

CRICH PARISH COUNCIL

Glebe Field Centre
Glebe Field Close
Crich
Derbyshire
DE4 5EU

Tel: 01773 853928
E-mail: clerk@crich-pc.gov.uk

Savills
Enfield Chambers
18 Low Pavement
Nottingham
NG1 7DG

27th May 2020

For the attention of Mr Rob Moore MRICS MRTPI - Associate Director, Planning

Dear Mr Moore

Land to the east of Bowmer Lane, Fritchley

The Parish Council strongly objects to the proposed development of green fields east of Bowmer Lane, Fritchley set out in the email of Sophie Williams, Savills sent to the Parish Council on 20th May 2020.

It is noted that following objection from Crich Parish Council and many other parties, Amber Valley Borough Council **refused** planning permission on the same site on 18 August 2017 in respect of a proposal for residential development (Planning Application reference AVA/2017/0023) for the following reasons:

- 1. The proposal fails to be sustainable by virtue of the environmental harm caused by the proposal to designated heritage assets and the countryside landscape. This is contrary to Paragraph 7 of the National Planning Policy Framework, which states that there are three dimensions to sustainable development: economic, social and environmental, which must be read together as they are mutually dependent in the interests of ensuring a sustainable form of development is provided, and contrary to Saved policy LS1 of the Local Plan, which states, amongst others, that development should protect and enhance the quality of the built and natural environment.*
- 2. Approval of the proposal would result in a detrimental impact to the setting of the Grade II Listed Old Farm House and Fritchley Conservation Area due to the development of a greenfield site directly abutting the boundary and setting of these designated heritage assets, resulting in an inappropriate urban intrusion which erodes the Conservation Area and Listed Building's surrounding rural setting. This would have a detrimental impact on*

the character of the village envelope and its appropriate, rural agricultural setting of a listed former farm house on an area which contributes to the setting of the heritage assets. The proposal is contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires a statutory presumption to refuse an application which fails to protect the special historic interest of the Listed Farm House and results in 'less than substantial' harm to these designated heritage assets having regard to Paragraph 134 of the National Planning Policy Framework, with the public benefits arising from the development not outweighing the harm caused. The proposal is also contrary to Paragraph 126 of the National Planning Policy Framework, which recognises heritage assets are an irreplaceable resource, which should be conserved in a manner appropriate to their significance and contrary to Paragraph 132 of the National Planning Policy Framework, which requires Local Authority's to take account of the desirability of sustaining and enhancing the significance of heritage assets and for the desirability of new development making a positive contribution to local character and distinctiveness. The proposal is also contrary to policy EN24 of the Amber Valley Borough Local Plan 2006, which states that the Borough Council will require development proposals to contribute to the preservation of the Listed Building and its setting; and to Policy EN27, which states that planning permission will only be granted for development proposals adjacent to Conservation Areas if they contribute to the preservation or enhancement of the Conservation Area, including any development affecting its setting.

- 3. Approval of the proposal would result in a development which has a detrimental impact upon the openness and character of the countryside, by virtue of the partial loss a greenfield comprising of high landscape sensitivity, described as such in the Borough Council's Landscape Sensitivity Study due to its close proximity to heritage assets, and which contributes to the rural character of Fritchley. This is contrary to one of the Core Planning Principles of the National Planning Policy Framework, which recognises the intrinsic character and beauty of the countryside; contrary to Policy EN1 of the Amber Valley Borough Local Plan, which states that in the Countryside, outside the built framework of settlements, new development will only be permitted where it is essential in conjunction with the requirements of agriculture, forestry or is necessary and cannot be located in an existing settlement. The proposal is also contrary to Policy H5 of the Local Plan, which states that new housing will not be granted outside the built framework of settlements. In this regard the proposal is also contrary to policy LS1 (c) of the Local Plan, which requires proposals to protect and enhance the natural environment and to policy EN9, which states that where development proposals would result in the loss of or damage to landscape features, or would have a significant adverse impact on the landscape, planning permission will only be granted where the loss or damage to existing features, or impact on the landscape, can be offset by the provision of alternative, replacement or additional features within the site.*

It is disappointing that the landowners, and Savills acting as their agent, have failed to understand residential development of the land in question is not acceptable. Having considered the proposal included in the email of Sophie Williams, Savills dated 20 May 2020 Crich Parish Council is of the opinion that the proposal is without merit. It is considered the reasons for refusal above remain wholly relevant and valid. The Parish Council also comment as follows:

The proposal is not sustainable development. The policies of the Crich Parish Neighbourhood Development Plan (which forms part of the Development Plan for the area) including those relating to: the conservation and enhancement of the natural environment; the conservation and enhancement of the historic environment; and highway safety, are such that the application should be refused.

Not a sustainable location for additional development

Fritchley does not have any shops, does not have a Post Office, and has no dedicated industrial or office employment sites. Residents of the proposed development would have to travel outside the village to reach these facilities. The nearest bus route is a considerable distance from the site along a route with a challenging gradient. Public transport services are in any case very limited which means residents of the proposed dwellings will almost certainly drive to centres of employment and to reach basic necessary services. No impartial rational assessment could conclude that the application site is a sustainable location for development.

