

DRAFT

Representations from Belper Town Council in respect of Proposed Changes to the Submitted Core Strategy for Amber Valley Borough Council

AVBC/2011/0016 & AVBC/2013/0007 Bullsmoor, Kilbourne Road / Cherry House Farm, Kirks Lane, Belper

Positively Prepared

This plan has been prepared in consultation with the neighbouring authorities of Derby City and South Derbyshire. However, these proposed changes have been prepared ahead of public inquiries for the plans of the other two authorities and therefore the need to identify additional sites for housing development is not being consistently applied across the Derby Housing Market Area. There are likely to be sites in the other authorities which could assist in providing the required level of housing provision. Consequently these proposed changes should be considered alongside similar reviews in the other authorities.

The emphasis in the Derby Market Area is to provide housing development close to Derby City, given its restricted boundary. There is an unmet need within Derby for additional housing. This should be located as close to Derby as possible or within easy access. Such locations will be the most sustainable. In South Derbyshire the strategy has been to suggest that sites to meet this need are located along the boundary to Derby City; in Amber Valley the strategy has been to meet the need less sustainably in the larger towns and urban areas. The proposed changes seek to redirect more housing towards the Derby City boundary, but more could be done to make the plan even more sustainable.

Justified

It is not considered that sites for housing development have been chosen on the basis of a robust or credible evidence base.

The Strategic Housing Land Availability Assessment (SHLAA) has been prepared without any methodology statement at the start of the process or any report at the end of the process. The assessment has not been undertaken in accordance with the Government's Practice Guidance published in July 2007. Consequently, there are many issues that have not been addressed adequately, resulting in very poor assessment of sites which in turn has resulted in ill-informed decision making in deciding on which sites to promote for allocation. Some examples are:-

1. No assessment of site achievability.
2. Many sites being identified as 'potentially suitable' perhaps because their actual suitability was not fully researched.
3. Constraints not identified from a specific comprehensive list of issues, but individual constraints identified from knowledge at the time.
4. Key issues identified as 'not known at this stage', making it impossible to make a judgement on suitability or achievability.
5. Sites with ownership constraints identified as 'not known at this stage' are then listed as available, contrary to the advice in the Practice Guide.
6. These same sites can then provide most of their houses as deliverable, within the first 5 years from adoption of the plan, which is very unlikely, but does suggest a healthy supply of housing land.
7. Net developable areas have not been determined; instead gross areas have been applied to housing densities giving much higher housing delivery figures than can realistically be achieved. Experience elsewhere suggests that net developable area can be around 60 % of gross developable area.
8. No assessments have been undertaken where several sites may need to come together in a comprehensive scheme in order to be viable.

These same sites have been subject to a sustainability appraisal. This raises some further issues of credibility.

1. Distances appear to be measured from the nearest point on the boundary of the site. For example, the most westerly boundary of Bullsmoor is 1033m from a main train station in the centre of Belper as the crow flies. From the centre of the site as the crow flies it is more like 1300m. If, as it states, the route should be measured by public transport then the distance is more likely to be 2300m from the centre of the site. This is now getting closer to becoming amber rather than green.
2. Accessibility to school facilities is assessed by distance to them with no regard to their ability to accommodate the additional school places required.
3. Reference is made to identified flood zones within the site, but there is no assessment of drainage and flood impacts beyond the site. Nor is there any attempt to assess the impact of several adjoining sites having to be developed together.
4. Impact on foul sewerage infrastructure is a 'Data Gap'. Information has not been sought.
5. Whilst all sites have been subjected to the same sustainability appraisal, it is not clear how the sites selected for proposed allocation have been determined. There appears to be no ranking of sites in relation to sustainability so that only the most sustainable are brought forward. Instead one or two key issues are mentioned for particular sites and judged on that basis. This leads to inconsistency. For example, sites adjacent to the Derby boundary are excluded because they are purported to lie within the setting of a listed

building (Kedleston Hall), yet these in sites in Belper are included even though they lie within the setting of a World Heritage Site. Does this mean that a listed building is more important than a World Heritage Site?

6. There is no indication as to which sustainability factors are the most important in considering which sites to propose for allocation.

