

# PLANNING STATEMENT

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Nottingham Road, Ripley

Outline Planning Application for up to 181 Dwellings with all matters reserved except for access.

Clowes Westerman Ltd

May 2021

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## CONTENTS

1. Introduction
2. Site & Surrounding Area
3. Proposed Development
4. Planning Policy Context
5. Development Plan
6. Commentary
7. Conclusion

## 1. Introduction

This Planning Statement has been prepared by Clowes Westerman ("The Applicant"), who is The Applicant of the proposed residential development of Land Off Nottingham Road, Ripley.

The documents that will be submitted as part of this application include the following:

- Design and Access Statement;
- Preliminary Ecological Appraisal Report;
- Flood Risk Assessment;
- Initial Ground Investigations;
- Transport Statement;
- Noise Impact Assessment;
- Arboricultural Report;

## 2. Site and Surrounding Area

The site extends to approximately 7.05 hectares (17.4 acres) and currently comprises of grassland & sports pitches which are currently being used by the local community for recreational purposes.

The site is located to the west of Condor Gate Industrial Estate and is located to the East of Ripley Town Centre. The Application Site is located on Nottingham Road, and sits opposite an existing settlement.

The site is relatively flat bar a slight incline towards the south east corner, the northern boundaries of the site face out onto open fields with the site containing no existing buildings.

Part of the site sits over a former open cast mine, which is shown in figure 3. Part of the also sits in a designated green belt area which can be seen in figure 2.

