
Newark & Sherwood District Council Allocations and Development Management DPD

Inspector's revised matters and issues for examination

Representor Number 174

John Martin & Associates on behalf of Persimmon Homes East Midlands

1. Matter 5 – Site Specific Issues

- 1.1 This further submission is made by John Martin & Associates on behalf of Persimmon Homes East Midlands and is referenced specifically to the settlement of Sutton on Trent and in particular to the Mixed Use Allocation (Policy ST/MU/1), which extends to approximately 2.17ha in which Persimmon Homes East Midlands have a legal interest.
- 1.2 In addition Persimmon Homes East Midlands have a legal interest in an adjoining area of land to the east which extends to approximately 1.2ha and is identified on the proposals map as forming the southernmost part of the land subject of the Main Open Area (Policy ST/MOA).
- 1.3 These respective areas of land are identified on the site location plan and proposals map appended to this further response.

Newark Area

- 2. 15. Do the policies include adequate and appropriate safeguards with regard to the potential effects of development on the historic environment, flooding and local services? Has satisfactory provision been made in respect of transport and other infrastructure requirements?**
- 2.1 The mixed use allocation (Policy ST/MU/1) has been subject of public consultation along with a number of other alternative sites within and adjoining the settlement boundary of Sutton on Trent as part of the process of preparing the Site Allocations and Development Management DPD. In particular the Options Report subject of public consultation in October/November 2011 provided a list of those sites considered and comments regarding suitability or non- suitability for allocation.
- 2.2 The site has also been subject of assessment through the Sustainability Appraisal June 2012 (SA) which considered the preferred site, alternative sites and non-suitable sites within and around the settlement with the purpose of the SA being to assess the principle of development.
- 2.3 The results of the SA confirm that: *'The key issues associated with development at Sutton on Trent are the impact on existing open spaces within the village envelope and potential impacts on the character of the conservation area. More central sites generally had better access to facilities and amenities both within the village and further afield via public transport'*
- 2.4 The issues identified through the SA in respect of impact on existing open spaces and the character of the conservation area do not prevent development from occurring but are identified as potential constraints which need to be fully considered and addressed in the proposed development for the site.
- 2.5 The SA Paragraph 2.8.6 confirms that *'a number of criteria have been prepared for each allocation policy that, among other purposes, identify site specific mitigation measures'* and which it is considered provide the 'adequate and appropriate safeguards' as set out within Policy ST/MU/1.
- 2.6 Proposed Policy DM2 -Development of Allocated Sites and Policy DM5 – Design, provide further guarantees regarding the requirement to complete appropriate survey and assessment work in support of proposed development and that the proposed development takes account of relevant criteria in respect of design.
- 2.7 Persimmon Homes East Midlands as the prospective developer of the site have instructed independent consultants to undertake relevant survey and assessment work to establish the constraints and opportunities appertaining to the future development of the site and with specific reference to the requirements set out in Policy ST/MU/1.
- 2.8 The conclusions and recommendations of that survey and assessment work have established that there are no overriding environmental or technical constraints to realising the development of the site allocation ST/MU/1 in accordance with the policy requirements.
- 2.9 With regard to the issue of surface water drainage the Environment Agency Indicative Flood Maps indicate that there is no designated floodplain area affecting the site area, a point which is confirmed by the Flood Maps contained within the May 2012 Level 2 Strategic Flood