Effective

There is no evidence to determine which sites may or may not be deliverable. A number of issues on these sites have not been fully explored and consequently the decision process is flawed. Some of the issues are:-

1. The open land to the south of Nottingham Road / Kilbourne Road has been recognised as important in the visual setting of the Derwent Valley Mills World Heritage Site. The sloping nature of the site will make any built development very prominent within the wider landscape.
2. The medieval features on this land should be protected.
3. The SHLAA proposed 470 houses for this 16.68 ha site giving a density of 28.18 houses per hectare. This has now been reduced to 250 houses but with the retention of business and industrial development within the site. If the same density were to be applied, then there would be 7.81ha of business / industry and 8.87 ha of housing. Because these figures are based on the gross area, actual houses built are likely to be less, but with pressure to provide the rest on adjacent sites towards Mill Lane, where sites have been assessed but not put forward for allocation.
4. The proposed development will be accessed from a single junction onto Kilbourne Road opposite Pottery School. Other access points will be needed for such a large development, but no other access points are known at this stage. With no satisfactory means of access this site could not be assessed as deliverable. There is a suggestion of a second access to Kilbourne Road and another to Sandbed Lane, but these would require the inclusion of the adjacent Pottery Farm site and no assessment has been made of the implications of a larger combined development.
5. The retention of an employment allocation will lead to a mix of traffic using the proposed Kilbourne Road junction which will also serve the 250 houses.
6. No traffic assessment has been undertaken, but it is known that vehicular access into the centre of Belper is difficult. These 250 houses will use the one way system of Nottingham Road into the centre and Spencer Road to return. Further traffic will exacerbate the existing congestion. The Lander Lane Market Head area is particularly difficult to negotiate and is unlikely to be able to take further traffic safely.
7. Both Kilbourne Road and Sandbed Lane are often reduced to single line traffic because they are narrow with many parked vehicles. Major infrastructure improvement is likely to be required to accommodate the additional traffic.

8. Parking in the centre of Belper is difficult, resulting in more vehicles driving round looking for somewhere to park. Walking to and from the centre from these sites will not be attractive.
9. There is already flooding of both the foul and surface water systems along the catchment of the Pottery Brook, which will be exacerbated by these proposals. The Council's Site Assessments indicate that there is a risk of flooding for Bullsmoor, but no flooding issues for Cherry House Farm. As a single site of 250 houses there will be flooding issues beyond the site if not within it. The development of other sites close by will compound the drainage and flooding problems. Surface water from all the proposed sites to the east of the town centre drain to balancing reservoirs and then a regulated culvert which runs under the town centre and down to the River Derwent. Extensive improvements may be needed to handle increased flows without leading to flooding and pollution.
10. No assessment has been made of the impact of drainage from these proposed sites through the culvert and the proposed electrification of the main railway line through the town. The lowering of the line to accommodate electrification could result in the need to realign the culvert.
11. The land to the south of Nottingham Road / Kilbourne Road provides habitats for wildlife which will be lost if development on this scale proceeds.
12. The path network through and around the site provides important informal recreational opportunities for local residents.
13. The local schools are full to capacity with no space available to insert further classrooms.
14. The medical centres in the town are over-subscribed and additional facilities will need to be provided.
15. Considerable housing has been provided in Belper in recent years, more than in any other urban area in Amber Valley. The infrastructure networks require considerable public investment in order to accommodate this additional housing. There are other sites more sustainably located to serve the Derby Housing Market Area.

It is considered that there has not been any sound infrastructure delivery planning in this process of site allocation. Some of the issues addressed above may be resolved, but the costs could be very high making the development unsustainable and undeliverable.

Consistent with national policy

The National Planning Policy Framework has been used to support the development of this plan. However, site assessment has not been undertaken in a clear, open and consistent manner. Green Belt boundaries have been protected, almost regardless of local circumstances. These boundaries were set down over 30 years ago to provide a clear boundary to major development for 30 years. The decision not to

review these boundaries ensures that only the most difficult sites within and adjacent to the urban areas can be brought forward.

Exceptions have been made under the heading of special circumstances in order to tackle problems and benefit from opportunities, such as to provide a bypass to Codnor. Yet, seeking such opportunities in conjunction with other sites has not been sought. Proposals which might help traffic circulation in Belper town centre have not been pursued. This proposal simply creates further problems and fails to address the existing ones. This is not sustainable and not in line with The National Planning Policy Framework, which is about sustainable development that brings about 'change for the better'; 'positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life...'.

