stock LTD
PLANNING

Planning, Design and Access Statement

Kalamunda, Hob Hill, Hazelwood,
Belper, DE56 4AL

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Kalamunda, Hazelwood

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1 INTRODUCTION

1.1 This Planning Statement has been prepared by Andrew Stock, Director of Stock Planning Ltd, an independent town planning consultancy. The consultancy is based in Derbyshire and operates primarily across the East Midlands, with experience in both urban and rural contexts, including residential, commercial, agricultural and mixed-use developments.

1.2 Andrew Stock is a Chartered Member of the Royal Town Planning Institute (RTPI) with over 15 years of professional experience within the planning and development sector, having held senior positions within two Local Planning Authorities and has served as a director at other reputable planning consultancies, further broadening his expertise in both the public and private sectors.

1.3 Stock Planning has a proven track record of securing planning permissions and delivering positive outcomes for clients through effective negotiation, detailed analysis and a pragmatic approach to problem solving.

2 BACKGROUND

2.1 This application follows the grant of a certificate of lawful existing use of the land to the north and west of Kalamunda, as residential garden land for a period in excess of 10 years at appeal, in a decision letter dated 25th March 2025 and the grant of permission to erect a single dwelling (Hob House) on land to the south west of the site.

2.2 The details of these applications and other relevant site history are set out below:

AVA-2024-0099	Application for a Lawful Development Certificate for the existing use of land as domestic curtilage and garden land for a period in excess of 10 years – Allowed at appeal 25th March 2025
AVA-2021-0415	Annex for the purpose of the applicant's family use as a home office and an exercise and wellness facility – Approved 16th April 2021
AVA-2019-0984	Extension to provide ancillary accommodation, including alterations to access, and engineering operation to create additional hardstanding/additional parking area – Approved 17th January 2020
AVA-2016-0868	Application for the Approval of Reserved Matters for the Construction of One Dwelling – Approved 10th October 2016
AVA-2016-0091	Outline Application with All Matters Reserved for the erection of One Dwelling – Approved 24th March 2016
AVA-2007-0659	Replacement of existing dwelling with a new house – Approved 7th October 2007

3 APPLICATION SITE

3.1 The application site, which extends to approximately 0.68 hectares, relates to the domestic residential garden of Kalamunda. The site is bound by agricultural land to the west and north, the rear gardens of Holmeside Cottage and Rickstones to the east, Hob Hill and the rear garden of Hob House to the south.

3.2 Kalamunda was constructed in the late 1960's or early 1970's and lies within the settlement of Hazelwood. The settlement is spread over a fairly wide area and has predominately been developed around a farming community.



Figure 1: *Aerial photograph showing the approximate location of the application site (edged red)*

3.3 Vehicular access to the site is achievable directly off the Hob Hill to the south of the existing house.

3.4 The site is not located within a Conservation Area, an Area of Outstanding Natural Beauty or within the Green Belt. The site is not covered by any statutory environmental

designations. The trees on the site and those on the site boundaries are not protected by Tree Preservation Orders (TPOs).

3.5 The 113 High Peak public bus service (Ashbourne to Belper) can be accessed to the east of the village, off Hob Hill, enabling residents to visit the local centre of Belper, where most services and facilities can be found and connections to Derby by bus or rail. Other local services consist of the Church and memorial hall, which is the venue for Well-Kitchen Cafe (CIC); a community interest cafe that serves food to the local community.

4 PROPOSED DEVELOPMENT

4.1 Outline planning permission, with all matters reserved except access, is sought for the replacement of the existing dwellinghouse and the construction of 3 no. additional dwellings on Land at Kalamunda, Hazelwood.



Figure 2: *Indicative Site Layout Plan*

4.2 The application is accompanied by an indicative layout plan (dwg *'2532-SK07 Indicative Site Layout Plan'*), illustrating 4 no. high-quality dwellinghouses. The dwellings would be of two storey construction and traditional design, arranged and scaled to reflect the character of a traditional farmstead.

4.3 The proposal aims to visually 'anchor' the new development within the landscape by introducing a new 'Farmhouse' style building to replace Kalamunda, fronting Hob Hill. To the rear of this main farmhouse, 3 no. additional dwellings are proposed in a connected, linear arrangement around an ancillary courtyard.

