside landscape. The Masterplan shows a potential access to land to the north-west for business units which would represent a further potential intrusion into the Important Open area (although not a specific proposal of this planning application).

The purpose of policy GEN10 (Important Open Areas) in protecting landscape areas is generally consistent with the National Planning Policy Framework. The Framework supports the designation of green areas of special protection. Policy GEN 10 of the Bolsover District Local Plan should therefore be given significant weight.

The poor sustainability credentials of the site is further illustrated by poor connectivity (see Urban Design comments) which is likely to increase reliance on the use of the car from poor active links with the village, encouraged by the new roundabout junction onto the A617.

Development of the site would also result in the loss of a significant area of grade 2 and grade 3 quality agricultural land. This would be contrary to policy ENV2 (Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings) of the Bolsover District Local Plan. This is supported by the National Planning Policy Framework which recognises the benefits of the best and most versatile agricultural land and seeks to encourage the use of

poorer quality land in preference to that of a higher quality. Both the local plan and the Framework identify the best and most versatile agricultural land as that being within grades 1, 2 and 3a of the Agricultural Land classification.

The development would have a significant detrimental effect on the character and appearance of the area and the openness of the countryside, it would result in the loss of high quality agricultural land and is not considered to be in a sustainable location which would be contrary to the National Planning Policy Framework and policies GEN10 (Important Open Areas), ENV2 (Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings). Significant weight should be given to this harm. It is not considered that there are very special circumstances to justify development of the site and that the intrusion into the Important Open Area overrules the presumption in favour of contributing to the supply of deliverable housing.

Other Issues

Many of the other issues raised by consultees can be addressed by condition if the application were to be approved. This would include matters relating to drainage, highway details, contamination, noise assessment and mitigation if required, wildlife (including the retention of tree buffer between Hardwick View Close and the site), and reptile survey. Conditions requiring implementation of the various recommendations contained within the reports submitted to support the application would also be appropriate.

Issues raised by objectors

There has been a substantial response from the public (mainly residents of New Houghton) objecting to the proposal.

While Recreation Road and Garden Avenue are of sufficient width, properties fronting these roads generally do not have off-street parking. The result is a high amount of on-street parking effectively narrowing the carriageway width. Reasonable concerns are raised that these roads and the new development would become a through route for traffic avoiding the Pleasley A617 roundabout with consequent noise, disturbance and safety issues. The applicant suggests in the application documents that they could be used by bus services diverting through New Houghton. However the Local Highway Authority (DCC) has not raised any objections to the proposal on highway safety grounds having studied the submitted Transport Assessment. Environmental Health have not raised any issues in relation to the additional noise from traffic related to the development, the main concern being noise from the A617, but has requested a noise assessment.

There are no records of flooding by the responsible bodies. It appears the issues recorded by occupiers of properties backing into the site relates to surface run-off from the fields particularly as the properties off Pavilion Gardens are at a lower level than the proposed development site. Development of the fields will change the drainage regime, with surface water from hard surface areas being directed to soakaways and 'infiltration basins' as shown on the masterplan and there being less 'soft' areas. Full drainage details have been requested by the Environment Agency and Severn Trent Water and can be required by condition to address such issues.

The County Council as Local Education Authority have advised in relation to this application that there are no capacity issues at the local schools.

From the responses received there are clearly issues in relation to local health service provision but there has been no response from the Local Clinical Commissioning Group. The applicant in the submitted viability study has allowed for various S106 contributions including for community facilities which could potentially include addition health service provision if justified.

Potentially the additional development could help local facilities viability (shops, post office, community facilities) from the additional residents although initially there would be increased pressures on the currently available restricted services. The application site does not include the allotments which are therefore retained. It may be that if permission were to be granted that a S106 Planning Obligation contribution could be negotiated to improve bus service provision to the site and village.

The loss of countryside and habitat is discussed elsewhere in this report. The loss of views is not considered a relevant planning issue. A noise assessment has been requested by Environmental Health. Issues relating to Radon will be dealt with by Building Regulations.

The impact of the development upon existing residential properties adjoining the proposed development site is a matter better related to the approval of Reserved Matters if Outline Planning Permission is granted. The layout and impacts would be guided by the Councils Interim Supplementary Planning Document: Sustainable Places, a Guide to Sustainable Housing Layout and Design (2013). However the impact upon these properties as a result of the different ground levels and the nature of the existing development is a concern and would need special attention.

Residents of Hardwick View Close wish to see the tree belt planted as a new settlement edge to soften their development from the north-western side retained whether or not the development proceeds.

Other issues raised have been considered but do not raise issues of a substantive nature to change the recommendation.

Other Matters

Listed Building: Potential impact on Hardwick Hall discussed above.

Conservation Area: n/a

Crime and Disorder: No issues raised.

Equalities: A mix of housing types is proposed indicatively in the Masterplan including a proportion of Affordable Housing (5%).

Access for Disabled: No issues raised.

Trees (Preservation and Planting): See biodiversity below.