AVBC/2008/0230 Pottery Farm, Belper

Positively Prepared

This plan has been prepared in consultation with the neighbouring authorities of Derby City and South Derbyshire. However, these proposed changes have been prepared ahead of public inquiries for the plans of the other two authorities and therefore the need to identify additional sites for housing development is not being consistently applied across the Derby Housing Market Area. There are likely to be sites in the other authorities which could assist in providing the required level of housing provision. Consequently these proposed changes should be considered alongside similar reviews in the other authorities.

The emphasis in the Derby Market Area is to provide housing development close to Derby City, given its restricted boundary. There is an unmet need within Derby for additional housing. This should be located as close to Derby as possible or within easy access. Such locations will be the most sustainable. In South Derbyshire the strategy has been to suggest that sites to meet this need are located along the boundary to Derby City; in Amber Valley the strategy has been to meet the need less sustainably in the larger towns and urban areas. The proposed changes seek to redirect more housing towards the Derby City boundary, but more could be done to make the plan even more sustainable.

Justified

It is not considered that sites for housing development have been chosen on the basis of a robust or credible evidence base.

The Strategic Housing Land Availability Assessment (SHLAA) has been prepared without any methodology statement at the start of the process or any report at the end of the process. The assessment has not been undertaken in accordance with the Government's Practice Guidance published in July 2007. Consequently, there are many issues that have not been addressed adequately, resulting in very poor assessment of sites which in turn has resulted in ill-informed decision making in deciding on which sites to promote for allocation. Some examples are:-

1. No assessment of site achievability.
2. Many sites being identified as 'potentially suitable' perhaps because their actual suitability was not fully researched.
3. Constraints not identified from a specific comprehensive list of issues, but individual constraints identified from knowledge at the time.
4. Key issues identified as 'not known at this stage', making it impossible to make a judgement on suitability or achievability.
5. Sites with ownership constraints identified as 'not known at this stage' are then listed as available, contrary to the advice in the Practice Guide.

6. These same sites can then provide most of their houses as deliverable, within the first 5 years from adoption of the plan, which is very unlikely, but does suggest a healthy supply of housing land.
7. Net developable areas have not been determined; instead gross areas have been applied to housing densities giving much higher housing delivery figures than can realistically be achieved. Experience elsewhere suggests that net developable area can be around 60 % of gross developable area.
8. No assessments have been undertaken where several sites may need to come together in a comprehensive scheme in order to be viable.

These same sites have been subject to a sustainability appraisal. This raises some further issues of credibility.

1. Distances appear to be measured from the nearest point on the boundary of the site. For example, the most westerly boundary of Pottery Farm is 1391m from a main train station in the centre of Belper as the crow flies. From the centre of the site as the crow flies it is more like 1540m. If, as it states, the route should be measured by public transport then the distance is more likely to be 2400m from the centre of the site. This is now getting closer to becoming amber rather than green.
2. Accessibility to school facilities is assessed by distance to them with no regard to their ability to accommodate the additional school places required.
3. Reference is made to identified flood zones within the site, but there is no assessment of drainage and flood impacts beyond the site. Nor is there any attempt to assess the impact of several adjoining sites having to be developed together.
4. Impact on foul sewerage infrastructure is a 'Data Gap'. Information has not been sought.
5. Whilst all sites have been subjected to the same sustainability appraisal, it is not clear how the sites selected for proposed allocation have been determined. There appears to be no ranking of sites in relation to sustainability so that only the most sustainable are brought forward. Instead one or two key issues are mentioned for particular sites and judged on that basis. This leads to inconsistency. For example, sites adjacent to the Derby boundary are excluded because they are purported to lie within the setting of a listed building (Kedleston Hall), yet this site in Belper is included even though it lies within the setting of a World Heritage Site. Does this mean that a listed building is more important than a World Heritage Site?
6. There is no indication as to which sustainability factors are the most important in considering which sites to propose for allocation.

Effective

There is no evidence to determine which sites may or may not be deliverable. A number of issues on these sites have not been fully explored and consequently the decision process is flawed. Some of the issues are:-