4.4 The buildings will combine brickwork and natural stone construction, featuring pitched roofs with slate or clay plain tiles, and simple, agricultural-style openings distributed around the perimeter. This approach ensures the development responds positively to the local landscape character and the site's edge-of-village setting.

4.5 The existing hedge lined boundaries will be retained and supplemented with additional native tree and hedgerow planting. The use of post and rail fencing with hedging is proposed within the site.

4.6 The site will be accessed via modifying the existing vehicular access (dwg *'77544-BACE-25-00-DR-C-901 Proposed Entrance'*) directly off Hob Hill. The existing stone wall will be reconfigured and the existing hedgerow will be cut back to provide improved visibility splays. It is anticipated that parking for up to 2 no. vehicles will be provided per dwellinghouse.

5 PLANNING POLICY

5.1 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.

5.2 The development plan for the purposes of the Act is the Adopted Amber Valley Local Plan (2006) and the Hazelwood Parish Neighbourhood Plan (2016-2040).

5.3 Following submission to the Secretary of State for examination, the appointed Local Plan Inspector raised significant concerns with regard to the soundness of the Emerging Amber Valley Local Plan 2022 - 2040 local plan. The District Council has since made modifications and has consulted on these to ensure that it is able to meet its development needs over the plan period.

Adopted Amber Valley Local Plan 2006

5.4 The Local Plan policies considered relevant to the proposal at hand are as follows:

5.5 **Policy LS1: Sustainable Development** – *"Proposals for development should be located taking account of the following sustainability criteria by:*

a) being well-related to existing patterns of development

b) re-using previously developed land and buildings in preference to greenfield sites, except where circumstances such as location or accessibility preclude their use

c) protecting and enhancing the quality of the built and natural environment

d) minimising the need to travel between home, work and other activities and providing opportunities for journeys other than by car

e) ensuring the capacity of existing infrastructure to absorb further development

f) *managing waste generated from the construction and occupation of, and operations resulting from new development (all applicants for major new developments will be required to supply full information regarding the waste production implications of the proposals).”*

5.6 **Policy LS3: Health & Leisure** – *“The Borough Council will require development proposals to reflect the principles of good design, by:*

a) *conserving or enhancing the quality and local distinctiveness of the natural and built environment*

b) *respecting the character of the locality in terms of the scale and nature of development, its layout, density, height, massing, architectural style, materials and landscaping*

c) *taking account of the relationship between the development proposals and neighbouring buildings, and the spaces between and around those buildings.”*

5.7 **Policy LS4: Accessibility –** “Proposals for new development, including those for the alteration or change of use of an existing building, will only be acceptable if the needs of people with disabilities and those of restricted mobility have been taken into account. The Council may, where appropriate, impose conditions requiring access provision for people with disabilities and, where necessary, will seek to negotiate for adequate provision in terms of site layout, car parking arrangements and public access.”

5.8 **Policy H4: Housing Development Within Other Settlements** – *“Within the built framework of all other settlements not listed in policy H3, planning permission will be granted for housing development, providing the proposals are in the form of one or more of the following:-*

1. the conversion of existing dwellings to provide additional units, or of existing buildings to housing from other uses

2. extensions to or replacement of existing dwellings

3. new development on previously developed or brownfield land, or on vacant land which has not been previously developed, providing the development is in the form of infilling of small gaps capable of accommodating no more than 2 dwellings within existing groups of houses, subject to the character of the surroundings"

5.9 **Policy H5: Housing Development Outside Settlements** – *"Outside the built framework of settlements, planning permission will not be granted for housing development unless the proposals are in the form of one or more of the following;-*

1. extensions to existing dwellings, provided this would not result in a significant change to the scale or character of the dwelling and its surroundings

2. replacement of existing dwellings, providing that the number of dwelling units is not increased

3. new development which can be shown to be necessary for the operation of a rural based activity and where a countryside location is essential"

