

APPLICATION NUMBER		22/00642/FUL	
SITE ADDRESS:		Land Between Ashbourne Airfield and Derby Road, Yeldersley	
DESCRIPTION OF DEVELOPMENT		Erection of 101 no. dwellinghouses with associated access, infrastructure and landscaping	
CASE OFFICER	Mr Chris Whitmore	APPLICANT	Helen Bareford (FW Harrison Estates Ltd and David Wilson Homes East Midlands)
PARISH/TOWN	Osmaston & Yeldersley	AGENT	None
WARD MEMBER(S)	Councillor Shirley	DETERMINATION TARGET	14 th September 2022 (EOT agreed up to the 15 th April 2023)
REASON FOR DETERMINATION BY COMMITTEE	Major application	REASON FOR SITE VISIT (IF APPLICABLE)	At the request of Officers to enable Members to fully assess the impact of the development on the surrounding area

MATERIAL PLANNING ISSUES

- Site history and policy context
- Whether the scheme prejudice the development potential of the adjacent site or larger area in a comprehensive manner
- Whether the development will create high quality, beautiful and sustainable buildings and place and the impact on the character of the area
- Highway safety and impact on the wider highway network
- Affordable housing, housing mix and developer contributions
- Impact on adjacent land uses and existing and future residents
- Open space and recreation provision
- Impact on wildlife and ecology
- Surface water drainage requirements
- Climate change
- Planning balance and conclusion

RECOMMENDATION

That the application be refused.

1. THE SITE AND SURROUNDINGS

- 1.1 The application site is a 2.5 hectare parcel of land located to the north of the junction of the A52 and Ladyhole Lane and south-east of Ashbourne Airfield Industrial Estate within the parish of Yeldersley. The application site includes a strip of land which extends in the south easterly direction and then dog legs south west to connect the recently constructed link road. The site lies immediately to the east of land approved for employment development, including B2 and B8 use.
- 1.2 The site has a separate frontage with the link road and forms part of a larger site which has been approved for housing under hybrid application 19/01274/FUL. The land comprises approximately 14% of the site identified for 367 dwellings in outline under this application, with the vast majority of the site located to the south east.
- 1.3 The site is relatively flat and open and is included within the Settlement Framework Boundary for Ashbourne and has plan allocation (DS1) for a combination of employment and housing.



2. DETAILS OF THE APPLICATION

- 2.1. The planning application seeks full planning permission for the erection of 101 no. dwellinghouses with associated access, infrastructure and landscaping. The application site area is tightly drawn around the proposed housing development, with a reliance on the infrastructure serving the adjacent land, the subject of parallel application 22/00641/REM.
- 2.2. Amended plans have been received during consideration of the application, following review by an independent urban designer which has reduced the number of dwellings by one (with the original proposal being for 102 dwellings). The plans relating to the development, the subject of this application, show a separate service road serving a three storey apartment block, parking courtyard area and maisonette apartments off the link road. The remainder of the development is within the main body of the wider site approved for housing development, and comprises a series of houses either side of estate roads serving wider development of the site. The main streets are dominated by frontage car parking. The vast majority of the site is to be built out by Barratt Homes, with the exception of the three storey apartment block and maisonette flats accessed directly off the link road. These properties are to be built by David Wilson Homes.

2.3 The dwellinghouses are of a traditional appearance. The Barratts Material Distribution Plan shows a wide variety of walling materials and roof tiles (large and small format) and their sporadic distribution across the site.

The amended scheme proposes the following mix of 2, 2.5 and 3 storey open market housing on the part of the site, the subject of this application:

- 8 x 1-bedroom dwellings
- 12 x 2-bedroom dwellings
- 45 x 3-bedroom dwellings
- 6 x 4-bedroom dwellings

and the following mix of affordable housing, comprising 4 no. one storey and two storey maisonettes, apartments and houses:

- 8 x 1-bedroom units
- 10 x 2-bedroom units
- 12 x 3 bedroom units

2.4 As set out above, this application relies on the infrastructure associated with parallel application 22/00641/REM. In addition to the Design and Access Statement, amended planning drawings and commentary which assesses the scheme against National Design Criteria, the application is accompanied by the following documents:

- Materials Palette
- Updated Ecology Report (FPCR)
- Travel Plan and Transport Assessment Update (BWB)
- Energy Statement (Briary Energy)
- Drainage Statement (Development Design Solutions)
- Updated Landscape Plans and Landscape Management Plan (Golby & Luck)
- Phase II Site Appraisal (Contamination and Geotechnical Assessment) by GRM.

These documents have been made available for examination and comment and circulated to consultees and in the case of amended plans and documents re-consulted on. They are referred to, where necessary, and pertinent in the officer appraisal section of this report.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 The Development Plan

Adopted Derbyshire Dales Local Plan (2017)

S1	Sustainable Development Principles
S3	Development within Defined Settlement Boundaries
S8	Ashbourne Development Strategy
S10	Local Infrastructure Provision and Developer Contributions
PD1	Design and Place Making
PD2	Protecting the Historic Environment
PD3	Biodiversity and the Natural Environment
PD4	Green Infrastructure
PD5	Landscape Character
PD6	Trees, Hedgerows and Woodlands
PD7	Climate Change
PD8	Flood Risk Management and Water Quality
PD9	Pollution Control and Unstable Land
HC2(c)(d)	Housing Land Allocations

HC4	Affordable Housing
HC11	Housing Mix and Type
HC14	Open Space, Sports and Recreation Facilities
HC15	Community Facilities and Services
HC18	Provision of Public Transport Facilities
HC19	Accessibility and Transport
HC20	Managing Travel Demand
HC21	Car Parking Standards
EC1	New Employment Development
EC6	Town and Local Centres
DS1	Land at Ashbourne Airfield (Phase 1), Ashbourne
DS8	Land at Ashbourne Airfield (Phase 2), Ashbourne

3.2 Other Material Considerations:

National Planning Policy Framework (2021)
National Planning Practice Guidance
Ashbourne Neighbourhood Plan (July 2021)
National Design Guidance
Climate Change Supplementary Planning Document (SPD) (2021)
Developer Contributions SPD (2020)

4. **RELEVANT PLANNING HISTORY**

22/00641/REM	Reserved matters application for the erection of 367 no. dwellinghouses with associated access, infrastructure and landscaping pursuant to hybrid planning permission reference number 19/01274/FUL – Pending Consideration
19/01274/FUL	Hybrid planning application comprising of an outline planning application (all matters reserved) for up to 367 dwellings (with integrated open space), up to 10 hectares of employment land (B1, B2 and B8 business uses), a commercial hub incorporating A1 (Shops) /A2 (Professional/ Financial services), A3 (Restaurants and Cafes)/A4 (Drinking Establishments), D1 (Non-Residential Institutions) and C1 (Hotels) uses and associated highways and drainage infrastructure and a full planning application for the erection of 1no. Industrial unit (B1, B2 and B8 business uses) with access via roundabout and link road and for the formation of an attenuation pond – Granted
14/00074/OUT	Residential development (367 dwellings), employment site, commercial and community facilities, link road, access and landscaping – Granted
14/00075/FUL	Formation of vehicular access to employment site – Land to West – Granted
16/00168/FUL	Formation of new link road – Granted
17/01142/FUL	Variation of link road design incorporating enlarged drainage facility and foul pumping station – Granted
18/00767/VCOND	Variation of conditions 6 and 7 of planning application 14/00074/OUT to allow a start to be made on site prior to road improvements being carried out – Granted
CD3/0419/1	Provision of 40m diameter roundabout junction – Granted

5. CONSULTATION RESPONSES

5.1 Osmaston and Yeldersley Parish Council:

Comments on the original scheme:

Object, for the following reasons:

1) Lack of an overall Development Plan for Ashbourne Airfield Cllrs note that all three planning applications submitted so far have been different e.g. the current planning application(s) don't follow any plans submitted before. To accept this current plan is to accept problems that will come up in the future. In the opinion of Osmaston and Yeldersley Parish Council it is vital that thorough consideration is given to the infrastructure for the development BEFORE the houses are built.

2) Drainage / Flooding Cllrs are concerned about the lack of detailed information regarding drainage for the site as all the streams and water/run off from ditches end up in Osmaston Lakes. Cllrs are concerned about what will happen to surface water run off / flooding as the greenfield runoff has been exceeded.

3) Attenuation Ponds

a) Cllrs understand that the two attenuation ponds will not be fenced off, instead they will be part of the green space(s) offer on the development and residents/visitors will be able to walk around them. Is this correct? Cllrs are concerned about resident/visitor safety as these ponds are usually fenced off.

b) Where is the water going to from the attenuation pond at the rear of the development? With regards to the surface water it was the Parish Council's understanding that the detention pond already constructed was for the water run off of the road, not the housing. If the housing run off goes to the new attenuation pond, where is the outflow from that? At a recent meeting with the David Wilson Homes planning department they were unclear on this point.

4) Sewage

There are already issues with the current sewage system at the top end of Blenheim Road, which is struggling to cope with the new housing developments. It appears from the new planning applications that the foul from the proposed site will be pumped up to that point further exacerbating the problem.

5) NHS

Cllrs are concerned about the lack of provision for additional services, given the size of the development.

6) Design of New Houses - Heating

No gas or oil boilers are to be fitted in newly built homes from 2025, meaning that all new homes built after 2025 will have to have an alternative heating system. The development will have to comply with these new regulations so the designs will have to change, yet again, to ensure that new homes have the capacity to include renewables e.g. suitable external space for an air source heat pump unit and internal space for the associated tanks or suitable roof space for solar water heating systems and internal space for a tank. In addition, Cllrs could not see any provision for external power sources for electric cars.

