

Hartington Town Quarter – Parish Council Response to Planning Applications NP/DDD/0911/0896 & NP/DDD/0911/0895

1.0 Meeting

At the Parish Council meeting on Wednesday 5th October 2011 which included a specially extended session of public participation, The Parish Council voted unanimously to recommend refusal of the hybrid application NP/DDD/0911/0896 and the refusal of the application NP/DDD/0911/0895.

In reaching these decisions the Parish Council carefully considered, the response to the village questionnaire, the contributions from the public at the meeting, the documents submitted in support of the application and the contributions from the 4 individual councillors who were present for the discussion of these items.

A summary of the reasons for refusal is set out below and should be taken as the Council's formal response to both applications. Apart from the last paragraph all comments relate to NP/DDD/0911/0896.

2.0 Consultation Process

2.1 Consultation.

Over the past 12 months there has been an attempt to reconcile village views with the Developer's aspirations. The Liason Group with representatives from the village, local councillors, planning officers and the Developer met on many occasions at PDNP offices. This was a valuable opportunity for the village to present their views and the major success of the consultation, was the development of a village questionnaire which was fully endorsed by the whole Liason Group. It was returned by 75% of those on the electoral role of Hartington Town Quarter.

Unfortunately, the Developer has failed to respond to nearly all of the major concerns and has submitted an application very similar to his original proposals except the affordable houses have now been reduced from 13 to 6 and the open market housing increased from 31 to 36.

The vast majority of residents consider this scale of development to be completely unacceptable.

2.2 Planning Officers Guidance

During the consultation process, planning officers were careful not to offer advice on housing numbers but village representatives were reassured by previous guidance :-

In the letter to Simon Proctor the agent for selling the factory on 26 June 2009. *Community elements are desirable but not essential. **Some enabling development could be considered but the scale would be small e.g. up to 5 dwellings.***

In advice to potential site purchasers in December 2009 – ***4 or 5 affordable houses, a few open market houses, some business units, no retail and no building on greenfield land whatsoever***

Sarah Foster's letter to Mr Salisbury on 25 Feb 2010 (appendix B Community Involvement) when she outlines the Draft Concept:

An overall plan for the village that benefits the community as a whole. Small scale family housing allowed gradually over time to maintain the life of the village, support existing facilities and fund the provision of new ones.

The Parish Council would entirely concur with these views.

We have been greatly concerned by one Email of January 2011, included in The Developers submission where officers appear to advise the Developer that around 30 open market houses might be appropriate. We do however note that this was before the return of the village questionnaire and may have been written in the context of The Developer providing many more affordable houses and many more facilities for the village.

The village have now made it quite clear that this scale of development is not acceptable.

2.3 Developer's Claim

In 7.4 of the Statement of Community Involvement the applicant claims: *a successful public consultation exercise has taken place which reflects the essence of the emerging Localism Bill.* This is entirely incorrect. The consultation process is described above

While the applicant may expect a presumption in favour of development, that is not what the Localism Bill is intended to effect for rural and National Park Communities.

"...poorly located development is in no one's interest...the Bill will be defined to include a reference to the environment and the social impact of proposed projects... to strengthen local participation...and that is why our reforms will maintain protections for the green belt, for national parks and areas of outstanding natural beauty. It will introduce a new local green space designation which local communities can use to protect open places they value." David Cameron

The spirit and intention of the bill must imply that the response to the village questionnaire must be respected.

3.0 Scale and Shape of the Development and Development Strategy

3.1 Scale

This scheme would increase the village housing stock by nearly 30%. Such a scale of growth, particularly in a single phase, would as a percentage increase be the biggest in National Park history.

This proposed development is much too large.

In the village questionnaire the vast majority of residents were in favour of a much smaller development. Two thirds wanted less than 15 houses and three quarters less than 20. With the vast majority of villagers against the proposals it hard to see that it follows the Management Plan Strategy *'to seek to foster the social well being of local communities'*.

There will be huge disruption over the building phase. The report claims it will provide local construction jobs, but this will only have limited and temporary economic impact and the jobs will be those of the contractors who undertake the work.

3.2 Shape

The proposed development is clearly an appendage to the existing village and will form a separate estate as an 'island scheme'

Hartington is one of the few villages in The National Park with a well defined centre with houses clustered around an ancient market place.

The form of development proposed is completely inappropriate.

3.3 Strategy & Policy

It is questionable whether the proposed development complies with Development Strategy DS1 which says *developments will be acceptable in or on the edge of villages for affordable housing, community facilities and small retail and business premises*. There is no mention of market housing. Yet in this application all of the development types mentioned are completely subservient to the market housing in every way - size, scale, land area, cost and investment. This is paying no more than lip service to the policy..