5.10 **Policy H12: Quality And Design Of Housing Development** – *"In considering applications for housing development, the Borough Council will require that the proposals:-*

a) are in scale and character with their surroundings

b) have regard to distinctive landscape features and provide supplementary landscaping where appropriate, particularly where the development is visually prominent or situated on the established urban fringe

c) provide adequate amenity space for each dwelling unit

d) do not unduly affect the amenities or privacy of adjoining or adjacent properties, including through loss of light, overshadowing or overlooking

e) provide satisfactory access to the transport network

In assessing the above criteria, the Borough Council will

a) *resist tandem development (consisting of one house immediately behind another and sharing the same access), where the amenities of proposed and existing development will be adversely affected*

b) *resist the development of existing open land having amenity value, the established use of which contributes to the visual character of the surrounding urban area, and where the provision of housing would be visually inappropriate*

The Borough Council will require all new housing development to be at a minimum net density of 30 dwellings per hectare, unless it can be demonstrated that there are significant constraints to development, or that development would have an adverse impact on the character or appearance of the locality. In locations with good public transport accessibility, including town centres or around major nodes along public transport corridors, the Borough Council will seek to secure development at higher densities"

5.11 **Policy TP1**: **The Impact Of Development On The Transport Network** – *"In considering all development proposals, the Borough Council will require that:*

a) *satisfactory access can be obtained to the transport network*

b) *any additional traffic movements likely to be generated by the development can be satisfactorily accommodated on the transport network*

Development proposals that would generate significant demand for additional journeys by car will need to be accompanied by a transport assessment and where appropriate, a travel plan. The assessment will need to identify the transport implications of the proposals and give details of the measures proposed to mitigate their impact, including traffic management and improvements to public transport.

The Borough Council will impose conditions on planning permissions or seek to enter into Section 106 Agreements with developers, including where appropriate through the

implementation of a travel plan to ensure implementation of the proposed measures including, where appropriate, financial contributions towards improved access by public transport."

5.12 **Policy N1: Countryside** *"In the countryside, outside the built framework of settlements, new development will only be permitted where it:*

a) is essential in conjunction with the requirements of agriculture or forestry,

b) is necessary within the countryside and cannot reasonably be located within an existing settlement, or

c) will improve the viability, accessibility or community value of existing services and facilities in settlements remote from service centres provided by the towns and larger villages"

5.13 **Policy EN7: Landscape Character Features** – *"In considering development proposals, the Borough Council will require that the design of development is appropriate to the landscape character type within which it is proposed, having regard to:-*

a) landform and natural drainage patterns

b) the pattern and composition of trees, woodlands and field boundaries

c) the type and distribution of wildlife habitats

d) the pattern and distribution of settlements and roads

e) the presence and pattern of historic landscape features

f) the scale, layout, design and detailing of local buildings and other traditional man made features"

5.14 **Policy EN8: Landscape Features –** *"Planning permission will not be granted for development that would damage or destroy significant trees, woodlands, hedgerows, dry*

stone walls or other landscape features, unless exceptional circumstances can be demonstrated to justify the proposals"

5.15 **Policy EN9: Landscape Features** –*"Where development proposals that are otherwise acceptable would result in the loss of or damage to existing landscape features, or would have a significant adverse impact on the landscape, permission will only be granted where the loss or damage to existing features, or the impact on the landscape can be offset by the provision of alternative, replacement or additional features within the site or on other land in the ownership of the applicant. The Council will impose conditions, or alternatively seek to enter into a Section 106 Agreement with developers to secure the alternative, replacement or additional provision"*

5.16 **Policy EN12: Biodiversity –** *"Planning permission will not be granted for development which would destroy or adversely affect, either directly or indirectly, designated Sites of Special Scientific Interest, as shown on the Proposals Map, unless there are overwhelming benefits resulting from development which would outweigh their national importance for biodiversity*

Where there is a risk of damage to a designated Site, the Borough Council will impose conditions on planning permissions or alternatively seek to enter into Section 106 Agreements with developers to ensure appropriate protection measures"

5.17 **Policy EN14: Biodiversity –** *"Planning permission will only be granted for development affecting areas of nature conservation interest if full account is taken of its likely impact on nature conservation and where there are benefits resulting from development which would outweigh their importance for nature conservation. The areas include currently designated Local Nature Reserves and Sites of Importance for Nature Conservation, as shown on the Proposals Map*