- Risk Assessment. Although historic flooding has crept onto the north eastern corner of the eastern most field identified on the proposals map as a Main Open Area, the 100 year event which would be the normal benchmark for development actually generates a flood contour on the survey which is considerably further east and is therefore at a lower level.
- 2.10 The surface water in the ditch on the eastern most boundary of the Persimmon Homes land is identified as having the greater potential for flood risk in terms of land drainage flows. This is not considered to affect the potential for some limited development to occur in that area and as such it would be the intention through scheme design to mitigate potential flood risk by keeping an open space or landscaped buffer within the eastern most area to allow a for a certain amount of out of bank flow with any development in that eastern area being provided with added protection of raised finished floor levels.
- 2.11 Interestingly the most recent heavy rains of November 2012 which has resulted in much of the Trent Valley around the Newark area suffering severe flooding, this has not been the case with Sutton on Trent and more specifically the site, which is testament to the success of flood defence measures previously implemented.
- 2.12 Whilst there may be the opportunity to utilise the open space zone for some level of surface water attenuation the percolation tests completed across the site area as part of further ground investigation work confirm that surface water soak aways would be effective across the site area and that this approach would not contribute to flood risk elsewhere, within or surrounding the village.
- 2.13 Foul water drainage from a development up to 60 dwellings on the site has been discussed with Severn Trent Water who have confirmed that the existing sewer network in the area and treatment works have capacity to accommodate such a potential scale of development, although there will be a requirement to provide a pumping station facility as part of any development scheme.
- 2.14 An Archaeological Desk Based Assessment for the site area subject of the Persimmon Homes interest, including both the proposed allocation ST/MU/1 and the Main Open Area, has been completed which indicates that there is limited archaeological potential.
- 2.15 The desk based assessment has been submitted to the Nottinghamshire County Archaeologist who has recommended a strip map and sample survey be completed across the site area. The further archaeological evaluation would be completed as part of any planning application in line with the proposed wording change to Policy ST/MU/1.
- 2.16 An Ecological Walk over survey of the site area was completed in March 2012, the recommendations of which were that further survey work be completed to ascertain whether reptiles were present on the site and water voles were present in association with the surface water ditches located on the far eastern site boundary and along the southern boundary. The further reptile and water vole survey work was completed during April & May 2012. The survey results confirmed that no reptiles were recorded during the survey and that there was no evidence as to the presence of water voles within either the ditch on the eastern boundary or along the southern site boundary.
- 2.17 The respective Ecological Walk over Survey and further Reptile and Water Vole Surveys have subsequently been submitted to the Nottinghamshire Wildlife Trust who have confirmed that

'the surveys appear to have been carried out at a suitable time of year and following accepted methodology, so we can't see any weaknesses in the reports .

- 2.18 A tree survey and constraints assessment has been completed across the site area. The majority of the existing trees and hedges are situated around the site perimeter and could be retained as part of any future development of the area where this is considered appropriate from the tree constraints survey.
- 2.19 Satisfactory vehicular access can be provided into the site from Hemplands Lane to the west without loss of significant tree species along the site frontage or diversion of the existing public footpath. The site access details in respect of position and broad design requirements have been discussed and agreed with the Nottinghamshire County Highway Authority.
- 2.20 In addition the County Highway Authority has been provided with transport data as to the anticipated traffic generation from a development of the site, which for the purposes of capacity testing has been based on a development of 60 dwellings. The County Highway Authority has confirmed that such development *'would not significantly alter the operation of any of the local junctions'*.
- 2.21 The site is located within the Sutton on Trent Conservation Area which was designated in 1992. At the present time we are not aware that there has been a Conservation Area Appraisal completed for Sutton on Trent. Analysis of the local context of the site identifies some traditional architecture which characterizes the core of the Conservation Area, as well as development from the recent decades which adopt a diverse range of more modern architectural styles, in particular the Hounsfeld Way and Nursery Lane developments to the north and Rose Farm Drive to the south.
- 2.22 Whilst the open areas within the village do provide features of landscape importance it is acknowledged that the more eastern part of the open area is of greater significance in terms of its relationship to the character of development which fronts onto both Main Street and High Street.
- 2.23 The designation of the site as part of the conservation area does however not preclude the opportunity for well planned development to occur. The National Planning Policy Framework (NPPF) Paragraph 137 confirms that *'Local Planning Authorities should look for opportunities for new development within Conservation Areas'* and that *'Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'*.
- 2.24 Further Paragraph 138 acknowledges that *'not all elements of a Conservation Area will necessarily contribute to its significance'*. The relevance is the determination as to whether *'substantial harm'* or *'less than substantial harm'* and the *'relative significance of the element affected and contribution to the significance of the Conservation Area as a whole'*. In this regard the relative significance of the eastern most part of the area is considered to contribute most to the conservation area as a whole.
- 2.25 The layout, scale, form and design of development on the site can be considered through the application process and in this respect Core Policy 14 and Development Management Policy DM 5 and DM9 specifically provide for the protection and enhancement of the historic environment.

