

# CRICH PARISH COUNCIL

Glebe Field Centre  
Glebe Field Close  
Crich  
Derbyshire  
DE4 5EU

Tel: 01773 853928  
E-mail: [clerk@crich-pc.gov.uk](mailto:clerk@crich-pc.gov.uk)

---

6 November 2018

Amber Valley Borough Council  
Town Hall  
Ripley  
Derbyshire  
DE5 3BT

For the attention of Mrs Sylvia Delahay - Executive Director (Resources)

Dear Mrs Delahay

**Planning Application reference AVA/2017/1363 land at Woodside Farm, The Common, Crich**

I am writing to advise you that at the meeting of Crich Parish Council held on 5 November 2018 it was Resolved that:

- Amber Valley Borough Council be urgently notified that the report in respect of Item 6(B) (Planning Application AVA/2017/1363 relating to land at Woodside Farm, The Common, Crich) of the Report to Planning Board for the meeting on 12 November 2018 is fatally flawed. Crich Parish Council objects to the report on the grounds that:
  1. The submission of Crich Parish Council to the revised scheme for 71 dwellings is not accurately reported;
  2. The report includes important errors and omissions not least with respect to the Policies of the Crich Parish Neighbourhood Development Plan, and existing planning applications and appeals; and
  3. The report is irrational, without proper reasoning, and not based on sound evidence.
- Amber Valley Borough Council be also urgently notified that if the decision recommended in said report is taken, then Crich Parish Council will prepare Grounds of Claim with a view to them being submitted for Judicial Review of the decision in the High Court of Justice (Queens Bench Division, Planning Court).
- That the Parish Council observations on the revised scheme for 71 dwellings are sent for reporting to the Planning Board as a submission received after preparation of the report as follows:

Planning Application reference AVA/2017/1363

Further to the Crich Parish Council objection submitted 21 December 2017 in respect of proposals for 65 dwellings

And further to the Crich Parish Council representation of 31 July 2018.

**Crich Parish Council OBJECTS to the revised scheme for 71 dwellings submitted to AVBC (shown on the AVBC website with document dates of 25 July and 30 July 2018). Reasons for objection: The Housing and Planning Act (2016) requires any conflict with a neighbourhood plan to be set out in the committee/planning board report, that will inform any planning decision, where that report recommends granting planning permission for development that conflicts with an up to date neighbourhood plan. The NPPF (2018) is very clear that where a planning application conflicts with an up to date neighbourhood plan that forms part of the development plan permission should not normally be granted.**

**Crich Parish Council objects to the proposals as they are in conflict with several policies of the Crich Parish Neighbourhood Plan not least Policies NP1 NP2 NP3, NP4, NP5, NP9 and NP11. These conflicts must each be properly identified and considered in detail.**

**Policy NP 1 Spatial Strategy** 1. All development in Crich Parish should be located so that it can make a positive contribution towards the achievement of sustainable development by: a) meeting development needs within the settlement development boundaries defined in Policy NP 2; and b) ensuring that the density of development is appropriate and related to the surrounding environment having regard to Policies NP2 and NP4; and c) conserving and where possible enhancing the landscape character and setting of the settlement having regard to Policy NP3; and d) avoiding the risk of damage to areas of importance for nature conservation having regard to Policy NP9; and e) maintaining and where possible enhancing accessibility to a good range of services and facilities. 2. Development proposals within the settlement development boundaries defined in Policy NP2 that can demonstrate that they satisfy the principles of sustainable development set out in this policy and the more detailed criteria in Policy NP2 will be supported. Development will normally be in the form of individual dwellings or small groups of dwellings on small infill sites, or the redevelopment of brownfield sites, where larger proposals may be justified.

**Crich Parish Council objects to the proposals as they include development outside the settlement development boundary (not least 15 dwellings); include areas of development where the density is inappropriate and not related to the surrounding environment; do not conserve or enhance the landscape character and setting of Crich; harm areas of importance for nature conservation; and are of a scale of development to be implemented at one time that is greater than a small group of dwellings.**