Where development would result in an adverse impact on, or loss of an area of nature conservation interest, the Borough Council will impose conditions on planning permissions or alternatively seek to enter into Section 106 Agreements with developers to ensure the

provision of new areas of nature conservation interest, including potential Local Nature Reserves"

Hazelwood Parish Neighbourhood Plan (2016-2040)

5.18 The policies considered relevant to the proposal at hand are as follows:

- Policy NP1: Support appropriate new build homes, extensions and ancillary buildings
- Policy NP2: Design principles for development
- Policy NP3: Housing character, scale and compatibility
- Policy NP5: Maintaining and enhancing the Parish's biodiversity
- Policy NP6: Protection of landscape character across the Plan area
- Policy NP10: Enhancing the provision of community facilities

Regulation 22 Amber Valley Local Plan 2022 - 2040

5.19 Given the advanced stage that the emerging local plan has reached, some weight can be given to the strategic policies contained within it for growth and how the Local Planning Authority envisages that it will deliver sustainable development into the future. Notable strategic policies in the emerging development plan include:

- Policy SS1: Presumption in favour of sustainable development
- Policy SS2: Spatial Strategy for Housing and Employment Growth
- Policy SS3: Settlement Hierarchy
- Policy H2: Housing Development within and Adjacent to Other Villages and Settlements
- Policy EN1: Climate Change
- Policy EN3: Flood Risk
- Policy EN4: Heritage Assets
- Policy EN8: Biodiversity
- Policy EN10: Pollution
- Policy EN11: Derelict, Unstable and Contaminated Land

- Policy EN15: Quality and Design of development
- Policy IN1: Transport

National Planning Policy Framework (2024)

5.20 The revised National Planning Policy Framework (NPPF) sets that the purpose of the planning system is to contribute to the achievement of sustainable development. The revised NPPF was published in December 2024, however this version of the National Planning Policy Framework was amended on 7th February 2025 to correct cross-references from footnotes 7 and 8, and amend the end of the first sentence of paragraph 155 to make its intent clear.

Achieving Sustainable Development

5.21 **Paragraph 7** – *"The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection."*

5.22 **Paragraph 8** – *"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

> *a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

5.23 **Paragraph 10** – *"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*

5.24 **Paragraph 11** – *"Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) 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 strong reason for refusing the development proposed; 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, having particular regard to key policies for

directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."

5.25 **Footnote 7** of the Framework sets out that the protected areas referred in (i) above include *"Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, 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 75); and areas at risk of flooding or coastal change".*

5.26 **Footnote 8** of the Framework explains that policies most important for determining the application are out-of-date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

5.27 **Footnote 9** explains the policies referred to in Paragraph d) ii) are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

5.28 **Paragraph 14** – *"where the presumption applies to applications involving the provision of new housing, the adverse impacts of allowing development that conflicts with a Neighbourhood Plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*

"the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)."

Decision-Making

5.29 **Paragraph 39** – *"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."*

5.30 **Paragraph 48** – *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."*

5.31 **Paragraph 56** – *"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."*

5.32 **Paragraph 58** – *"Planning obligations must only be sought where they meet all of the following tests:*

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development."

Delivering a Sufficient Supply of Homes

5.33 **Paragraph 61** – *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements*

are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community."

Promoting Sustainable Transport

5.34 **Paragraph 115** – *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach."

5.35 **Paragraph 116** – *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."*

Achieving well-designed places

5.36 **Paragraph 135** – *"Planning policies and decisions should ensure that developments:*

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Meeting the Challenge of Climate Change, Flooding and Coastal Change

5.37 **Paragraph 161** – *"The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*

Annex 1: Implementation

5.38 **Paragraph 231** – *"The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made."*

5.39 **Paragraph 232** – *"However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Where a local planning authority can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78) and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure (calculated using the standard method set out in planning practice guidance) is greater than the housing requirement set out in adopted strategic policies, for a period of five years from the date of the plan's adoption."*

National Planning Practice Guidance (NPPG)

5.40 This online Guidance was launched in March 2014. The NPPG is not intended to make any changes to the Framework but seeks to bring together planning practice guidance for England, previously published only in separate documents, in an accessible and usable way. The NPPG is a live document and is updated regularly.