- 2.26 The location of the site within the centre of the existing village as defined by the extent of the village envelope is considered to offer the greatest opportunity for residents of proposed new development to utilise existing facilities and services. In this regard access to the existing bus stops and convenience store are located approximately 150m to the north of the site along the High Street.
- 2.27 The central location offers the opportunity to provide additional community facilities as part of a comprehensive mixed use development. In this regard initial discussions have been held with the Sutton on Trent Parish Council to identify their priorities for further community facilities within the village in association with the proposed residential development.
- 2.28 Those discussions have identified the importance of securing an alternative convenience retail facility with provision of a Post Office, extension to the doctor's surgery car park and land for the provision of a village hall which may also provide the opportunity for a library facility. The Parish Council acknowledge and accept that to achieve the potential provision of these type of facilities it would be necessary to extend built development into a part of the area identified as the Main Open Area as provided for within Policy ST/MOA.
- 2.29 In view of the extensive survey and assessment work completed on the site there are considered to be sufficient safeguards within Policy ST/MM/1, DM5 and DM9 to enable an appropriate development of the site to be achieved.

3. 18. Is the location and size of the Main Open Areas appropriate and is it justified? Would the policies provide sufficient protection from future development of these areas?

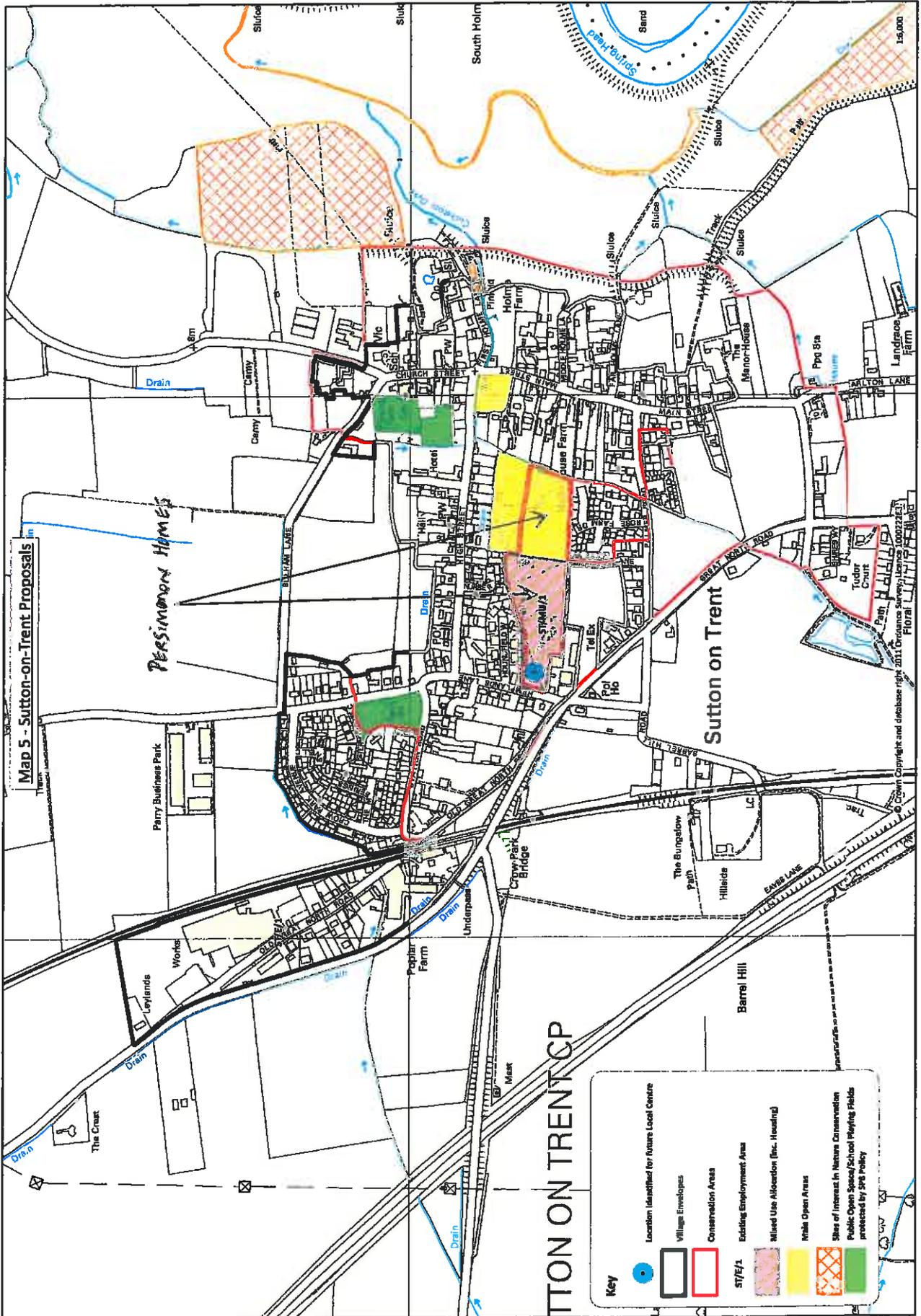
- 3.1 The area subject of the Main Open Areas Policy ST/MOA as proposed in the Site Allocations DPD extends to approximately 2.29ha in area. The southern part of the proposed policy designation ST/MOA extends over the eastern part of the land within the control of Persimmon Homes and is approximately 1.2ha in area, with the balance in other third party ownership.
- 3.2 The National Planning Policy Framework (NPPF) Paragraph 110 confirms that *'Plans should allocate land with least environmental or amenity value where consistent with other policies of the Framework'*. It is therefore appropriate that all previously identified MOA's are reviewed as part of the preparation of the Site Allocations plan.
- 3.3 In this regard the Main Open Area Review July 2011 defines the Main Open Areas as: *'Predominantly open land within the settlements which play an important role in defining their form and structure'*. The extent of the Main Open Areas was originally established through the Newark & Sherwood Local Plan 1999 and was made on the basis of the contribution that the open space made to the settlement character at that time. The Review has now recognised the difference between the eastern and western areas of that original designated area by proposing the removal of the western area and its designation as the mixed use allocation ST/MU/1.