**Policy NP 2: Development within Settlement Development Boundaries.** Within the SDBs shown in Maps 7,8 and 9, development proposals for infill development will be supported where: a) the proposed development is of a scale, density, layout and design that is compatible with the character, appearance and amenity of the part of a settlement in which it would be located; and b) it would not cause the loss of, or damage to, any open space which is important to the character of the settlement; and c) it would not result in the loss of locally valued habitat which supports wildlife, and where this is unavoidable, equivalent compensatory provision should be made elsewhere; and d) any natural or built features on the site that have heritage or nature conservation value should be retained in the scheme; and e) it would have a layout, access and parking provision appropriate to the proposed use, site and its surroundings; and f) it is in accordance with the other policies in this neighbourhood plan. Where one or more of these criteria are not met proposals will only be permitted where the public benefit clearly outweighs the harm. 2. Within the SDB of Crich

development is required to ensure that; a) important visual links with the wider countryside are maintained (see also Policy NP 3) b) it does not extend onto the lower slopes to the west; c) respect the local topography to the east d) rooflines are not prominent on the skyline when viewed from a distance. 3. Within the SDB of Whatstandwell , development of more than individual dwellings or very small groups of dwellings is unlikely to be compatible with the character of the village and is required to ensure that; a) the strong and direct relationship of the front buildings and the street edge is maintained, whilst allowing for views to the wider landscape; and b) rear gardens and planting manage the relationship between plots and the wider landscape, to avoid presenting a hard build edge to rear boundaries. 4. Within the SDB of Fritchley development is required to ensure that it; a) follows the existing loose grain of development and the glimpsed views this allows onto the backdrop of the local hills; and b) emulates the existing pattern by which the boundary of Fritchley is defined by rear gardens; and c) sits well below the skyline so that buildings are not prominent when viewed from a distance. 5. Land outside the SDB's will be treated as open countryside, which will be protected for the sake of its intrinsic character and beauty. Development proposals will be determined in accordance with national policy. Proposals for the provision of affordable housing on rural exception sites adjacent to Settlement Development Boundaries will be supported where they meet an identified local need, relate well to the built form of the existing settlement and are not intrusive in the countryside.

**Crich Parish Council objects to the proposals as they include development outside the settlement development boundary. These intrusions into open countryside are in areas of valued landscape (Paragraph 170 NPPF) and in particular extend to the lower slopes to the west. The proposals also extend beyond the settlement development boundary to the south. The status as valued landscape is evidenced by inclusion in the Neighbourhood Plan of the areas concerned as Green Gap, and within Significant Views protected by Policy NP3. The proposals will also harm locally valued habitat and heritage assets.**

**No rational analysis could conclude the proposals to build 15 dwellings outside the Settlement Development Boundary (defined as countryside) is protecting the countryside for the sake of its intrinsic character and beauty as required by Policy NP2.**

**Policy NP 3: Protecting the Landscape Character of Crich Parish** 1. The green gaps identified in Maps 10, 11 and 12 play an important function in protecting the landscape character and setting of the settlements of Crich, Whatstandwell and Fritchley. 2. The green gap between Crich and Whatstandwell forms an important link to the Crich Chase SSSI and views into the valley. It forms the western boundary with Crich and is defined as a Special Landscape Area in District policy. Development in this gap will be very limited and should demonstrate how it maintains the landscape character of openness and protects the setting of Crich. 3. The green gap between Crich and Fritchley is critical in allowing these villages to maintain their separate identities. Development in this gap is required to demonstrate that it reinforces the setting of the settlements and their separate identities. To help maintain the separation of Fritchley and Crich, further development here should be resisted, as it will critically erode this important area of green space and cause the villages to coalesce. 4. 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. 5. Development should not represent a significant visual intrusion into the landscape setting. The view corridors highlighted in Map 13 are particularly sensitive in these respects and development is required to demonstrate it will not have a significantly adverse impact on these publicly accessible views.

**Crich Parish Council objects to the proposals as they include development in areas of valued landscape (Paragraph 170 NPPF) defined as an important Green Gap and in particular extends to the lower slopes to the west. Crich Parish Council objects to the inclusion in the application site of land immediately west and south of Woodbank House and to the rear of 144 to 148 The Common. The proposed drainage attenuation basin in this area will significantly alter the appearance of this agricultural land to the detriment of visual amenity in an area of landscape sensitivity. The proposed attenuation basin will also introduce an unnatural built feature in the important open break between Crich and Fritchley.**