7) Design & External Appearance / Layout / External of houses

Impact on Ladyhole Lane properties. Cllrs raised concerns about the design of the new development and the impact of the development on the houses along Ladyhole Lane. Several residents/properties have been refused planning applications, in recent years, for proposed extensions. The reason(s) given include the fact that the designs were out of character with the street scene. However, no such requirements seem to have been applied to the proposed designs for the new houses, which will be visible from Ladyhole Lane. In addition these houses will be higher than the properties on Ladyhole Lane and the design and appearance of these houses will not be in keeping with the houses on Ladyhole Lane. Cllrs would also like to see a defined buffer zone between the airfield development and the properties on the Ladyhole Lane. Cllrs wish to see a street scene elevation plan supplied with particular relevance to No 3 Ladyhole Lane.

8) Provision of local school places / new school

Cllrs' understanding, based on previous plans, is that Osmaston CE (VC) Primary School would be eligible for Section 106 funding to supply the additional, potential 70 school places, for families moving onto the new development. There is no provision for these children and their parent/guardians to walk/cycle to the school in Osmaston. Given that there is no pavement along Church Lane it seems reasonable to assume that parents will drive their children to school, thus increasing the difficult situation already in place at drop off/pick up time in Osmaston. In addition, is this in line with Derbyshire County Council's Local Transport Plan, currently in place until March 2026, which refers to working with schools to promote sustainable travel such as walking, cycling and using public transport?

Comments on the amended scheme:

At the recent Parish Council meeting, held on Tuesday 14th March, Cllrs reiterated their concerns.

- 1) There is still no overall infrastructure Plan for the Ashbourne Airfield development.
- 2) There does not appear to have been any assessment about the design of the new development and its relationship to existing properties on Ladyhole Lane, in spite of Cllrs raising this matter in their comments to the Planning Committee after the Parish Council meeting held on Tuesday 19th July 2022.
- 3) There is no information about additional GP / dental services for Ashbourne, which will surely be required given the size of the development.
- 4) There is no evidence of the proposed sports facilities.

In addition Cllrs have not seen any evidence to show that an Urban Designer has been employed to review the development plans.

If Derbyshire Dales District Council accept this current plan it will be accepting inevitable future problems, as already raised by Osmaston and Yeldersley Parish Council and Ashbourne Town Council.

In the opinion of Osmaston and Yeldersley Parish Council it is vital that thorough consideration is given to the infrastructure for the development BEFORE the houses are built.

5.2 Ashbourne Town Council:

Object.

Members feel that the plan is not a finite plan and would like to see a detailed master plan for the whole of the Airfield Industrial Estate, as the larger development will have a major

impact on the infrastructure within Ashbourne. Only showing a section of the development will not show the whole picture and the impact on education, health, highways and adult social care as it is being drip fed to all parties giving an unrealistic view of the facilities needed for all residents.

The development appears to be of a similar size to the near-by village of Brailsford, which has its own supporting amenities and infrastructure including school, doctors, shops and a post office. Members raised concerns that a development of this size does not show the necessary infrastructure. Members raised concerns that the proposed housing is not energy efficient and would like to see a more carbon neutral development as per the development at

Cawdor Quarry, Matlock which appears to link to the Local Plan Policy PD? Climate Change and takes into account the Climate Change Supplementary Planning Document Section 6 "Improving Building Design and layout to Meet the Objectives". This appears not to have been considered within this development.

Concerns were raised regarding the sewerage being pumped from the development to Osmaston Crossroads and back to the main sewer, which is already outdated by existing and more recent housing developments. Members were disappointed that the Neighbourhood Plan was not a consideration factor as the development is outside of the designated area.

The proposed development will also land-lock an area owned by JCB with the only access being from Lady Hole Lane.

5.3 Local Highway Authority (DCC):

The full application provides for an additional 102 dwellings over the previously consented 367 at outline stage.

The application forms part of the Ashbourne Airfield site, allocated within the Derbyshire Dales Local Plan, adopted on 7th December 2017. It is split into two phases, Phase I under Policy HC2(c) and EC2(a) which is already consented and the subject of this application. A second Phase (II) would see a further 1,100 dwellings together with some employment use under policy HC2(d) and EC2(b), consequently the principle of development for the application site has already been established through a number of previous planning applications.

One question is, does the increased quantum of residential development arise from phase two, or is this simply a case of having looked at the site, the developer has concluded that a further 102 dwellings can be squeezed within the footprint of the redline area, consequently when fully built out accommodating 1,500 plus dwellings together with the environmental and ancillary uses? It is noted that the redline boundary is slightly adjusted and some of the residential is located on previously consented commercial use, however should this be the case, as phase 2 is brought forward, any quantum of development above that previously approved would need to demonstrate the satisfactory operation of the site access and the wider highway network.

Having considered the TN together with various notes and other supporting information that I have managed to glean through previous applications and consultation, given that the traffic forecast is based upon a number of parameters, assumptions, extrapolations, and other variables, the Highway Authority is reasonably comfortable with the incremental effects of the 100 dwellings being probably within the margin of error. There are however a number of concerns:

- Residential development although supported in the local plan is somewhat distant from the centre of Ashbourne; therefore, in order to reduce the need for off-site travel, development of this site needs to be accompanied (i.e., supported) through the provision of local community facilities; convenience stores, shops, entertainment, public houses etc. Is the intensification of residential usage enabled by a reduction in the provision for local amenities? This could result in residents who would have used these facilities having to travel off site instead.
- The TN notes that the junction would operate at the limits of its theoretical capacity, experiencing a maximum RFC of 0.97 with a maximum queue length of 20.7 pcus and an average delay of 1.06 minutes per vehicle during the evening peak hour on the A52 (N) arm, adding that that 'this sensitivity test' (Note however that no sensitivity testing has actually been undertaken by BWB as part of their technical note as this seems to have been undertaken by 'others') is based on 2033 future year flows and an unlikely single lane operation at all arms throughout the peak hour. The results demonstrate that the junction should operate satisfactorily.
- It was noted during a recent site visit that the roundabout has been constructed (although the link road into the site does not open to traffic) and has a diameter of some 50 metres with two lane entries to all approaches. The roundabout is a 'belt and braces' job, the sensitivity testing of future traffic is based on a robust level of trip rates for the future phase two residential development, hence the sentiments expressed above. However, it should be stressed that the level of queuing indicated above is not acceptable and does not set a precedent for other developers to use this as a basis for relaxation at other sites.

With regard to the Travel Plan, the following comments are made:

The road layout and geometry should be such to enable access by buses along the main access road. Consider shared space design principles where appropriate, in consultation with the Local Planning Authority.

Pedestrian walkways at all proposed access points should be provided to relevant standards to match into existing provision, complete with lighting, surfacing and dropped tactile kerbs as appropriate.

The closest bus stops on the A52 should be upgraded as appropriate, to include raised kerbs, shelters, timetable cases, lighting, highway bus stop markings and real time information wherever feasible and not already in place. This to include those stops as per item 3.23, at the A52 / Lady Hole Lane / Church Lane crossroads.

Any enhanced bus service should commence operation as soon as reasonably possible, and prior to (or upon) first residential occupation.

The main access road between the A52 and Blenheim Road industrial estate road should include the provision of at least one bus stop in either direction, to serve the residents and employees at the new development. Bus infrastructure should include that outlined as above, ie. raised kerbs, shelters, timetable cases, lighting, highway bus stop markings and real time information.

The Local Highway Authority point to what would any travel pack would need to include and advise £58,625 should be set aside for a development of 469 dwellings for bus taster tickets in negotiations with Trent Barton.

The Local Highway Authority provide technical advice of the adoption of the estate roads and seek an amended layout to address the comments made and make the following 'other' comments:

The Design and Access statement lists a selection of location facilities that are 'a shortdrive (under 3 miles) away'. These are the journeys that could be undertaken by non-motorised methods however there are no details submitted on any pedestrian or cycle linkage through the site or into Ashbourne. The route of the proposed Local Cycle Network passes through the site, and the development provides the opportunity to deliver the route through the site and improve the links to the town centre.

5.4 Development Control Archaeologist (DCC):

Previous applications for the Airfield site (covering a larger area than the current red line boundaries) have been subject to archaeological investigation because the proximity of known prehistoric archaeology. Desk based assessment, geophysical survey, and evaluation trenching were carried out to assess archaeological potential and significance, and concluded that the site overall is of low archaeological significance (these reports have been submitted with the current application). It was therefore recommended that no further archaeological work was needed in relation to the previous planning proposals, and this conclusion is equally relevant to the new applications.

5.5 Derbyshire County Council (Place)

The local County Councillor, Councillor Steve Bull has been consulted for his views on the potential infrastructure requirements that may require contributions from developers. Councillor Bull would hope that the need for proper infrastructure, highways extra vehicle movements, funding towards schools needs and the parish council's comments are taken into account.

With regard to any highways issues, the County Council's highways response as a statutory consultee offers impartial technical analysis as Highway Authority and is provided under delegated powers. Comments received from the Local Member regarding highway related matters will always be considered by officers, however it is not always possible to incorporate these into the Highways statutory technical response. Members may therefore provide direct responses to the Local Planning Authority in their role as a County Council community representative.

With regard to strategic infrastructure provisions the County Council advise the following:

Education:

There would be a need to mitigate the impact of the proposed development on primary, secondary and SEND school places in order to make the development acceptable in planning terms.

Based on the agreed wording for primary and secondary education within the recently signed Section 106 agreement for the larger portion of the Ashbourne Airfield site (19/01274/FUL), the County Council therefore requests financial contributions as follows:

- £326,979.90 towards expansion of Osmaston CE (Controlled) Primary School, however in the event of it proving impossible to expand, the contribution shall be spent on another primary school within a 3 mile radius of the site, the identity of the school to be agreed between the owner and the County Council.
- £588,694.47 towards the expansion of Queen Elizabeth's Grammar School. In the event of it proving impossible to expand Queen Elizabeth's Grammar School the

contribution shall be spent on another secondary school that may be attended by the occupiers of the residential element of the development, the identity of the school to be agreed between the owner and the County Council.