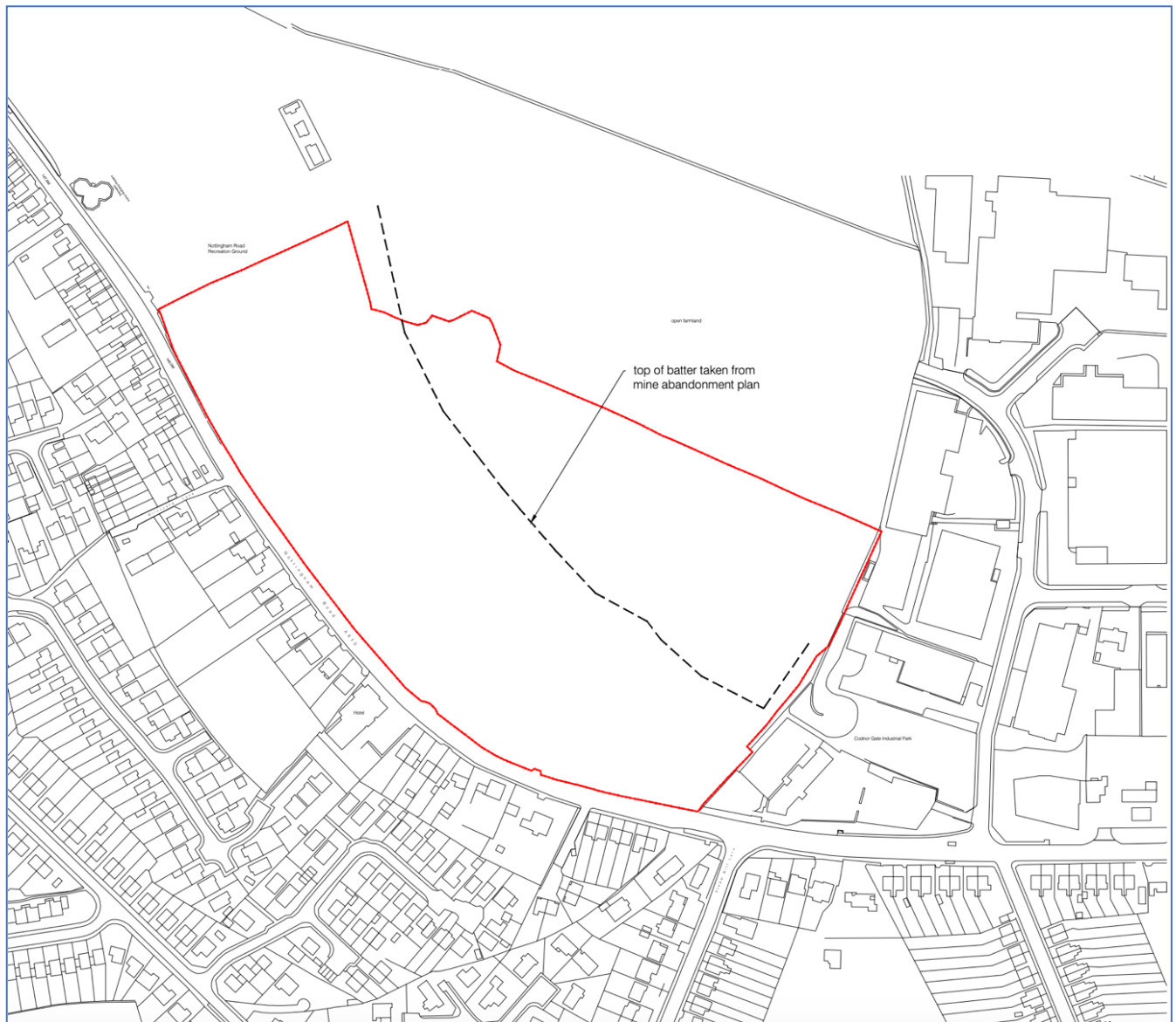
Figure 1 : Site Plan



Figure 2 : Extent of Greenbelt in Application Site



Figure 3 : Approximate Open Cast Mine Location



### 3. Proposed Development

Planning Permission is sought for up to 181 dwellings with associated green space and attenuation features. Whilst no formal pre-application advice was available to The Applicant, frequent discussions have taken place with Amber Valley Borough Council.

The Application includes the provision of one vehicular access which is the same as the approved commercial scheme AVA/2018/0968 by way of a new T-junction on Nottingham Road.

There is also the provision of an emergency vehicle access to the south east corner of the development.