1. The open land to the south of Nottingham Road / Kilbourne Road has been recognised as important in the visual setting of the Derwent Valley Mills World Heritage Site. The sloping nature of the site will make any built development very prominent within the wider landscape. This particular site is higher up the hill, making development more difficult and more visually intrusive.
2. Any medieval features on this land should be protected.
3. The SHLAA proposed 360 houses for this 12.45 ha site giving a density of 28.92 houses per hectare. This has now been reduced to 200, giving a density of 16.06 houses per hectare. There is no indication as to how this figure of 200 houses was arrived at, although the steeply sloping nature of the site may have been a factor.
4. The proposed development is constrained by the lack of a vehicular access. For such a large development at least two accesses would be required and whilst Kilbourne Road and Sandbed Lane are suggested, no actual access points have been identified. With no satisfactory means of access this site could not be assessed as deliverable, yet the SHLAA assessment says under Access Constraints, that 'none are known at this stage'. There may be potential access from the adjacent Bullsmoor / Cherry House Farm sites, but no assessment has been made of the access implications of a larger combined development.
5. The development of the Bullsmoor / Cherry House Farm sites and the retention of an employment allocation at Bullsmoor will lead to a mix of traffic using any access points onto the wider road network, which might include Kilbourne Road and Sandbed Lane.
6. No traffic assessment has been undertaken, but it is known that vehicular access into the centre of Belper is difficult. These 200 houses will use the one way system of Nottingham Road into the centre and Spencer Road to return. Further traffic will exacerbate the existing congestion. The Lander Lane Market Head area is particularly difficult to negotiate and is unlikely to be able to take further traffic safely.
7. Both Kilbourne Road and Sandbed Lane are often reduced to single line traffic because they are narrow with many parked vehicles. Major infrastructure improvement is likely to be required to accommodate the additional traffic.
8. Parking in the centre of Belper is difficult, resulting in more vehicles driving round looking for somewhere to park. Walking to and from the centre from this site will not be attractive.

9. There is already flooding of both the foul and surface water systems along the catchment of the Pottery Brook, which will be exacerbated by this proposal. The Council's Site Assessments indicate that there is no risk of flooding for Pottery Farm, but it is known that the sewers on Sandbed Lane are full to capacity such that foul sewage often rises up and floods into this site. In addition, this site of 200 houses will generate flooding issues beyond the site. The development of other sites close by will compound the drainage and flooding problems. Surface water from all the proposed sites to the east of the town centre drain to balancing reservoirs and then a regulated culvert which runs under the town centre and down to the River Derwent. Extensive improvements may be needed to handle increased flows without leading to flooding and pollution.
10. No assessment has been made of the impact of drainage from this proposed site through the culvert and the proposed electrification of the main railway line through the town. The lowering of the line to accommodate electrification could result in the need to realign the culvert.
11. The land to the south of Nottingham Road / Kilbourne Road provides habitats for wildlife which will be lost if development on this scale proceeds.
12. The path network through and around the site provides important informal recreational opportunities for local residents.
13. The local schools are full to capacity with no space available to insert further classrooms.
14. The medical centres in the town are over-subscribed and additional facilities will need to be provided.
15. Considerable housing has been provided in Belper in recent years, more than in any other urban area in Amber Valley. The infrastructure networks require considerable public investment in order to accommodate this additional housing. There are other sites more sustainably located to serve the Derby Housing Market Area.

It is considered that there has not been any sound infrastructure delivery planning in this process of site allocation. Some of the issues addressed above may be resolved, but the costs could be very high making the development unsustainable and undeliverable.

Consistent with national policy

The National Planning Policy Framework has been used to support the development of this plan. However, site assessment has not been undertaken in a clear, open and consistent manner. Green Belt boundaries have been protected, almost regardless of local circumstances. These boundaries were set down over 30 years ago to provide a clear boundary to major development for 30 years. The decision not to review these boundaries ensures that only the most difficult sites within and adjacent to the urban areas can be brought forward.

Exceptions have been made under the heading of special circumstances in order to tackle problems and benefit from opportunities, such as to provide a bypass to Codnor. Yet, seeking such opportunities in conjunction with other sites has not been sought. Proposals which might help traffic circulation in Belper town centre, for example, have not been pursued. This proposal simply creates further problems and fails to address the existing ones. This is not sustainable and not in line with The National Planning Policy Framework, which is about sustainable development that brings about 'change for the better'; 'positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life...'.

AVBC/2008/0050 Derwent Street, Belper

Positively Prepared

This plan has been prepared in consultation with the neighbouring authorities of Derby City and South Derbyshire. However, these proposed changes have been prepared ahead of public inquiries for the plans of the other two authorities and therefore the need to identify additional sites for housing development is not being consistently applied across the Derby Housing Market Area. There are likely to be sites in the other authorities which could assist in providing the required level of housing provision. Consequently these proposed changes should be considered alongside similar reviews in the other authorities.