In the Landscape report they use policy LC2 to claim the development *is a proven type and size to meet local economic and residential need with close linkage to workplace*.

Apart from the local authority needs survey for affordable housing, there is no evidence whatsoever for the demand for open market housing.

There are very few local employment opportunities particularly for those who could afford such open market houses. As for close linkage to workplace, unlike Eyam which has Sheffield as a major employment centre, there are few jobs in Buxton, Leek, Ashbourne, Matlock or Bakewell. For anyone in a house of over £250,000 in value (25 of the houses) they are likely to be long distance commuters or second home owners travelling long distances to work or making a very small contribution to the community. This is hardly sustainable development.

This report also quotes LC3 that a *settlements overall pattern of development should be complemented and should not be harmed*. We do not believe how an expansion of 42 houses complements a village that has evolved around an ancient market place over 800 hundred years.

PPS3 talks about balanced communities. This proposal creates an imbalance in the housing stock which will unbalance an established community.

The report describes the development as *modest and says the site (a creamery for 135 years and once the world's largest producer of Stilton) does not offer any value to the area in terms of heritage interest, tourism and leisure uses*. There is no understanding here of the history or this community

or the importance of tourism. The proposed new development will offer none of this - a missed opportunity.

4.0 Greenfield Land

We consider the 0.33 hectare field behind existing houses in Stonewell Lane in the east of the site to be an important green space that the village should not lose. This proposal completely eliminates this space with 8 houses, a road and a car park for business units. It also impacts significantly on current residents with buildings extremely close to their boundaries.

The very low density of development proposed on the Brownfield site shows that all development could be accommodated within the old factory footprint. It is unnecessary to use any greenfield land at all.

The traffic report claims that the important public footpath which currently runs through this green field alongside the old barns would provide an *enhanced user experience*, when it is routed between houses and across a business user's car park. This is nonsense.

Yet to build on this agricultural field is not enough, the Sanderson report submitted as part of the application in 5.20 states: *In addition it should be noted whilst the present overall factory site is 1.77 hectares (4.38 acres) there is potential for expansion (subject to planning permission) into a further 7.86 hectares (19.45 acres) of land in the applicant's control.* All of this is currently green field land.

The Planning statement emphasises this on page 28 '*there remains space adjacent to the business car park for additional business units should demand emerge*'. This is the field beyond the 0.33 acre field, to the west behind Dig Street houses and would result in a block industrial estate on green land.

We are not against development of the site but we are against the scale of the proposed development and any building on green field land.

5.0 Brownfield Land

5.1 Flood Plain Land & Swale

There should be no need to build houses on the Level 3 flood risk area to the west. This is not good practise. Houses built in such locations are difficult to sell and sometimes impossible to insure. PPG25 says *development should be directed away from areas of highest flood risk.* The western section of the site is grade 3, the highest risk.

More importantly building in an area of flood risk adds significantly to the cost by requiring remedial measures which the developer expects to be paid for by increasing the number of open market houses.

At the final Liaison meeting, the Developer tried to claim that The Flood Alleviation Swale was enablement and a benefit to the village. In Hartington where there is no flood risk, this is clearly not necessary and no form of enablement.

We therefore oppose the artificially created open channel running to the south of the development. It is there to enable the Developer to build on the flood plain.

The argument that it improves water based habitat makes no sense with the Dove only a short distance away. All it would do is pose a risk to small children on the proposed playing field

5.2 Future expansion

In a site as large as this there is an argument for returning some brown field land to greenfield as in the Eyam scheme.

An important consequence of using all the Brownfield land for a large and largely unwanted housing development is that it leaves nothing for any future requirements. If further commercial units are viable in the future or if more affordable homes are needed. This was originally mentioned in planning officer's advice to the applicant.

The village questionnaire showed two thirds of respondents opposed to using the entire Brownfield site available and the vast majority of written comments referred to restricting all of the development to the factory building footprint.

6.0 Affordable Housing

In this application there are 36 open market dwellings to 6 affordable – a ratio of 6:1. Nothing can justify this

We welcome the six affordable homes but the balance between social and private housing is completely wrong.

In PDNPA Core Strategy there is a presumption against open market housing, but where justified, 60% are expected to be locally needed affordable homes.

The village questionnaire showed strong support for the integration of social and open market housing. In Liason meetings the Developer, having looked at the Eyam scheme promised to follow similar principles. The plans show no integration whatsoever. The 6 social homes are in a row at the end of a cul de sac facing the business car park - clearly isolated.