The proposal does not represent sustainable development for several other reasons as follows:

Detriment to the natural environment

The proposal is contrary to the following policies of the Crich Parish Neighbourhood Development Plan:

- **Policy NP 1 Spatial Strategy;**
- **Policy NP 2 Development within Settlement Development Boundaries; and**
- **Policy NP 3 Protecting the Landscape Character of Crich Parish.**

The extent of the proposal has no basis, being part of a field. Apart from the limited curtilage of the existing small derelict building, the site lies outside the Fritchley Settlement Development Boundary. Part 5 of Policy NP 2 of the Crich Parish Neighbourhood Development Plan states *“Land outside the SDB’s will be treated as open countryside, which will be protected for the sake of its intrinsic character and beauty.”* The proposal would result in the loss of an area of attractive open countryside with high landscape value, and the loss of productive agricultural land. Paragraph 170 of the NPPF states the planning system *“should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.”* The proposal fails to protect a valued landscape, and further it fails to enhance this protected landscape.

The Landscape Sensitivity Study Report 2016 commissioned by AVBC as part of the evidence base for the emerging Local Plan identified the application site as being an area of high landscape sensitivity. Development should not be permitted in such a location. That study has concluded a key factor affecting landscape sensitivity is the value of land that is currently preventing coalescence between settlements.

The proposed development will reduce the extent of the important strategic gap between Fritchley and Bullbridge and will contribute to the coalescence of those settlements. A 100% household survey undertaken as part of the preparation process for the Crich Parish

Neighbourhood Plan identified the Bowmer Lane area in particular as one that should be protected from development, being much valued by the local community as an attractive open landscape area performing a strategic role in maintaining the important gap between the two settlements of Bullbridge and Fritchley.

A Landscape Evaluation commissioned for the Neighbourhood Plan found “*The green space that separates Fritchley with Bullbridge is narrow, but is critical in maintaining the distinct settlement boundaries between the two villages*”. “*Of greater significance in maintaining the separation between Fritchley and Bullbridge are the open fields to the east and west of Bowmer Lane. This is the principal pedestrian route between the two settlements. The open fields in this location are essential in defining the distinct nature of the two settlements. They represent an important open break the erosion of which should be avoided. To help maintain the separation of Fritchley and Bullbridge, further development here should be resisted, as it will critically erode this important area of green space and cause the villages to coalesce*”. Policy NP 3 of the Crich Parish Neighbourhood Development Plan states “*The green gap between Fritchley and Bullbridge is a key character forming space which is already critically narrow due to previous development. Development in this gap is required to demonstrate that it would not create coalescence between the two settlements.*” The proposal is wholly contrary to this policy.

Detriment to heritage assets

The proposal is contrary to Policy NP 11 Protecting and Enhancing Heritage Assets of the Crich Parish Neighbourhood Development Plan:

Part of the site lies within the Fritchley Conservation Area, which is a designated heritage asset. The remainder of the site is immediately adjacent to the Conservation Area.

The proposal would adversely affect the significance of both the Fritchley Conservation Area, and its setting, through the introduction of a substantial development of new housing immediately adjacent to the Conservation Area. This aspect of the proposal does not conserve or enhance the special character of the Conservation Area which is characterised by incremental development of individual buildings of varied style, massing and materials, fronting existing highway routes. The proposal to build a cul-de-sac of dwellings as a single development would be detrimental to the special character of the Conservation Area.

The proposals will also have adverse effect on the significance of the setting of an important designated heritage asset, the Grade II Old Farm. The setting of the Listed Building is essential to its character and its historic significance. The open fields of the application site provide context to the significance of the agricultural historic connection of this building. The proposal will transform the setting from one adjacent to open agricultural land to one that is completely surrounded by residential buildings. The loss of the historically important setting will harm the significance of the Listed Building.

The proposal also adversely affects the setting of the important Butterley Gangroad heritage asset, including the nearby tunnel Scheduled Monument. The historic setting of the Gangroad passing through fields will be completely lost in this location. It is understood additional parts

of the Gangroad are about to be designated as a scheduled ancient monument. The proposal will adversely affect the significance of the Gangroad.

Detriment to Highway safety

The proposal is contrary to Policy NP 17 Car Parking of the Crich Parish Neighbourhood Development Plan:

The Crich Parish Neighbourhood Development Plan identifies (Fritchley Pedestrian and Traffic Pinch Points 16c) to include both accesses to Bowmer Lane as being particularly problematic. When entering Bowmer Lane either directly from The Green or via Front Street substandard junctions must be used.

The proposed development would be accessed via these substandard junctions which are particularly dangerous where visibility is extremely substandard and which are on the main pedestrian route for primary school age children travelling to and from Fritchley School from Bullbridge and Sawmills. Carriageway widths are narrow in the vicinity of these junctions and there are no pedestrian footways. The danger of this junction is compounded by regular use by sewage vehicles travelling to and from the water reclamation works on Bowmer Lane.

For these reasons Crich Parish Council is totally opposed to the proposals to develop land east of Bowmer Lane, Fritchley for residential purposes. It is perplexing that the landowners, and Savills acting as their agents, are pursuing development that is wholly contrary to national and local planning policy. The Parish Council will most certainly not be engaging further with the landowners or Savills with respect to this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carolyn Jennings', written in a cursive style.

Carolyn Jennings
Clerk & RFO

cc:

Derek Stafford, Assistant Director Planning & Regeneration - Amber Valley Borough Council
Rae Gee, Principal Planning Officer - Amber Valley Borough Council