5.41 Paragraph 002 of the PPG relating to Planning Obligations sets out that planning obligations assist in *"mitigating the impact of unacceptable development to make it acceptable in planning terms".* Additionally, it states that, *"planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms They must be:*

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development"*

6 PLANNING ASSESSMENT

6.1 The key issues regarding the proposed development have been identified as follows:

1. The principle of development;

2. The impact on the character and appearance of this part of the countryside/local landscape character; and

3. The impact on amenities of neighbouring residents.

The principle of development

6.2 The application proposes to replace the existing dwellinghouse, Kalamunda, and erect 3 no. new dwellings within its extended garden area. The current local plan is approaching 20 years old and does not envisage housing development to meet the current housing needs of the district, applying the new standard method set out in the National Planning Policy Framework (NPPF). The plan is therefore out-of-date for the purposes of para 11 d. of the Framework.

6.3 The application site is located on the edge of a settlement and comprises previously developed land.

6.4 The Dartford Borough Council v Secretary of State for Communities & Local Government High Court decision has held that the definition of 'previously developed land' (also known as brownfield land) within Annex 2 of the Government's NPPF excludes residential gardens in "built-up" areas only, but not those residential gardens elsewhere.

6.5 In making effective use of land the NPPF at paragraph 125 advises that planning decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains and give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.

6.6 The need to plan for additional housing growth and make the most of opportunities to build on previously developed land is reflected in the main modifications to the emerging Amber Valley Local Plan 2022 - 2040. In respect of housing growth the emerging local plan makes provision for a minimum of 8725 additional homes in sustainable locations between 2022 and 2040. Emerging policy SS2 advises that this growth will take place in the following locations:-

- within and surrounding the four urban areas of Alfreton, Belper, Heanor and Ripley, and land within Amber Valley on the edge of the urban area of Derby.

- within and immediately adjacent to key villages, other villages and settlements (as defined in policy SS3 settlement hierarchy) in accessible and sustainable locations that promote the vitality and viability of communities, maintain their rural character and individual settlement identities and meet the needs of local communities.

6.7 Hazlewood is defined as an "other village and settlement" in the emerging local plan. Emerging strategic Policy SS3 advises that, in such settlements, development will be limited to a smaller scale of development. The policy goes on to advise that development that would result in disproportionate growth of any of the settlements or conflict with the function and position of a settlement within the hierarchy will be resisted.

6.8 The main modifications to the emerging local plan have introduced provisions under Policy H2 which support housing development within, and adjacent to, Other Villages and Settlements where it involves new dwellings, providing the site is previously developed or development is in the form of infilling of small gaps within existing groups of houses and where the land is not specifically allocated for any other purposes in the Local Plan (unless it can be demonstrated it is no longer required for that purpose).

6.9 Housing development in the form set out above will be permitted under emerging Local Plan Policy H2 on land adjacent to the built framework of Other Villages and Settlements, where all of the following can be demonstrated:

- its scale and character would be reflective and proportionate to the settlement it relates to and to the settlement hierarchy as set out in Policy SS3, taking account of the cumulative impact of other proposals and the landscape setting,

- it would constitute sustainable development by being accessible to a range of services and facilities or improving the viability, and accessibility or community value of existing services and facilities in the settlement, and

- there will be sufficient infrastructure capacity, either existing or proposed, to support the proposed level of development.

6.10 There is a minimum requirement in the main modification to build a minimum of 8 dwellings in Hazelwood over the plan period.

6.11 It is clear from the spatial approach to the new development in the emerging local plan and national policy that development of 4 (3 new) dwellings on the site would constitute a proportionate and sustainable amount of development, maximising the use of previously developed land within the village and maintaining the vitality of an existing rural community, subject to the environmental effects. It is considered that there is, in principle, support for the development in this regard.

6.12 Hazelwood Parish Neighbourhood was made in June 2024 and forms part of the development plan for the area. It was made prior to the changes to the NPPF in December 2024 and contains policies that are out of kilter with National Planning Policy and the emerging Local Plan. In particular, Paragraph 83 of the NPPF (2024) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services and that where there are groups of smaller settlements, development in one village may support services in a village nearby.