- £74,218.90 towards SEND places

Broadband

An advisory footnote should be attached to any planning permissions to request that developers work with broadband providers to ensure NGA broadband services are incorporated as part of the design of new development. However, if it can be shown that this would not be possible, practical or economically viable, in such circumstances, suitable ducting should be provided within the site and to the property to facilitate future installation.

Library Services

In this instance a stock only contribution of £7,160 is sought and is calculated as follows:

102 dwellings x 2.3 (average household size) = 234 people

234 people x 1.532 (stock level per person) = 358 stock items

358 (stock items) x £20 (cost per stock item) = £7,160 (i.e. £70.19 per dwelling).

Public Health and Adult Social Care

Adult Social Care and Health (ASCH) comments remain similar to those expressed previously with regards to the application for 367 dwellings.

ASCH would like to see housing which enables downsizing and independent living, as expressed in the County Council's accommodation strategies. Concerned remains about the inadequate sizing of some dwellings and excessive space of others, arguing against space being used efficiently.

Dwellings on one level are needed to accommodate users with limited mobility. This, coupled with the size issues suggests that the 'high standard of amenity for all' and design to ensure 'flexibility for future needs and uses' could be improved.

It is requested that there are more affordable 3-bed dwellings for families, and that all dwellings meet M4(2) Standards to comply with NPPF paragraph 127's requirement for developments to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standards of amenity for existing and future users.

Monitoring fees

In line with the revised Community Infrastructure Levy Regulations 2010 (as amended) Regulation 122 2(a), the County Council will seek a monitoring fee towards the monitoring and reporting of S106 contributions. The fee will be based on the cumulative number of triggers to be monitored for County Council obligations x f:73.50 (based on 2 hours officer time Grade 12).

5.6 Derbyshire Fire and Rescue Service:

The following recommendations, whilst they may not be enforceable, are offered as general advice in the interests of greater fire safety.

The Fire and Rescue Authority strongly recommend the Installation of a Domestic Sprinkler System in the above premises, however should you choose not to install a Domestic Sprinkler System at this stage, the Fire and Rescue Authority would like to recommend that

you provide a minimum 32mm water supply capable of delivering the required volumes which would allow an installation to be carried out easier and at less cost should this be proposed in the future.

5.7 Force Designing Out Crime Officer (Derbyshire Constabulary):

Comments on the original scheme

As with the larger site I've no real issues with the layout proposed.

Comments regarding lighting are similar to that for the larger site.

I don't see any private lighting provision allocated at all.

Communal garden access routes appear to be secured except for plots 169-171 and between plots 70/71, 72/73 and 74/75.

There is no boundary treatment plan specific to this portion of the development.

The one posted online is plan H8537 003-02 which is drawing 2 of 2 for the larger site. Comments regarding gating form, a communal gate spec' for shared routes and clarifying knee rail provision are as with the larger site.

The greater majority of key plot treatment is very good.

The only exception, and this might be seen as a bit picky, but is shown up mainly by the excellent treatment of the rest of the site, are the type 50 units overlooking the small shared parking court for plots 179 and 180, where only a small lounge window is provided on the facing side elevations.

Comments on the amended scheme

Similar comments regarding lighting provision as for the larger portion of the site.

The communal parking areas for plots 459-468 and 448-458 will require a private (solar) column lighting scheme.

The boundary plans listed on your website for this this application are both for the larger portion of the site, not the 101 house provision.

However, assuming the general provision will be the same as for the 367 units portion all should be fine, excepting that the rear garden fence for plots 448-454, which should have an upper 500mm section of engineered trellis to open up views of the allocated parking provision.

There are communal gates shown on the site plan for this part of the site, but as with 22/00642 no detailed plans to flesh this provision out.

In addition a communal gate needs to be added for the garden access for plots 372-374.

5.8 Environmental Health (DDDC):

No objections subject to the following recommended condition:

Construction works shall not take place outside 0800 hours to 2000 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

5.9 Lead Local Flood Authority (DCC):

The Lead Local Flood Authority (LLFA) have assessed the information available for planning application 22/00641/REM and have advised that they are unable to make an informed comment until the below points are addressed.

1. The hybrid application 19/01274/FUL which set the spine drainage network below the new highway did not account for another discharge point into the attenuation basin. The new proposals are to discharge network 1 into the basin rather than the stub at S16 of the spine network. In principle this is acceptable only if it can be demonstrated that this change in proposal does not impact the capacity required in the attenuation basin.
2. The ditch proposed to be filled in should remain open as it may mitigate flooding outside the site boundary to existing property.
3. Any proposed amendments to the attenuation basin's access track should demonstrate there will be no negative impact on the structural integrity of the bank of the attenuation basin, its volume or the safety of those utilising the access track.
4. The discharge of 17 m³ of surface water from network 1 to the ditch via S4 during the 1% plus climate change event is not in line with NPPF as these flows will leave the site into a watercourse and this risk to properties outside the development boundary has not been assessed. There is also no accounting for the c2 m³ of surface water flooding from S2 during the 1% rainfall event.
5. In Network 2 19 nodes indicate flooding during the 1% plus climate change event, there is no information as to how this will be managed to not put proposed and existing properties at risk of flooding.
6. The drainage design is expecting prospective property owners to maintain and manage below ground attenuation, shown as private attenuation tanks on the drainage and levels appraisal sheet, some of these tanks are within the boundary of multiple properties. How will the maintenance of the private attenuation tanks be secured in perpetuity?
7. No information has been provided to show how the impermeable areas from plots 69 to 90 will drain into the existing network without increasing flood risk to the proposed properties. This list is not exhaustive and further questions may arise.

5.10 Derbyshire Wildlife Trust

In addition to comments to carry out further survey work to inform mitigation measures during construction, particularly in respect of the Open Mosaic Habitat and extent of proposed habitat for dingy skipper and small heath and the production of a future management plan, Derbyshire Wildlife Trust make the following concluding comments:

The development of Ashbourne Airfield is identified within the Derbyshire Dales Local Plan 2017 and has been divided into two phases. The first Phase which relates to this application is subject to policy DS1 and should comply with this policy as well as the other Adopted Local Plan policies. In relation to ecology the following parts of Policy DS1 appear to be relevant: -

- Provision of a comprehensive landscaping plan including the retention of landscape features to the northern and eastern site boundaries, the provision of a substantial landscape buffer between existing and new development; Bradley Wood and the surrounding countryside and the enhancement of Green Infrastructure linkages.
- The provision of an area reserved for wildlife along the north eastern boundary.

- Provision of public open space and green infrastructure on site with links established to the wider countryside.

In relation to the first two requirements it is unclear how Phase 1 of the Ashbourne Airfield development is going to deliver these as they relate to actions on land that lies mostly within Phase 2 of the development. This raises the problem that impacts on ecology within the whole of Ashbourne Airfield are not being dealt with holistically, but are being looked in isolation for smaller parts of the site. Some habitats such as open mosaic habitats on previously developed land could be undervalued by this approach and may not be sufficiently mitigated.

We therefore seek clarification on how the applicant intends to meet the Policy requirements of DS1.

We would also highlight that condition 15 of the planning permission for 19/01274/FUL requires the creation of 'a network of suitable habitat for dingy skipper and small heath' within the development site. The provision of this network needs to be clearly mapped out within the entire Phase 1 area.

Biodiversity net gain

The PEA refers to achieving a net gain (section 5.42), but as the habitat losses and any gains through habitat creation have not been quantified it is difficult to know if there is a net gain or not. For example, the area of species rich grassland within the green infrastructure has not been specified. This could be clarified through use of Defra's Biodiversity metric calculator (v3.1 is the most current one). It seems likely that a net gain can be achieved for habitats, but the Council is advised to request confirmation of this through the application of the metric.

5.11 Community Development Manager (DDDC):

I have reviewed the latest planning application and ran it through Sport England's playing pitch calculator with the 469 dwellings, see below information. Could you please ask the developer how they will ensure the sports pitch provision is provided on the development?

	Number of pitches required to meet the estimated demand	Capital Cost	Lifecycle Cost (per annum)	Changing rooms (number)	Changing rooms (capital cost)
Total	1.50	£248,929	£38,067	2.14	£386,837
Natural Grass Pitches	1.42	£170,682	£35,406	1.98	£358,144
Adult Football	0.27	£28,864	£6,090	0.55	£99,582
Youth Football	0.43	£36,241	£7,611	0.61	£110,494
Mini Soccer	0.30	£7,996	£1,679	0.00	£0
Rugby Union	0.18	£26,219	£5,611	0.36	£64,612
Rugby League	0.00	£0	£0	0.00	£0
Cricket	0.23	£71,362	£14,415	0.46	£83,457
Artificial Grass Pitches	0.08	£78,247	£2,661	0.16	£28,693
Sand Based	0.03	£22,660	£702	0.05	£9,419
3G	0.05	£55,588	£1,959	0.11	£19,274

5.12 Environment Agency

This site lies fully within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site.

This development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters. However, we are unable to provide site-specific advice relating to land contamination as we have recently revised our priorities so that we can focus on:

- Protecting and improving the groundwater that supports existing drinking water supplies
- Groundwater within important aquifers for future supply of drinking water or other environmental use.

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We recommend that you refer to our published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment.

We also advise that you consult with your Environmental Health/Environmental Protection Department for advice on generic aspects of land contamination management. Where planning controls are considered necessary, we recommend that the environmental protection of controlled waters is considered alongside any human health protection requirements. This approach is supported by paragraph 174 of the National Planning Policy Framework.