Figure 4 : Proposed Access

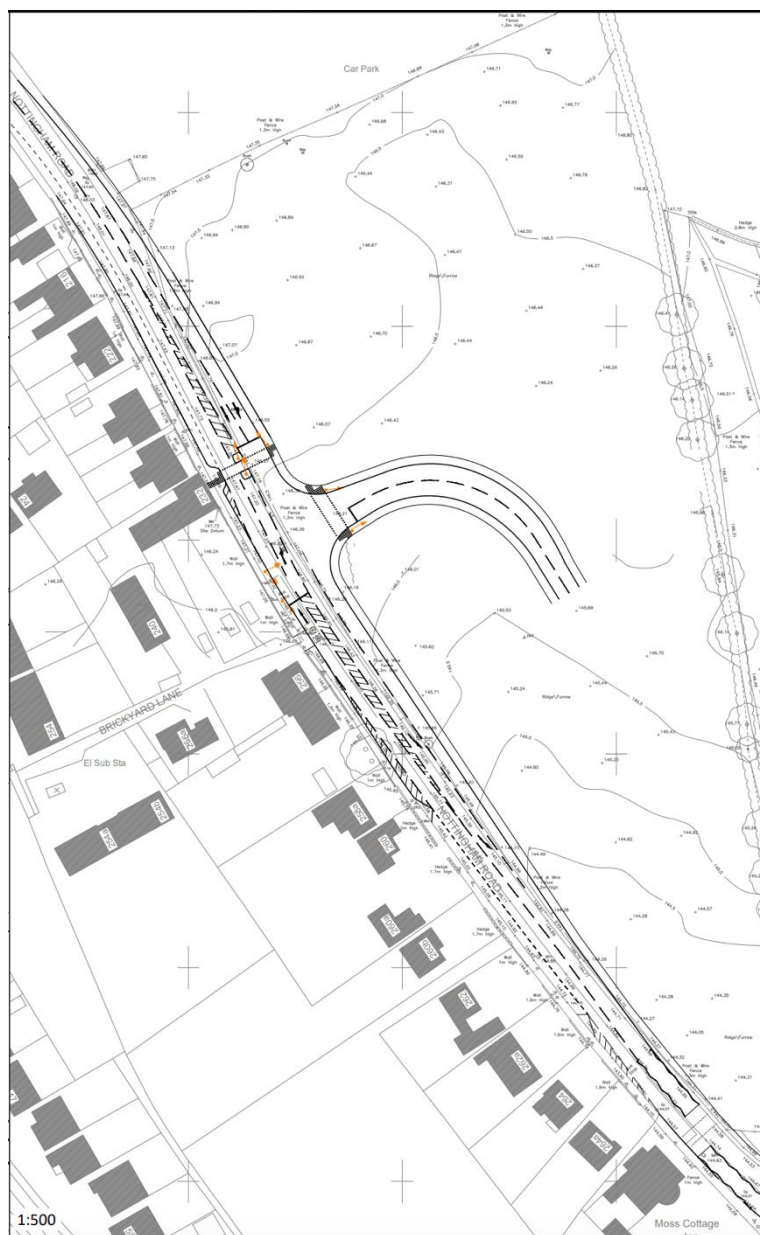


Figure 5 : Proposed Masterplan



Further to discussions with Amber Valley Borough Council (AVBC), Clowes Westerman have made an allowance for the provision of 0.843 ha public open space in the northern section of the site.

## 4. Planning Policy Context

### Sustainable Development

Paragraph 11 of the National Planning Policy Framework (NPPF) ensures that sustainable development is pursued in a positive way. It states that

*“Plans and decisions should apply a presumption in favour of sustainable development”.*

In relation to this Application, it must be noted that AVBC's Local Plan adopted in 2006 is not up to date and therefore does not represent the needs of the local area at this time.

The NPPF States in relation to the presumption in favour of sustainable development that development should be granted when *“there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date”*.

### Delivering a Sufficient Supply of Homes

Paragraph 68 of the NPPF recognises the important contribution that small and medium sized sites can make to the housing requirement of the area. Applying the standard method AVBC have calculated an additional 2,494 dwellings are required from April 202 to 31 March 2025. Clowes Westerman believes this number of dwellings does not take into account the needs of the wider community stipulated by Derby City Council. Clowes Westerman strongly believe that the Application Site will make a much-needed contribution to the AVBC housing target.

### Promoting Sustainable Transport

Paragraph 82 of the NPPF notes that policies and decisions should recognise and address the specific locational requirements of different sectors. The Application Site is located within walking distance of 3 bus stops. The closest is located 1 minute from the site, the service (The Rainbow one) is operated by Trent Barton.

Figure 6 : Rainbow One Route Map



## Supplementary Planning Documents (SPD's)

Amber Valley Borough Council has adopted a suite of Supplementary Planning documents (SPD's) to provide more detailed guidance on potential development. The Application Site has been created in following the above guidance.

Guidance to shape the Application has been taken from a number of documents including:

- [Development + Recreational Open Space \(2014\)](#)
- [Residential Development \(2007\)](#)
- [Ripley Neighbourhood Plan](#)

The Development + Recreational Open Space SPD stipulates the amount of public open space a proposed site must provide. The Application site exceeds the requirement providing improved amenity to the site and surrounding area.

As stated in the Residential Development SPD – Paragraph 5.2 “Higher Densities make more efficient use of land” Clowes Westerman believes this site provides a density which meets the demands of the Borough and in turn makes efficient use of the land.

Within the Ripley Neighbourhood Plan, the Application Site was allocated for new housing under policy H1.

## 5. Development Plan

Due to Amber Valley withdrawing the Core Strategy in May 2019, the Borough Council resolved on 25 September 2019 to prepare a new local plan for Amber Valley, with a plan running to 2038.

The first draft will be issued in March 2021, with Amber Valley aiming for an adoption in March 2023.

## 6. Commentary

### Planning History

Clowes Westerman submitted a residential application in 2012 (AVA/2012/1086) which was withdrawn in 2019 by Clowes Westerman. The proposal was for the Development of 126 residential dwellings with new access from Nottingham Road.