6.13 Hazelwood has a number of facilities and a bus service operating through it. Some modest development within the village would help sustain these facilities and the facilities of

nearby villages. There is also a significant employer within walking distance of the site. The Neighbourhood Plan also does not allow for housing development adjacent to the built framework of the village or include provisions relating to the redevelopment of previously developed land.

6.14 The requirement under Hazelwood Parish Neighbourhood Plan NP1: 'Support appropriate new build homes, extensions and ancillary buildings' for development to conserve and enhance the rural character of the built environment, and conserve or enhance the high-quality landscape in the vicinity however, considered to be a relevant consideration in respect of the appropriateness of new development in the village.

6.15 The current development plan is considered to be out of date for the purposes of paragraph 11d) by virtue of the current development plan not envisaging or planning for the required housing growth necessary for the borough to meet its housing needs into the future and the Council's five-year housing land supply position.

6.16 The Local Planning Authority maintains that it can demonstrate a 5-year housing land supply based on the annual requirement for the Borough of 424 dpa, which underpins the emerging local plan. Applying the new standard method for calculating housing need in the updated NPPF, the annual housing requirement for Amber Valley is 615 dpa. The latest 5-year housing land supply statement indicates that the Council can demonstrate 7.44 years supply. This is however, based on the lower, superseded housing requirements and assumes that windfall development of 170 dwellings will come forward in years 4 and 5 of the trajectory without compelling evidence and supply, which includes applications that are unlikely to come forward in the five-year trajectory period.

6.17 It is considered that the Council cannot therefore demonstrate a five-year housing land supply.

6.18 Notwithstanding the support for the proposed development in the emerging local plan, which carries significant weight in the assessment of the application, the current development plan is considered to be out-of-date by virtue of not containing policies which will meet the Councils housing needs and its inability to demonstrate a five year

supply of deliverable housing sites. The presumption in favour (i.e. the tilted balance) is therefore engaged.

6.19 In social terms, the development would contribute towards meeting the District Councils much-needed, objectively assessed, open market housing needs. The economic benefits include direct and indirect construction employment generated during construction, council tax payments and the benefit to businesses within the area from additional resident spend, which would help sustain the existing services and facilities. In environmental terms, the proposed scheme will deliver a residential development on a Brownfield site and demonstrate a 10% Biodiversity Net Gain.

6.20 When having regard to the above it is considered that the development would constitute a sustainable form of residential development within the wider built framework of Hazelwood, in accordance with policies LS1, H4, H5 of the Adopted Amber Valley Borough Council Loca Plan (2006), policies SS2, SS3 and H2 of emerging Local Plan, polices NP1 and NP3 of the adopted Hazelwood Neighbourhood Plan (2016-2040) and the relevant guidance contained within the National Planning Policy Framework (2024).

The impact on the character and appearance of this part of the countryside/local landscape character

6.21 The application site relates to the domestic residential garden of Kalamunda and lies within the settlement of Hazelwood. The is settlement spread over a fairly wide area and has essentially developed around a farming community

6.22 Kalamunda was constructed in the late 1960's or early 1970's. Its architecture does not reflect its rural location and has little in terms of mass and detail that relate it to the vernacular of the area or wider landscape character.

6.23 The area around Hob Hill consists of a number of traditional farm houses and outbuildings and several more recent dwellings extending from the Church at the crossroads with the road to Blackbrook down the hill towards Knowle Farm and the extensive research centre occupied by Lubrizol at the Knowle. The traditional character of the built form in the Ecclesbourne Valley consists a mixture of red-brick and predominantly natural stone

buildings dotted around the landscape, simple in character, with 2-3 storey farmhouses bookended with chimneys and the more agricultural ancillary buildings, linear in format adjacent the main farmhouse. Roofs are generally 35-45 degree pitched roofs finished in natural slate and clay plain tiles.