5.13 Director of Housing

Made the following comments in respect of application 22/00641/REM:

I note the limited detail concerning the affordable housing provision. I would make the following observations:

1. 15% provision is below the stated target of the Local Plan.
2. there appears to be no detail of the tenure split of the affordable homes. I would anticipate a split of 80/20 in favour of social rent
3. I would expect a site of this size to make a broader contribution to the affordable housing stock, with a minimum of 2 x 4 bed homes for rent. The affordable housing mix should include 1, 2 and 3 bed houses rather than a focus on 1 and 2 bed flats.
4. the floor area of the proposed affordable housing units should relate to the national prescribed space standards.
5. It would be sensible for the developer to have early discussions with local registered providers with the financial capacity to take on the likely number of affordable homes.

5.14 Derby and Derbyshire Clinical Commissioning Group:

The development is proposing 102 (A) dwellings which based on the average household size of 2.5 per dwelling and assuming 100% of the new population would come into this area for primary care health provision would result in an increased patient population of approx. 255 (B) (2.5 x A).

It is unlikely that NHS England or NHS Derby and Derbyshire CCG would support a single handed GP development as the solution to sustainably meet the needs of the housing development and that the health contribution would ideally be invested in enhancing capacity/infrastructure with existing local practices.

A commuted sum, based on the additional patients to be accommodated and standard area m²/per person and extension costs of £91,800 is requested.

The CCG would like to discuss the potential for S106 funding to be used as a contribution towards providing additional clinical space in the area, to include;

- Ashbourne Medical Practice
- Ashbourne Surgery
- Brailsford and Hulland Medical practice

6. REPRESENTATIONS RECEIVED

6.1 Ten representations have been received from local residents and local sport organisations and one representation from the adjoining land owner have been received, all objecting to the proposed development.

The objections from the ten local residents and sport organisations can be summarised as follows:

- As Chair of the local youth football club I have grave concerns that additional housing without provision for additional sports facilities will further overload our limited/remote facilities. Since the original application was submitted - Ashbourne Aztecs JFC has grown significantly and we continue to grow. We started this year with 16 boy/mixed teams and 1 girls team and have grown again to 18 boy/mixed teams and 3 girls teams. Potential exists already in the town to add another 15 girl teams! We already have to leave Ashbourne to find sufficient capacity to train and play matches - regularly utilising facilities at Mappleton, Shirley and Osmaston in addition to maximising utilisation at local facilities such as Ashbourne Leisure Centre, QEGS school Sports Hall and QEGS school outdoor hockey pitch (not really suitable for football but the best we can secure for winter training given the absence of a local 3G floodlit pitch).
- Has the Sport England objection actually been removed as claimed?
- Current applications state that Sport England objection was removed. Yet the Sport England objection removal was CONDITIONAL on a suitable mechanism being put in place to secure adequate sports provision in Phase 2 and/or financial contribution toward off-site provision.
- What mechanism / financial contribution has been put in place to support the applicants claim that the "Sport England objection has been removed?"
- The sports provision for 367+102=469 dwellings is higher- requiring 1.5 pitches & 2.14 changing rooms.
- Where is Sports provision planned?
- The original application indicated where the sports provision would be provided. The current (new) application replaces this with 102 dwellings.
- This application replaces extant planning application 14/00074/OUT which established the development principles for the further development of Phase 1 of the Airfield development. This contained two football pitches to support the community provision element of the planning application to make it sustainable with regard to the National Planning Policy Framework (NPPF) and the District Council's Local Plan.
- Ashbourne Sports and Community Partnership has asked for a modification to the employment element of phase 1 of the Airfield development to accommodate a new football ground for Ashbourne FC.
- Ashbourne Football Club has been looking for a home in Ashbourne for well over a century. The land at Ashbourne Airfield offers an excellent location for a new home for the club.
- The development is incremental with regard to the comprehensive development of the whole Ashbourne Airfield development site as allocated in the District Council's Local Plan and that a masterplan must be completed and approved.

- There is insufficient sport and leisure opportunities in this proposed development to ensure that the development proposal is sustainable with regard to the National Planning Policy Framework and the Derbyshire Dales District Council Local Plan (2017).
- This amended application removes a large recreation areas with two football pitches and replaces it with 102 dwellings.
- I object to the removal of the football pitches. What are local residents supposed to do for recreation? The original plan was far better.
- The walkway around the pond is so close to the boundary of 1 and 2 Oak Tree Cottages and more than 4ft higher than our gardens. Where is the associated planting we were promised? Anyone from these houses will be allowed to walk around this monstrosity 24hrs a day.
- I have 4 windows and a conservatory on the back of 2 Oak Tree Cottages. There is no privacy.
- How will Lady Hole Lane cope with all the extra traffic?
- I am very sad that a beautiful green space is going for housing and no more crops.
- Why do the houses have to be so close to the back of Lady Hole Cottages with all the room? Can you and should you not have a buffer zone?
- The first plans were for a business park and light industry with green spaces and trees.
- Lady Hole Lane has had a lot of water running down it from day one of the work starting.
- We have to put up with noise and mess for 2 ½ years.
- What will happen when they break up the airfield and all its drains which have worked very well for many, many years?
- I am worried about all the water as we sit lower down on Lady Hole Lane.
- Please do not let them put a road out to Lady Hole Lane as the traffic is bad now.
- Clearly the Airfield Phase 1 development is one of the most significant in Ashbourne's history.
- It is vital that the development sets high standards in terms of its design whilst minimising any possible negative impacts on existing communities in Ashbourne.
- From the 2019 application to the current one, housing density has increased from 23 dwellings per hectare (dph) to 30. In the developer's planning application they say 23 is atypically low. However it compares well with current local estates, including one new-build by the same developer. There is sufficient land on the airfield to allow residents more green space. It may not all belong to this developer but that is not a reason to overbuild on this part.
- The applicant would appear to be contrary to 2017 Local Plan policy S1 bullet point 3; Making efficient use of land by optimising the use of sites whilst also reflecting the character, accessibility and infrastructure capacity of the area.
- Although the 2014 and 2019 applications make reference to community facilities there are none guaranteed to be present in these 2022 applications. These appear to be left to 'Development by Others'. So the nearest local facilities would be the shops at the other end of Blenheim Road – about a half hour walk away.
- The selection of the Tier 1 market towns in the development hierarchy of the 2017 Local Plan is based on the idea that they provide the local infrastructure to support the new homes, accessible with minimal travel. The problem with Ashbourne Airfield is that it is just so far from the centre of Ashbourne, 2 miles from GP surgeries or Market Square. It is, in effect, a new village.
- Every home in the proposed development is to be fitted with a gas combi boiler. The reasons given in the energy statement in the application do not stand up to serious scrutiny and the research quoted is already made irrelevant by the increase in fossil fuel prices.
- Only a minority of buildings are to be equipped with solar panels and even this appears to be optional. The development would be contrary to Policy PD7 in this respect.
- There do not appear to be any EV charge points planned.
- Although the original 2014 application made an in depth assessment of the impact that the extra road traffic would make on congestion in the centre of Ashbourne, this aspect appears to have disappeared from both the 2019 and 2022 transport reports. Instead the

only concern appears to be the impact of the extra 102 homes on the new roundabout on the A52. There seems to be no concern as to where the traffic goes after this.

- Since Ashbourne now has an Air Quality Management Area this would seem to be a material consideration for planning purposes.
- The Travel Plan indicates that cycling will be encouraged (and suggests a target 50% increase, although from a small baseline). However there is no provision for cycle routes from the new development. Instead cyclists would need to choose either the A52 or Blenheim Road through the industrial estate for their journey to work / shops / GP etc.
- It appears that homeowners will be responsible for the lighting of some shared paved areas (as well as their maintenance). This pattern of 'un-adoption' of communal areas does seem to be a recipe for future problems.
- We would like to be involved in any future discussions because we can see the development from our sitting room window and our garden, we can hear workings on the site from our garden and we are concerned that the restrictions around the preservation of Ladyhole Lane as a country lane are adhered to in future plans i.e. a scree of trees (buffer) and no exit onto the lane.

The following comments have been received from the adjoining land owners, objecting to the proposed development:

The Application constitutes a freestanding application relating to part of the site allocated as DS1 in the adopted Derbyshire Dales District Local Plan ('the Local Plan'). DS 1 is phase 1 of the development of the Ashbourne Airfield site. Phase 2 is allocated in policy DS8 of the Local Plan.

The phase 2 allocation includes land ('the BPL Land') owned by our client, Bamford Property Limited ('BPL') and we are instructed by BPL to make the following representations in respect of the Application.

Both policies DS1 and DS8 of the Local Plan recognise the need for development of the Ashbourne Airfield site to be delivered in a comprehensive way. The Application fails to accord with that approach in a number of respects.

If the Application and accompanying application for approval of reserved matters for 367 dwellings (ref 22/00641/REM) are approved, this would result in housing densities for the phase 1 allocation being increased from 367 dwellings to 469 dwellings - an increase in density of 28%.

That represents a material increase/departure from the housing densities approved for the phase 1 and 2 allocations of the airfield site through the Local Plan process and the previous outline planning permission and hybrid planning permission for the phase 1 site.

If the approach in the Application were approved by the Council, it is difficult to see on what basis a similar increased density would not be acceptable for the phase 2 allocation of 1,100 dwellings.

Such an approach would result in an overall increase in the number of dwellings coming forward on phases 1 and 2 of over 400 dwellings. That is clearly not a matter envisaged by policies DS1 and DS8 of the Local Plan in its current form and in BPL's view, it is not a matter that should be dealt with through an ad hoc piecemeal planning application such as the Application.