- 3.4 It is acknowledged that the retention of an area of MOA within the central part of the settlement is appropriate given its relative significance within the village framework and the contribution that the eastern part of the area is considered to have within the conservation area.
- 3.5 At present the access to this MOA is restricted to the identified network of public footpath links. These predominantly cross the eastern area subject of the retained MOA designation. This network of public footpaths does not provide the public with the opportunity for unrestricted access over the wider area. There is therefore the potential to offer greater public access to this area through a comprehensive approach to development in considering ST/MU/1 and SU/MOA jointly to deliver wider community benefits associated with residential development.
- 3.6 Survey and assessment work completed by Persimmon Homes has identified that the land to the east adjacent to the existing watercourse should be retained free from any form of built development as a precautionary flood alleviation area.
- 3.7 Initial discussions have taken place with the Sutton on Trent Parish Council to identify their priorities for the provision of community benefits as part of a comprehensive development of the proposed Mixed Use Site ST/MU/1. Whilst a number of potential benefits have been identified which may be deliverable as part of a comprehensive development, the Parish Council has acknowledged that to enable a such development to occur there would be a requirement for the development to extend beyond the eastern boundary of the site allocation ST/MU/1 and into the MOA.
- 3.8 As a result of analysis of the site ST/MU/1 and its surroundings it is considered that the site could most effectively be developed by retaining a significant area of open space to the front of the site onto Hemplands Lane. This would provide the opportunity to provide a potential

area of open space as a replacement for that area removed from the area subject of Policy ST/MOA as well as providing an open space area as a focal point along Hemplands Lane.

- 3.9 The policy ST/MOA provides the flexibility required to enable the comprehensive development to occur where community benefits and public access to other parts of the Main Open Area could be delivered. This approach is further supported by Development Management Policy DM5 and DM9 against which subsequent planning applications for development of the proposed Mixed Use site and potential extension into the MOA under Policy ST/MOA would need to be assessed and determined.

Appendix One

Appendix Two



Map 5 - Sutton-on-Trent Proposals

Persimmon Homes

Sutton on Trent

UTTON ON TRENT CP

Key

- Location identified for Future Local Centre
- Village Envelopes
- Conservation Areas
- Existing Employment Area
- Mixed Use Allocation (Inc. Housing)
- White Open Areas
- Sites of Interest in Nature Conservation
- Public Open Spaces/School Playing Fields protected by SPP Policy

15,000

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