**Policy NP 4: Design Principles for Residential Development** 1. Proposals will be supported where they demonstrate a high design quality. In order to achieve this development should; a) use a locally inspired range of materials (like local stone and slate roof tiles) to ensure a narrow colour palette; and b) be guided by the proportions and plot orientation of the existing dwellings; and c) reflect designs that draw upon local character in terms of style to ensure new development enhances the distinctiveness and quality of the Parish as a whole; and d) demonstrate that buildings, landscaping and planting will create well defined streets and attractive green spaces that respond to the existing settlement boundaries and built form in terms of enclosure and definition of streets and spaces. e) Schemes should demonstrate a layout that maximises opportunities to integrate new development with the existing settlement pattern and wider landscape. f) Development should reflect local character, what this means for the main settlements in the Parish is set out at below. In Crich development should; a) avoid building across the end of streets where this blocks off views to the wider countryside to allow for views into the wider landscape beyond the settlement boundary; and b) respect the topography, with minimal cut and fill and roof lines should not be prominent in the skyline from distant views In Whatstandwell development should; a) ensure that building frontages have a strong and direct relationship with the street edge; and b) where possible, follow the contours; and c) use landscaping to provide a green soft edge to site boundaries. In Fritchley development should; a) reflect the loose grain development pattern of the existing settlement to allow glimpsed views onto the backdrop of the local hills; and b) not be prominent in the skyline from distant views; and c) reflect existing character by orientating rear gardens to meet the edge of the settlement boundary. 2 Applicants will be required to demonstrate how their proposals accord with Building for Life 12 standards where they are applicable to the scheme. Proposals for major development will be required to score 9 greens out of 12 unless it can be demonstrated that there are constraints which make this not possible or viable.

**Crich Parish Council objects to the site layout in that it proposes the southern boundary should be formed of private drives and road ends immediately adjacent to the adjoining field. The proposed layout does not form a satisfactory settlement boundary which should be formed of rear gardens which would provide a soft transition between the built development and the adjoining countryside.**

**Crich Parish Council objects to the site layout in the northern part of the scheme in that it proposes a form of built development in terms of density, layout, and relationship to existing dwellings to the east that is detrimental to residential and visual amenity and not in keeping with adjacent existing development.**

**Crich Parish Council objects to the design of individual properties and their proposed layout as this does not reflect the character of traditional development in the parish.**

**Policy NP 5: A Mix of Housing Types** 1. Where possible, residential development should provide a housing mix that reflects the most up to date published evidence of housing need

at a local or district level. This should include smaller market dwellings (2-3 bedrooms) to suit older people and for first time home buyers. Planning applications for housing schemes are required to deliver a housing mix that reflects the demonstrable need for smaller dwellings. 2. The provision of smaller market dwellings, especially those suitable for older people, will be encouraged in locations within approximately a 10-minute walk of Crich village centre (Map 14).

**Crich Parish Council objects to the proposed housing mix as it is not demonstrated this adequately responds to local needs.**

**NP 9: Maintaining and Enhancing the Parish's Biodiversity** 1. New development should not harm the network of ecological features and habitats, including designated sites and areas of identified Priority Habitats. 2. Where major development is contiguous with a designated site the layout and design of the scheme should recognise the significance of the designation and demonstrate how the proposal will not cause harm to the designated area. 3. Proposals for the restoration, enhancement or creation of priority habitat will be supported, where appropriate. 4. Development proposals will be expected to retain, enhance and incorporate features which are beneficial for wildlife and habitat creation and ecological connectivity such as hedgerows, woodland, field margins and roadside verges. Landscape proposals and design should include incorporation of features supportive of wildlife such as bats, swifts and house sparrows in housing developments, where appropriate and practical.

**Crich Parish Council objects to the proposals as harm to important habitat is not avoided.**

**Policy NP 11: Protecting and Enhancing Heritage Assets** 1. Applications for development will only be supported within the Conservation Areas in Crich Parish where the proposals are of a high design quality and where such development meets the following criteria: a) it is in keeping with the character of the area particularly in relation to historic development patterns and plot sizes; and b) the design preserves and where possible enhances the heritage attributes of the Conservation Area, and c) the materials used should be locally inspired and in keeping with the prevailing colour palette. 2. Where applicable, development adjacent to the Conservation Areas should not detract from the setting of the Conservation Areas and should ensure that building lines and boundary treatment reflect the positive attributes in that character area and preserve the significance of the asset. 3. The effect of a proposal on the buildings and structures of local importance identified in paragraph 203 will be taken into account in determining an application in order to minimise conflict between the heritage asset's conservation and any aspect of the proposal.

**Crich Parish Council objects to the proposals as it considers the scale of harm arising from the proposed development is inappropriate given the significance of the former Clay Cross Company mineral railway heritage asset.**

### **Additional consideration**

**The National Planning Policy Framework states strategic policies should set out a housing requirement for designated neighbourhood areas. Whilst Amber Valley Borough Council has not provided a housing requirement figure for Crich Parish however the Neighbourhood Plan notes the supply of new homes arising from recent new developments and planning permissions in Crich Parish is plentiful (228 dwellings). This is a significant failing of the report. Crich Parish Council notes the**

**report to Planning Board fails to recognise the grant of planning permission for 60 dwellings to form Phase 2 of development at Roes Lane Crich. Had this level of provision been taken into consideration this would offset virtually the whole of the provision proposed in the Woodside Farm application.**

Yours sincerely

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

Carolyn Jennings  
Parish Clerk