6.24 The village of Hazelwood follows a ribbon development format, with the village perimeters punctuated with larger current and former farmsteads, Postern Hill Farm, Firs Farm and Ireton Farm being the obvious examples. At the centre of the village and adjacent the crossroads linking Hob Hill, Hazelwood Hill and Over Lane lies the Church and Community Hall. In between these more dominant historic buildings are an eclectic mix of traditional and modern buildings, in render, light coloured brickwork, red brickwork, natural stone and full variety of roof pitches incorporating clay, slate and concrete roof tiles together with areas of flat roofing, Kalamunda being one of these later additions.

6.25 Whilst the application has been submitted in Outline, with all matters reserved except access to determine the 'in principle' acceptability of residential development, the application is accompanied by an illustrative plan which sets out the approximate scale, form and layout of the proposed development. The indicative layout plan illustrates 4 no. high-quality dwellinghouses which look to respond positively to the local landscape character and the edge of village location of the site. It is proposed that the dwellings are laid out, and are of a scale and design that reflect and take design cues from a traditional farmstead.

6.26 The development aims to visually 'anchor' the new development within the landscape by introducing a new 'Farmhouse' style building to replace Kalamunda, fronting Hob Hill. To the rear of this main farmhouse, 3 no. additional dwellings are proposed in a connected, linear arrangement around an ancillary courtyard. The buildings will combine brickwork and natural stone construction, featuring pitched roofs with slate or clay plain tiles and simple, agricultural-style openings distributed around the perimeter. The existing hedge lined boundaries will be retained and supplemented with additional native tree and hedgerow planting.

6.27 Where a depth of plan is required in order to maximise the potential of the interior layouts, secret valleys are integrated into the roof design, hence when viewed from a distance the new structures will appear to sit comfortably into the landscape and the traditional built form of the village, and within the wider context of the Ecclesbourne Valley.

6.28 The vernacular proportioned farmhouse and courtyard styled dwellinghouses will be in keeping with the more traditional grain of the surrounding area, provide for a simple elevational treatment and will protect the character and appearance of the settlement. The site has been carefully designed and laid out to complement and enhance this historic area of the village and will provide a contextually appropriate, high-quality development which will enhance this part of the settlement. This approach ensures the development responds positively to the local landscape character and the site's edge-of-village setting.

6.29 The proposed development would sit comfortably between the existing dwellings and would not appear unduly prominent, protecting the intrinsic character and distinctiveness of the local landscape.

6.30 As a result, it is considered that the proposed development would respect the character, identity and context of this part of the rural area, and would not result in undue harm being caused to the rural character of the area, in accordance with policies LS1, H4, H5, EN7, EN8 and EN9 of the Adopted Amber Valley Borough Council Local Plan (2006), polices NP2, NP3 and NP6 of the adopted Hazelwood Neighbourhood Plan (2016-2040) and the relevant guidance contained within the National Planning Policy Framework (2024).

The impact on amenities of neighbouring residents

6.31 The application site is bound by agricultural land to the west and north, the rear gardens of Holmeside Cottage and Rickstones to the east, Hob Hill and the rear garden of Hob House to the south.

6.32 It is considered that that there would be sufficient distances and screening from the proposed development to nearby dwellings to avoid any overbearing or overshadowing impact between them. Careful consideration of the size, location and positioning of the

dwellings has also been given to minimise any the potential visual impact on immediate neighbours.

6.33 As the application is made in Outline, details such as external appearance (including fenestration) are to be considered, subject to approval, with any reserved matters application. Through careful fenestration the proposed development would not result in any direct overlooking between occupants of existing dwelling and the occupants of the proposed dwelling.

6.34 The proposed development is not considered to result in any significant loss of privacy or amenity for the occupants of existing neighbouring properties or future occupants of the proposed dwellings, in accordance with policies LS1, H4 and H5 of the Adopted Amber Valley Borough Council Local Plan (2006), polices NP2 and NP3 of the adopted Hazelwood Neighbourhood Plan (2016-2040) and the relevant guidance contained within the National Planning Policy Framework (2024).

Other Matters

Impact on the highway network

6.35 The site would be accessed via modifying the existing vehicular access (dwg *'77544-BACE-25-00-DR-C-901 Proposed Entrance'*) directly off Hob Hill. The existing stone wall will be reconfigured and the existing hedgerow will be cut back to provide improved visibility splays.