It has also not been demonstrated that the infrastructure/services for the airfield site (in particular access) have sufficient capacity to accommodate such additional development, particularly given the existing allocation within phase 2. For the reasons set out above, it is not merely a question of assessing capacity for an additional 102 dwellings. If an increase

in density of 28% is to be approved in the Application this has consequences for the entire site.

In BPL's view, before any increase in density on the phase 1 allocation can be approved, it is necessary for such an approach to be considered comprehensively for the entire airfield site, to consider whether such an approach is acceptable to the Council in principle and, also whether the necessary infrastructure is in place to support development of such an increased scale across the entire site.

We have attached to this representation a report by SCP which sets out why the issue of comprehensivity should be addressed for the wider airfield site at this stage before individual/piecemeal applications such as the DW application are allowed to come forward and why a comprehensive approach to the provision of infrastructure is required. The SCP report addresses that issue specifically in relation to access and whether the capacity of the site access roundabout and offsite junctions are sufficient to accommodate the full local plan allocations together with the increased development.

Failure to adopt a comprehensive approach will result in effectively 'land-grabbing' through a piecemeal approach to development, with the result that the comprehensive development of the wider airfield site is potentially prejudiced.

The above concerns are even more acute in the case of the airfield site given that the new roundabout junction from the A52 which is a key element of the supporting infrastructure for the whole site (including phase 2) was partly funded using public funds specifically with the justification that it would facilitate and serve the comprehensive delivery of the wider allocated airfield site i.e for both phase 1 and 2.

Given the strategic nature of the allocations at the airfield site, BPL considers it is important that a comprehensive approach to the development of both phase 1 and phase 2 is adopted in accordance with the requirements of policies DS1 and DS8 of the Local Plan and that piecemeal development such as that proposed in the application, which fails to accord with that approach, should not be approved.

7. OFFICER APPRAISAL

Site history and policy context

- 7.1 The wider site is allocated for a mixed use development of 367 dwellings (housing allocation HC2(c)) and 8 hectares of employment land (employment land allocation EC2(a)) with the employment uses being predominantly B1 and B2 with only ancillary B8 usage. The application site relates specifically housing development component and has been submitted with application code ref. 22/00641/REM which seeks approval of the quantum of development approved under hybrid planning application 19/01274/FUL on 86% of the site identified for such use.
- 7.2 As can be noted from the representations received, reference has been made to a previous planning permission (14/00074/OUT) which indicated the provision of playing fields. The consideration of application 14/00074/OUT pre-dated the adoption of the local plan but the scheme that was approved in outline with all matters reserved and was carried forward into the local plan allocation for site DS1: land at Ashbourne Airfield (Phase 1). This allocation covers 39.35 hectares and includes land surrounding the application site. Application 14/00074/OUT has since been replaced by hybrid planning application code ref. 19/01274/FUL.
- 7.3 The local plan has also allocated land to the north of the original scheme under local plan allocation DS8 : Land at Ashbourne Airfield (Phase 2). This 58.68 hectare site is allocated

for mixed use development with housing allocation HC2(d) covering a further 1100 dwellings and employment land allocation EC2(b) a further 6-8 hectares of employment land. This allocation has requirements for educational and community facilities and requires the preparation of a comprehensive masterplan and phasing programme.

- 7.4 Planning permission 19/01274/FUL gave outline planning permission (with all matters reserved) for 367 dwellings (with integrated open space), up to 10 hectares of employment land (B1, B2 and B8 business uses), a commercial hub incorporating A1 (Shops) / A2 (Professional / Financial Services), A3 (Restaurants and Cafes) / A4 (Drinking Establishments), D1 (Non-residential Institutions) and C1 (Hotel) uses with associated highways and drainage infrastructure and full planning permission for the erection of one industrial unit (B1, B2 and B8 business uses), the access via a roundabout from the A52, the link road through from this to Blenheim Road and the formation of the surface water detention basin on land forming the vast majority of strategic housing and employment land allocation DS1 of the Adopted Derbyshire Dales Local Plan (2017).
- 7.5 The roundabout and roundabout arm at the site entrance have been formed and the attenuation basin and link road through the site have been construction, with the opening of the link road anticipated in the near future, following adoption by the Local Highway Authority.
- 7.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the purposes of the Act is the Adopted Derbyshire Dales Local Plan (2017). The National Planning Policy Framework (2021) is an important material consideration in respect of this application.
- 7.7 The application site lies outside of the Ashbourne Neighbourhood Plan Area despite including a section on the airfield site.
- 7.8 The Council is unable at this time to demonstrate a 5 year housing land supply. Paragraph 11 d) of the National Planning Policy Framework is therefore engaged. Paragraph 11 d) advises that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [7] ; or
 - (ii) 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.

In respect of footnote 7 the policies referred to are those in the framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) 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 68 in chapter 16); and areas at risk of flooding or coastal change.

- 7.8 In this case, the site is already allocated for housing development in the Adopted Derbyshire Dales Local Plan (2017). The site is also located within the settlement framework boundary for Ashbourne as defined in the Adopted Derbyshire Dales Local Plan (2017). Ashbourne is a main market town and a first tier settlement, which are the primary focus for growth and development to safeguard and enhance their strategic roles as employment and service centres (Policy S2). On the basis that the tilted balance in favour of the development can be

deemed to be engaged, it is necessary to weigh the benefits of the additional development against any adverse impacts.

7.9 In terms of contributing towards the achievement of sustainable development policy S1 of the Adopted Derbyshire Dales Local Plan (2017) advises that this will be achieved by making efficient and effective use of land, particularly land which has been previously developed.

7.10 Based on the location of the site and amount of housing development allocated in respect of strategic housing site allocation DS1 and the site area, compared with strategic housing allocation DS8, where a greater housing density is set, it is considered that the density of housing development on phase 1 land could be increased, subject to compliance with the relevant provisions of the Development Plan and national planning policy.

7.11 Having regard to the above, consultation responses and representations received and the relevant provisions of the development plan and guidance contained within the National Planning Policy Framework, the main issues to assess are:

- Whether the scheme prejudice the development potential of the adjacent site or larger area in a comprehensive manner
- Whether the development will create high quality, beautiful and sustainable buildings and place and the impact on the character of the area
- Highway safety and impact on the wider highway network
- Affordable housing, housing mix and developer contributions
- Impact on adjacent land uses and existing and future residents
- Open space and recreation provision
- Impact on wildlife and ecology
- Surface water drainage requirements
- Climate change
- Planning balance and conclusion

7.12 The location and nature of the development is not considered to harm the setting of Thatched Cottage (Listed Grade II), which is located to the south of site beyond the recently constructed attenuation basin, link road and new roundabout. Its setting has already been affected by this existing development and this has been weighed against the public benefits of the development, including the planned housing and employment to be delivered. The location, density and scale of the housing development is not considered to harm the significance of the heritage asset any further.

Would the scheme prejudice the development potential of an adjacent site or larger area in a comprehensive manner?

7.13 One of the criteria for achieving sustainable development set out in Policy S1 of the Adopted Derbyshire Dales Local Plan (2017) is ensuring that development proposals do not prejudice the development potential of an adjacent site or larger area in a comprehensive manner. Although the development is sited on phase 1 land, any additional development has the potential to prejudice this and the adjacent strategic land allocation.

7.14 The adjacent land owner has expressed these concerns and advise that policies DS1 and DS8 of the Local Plan in their current form do not envisage or consider additional development and, as such, it is not a matter that should be considered through an ad hoc piecemeal planning application. A comprehensive approach to the development of the site is required in order to achieve sustainable and successfully planned development.

7.15 Strategic housing land allocation Policy DS1, relates to 39.35ha of mixed use development (including the housing component the subject of this application) forming Ashbourne Airfield

(Phase 1) which this site forms part. The strategic policy advises that development will be subject to compliance with adopted Local Plan policies and:

- A comprehensive layout and site masterplan for the development incorporating community facilities proportionate to serve the needs of future residents of the site including a mixed use hub providing some or all of the following uses:
 - a) Use Class A1 Retail/A2 Financial and Professional (no single unit in excess of 300m² and not more than 500m² in total).
 - b) Use Class A3 restaurants/café(s)/A4 drinking establishments (not more than 500m² in total and no more than one drinking establishment).
 - c) Use class D1 non-residential institution/community facilities (up to 750m²), and an enterprise centre incorporating small start-up office units (not more than 500m² in total).
- Preparation of a detailed phasing programme covering the entire site, such a programme to ensure the provision of the employment development and residential development concurrently or as otherwise agreed with the District Council.
- The provision of a new access to serve the comprehensive development comprising a new junction from the A52; a new access road to serve the business park which shall link through to Blenheim Road; a new internal road layout to serve the development incorporating footpaths and cycle paths. No more than 75 dwellings to be erected and occupied before the link to Blenheim Road has been laid out and constructed.
- Preparation of a Transport Assessment and Travel Plan, including full highway design, specific consideration of public transport routes and subsidies, improvements to existing and development of new pedestrian/cycle routes. Provision for public transport, cycle and pedestrian routes to Ashbourne town centre.
- Provision of a comprehensive landscaping plan including the retention of landscape features to the northern and eastern site boundaries, the provision of a substantial landscape buffer between existing and new development; Bradley Wood and the surrounding countryside and the enhancement of Green Infrastructure linkages.
- The provision of a landscaped buffer to the rear of existing properties on Lady Hole Lane. No development shall take place on land south east of Lady Hole Lane.
- The provision of an area reserved for wildlife along the north eastern boundary.
- Provision of public open space and green infrastructure on site with links established to the wider countryside.
- A site specific Flood Risk Assessment in accordance with the findings of the Derbyshire Dales Strategic Flood Risk Assessment, incorporating surface water control measures (SUDS) throughout the development.
- An Ecological Assessment (i.e. desk and field based assessments, habitats/species assessments/mitigation proposals)

7.16 The development must be considered in parallel with the associated approval of reserved matters application 22/00641/REM and the area of land set aside for housing development as identified on the indicative masterplan submitted pursuant to condition 3 of planning permission 19/01274/FUL. Approval of reserved matters application 22/00641/REM does not make provision for substantial landscape buffers between existing and new development and surrounding countryside to deliver green infrastructure and wildlife corridors. Development on this site prejudices the delivery of these important objectives and the coherent network of habitat to maintain the biodiversity value of the site.