SSSI Impacts: n/a

Biodiversity: Further detail required in relation to reptiles; Planted tree and shrub

buffer zone to be created along north-western boundary, existing hedge line to south-west along A617 to be strengthened. Masterplan implies that the existing area of trees to the side of Hardwick View Close (planted as a S106 Planning Obligation requirement to provide a new settlement edge to soften the new built development) will be lost, a condition (reinforced by a Tree Preservation Order) could require its retention in accordance with policy ENV8 (Development Affecting Trees and Hedgerows) of the Bolsover District Local Plan.

Human Rights: No issues raised.

Conclusion

The application appears to be made on the basis that the Council does not have a 5 year supply of deliverable housing and that New Houghton is a village designated for growth. The District Council does not currently have a growth policy for New Houghton, the Local Plan Strategy which put forward such a policy having been withdrawn. The whole aspect of the level of development and its allocation throughout the District will be subject to renewed consideration following the assessment of updated evidence and local opinion. However the Council does not have a 5 year supply of deliverable housing as required by the National Planning Policy Framework and they should therefore look to approve sustainable housing development.

The proposal involves a significant incursion into a defined Important Open Area (policy GEN10 (Important Open Areas) of the Bolsover District Local Plan). This policy is considered to broadly accord with the policies of the National Planning Policy Framework. The purpose of this policy is to protect the openness of areas which are important to the character of a place, provide a setting and separate them from other concentrations of development.

Significant weight should be given to the harm the proposal would cause to the character and appearance of the identified important area and to the open quality of the land outside the settlement framework and its conflict with the National Planning Policy Framework and policy GEN10 (Important Open Areas) of the Bolsover District Local Plan. As a result it is considered that the presumption in favour of sustainable housing development does not apply to this site.

Although the provision of a substantial amount of housing weighs heavily in support of the proposal it does not outweigh the significant harm identified to the character and countryside quality of the area. The loss of high quality agricultural land contrary to ENV2 (Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings) and the unsustainable location of the site which are supported by policies of the National Planning Policy Framework add further weight against the presumption in favour of sustainable housing development. In addition there is significant local opposition to the proposal.

RECOMMENDATION

REFUSE

The site is within the countryside adjoining the settlement of New Houghton; the current

agricultural use and appearance read visually as part of the open countryside landscape beyond the established village. The site is within a protected open break between New Houghton and Glapwell which includes all the fields fronting, and on both sides of, the A617 between the two settlements. Policy GEN10 (Important Open Areas) of the Bolsover District Local Plan allows development in such areas only if it does not detract from the objective of maintaining the open character of the 'break'. The intention of such breaks is to protect them from development which would reduce their effectiveness as open breaks and because they provide the setting to the settlements which gives them their character and identity

The application site is higher than the established development area to the north-east. As a result development would be intrusive into the landscape extending the settlement onto higher land and relinquishing one of New Houghton's significant characteristics of not being particularly intrusive in the general countryside landscape. In addition the higher ground level in relation to existing development adjoining the site potentially causes problems of overlooking, and could be of an overbearing nature particularly as some of the nearest dwellings are bungalows.

The loss of countryside from the development will significantly narrow the gap with Glapwell and cause a wider intrusion into the appreciation of distant views and the open countryside setting of Hardwick Hall through the loss of the perception of openness on both sides of the road on this eastern approach to the Hardwick estate.

The Bolsover District Local Plan in the terms of the National Planning Policy Framework is 'out of date' and due weight should only be given to its policies according to their degree of consistency with those of the National Planning Policy Framework. The Council does not currently have a five year supply of deliverable housing as required by the National Planning Policy Framework and the Framework has a presumption in favour of sustainable housing development.

It is considered that the development would have a significant detrimental effect on the character and appearance of the area, the setting and character of New Houghton and the openness of the countryside contrary to policy GEN10 (Important Open Areas) of the Bolsover District Local Plan . Significant weight should be given to this harm. The development of the site is not considered sustainable in the terms of the National Planning Policy Framework due, in particular, to its intrusion into a protected open break with the consequent impact on the openness of a designated green area of special protection which will impact on the setting and character of New Houghton and will harm the intrinsic character and beauty of the countryside but also because of the loss of high grade agricultural land the general unsustainable location of the site in relation to local services and facilities It is not considered that there are very special circumstances to justify development of the site and that the intrusion into the Important Open Area and other impacts overrule the presumption in favour of contributing to the supply of deliverable housing. The proposal is therefore not considered to be sustainable in the terms of the National Planning Policy Framework and is contrary to policies GEN10 (Important Open Areas) and ENV2 (Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings) of the Bolsover District Local Plan.

Statement of Decision Process

In compliance with the National Planning Policy Framework the Council has received additional information in response to issues raised during the consideration of the application and the decision is therefore made in accordance with policies 186 and 187 of the National Planning Policy Framework.



Existing Location Plan

LAND USE	Symbol/Color
Green Space	Light Green
Residential	Light Yellow
Public Space	Light Blue
Community Center	Light Orange
Local Business	Light Purple
Office/Industrial	Light Grey
Parking	Light Brown
Other (Mixed Use)	Light Tan