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4. Key issues identified as 'not known at this stage', making it impossible to make a judgement on suitability or achievability.
5. Sites with ownership constraints identified as 'not known at this stage' are then listed as available, contrary to the advice in the Practice Guide.

6. These same sites can then provide most of their houses as deliverable, within the first 5 years from adoption of the plan, which is very unlikely, but does suggest a healthy supply of housing land.
7. Net developable areas have not been determined; instead gross areas have been applied to housing densities giving much higher housing delivery figures than can realistically be achieved. Experience elsewhere suggests that net developable area can be around 60 % of gross developable area.
8. No assessments have been undertaken where several sites may need to come together in a comprehensive scheme in order to be viable.

These same sites have been subject to a sustainability appraisal. This raises some further issues of credibility.

1. Distances appear to be measured from the nearest point on the boundary of the site. For example, the most easterly boundary of the Derwent Street site is 1888m to the boundary of the secondary school at Whitemoor as the crow flies. From the centre of the site to the centre of the school site as the crow flies it is more like 2100m. If, as it states, the route should be measured by public transport then the distance is more likely to be 2200m. This is now getting closer to becoming amber rather than green.
2. Accessibility to school facilities is assessed by distance to them with no regard to their ability to accommodate the additional school places required.
3. Reference is made to identified flood zones within the site, but there is no assessment of drainage and flood impacts beyond the site. Nor is there any attempt to assess the impact of other sites being developed in Belper and their cumulative impact on this site. The site is immediately adjacent to the floodplain of the River Derwent. Experience elsewhere has shown, that even with extensive sustainable drainage, there is a very real possibility of foul sewage coming back up the foul sewerage system into people's homes at times of flash flooding.
4. Impact on foul sewerage infrastructure is a 'Data Gap'. Information has not been sought.
5. Whilst all sites have been subjected to the same sustainability appraisal, it is not clear how the sites selected for proposed allocation have been determined. There appears to be no ranking of sites in relation to sustainability so that only the most sustainable are brought forward. Instead, one or two key issues are mentioned for particular sites and judged on that basis. This leads to inconsistency. For example, sites adjacent to the Derby boundary are excluded because they are purported to lie within the setting of a listed building (Kedleston Hall), yet this site in Belper is included even though it lies within a World Heritage Site. Does this mean that a listed building is more important than a World Heritage Site?
6. There is no indication as to which sustainability factors are the most important in considering which sites to propose for allocation.

Effective

There is no evidence to determine which sites may or may not be deliverable. A number of issues on this site have not been fully explored as part of this site allocation assessment and consequently the decision process is flawed. Some of the issues are:-

1. The impact of the development on the Derwent Valley Mills World Heritage Site and the Belper & Milford Article 4 Conservation Area.
2. The ability of the development to support delivery of proposals within the Land between the A6 and the River Derwent Supplementary Planning Document.
3. The SHLAA proposed 50 houses for this 5.77 ha mixed use site in 2008. This has now been increased to 120 houses, with the deletion of business and industrial development within the site.
4. This will reduce employment options in the town. Employment opportunities are critical to the vitality and viability of a sustainable Belper.
5. The proposed development will be accessed via Derwent Street from its junction onto Bridge Street (A6). This junction is narrow and tightly constrained by listed buildings. As a major trunk road the A6 in the centre of Belper is congested and any intensification of vehicular use will exacerbate the situation. No traffic assessment has been undertaken to determine the impact this development will have on the A6 junction.
6. Other access points should be provided for this cul-de-sac development, but no other access points appear to be being promoted; simply they are not being prejudiced.
7. No assessment has been made of the impact of drainage from this proposed site, given its closeness to the floodplain of the River Derwent.
8. The local schools are full to capacity with no space available to insert further classrooms.
9. The medical centres in the town are over-subscribed and additional facilities will need to be provided.
10. Considerable housing has been provided in Belper in recent years, more than in any other urban area in Amber Valley. The infrastructure networks require considerable public investment in order to accommodate this additional housing. There are other sites more sustainably located to serve the Derby Housing Market Area.

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Exceptions have been made under the heading of special circumstances in order to tackle problems and benefit from opportunities, such as to provide a bypass to Codnor. Yet, seeking such opportunities in conjunction with other sites has not been sought. Proposals which might help traffic circulation in Belper town centre have not been pursued. This proposal simply creates further problems and fails to address the existing ones. This is not sustainable and not in line with The National Planning Policy Framework, which is about sustainable development that brings about 'change for the better'; 'positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life...'