7.17 Considered on its merits and in isolation, the proposed development does not assist in the delivery of the objectives of Policy DS1 and introduces additional infrastructure and open space requirements that cannot be provided on the development site. For reasons set out above, the development would not contribute towards achieving sustainable development

in that it prejudices the development of the adjacent site and the larger area allocated for housing and employment development in a planned and comprehensive manner, contrary to the aims of Policies S1, DS1 and DS8 of the Adopted Derbyshire Dales Local Plan (2017).

Whether the development will create high quality, beautiful and sustainable buildings and place and the impact on the character of the area

- 7.18 Paragraph 126 of Chapter 12 of the National Planning Policy Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It goes on to state that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.
- 7.19 Paragraph 134 of the National Planning Policy Framework advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design ⁵², taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes. Footnote 52 refers to guidance contained in the National Design Guide (NDG) and National Model Design Code. As the District Council has not yet adopted any Design Codes the NDG and Model Design Code are of relevance.
- 7.20 Having regard to the requirements of strategic site allocation policy DS1 and in recognition that the development has been planned in detail by the applicant and will influence further significant development on the edge of the town, the Local Planning Authority has appointed a firm of urban designers (Lathams Architecture and Urbanism) to assess the scheme against National Design Guide criteria and to consider the relationship of the development with phase 2 which will be critical to the overall success of the scheme (whilst recognising that the applicant does not currently have any interest in or control over phase 2 land) having regard to the obvious connections between the 2 allocations in terms of infrastructure requirements
- 7.21 In terms of local design policies, Policy PD1 of the Adopted Derbyshire Local Plan 2017 deals with design and place making and requires:
- development to be high quality design that respects the character, identity and context of the Derbyshire Dales townscapes,
 - all new development is based on a thorough site appraisal and that 'design quality' is reflected in the development through a clear understanding of site context including reference to any Design Statements, Neighbourhood Plans, and is sensitive to its context as well as contributing to sustainable living and contribute positively to an areas layout and relationship to adjacent buildings and landscape features.
 - development on the edge of settlements enhances and/or restores landscape character, particularly in relation to the setting and character of the Peak District National Park development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features
 - public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees.
 - developments are easy to move through and around, incorporating well integrated car parking, pedestrian routes and, where appropriate, cycle routes and facilities.
 - developments are designed to minimise opportunities for anti-social or criminal behaviour and promote safe living environments.
 - the inclusive design of development, including buildings and the surrounding spaces, to ensure development can be accessed and used by everyone, including disabled

people development takes account of national design guidance and Supplementary Planning Documents.

- 7.22 The NDG sets out the characteristics of well-designed places and demonstrates what good design means in practice. It includes 10 characteristics that are key to good design. Its use helps to assess the quality of planning applications.
- 7.23 The assessment undertaken by Lathams of the original scheme was assessed against National Design Guide criteria and scored poor or very poor against most criteria. As part of the review it was, however, accepted that the additional development could be achieved, in addition to the amount of development approved under application 19/01274/FUL, based on overall dwellings per hectare, whilst successfully contributing to a well-designed place.
- 7.24 The DAS provided a limited assessment of the character of the site and there was no evidence of how this had been used to inform the scheme.
- 7.25 The application site forms part of a larger housing scheme, which includes associated open space. In isolation the development is a dense and compact housing scheme with no greenspace. The development forms part of a wider scheme of housing that adopts a confused illegible insular layout with no obvious route hierarchy. No evidence of cycle provision is shown and no footpath links are identified to areas beyond the site boundary. The development also proposes car dominated streets.
- 7.26 The development proposes an even distribution of houses across the majority of the site. There is a wide variety of house types and sporadic distribution of materials creating, varied and discordance streetscenes that do not successfully create place.
- 7.27 The three storey apartment block and maisonette dwellings, and associated parking courtyard accessed off the link road present imposing and poor focal buildings.
- 7.28 Following the assessment of the original scheme and a meeting to discuss the above, the applicant submitted a marked/annotated layout for consideration. Whilst recognising that some improvements had been made to the site layout had been made, the Local Planning Authority made it clear that in developing the site layout, consideration will need to be given to the density, character, scale and massing of development. Specific guidance was given to the applicant in relation to house designs and creating cohesive streetscenes, and an invitation was given to submit a revised layout and streetscene samples for review / further discussion. Following receipt of an amended site layout, the applicant was advised to provide commentary on how the assessment of the original scheme against NDG criteria. This information was not provided until the scheme was formally submitted for re-consultation.
- 7.29 Following receipt of the amended plans, the independent urban designer was asked to re-assess the scheme. It was acknowledged that the road layout had changed, but this was not considered to be a significant improvement when assessed against NDG criteria. It remained that the development scored poorly (poor and very poor in numerous areas) against NDG criteria.
- 7.30 With regard to character and layout, it remains that the development has a confused and insular layout. The road layout has been altered but the confused maze-like layout remains. Navigating the scheme from one part of the scheme to another is unnecessarily confused. The layout remains car dominated with modest tree planting on limited routes failing to challenge the dominance of frontage parking across the scheme.
- 7.31 With regard to social inclusivity, the mix and distribution of tenure and house types is unchanged, with affordable dwellings concentrated in a small geographical area / pockets

within the centre of the site. The approach to density is also largely unchanged. No explanation of any strategic approach to density has been provided. No additional information has been provided which might help to justify the building types or forms. It is acknowledged that some elevational treatments have changed but the rationale to support these changes is missing.

- 7.32 Despite the applicants contention that the street typologies are designed into the scheme with a clear hierarchy the development remains a discordant and mix of house types and designs that are evenly distributed across the site, with little consideration given to the site constraints or place making.
- 7.33 In summary, the development by reason of its layout and density and the discordant variety, scale and appearance of the different dwellings and associated landscaping scores poorly against National Design Guide criteria and would not deliver a high quality and well-designed place that would respond positively to and respect the character and context of this significant edge of settlement site. The development would therefore conflict with Policies S1, PD1 and DS1 of the Adopted Derbyshire Dales Local Plan (2017) and should be refused in accordance with paragraph 134 of the National Planning Policy Framework (2021).

Highway safety and the impact on the wider highway network

- 7.34 Policies S1, S4 r) and HC19 of the Adopted Derbyshire Dales Local Plan (2017) require development proposals to demonstrate that they can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan.
- 7.35 The Local Highway Authority has questioned the overall quantum of development and need to demonstrate the satisfactory operation of the site access and the wider highway network. This concern has also been expressed by the adjoining land owner. Having assessed the submitted Technical Note together with the various other information submitted with previous application and given that the traffic forecast is based upon a number of parameters, assumptions, extrapolations, and other variables, the Highway Authority is reasonably comfortable with the incremental effects of the 100 dwellings being within the margin of error.
- 7.36 Concerns have been, however, expressed with regard to the distance of the site from the centre of Ashbourne and the need for onsite amenities to reduce the need to off-site travel. There are concerns that more intensive residential development would reduce such provision.
- 7.37 No sensitivity testing has been undertaken by the author of the Technical Note with regard to the road junction capacity (north arm of the A52). Instead that this has been taken by others. The assessment does, however, conclude that on 2033 future year flows and an unlikely single lane operation at all arms throughout the peak hour and that the junction should operate satisfactorily.
- 7.38 The Local Highway Authority have made recommendations and requirements in relation of the Travel Plan, which could be secured through condition and legal agreement (in terms of any additional future monitoring requirements).
- 7.39 The Local Highway Authority has advised that should adoption of the road layout be sought, there are a number of issues to resolve. The Local Highway Authority has not advised, however, that the development would be unacceptable from a highway safety perspective if the estate roads were not adopted and the new roundabout and link road access would be capable of accommodating the loading from the development, without resulting in severe impacts on the local road network.

7.40 Having regard to the above, the development is considered to be capable of satisfying the requirements of policies S1, S4 r) and HC19 of the Adopted Derbyshire Dales Local Plan (2017) and national policy contained within the National Planning Policy Framework with conditions.

Affordable housing, housing mix and developer contributions

7.41 In order to address the significant need for affordable housing across the Local Plan area, policy HC4 requires that all residential developments of 11 dwellings or more or with a combined floor space of more than 1000 square metres provide 30% of the net dwellings as affordable housing. The application proposes to meet this policy requirement by providing affordable housing on site. Therefore, all units of affordable housing (up to 30) would be delivered on site. In terms of the dwellings to be delivered, the following mix is proposed:

- 8 x 1-bedroom units
- 10 x 2-bedroom units
- 12 x 3 bedroom units

Reflecting on the comments received from Director of Housing in respect of application 22/00641/REM this is considered to constitute acceptable provision, subject to appropriate / agreement of the type and tenure.

7.42 Policy HC11 prescribes a housing mix to meet the Council's housing needs and to create a sustainable, balanced and inclusive communities. The amended scheme proposes the following mix of 2, 2.5 and 3 storey open market housing on the part of the site, the subject of this approval of reserved matters application:

- 8 x 1-bedroom dwellings
- 12 x 2-bedroom dwellings
- 45 x 3-bedroom dwellings
- 6 x 4-bedroom dwellings

Again, this is considered to constitute appropriate provisions based on the policy requirement for open market housing and local housing needs.