7.0 Open Market Housing

This is not a balanced development. 36 private houses (only 8 below £200,000 and the majority between £300,000 and £1 million)) to 6 affordable homes is not a balanced community.

The village questionnaire response showed two thirds wanting less than 15 houses in total and three quarters wanting less than 20 in total. With 6 affordable houses this implies that the open market house equivalent to be less than 9 or less than 14.

8.0 Barn Conversions

These form a “backlands development” in a conservation area and should therefore be refused.

Units 1 and 2 are not conversions but new build houses on the site of a dutch barn which the applicant proposes to demolish. **To grant consent for such a scheme in a conservation area would set a very dangerous precedent.**

9.0 Village facilities and Enablement

The questionnaire response valued the retention of the historic village and a proportionate development, more than enablement. 76% of respondents said they did not support building additional houses to gain village amenities. They expected a smaller development in return.

There was no substantial support for any enablement facilities beyond the affordable homes. Only 31% of villagers requested a playing field, 30% a children's play area; and 4 for allotments. It is hard therefore to see why these are being proposed.

In the Liaison Group we repeatedly asked only for an area Greenfield land in which to fund our own facilities over time.

It is impossible to see how such a low level of enablement as offered, or more importantly, as requested, could justify a scheme of this size in return.

The report fails to understand car parking in Hartington. On summer weekends the Council Pay and Display of 55 spaces can be full but for much of the rest of the time it is largely empty. So the proposed 20 space car park in the poorly sited position to the south of Stonewell Lane will serve little purpose. That is probably why only one villager requested extra car parking.

10.0 Traffic

According to the application, traffic is a not an issue. We should apparently be grateful for the reduction against the factory in its heyday. Yet the report is inaccurate.

It quotes a 10% car sharing so giving *in the order of 77 staff arriving and leaving by their own vehicles for each shift*. However a large percentage of the workers arrived by special buses from Stoke and Nottingham. They were not producing individual car journeys so this figure should be greatly reduced.

Many heavy goods journeys, particularly the numerous slurry trips, were in the early hours of the morning not affecting peak traffic flows. However we should actually be comparing the development's potential traffic flow from the proposed development to the present position with the factory shut.

Although the report contains a threat that traffic could revert to industrial levels—*buildings could easily be recommissioned to their lawful use - that would be the fallback position* - the whole of the Economic Justification report by Knight Frank Rutley tells us (in 160 pages) there is absolutely no demand for such sites in Hartington. Further the Developer has had the factory removed from the rating list on the basis that it is "beyond economic repair". So they comparing with something that by their own admission will not happen.

We believe the pattern of a population of over 100 new residents with at least 2 cars per household will be far more disruptive than shift workers arriving mainly by bus

All traffic uses the narrow entrance between Stonewell Lane and the old cheese shop. Again however the report is inaccurate. The carriageway at Stonewell Lane is 4.2 metres at its narrowest not 4.6 metres as stated in the report. This is clearly not an appropriate access for yet another public car park which if ever used would add to the traffic problems.

Traffic calming measures in a beautiful historic village are not appropriate or the answer. The answer is to reduce the size of the development and to remove the car park. In fact traffic calming measures and the estate as a whole pose a problem for an extremely important transport type that is barely mentioned in any report – farm traffic.

The main access to Bridge End Farm lies down Stonewell Lane and directly through the new housing development. It is a busy working farm with regular milk collections, animal movements, machinery and large trailers with a high level of activity. Add to this Mill Lane Farm who access their land through the Development and vehicles from the water treatment plant and it can be seen that traffic calming is inappropriate for such major loads.

The disruption to both farms during development and the inconvenience of housing estate traffic and parking would create a continuing problem.

11.0 Visual Impact

The whole of the Landscape and Visual Impact Assessment report, despite its adherence to guidelines, is subjective. People (or visual receptors) view things very differently. To some an unused factory is an eyesore; to some a large housing estate with *urbanising features of roads, street lighting and street furniture* plus speed humps and all the other aspects of modern housing is equally an eyesore on a site surrounded by farmland.

One consequence of this application will certainly be an eyesore. Figure 6 of the Visual Appraisal Plan shows where the site can be seen from surrounding countryside and the Planning Statement describes it as *highly visible from the surrounding area*. After darkness and from 4pm on some winter days the site will be clearly visible as a distinct housing estate demarcated by the lighting pattern. Although no statutory documents have been adopted by the PDNPA in regard to light pollution we believe this must be taken into account. The current darkness is seen as a major benefit by many villagers.