The application Site has also seen two commercial applications. An application submitted in 2007 was rejected. The following year an application for Industrial use was granted with a Reserved matters approval in 2018 (AVA/2018/0958) The site is designated within the AVBC Local Plan (2006) for proposed business and industrial development.

### Ecology

The Application Site has been subjected to an Ecological appraisal undertaken by RammSanderson. The report concluded that the site contained areas of poor semi-improved grassland, neutral grassland, an area of semi natural woodland and scrub.

Clowes Westerman are actively looking to compensate any potential loss of diversity.

In terms of mitigating loss during construction, the report has made several recommendations to enhance biodiversity.

### Flood Risk

A flood risk assessment was conducted by Jackson Purdue Lever (JPL) – The Report concluded that the proposed development is not considered to be at a significant risk of flooding and is considered to be a sequentially preferable development when assessed in line with the National Planning Policy Framework Technical Guidance.

Whilst the development is considered to be at a low risk of flooding, advice has been taken to add further mitigation against flooding.

### Traffic and Transportation

A Transport statement was conducted by ADC. The report makes reference to past applications and indicates the proposed scheme will have less of an impact on traffic movement compared to the already approved commercial scheme.

The site proposes to keep the same access which has been previously approved with no objection from traffic consultees.

## Ground Investigation

Jackson Purdue Leaver have carried out a Phase 1 desktop study to provide an overview of ground conditions and the most prominent feature is the former opencast mine that sits towards the Northern boundary and does encroach onto the site. Figure 3 within this statement shows the line of the high wall of said mine and its impact, along with plans from the Coal Authority which can be found within the appendices of JPL's report.

The report concludes that this will likely impact the foundation design of houses along the Northern boundary, further works will follow as part of the reserved matters application along with intrusive geotechnical and contamination studies of the rest of the site as per JPL's recommendations.

## Noise Impact Assessment

Delta Simons were instructed to carry out a Noise Impact Assessment to measure the effects of surrounding sources of noise and their impact on the proposals and detail any mitigation measures required.

It concluded the most prominent source of noise was Nottingham Road which sits alongside the southern boundary of the site. The recommendations following these results are twofold. One of which is to erect a noise barrier along the boundary to bring ambient noise in residential gardens to acceptable and compliant levels. The other option would be to apply uprated facade specifications by using acoustic trickle vents and double glazing on homes built within areas susceptible to higher levels of sound. The route forward will be dependent on which direction the Southern properties are facing.

Given that this application is outline, the Reserved Matters application which will follow, will detail the exact orientation of individual plots and therefore which method of mitigation will be required.

## Arboricultural Report

The application utilises a report produced by John Booth Arboricultural Consultants Ltd, which was used as part of a previous application on this site. Given the report was issued in July 2018 and the site has remained undeveloped since then, the results and recommendations will still be relevant. The report notes that there are no trees of 'Good' condition (Category A) but there are 4 trees that fall under (Category B) where retention should be considered. All other trees were deemed to have little to no value.

The categories allocated as part of the report have been adapted to the layout within this application where possible but the detail surrounding their retention and any proposed replanting will form part of the reserved matters application following a positive resolution of the outline.

## 7. Conclusion

By diverging away from the existing commercial scheme, Clowes Westerman are able to provide much needed housing and local amenity to the area with a lesser impact on its surrounding than previous schemes, whilst adding several benefits.

This will be accomplished by maintaining the integrity of the Green belt, reducing the impact on the highway network, keeping large areas of the site as public recreation space and adding much needed public walkways to Nottingham Road.

Any impacts identified by the submitted reports can be mitigated against. These measures come fully supported and can be secured via condition.

There is a presumption in favour of sustainable development in lieu of a Development Plan and whilst Amber Valley feel they can demonstrate a sufficient land supply, it should be noted that this number is a minimum and mid-sized site such as this site is ideal should some allocated sites not come forward within desired time scales, or at all.

With the above in mind, the proposals are sustainable, policy compliant and beneficial to Amber Valley and the town of Ripley, therefore a planning permission should be issued without delay.