7.43 Policy S10 states that suitable arrangements will be put in place to improve infrastructure, services and community facilities, where necessary when considering new development, including providing for health and social care facilities, in particular supporting the proposals that help to deliver the Derbyshire Health and Wellbeing Strategy and other improvements to support local Clinical Commissioning Groups (CCG) and facilitating enhancements to the capacity of education, training and learning establishments throughout the Plan Area.

7.44 A health contribution has been sought by the CCG. A contribution of £91,800 is required to enhance capacity / infrastructure in specified local practices. The development will also result in the need for additional primary, secondary and Special Educational Needs and Disability (SEND) provision to be provided. The Education Authority has stated that this would amount to £326,979.90 towards expansion of Osmaston CE (Controlled) Primary School, 588,694.47 towards the expansion of Queen Elizabeth's Grammar School and £74,218.90 towards SEND places. Some concern has been expressed by Osmaston and Yeldersley Parish Council with regard to the proximity and access to this school by sustainable transport methods. Based on the amount of development that has come forward on phase 1, the County Council has advised that a new primary school cannot be justified at this time based on pupil projections and numbers on roll. The delivery of a further 1100 dwellings on adjacent land (phase 2) may, however, require the provision of a new primary school at that time and, as with the contributions secured on the back of application

19/01274/FUL, the Education Authority has broadened the scope of the contributions required to allow the money to be spent on another primary school within a 3 mile radius of the site, the identity of the school to be agreed between the owner and the County Council.

7.45 The County Council have also requested a library services stock contribution of £7,160. If permission is granted it will be necessary to secure all of the above contributions through prior entry into a planning obligation to meet the demands deriving from the development.

Impact on adjacent land uses and existing and future residents

7.46 Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) requires that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

7.47 Policy PD9 of the Adopted Derbyshire Dales Local Plan (2017) states that the District Council will protect people and the environment from polluted environments by only permitting development if the potential adverse effects (cumulatively or individually) are mitigated to an acceptable level by other environmental controls or by measures included in the proposals. This includes noise or vibration and other nuisance or harm to amenity health or safety.

7.48 The application site does not affect the access road serving HGV testing facility on adjacent land and the proposed dwellings are sited far enough away so as to not prejudice such use or cause unacceptable noise or amenity impacts on future residents.

7.49 The apartment building and maisonette dwellings serviced directly off the link road, are positioned in close proximity to this route which will be used by HGVs serving the business park and industrial estate without restriction. No objections have, however, been received from the Council's Environmental Health section with regard to the proximity of the proposed dwellings to the business park and existing and approved industrial uses in terms of noise disturbance and other impacts on human health and amenity.

7.50 Representations have been received from local residents along Lady Hole Lane raising concerns with regard to the impact of the development on their residential amenity. These comments, however, appear to relate to the development on adjacent land, the subject of application 22/00641/REM. The layout of the dwellings, the subject of this application and their relationship to neighbouring land uses and the nearest residential properties is such that there would not be any unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effects.

Open space and recreation provision

7.51 Policy HC14 requires new residential developments of 11 dwellings or more to provide or contribute towards public open space and sports facilities. The Adopted Supplementary Planning Document (SPD) on Developer Contributions dated February 2020 supersedes the table in policy HC14 as it is based on the updated study from January 2018.

7.52 The SPD sets out the provision per dwelling that is required to meet the identified deficiencies. This is set out in the table below:

Type	Area Requirement Square Metres per dwelling
Parks and Gardens	9.74
Provision for children and young people	1.62
Allotments	3.94

- 7.53 The application on its merits does not deliver any open space, instead relying on the open space to be delivered on the adjacent land, the subject of application code ref. 22/00642/REM. No mechanism is presented as to how that open space would be delivered in conjunction with the delivery of development on the application site.
- 7.54 Sport England have been consulted on the application, however, no comments have been received at the time of writing this report. In the consideration of application 19/01274/FUL a need to provide playing fields was identified and it was agreed that provision would be made on phase 2 land, however, no mechanism is in place to deliver this. Based on the overall amount of development originally proposed (469), the Council's Community Development Manager has advised that there is a requirements to provide 1.5 playing fields, having regard to the requirements of the Developer Contributions SPD. Various sport organisations have objected to the development on the basis that it does not deliver much needed space for sports and there is a chronic undersupply of facilities in the area.
- 7.55 In respect of meeting the needs derived from the development the applicant has advised that the planning Policy for Phase 1 makes no reference to the requirement for Playing Pitches and that it was accepted by Sports England and the Community Development Manager within the Committee Report for the outline planning permission that sports pitches would not be provided on Phase 1 due to them being "more logically located within Phase 2" which is a much larger development area.
- 7.56 The applicant acknowledges that the full 101 dwelling planning application does generate a requirement for sports pitches. They have requested that a revised consultation response is provided, demonstrating the requirement generated by only the full application for 101 dwellings. They suspect this will not form a whole pitch requirement, and therefore to avoid sports pitches being delivered in an un-cohesive, ad-hoc manner across the development, a financial contribution for the 101 requirement is proposed.
- 7.57 The application when assessed on its merits does not deliver and prejudices the requisite open space or playing field provision necessary to deliver a healthy and inclusive place which promotes social interaction contrary to the requirements of Policy HC14 of the Adopted Derbyshire Dales Local Plan (2017), the Developer Contributions SPD (2020) and guidance contained within the National Planning Policy Framework (2021).

Impact on wildlife and ecology

- 7.58 With regard to protected species and biodiversity impacts Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017) seeks to protect, manage, and where possible enhance the biodiversity and resources of the plan area and its surroundings by ensuring that development proposals will not result in harm to biodiversity. The policy advises that this will be achieved by encouraging development to include measures to contribute positively to the overall biodiversity of the plan area to ensure there is a net overall gain to biodiversity. These provisions are supported by the NPPF, paragraph 174 of which advises that planning decisions should provide net gains for biodiversity.
- 7.59 Hybrid planning application 19/01274/FUL considered the impact of the development on protected species and biodiversity. Condition 15 requires the submission of a landscape and biodiversity enhancement and management plan (LBEMP) prior to the commencement of the development. The LBEMP should combine both the ecology and landscape disciplines and include description and location of features to be created, planted, enhanced and managed including a network of grassland habitats suitable for Dingy Skipper and Small Heath Butterfly amongst other requirements.

7.60 This application proposes no / very little habitat creation within the site itself and it has not been demonstrated that the development of the site does not prejudice for the loss open mosaic habitat or set out the extent of proposed habitat for dingy skipper and small heath butterfly to preserve the biodiversity value of the wider site, and mitigate for the 2ha loss of this habitat across phase 1 or the following requirements of Policy DS1:

- The provision of a comprehensive landscaping plan including the retention of landscape features to the northern and eastern site boundaries, the provision of a substantial landscape buffer between existing and new development; Bradley Wood and the surrounding countryside and the enhancement of Green Infrastructure linkages.
- The provision of an area reserved for wildlife along the north eastern boundary.
- Provision of public open space and green infrastructure on site with links established to the wider countryside.

7.61 As a standalone application, the development could be implemented independently of other applications. An understanding of the biodiversity value of the site and any necessary compensation for habitat loss is therefore important and should be presented so that this can be appropriately mitigated. This is supported by Derbyshire Wildlife Trust in their consultation comments. The applicant has advised that they are preparing an assessment, however, it is unclear as to how any biodiversity loss can be appropriately mitigated on site based on the application site area and amount of additional development.

7.62 In summary, the development does not demonstrate how the development would preserve biodiversity and would not prejudice the loss open mosaic habitat or habitat for dingy skipper and small heath butterfly to preserve the biodiversity value of the wider site (phase 1) and the provision of green infrastructure to support wildlife contrary to the requirements of Policies PD3 and DS1 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2021).

Surface water drainage requirements

7.63 Policies S1 and PD8 of the Adopted Derbyshire Dales Local Plan (2017) state that the Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere. Development will be supported where it is demonstrated that there is no deterioration in ecological status either through pollution of surface or groundwater or indirectly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and wastewater treatment works. New development shall incorporate Sustainable Drainage Measures (SuDS) in accordance with national standards.

7.64 The application is accompanied by a drainage strategy by DDS. The development is proposed to be drained using two separate surface water networks. Both networks have been designed to accommodate up to the 100 year return period plus 40% climate change. A 10% increase in private impermeable areas has also been accommodated to allow for the effects of urban creep.

7.65 One of the networks (network 1) conveys flows to the existing attenuation basin and surface water system that was designed to accommodate the employment land and link road.

7.66 As can be seen in the consultation response from the Lead Local Flood Authority in respect of application 22/00641/REM there are a number of concerns with the proposed system, including lack of information to demonstrate that the flows from network 1 does not impact the capacity required in the attenuation basin.

7.67 At the time of writing this report, insufficient information has been submitted to demonstrate that the surface water drainage system will be capable of serving the development and will

not result in flooding on the site and elsewhere contrary to the requirements of Policies S1 and S8 of the Adopted Derbyshire Dales Local Plan (2017).

Climate change

7.68 Policies S1 and PD7 of the Adopted Derbyshire Dales Local Plan (2017) state that the Council will promote a development strategy that seeks to mitigate the impacts of climate change and respects our environmental limits by: requiring new development to be designed to contribute to achieving national targets to reduce greenhouse emissions by using land-form, layout, building orientation, planting, massing and landscaping to reduce energy consumption; supporting generation of energy from renewable or low-carbon sources; promoting sustainable design and construction techniques, securing energy efficiency through building design; supporting a sustainable pattern of development; water efficiency and sustainable waste management. Paragraph 126 of Chapter 12 of the National Planning Policy Framework also states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

7.69 The application is accompanied by an Energy Strategy Statement, which makes reference to the need to comply with Part L 2021 building regulations, which will secure savings in excess of 160,386 kgCO2 annual. The development will look to incorporate a range of low and zero carbon/renewable technologies in order to meet proposed upcoming changes to the Part L Building regulations, which will require development to achieve carbon reductions of 31 % lower than current part L targets.