12.0 Socio economic effects

12.1 The School

The submission states that 42 houses will increase school numbers by 8. This is based on Derbyshire Education Authority calculations. This seems a somewhat dubious assumption and depends on what type of housing is provided. A smaller development with a better mix of houses, especially some lower cost houses may well produce an equally beneficial or even better result. Expensive houses are often owned by older people, affluent people who often send children to private school or second home owners with no children in the village.

12.2 The Socio Economic report

This judges the communities ability to absorb the impact in every way except the fundamental one – what effect does this have on the people who live there. The community in Hartington is thriving. We enjoy working together and there is strong communal spirit. Overall the community will not benefit by absorbing this number of new houses so quickly. As pointed out in the original planning advice villages should be allowed to grow gradually over time to build a strong community

13.0 Comparison with Eyam Scheme

The applicant chooses to quote Eyam (Planning Statement p33-35) as a good example of development of a Brownfield site but unfortunately has ignored or misunderstood the key lessons. In fact Eyam illustrates many of the faults of the Hartington submission.

Eyam is a village more than three times the size of Hartington in both housing stock and population and lies in the Sheffield commuter corridor. In return for the remediation of an unpleasant disused quarry site (planning ref NP/DDD/0804/0875) the developers tackled a site much bigger than the Dairy Crest footprint - but built on a much smaller area. They erected 27 houses of which importantly, 10 were affordable. The scheme has a ratio of 1.7 to1 rather than the 6 to1 proposed here.

So Eyam is a proportionate development in relation to the size of the village and its position close to employment opportunities, with a good mix of social housing integrated with open market homes. Hartington is exactly the opposite.

The vast remainder of the Eyam Brownfield site was sensitively landscaped for community use and the village received a whole list of facilities (see page 34 of planning statement) including a new Community Hall, football pitch, multi surface play area, children's playground etc.

However instead Hartington, a third of the size of Eyam, is now facing a proposed development more than twice the size of Eyam and with far more large detached houses

14.0 Financial Appraisal & Costings

14.1 The Appraisal

Village representatives have always maintained that too much was paid for the site and the applicant was using the apparent need to make a profit on an "enablement" scheme, to justify a much larger development than would otherwise be permitted. It is gratifying to see that the District Valuer has now agreed with this point and downvalued the site to just under half the price paid.

The appraisal is undertaken with the District Valuer's land value with interest accruing from August 2011. However if the actual land price is substituted with interest from the date of site purchase (these are actual costs to The Developer) then the profit level reduces to some 8% on sales. As the

Developer's own agents, rightly say, no developer would undertake such a development with less than a 15% profit forecast, particularly in the current climate.

14.2 Costings

There is a considerable element of additional cost included here. These are designed to inflate the costs and reduce the actual potential profit in the appraisal. Members and officers may best appreciate this by comparing a previous scheme from the applicant where 31 open market houses funded 13 affordable houses whereas in this scheme 36 open market houses are supposedly needed to fund just 6 affordable houses

There is one particularly bizarre aspect to these costings, in the small print. All of the consultant's costings seem to be based on small schemes in Outer London. At the end of the detailed analysis he makes a massive £1.8M adjustment for this being a larger scheme in rural Derbyshire.

14.3 Programme and Timescale

This is the most important point of all. The appraisal assumes that 36 open market houses will be built and sold in 18 months and that the development will be built in a single phase. The available market information confirms that such a sales programme could never be achieved.

An average over the last 12 years (wide range of market conditions) for house sales in Hartington from the existing housing stock is just over 3 per year.

One resident asked a number of local agents about the prospects for building 6 middle market houses on the land in her ownership and was told by all of them not to do it. They would not sell.

There are always houses on the market in Hartington and those above £200,000 can take several years to sell.

No experienced developer would ever build 42 houses in one phase. Typically 6 to 10 might be built in an initial phase until a rate of sales was established and then further house starts would be geared to the rate of sales.

The appraisal and costings contain many inconsistencies, and some unrealistic assumptions. Undertaking such a development on the basis proposed would amount to commercial suicide. While this may be dismissed as "The Developers risk", it would undoubtedly mean that the community would not get any affordable housing or any other benefits and in so doing would remove any possible reason for approving such an application.

15.0 Application NP/DDD/0911/0895

In view of the unsatisfactory nature of application NP/DDD/0911/0896 it was generally considered that the agricultural building may still have a use and demolition should not be permitted until an acceptable redevelopment scheme or new agricultural structure was proposed to replace it.