6.36 The proposed access improvements will achieve visibility distances of approximately 80 metres westbound and 103 metres eastbound, ensuring safe and compliant sightlines in accordance with relevant highway design standards. There is sufficient space within the application site to provide suitable on-site parking and manoeuvring space for the proposed dwellings. It is anticipated that parking for up to 2 no. vehicles will be provided per dwellinghouse.

6.37 Paragraph 116 of the NPPF states that *"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".*

6.38 When having regard to the above, it is considered that the proposed development would not give rise to any severe highway or pedestrian safety issues, in accordance with policy TP1 of the Adopted Amber Valley Borough Council Local Plan (2006), policy NP2 of the adopted Hazelwood Neighbourhood Plan (2016) and the relevant guidance contained within the National Planning Policy Framework (2024).

Impact on Ecology

6.39 The application is accompanied by Ecological Impact Assessment (EIA) and Biodiversity Net Gain Assessment (BNG) prepared by Eyebright Ecology.

6.40 The ecological assessment has considered potential impacts on badgers, bats, birds, great crested newts, hedgehogs and brown hare, and the habitats within and adjacent to the site. No evidence of bat roosts or badger setts was recorded, and the site was assessed as having low suitability for reptiles. The likelihood of great crested newts being present was determined to be negligible. Consequently, the proposed development is not expected to result in any adverse effects on protected species.

6.41 The proposals on site will result in a loss of -0.47 units (-37.84% proportionate net loss) of biodiversity for area habitats, due to removal of Vegetated Garden habitat to construct four dwellinghouses. There will be a minor loss of -0.04 units (-1.34% loss) for hedgerows to allow for a widened access.

6.42 As such, the proposed development would result in a net loss in biodiversity for area-based habitats. However, it is considered that this impact can be appropriately mitigated through payment into a scheme, enhancement on another site or through a commercial biodiversity offset provider.

6.43 The applicant is committed to exploring an off-site compensation as part of the development and will work with Derbyshire Wildlife Trust to ensure that development complies with Local and National planning policy guidelines, in accordance with policy EN14 of the Adopted Amber Valley Borough Council Local Plan (2006), policy NP5 of the adopted Hazelwood Neighbourhood Plan (2016) and the relevant guidance contained within the National Planning Policy Framework (2024).

Mitigating global warming and adapting to climate change

6.44 Whilst the application has been submitted in Outline, it is envisaged that the proposed dwellings will adopt a sustainable approach to energy conservation, both through their design and anticipated construction methods. The orientation of the buildings and placement of windows have been carefully considered to maximise solar gain. Strategies to reduce CO_2 emissions and promote overall energy efficiency will be implemented throughout the development. The building envelopes will be designed and constructed in line with current Building Regulations, achieving low air permeability and high levels of thermal insulation. Wherever practicable, construction materials will be responsibly sourced and selected for their low carbon impact across the lifecycle of the buildings.

6.45 In relation to microgeneration measures, the applicant recognises the evolving nature of technologies and regulatory frameworks. It is therefore considered inappropriate to prescribe specific measures at this stage. However, the applicant would welcome the imposition of a planning condition requiring the submission of detailed proposals for such measures as part of any reserved matters planning application to ensure alignment with up-to-date government guidance and to support the wider objective of mitigating climate change.

6.46 Overall, the development demonstrates a commitment to minimising environmental impact through its design, construction methods and layout, in accordance with policy EN13 of the Adopted Amber Valley Borough Council Local Plan (2006), policy NP2 of the adopted Hazelwood Neighbourhood Plan (2016) and the relevant guidance contained within the National Planning Policy Framework (2024).

7 CONCLUSION

7.1 Outline planning permission, with all matters reserved except access, is sought for the replacement of the existing dwellinghouse and the construction of 3 no. additional dwellings on Land at Kalamunda, Hazelwood.

7.2 This application seeks to replace the existing dwellinghouse and to erect a small number of new dwellings on previously developed land that would respect the local landscape character, maintain the vitality of the local rural community and provide housing that will contribute towards the districts housing needs following an uplift in the amount of housing development that will need to come forward in the area.

7.3 When all of the above matters are weighed in the balance, it is not considered that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of NPPF when taken as a whole.