7.70 In order to achieve the above, the following proposed low/zero carbon technologies will be applied across the wider site:

Potentially viable energy strategies considered	Number of Dwellings Applied to	Energy Saved %	Carbon Saved %	Proposed?1
Solar hot water	0	0	0	No
Solar Photovoltaic (Approx.)	160	6.3	11.4	Yes
Wind Turbines	0	0	0	No
ASHP	0	0	0	No
GSHP	0	0	0	No
Flue Gas Heat Recovery ²	305	1	0.9	Yes
Waste Water Heat Recovery	305	8	7.1	Yes
Fabric Approach	469	5.5	5.2	Yes

7.71 Although it is not clear how many of the measures will apply to the dwellings, the subject of this application, they would make a contribution towards mitigating the effects of and adapting to climate change and a condition could be imposed to agree a package of measures to deliver as much as possible to help mitigate the effects of and adapt to climate change. A sustainable urban drainage (SUDs) system is also proposed which will help attenuate surface water during extreme rainfall events.

Planning balance and conclusion

7.72 The Council is unable at this time to demonstrate a 5 year housing land supply. Paragraph 11 d) of the National Planning Policy Framework and the tilted balance in favour of the development is therefore engaged.

- 7.73 The site is sustainably located and already allocated for housing development in the Adopted Derbyshire Dales Local Plan (2017).
- 7.74 The development would make a positive contribution towards housing delivery. Furthermore, the development would deliver up to 30 affordable homes. The development would provide additional economic and social benefits during construction and occupation, however these benefits are not exceptional and to a large degree would be commensurate with any residential development.
- 7.75 The development when considered in conjunction with application 22/00641/REM would prejudice the strategic objectives of Policy DS1 and would not deliver and prejudice the requisite open space and playing field provision necessary to provide a healthy and inclusive place which promotes social interaction. In this respect, the development would not contribute towards achieving sustainable development.
- 7.76 Furthermore, development by reason of its layout and density and the discordant variety, scale and appearance of the dwellings and associated landscaping scores poorly against National Design Guide criteria and would not deliver a high quality and well-designed place that would respond positively to and respect the character and context of this significant edge of settlement site and would be in direct conflict with local design policies and paragraph 134 of the National Planning Policy Framework (2021).
- 7.77 The development does not demonstrate how the development would preserve biodiversity and would not prejudice the loss open mosaic habitat or habitat for dingy skipper and small heath butterfly to preserve the biodiversity value of the wider site (phase 1) and the provision of green infrastructure to support wildlife and insufficient information has been submitted to demonstrate that the surface water drainage system will be capable of serving the development and will not result in flooding on the site and elsewhere.
- 7.78 When all of the above adverse impacts are weighted they significantly and demonstrably outweigh the benefits of the development and a recommendation of refusal is put forward on this basis.

8. RECOMMENDATION:

The application be Refused for the following reasons:

1. The proposed development when considered in isolation and in conjunction with the associated approval of reserved matters application 22/00641/REM would not contribute towards achieving sustainable development in that it prejudices the development of the adjacent site and the larger area allocated for housing and employment development in a planned and comprehensive manner, contrary to the aims of Policies S1, DS1 and DS8 of the Adopted Derbyshire Dales Local Plan (2017).
2. The development by reason of its layout and density and the discordant variety, scale and appearance of the dwellings and associated landscaping scores poorly against National Design Guide criteria and would not deliver a high quality and well-designed place that would respond positively to and respect the character and context of this significant edge of settlement site. The development would therefore conflict with Policies S1, PD1 and DS1 of the Adopted Derbyshire Dales Local Plan (2017) and should be refused in accordance with paragraph 134 of the National Planning Policy Framework (2021).

3. The application when assessed on its merits does not deliver and prejudices the requisite open space and playing field provision necessary to deliver a healthy and inclusive place which promotes social interaction contrary to the requirements of Policy HC14 of the Adopted Derbyshire Dales Local Plan (2017), the Developer Contributions SPD (2020) and the National Planning Policy Framework (2021).
4. The development does not demonstrate how the development would conserve or enhance biodiversity and would not prejudice the loss open mosaic habitat or habitat for dingy skipper and small heath butterfly to conserve the biodiversity value of the wider site (phase 1) and the provision of green infrastructure to support wildlife contrary to the requirements of Policies PD3 and DS1 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2021).
5. Insufficient information has been submitted to demonstrate that the surface water drainage system will be capable of serving the development and will not result in flooding on the site and elsewhere contrary to the requirements of Policies S1 and S8 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2021).

INFORMATIVES:

The Local Planning Authority has met and discussed the merits of the application with the applicant during the consideration of the application. Following the submission of amended plans it was concluded that there was no prospect of resolving the fundamental planning problems with the application through further negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application within the agreed extension of time and thereby allowing the applicant to exercise their right to appeal.

This Decision Notice relates to the following plans and documents, insofar as they are relevant to this application for 101 dwellings:

Site Drawings

- H8537-001-07 Planning Layout Sheet 1 Revision B
- H8537-001-08 Planning Layout Sheet 2 Revision B
- H8537-001-09 Composite Planning Layout Revision B
- H8537-002-02 Materials & Surfaces Layout Sheet 2 Revision F
- H8537-003-02 Boundary, Eaves & Chimney Layout Sheet 2 Revision G
- H8537-013-03 102 Plot Site Location Plan Revision A
- AA/06-2 Materials Layout – Sheet 2 Revision C (Barratt Plots)

Engineering Drawings

- 0213-17 Engineering Layout Sheet 1 Revision I
- 0213-18 Engineering Layout Sheet 2 Revision G
- Micro Drainage Calculations - Storm Network 1 1 in 30 year & 1 in 100 year, & Storm Network 2 1 in 30 year & 1 in 100 year

Landscaping Information

- GL1639-01 Soft Landscape Proposals Sheet 1 Revision H
- GL1639-02 Soft Landscape Proposals Sheet 2 Revision H
- GL1639-05 Soft Landscape Proposals Sheet 5 Revision H
- GL1639-06 Soft Landscape Proposals Sheet 6 Revision H
- GL1639-07 Soft Landscape Proposals Sheet 7 Revision H
- GL1639-03-01 Landscape Management Plan (Issue 3)

Standard Details

- H8537/Mat/01 David Wilson Homes Materials Palette
- Ashbourne Airfield Materials Palette – Barratt Homes
- DB-SD13-014 External Personnel Gates Detail
- DB-SD13-006 Rev B Close Boarded Fence Detail
- H8537-100-09 Stone Entrance Wall Detail
- NM-SD13-013 Boundary Wall Detail Type 3
- RD/SD13/114 450mm Timber Post Detail

Garage Planning Drawings

- LSG1H8.01 Single Garage Planning Drawing Revision A

Affordable House Type Planning Drawings

- B50F 0TCI.01 Type 50 Planning Drawing Revision C
- B50F 0THE.01 Type 50 Planning Drawing Revision B
- B52A 0TCI.01 Type 52 Planning Drawing Revision D
- B52A 0THE.01 Type 52 Planning Drawing Revision B
- B78F 0TCI / B79F 0TCI.01 Type 78 & 79 - TF Planning Drawing
- B75F 0TCE.01 Type 75 Planning Drawing

Private House Type Planning Drawings

- Amb.01 / .02A Ambersham / Maldon Apartment Planning Drawing
- SF 58_59.E.01 Type SF 58.59-E-7 Planning Drawing
- BLLE 0THE.01 Ellerton (End Hipped) Planning Drawing Revision B
- BHVR 0THE.01 Haversham (End – Hip) Planning Drawing
- BKNL 0THE.01 Kenley Classic (End Hipped) Planning Drawing Revision B
- BKNR 0THD.01 Kenford Classic (Det) Planning Drawing Revision B
- BKEY 0THD.01 Kingsley Classic (Det Hip) Planning Drawing Revision C
- BMAI 0THE.01 Maidstone Classic (End Hipped) Planning Drawing Revision B
- BRAD 0THD.01 Radleigh Classic (Det) Planning Drawing Revision B
- BBNF X0GE.01 Brentford (End) Planning Drawing
- BENN X0GD.01 Ennerdale (Det) Planning Drawing
- BKNL X0-I.01 Kenley (Mid) Planning Drawing
- BKIS X0GE.01 Kingsville (End) Planning Drawing
- BMMS X0GE.01 Moresby Planning Drawing
- Chud.01 Chudleigh & Dursley Planning Drawing
- Ennerdale Transitional Detached FF Render + Planning Drawing
- Kingsville Transitional (GF Render).01 Planning Drawing
- Maidstone Hipped End (FF Render).01 Planning Drawing
- Moresby Transitional (FF Render + Chimney).01 Planning Drawing

Supporting Statements

- Briary Energy – Energy Statement dated April 2022
- BWB - Detailed Travel Plan Dated April 2022 Ref: AAF-BWB-GEN-XX-RP-TR-0001-S2-P6 DTP
- BWB – Transport Technical Note Dated 22nd March 2022 Ref: AAF-BWB-GEN-XX-RP-TR-0002-TN _S2-P6
- FPCR – Ecological Appraisal Dated April 2022
- nineteen47 – Design and Access Statement Dated March 2022
- nineteen47 – Planning Statement and Affordable Housing Statement Dated April 2022
- nineteen47 – 3D Visuals Pack Dated March 2022
- DDS – Drainage Statement dated 20th April 2022
- DDS – Flood Risk Assessment Rev C May 2022

- GRM Phase 2 Site Appraisal Dated April 2020
- Ashbourne Airfield National Design Guide Review – DWH Response February 2023