**AVA/2015/1243**

**Proposal - Outline application for the erection of up to 195 dwellings (Use Class C3) with associated access, earthworks and other ancillary and enabling works.**

**Objection from:**

Name:………………………………………….....................

Address:…………………………………………………………………………………………………………………………………………….

Postcode:……………………………………….

Signature:

I object to this planning application and would ask Amber Valley Borough Council (AVBC) to refuse it for the reasons that I have ticked below:

The proposal is contrary to the current development plan which does not allocate this site for development but instead seeks to protect it through Policy EN33. A previous proposal, on which this is based, has been assessed as providing less than significant harm to the setting of Grade 1 Kedleston Hall. This has been confirmed by the recent ECUS report commissioned by AVBC.

Paragraph 47 of the National Planning Policy Framework, government statements and recent case law is clear that the need for a five year housing supply does not override the protection of the setting of designated heritage assets such as Kedleston Hall.

There is a presumption against development that causes harm to the setting of Designated Heritage Assets like Kedleston Hall, created by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This land is part of the setting of Kedleston Hall and AVBC has a duty to protect it. This position is supported by Historic England and Derbyshire County Council.

Approval of this application would result in the unwarranted loss of 7.1 hectares of attractive and productive farm land. The availability of land of this quality of this restricted within the AVBC boundaries. The landscape character to this heritage agricultural setting, with much wildlife, will be damaged irreparably. Any suggested biodiversity and ‘landscape fabric’ gains by the applicant are highly debateable, as confirmed previously by Derbyshire County Council.

There is no need for this farmland to be built on now as there are alternative sites which could be developed with less environmental damage. Once built on this attractive countryside close to Derby will be lost forever for future generations to enjoy.

The proposed site has been identified by Derbyshire County Council as being of primary and secondary importance as Areas of Multiple Environmental Sensitivity. Such areas should not be built on unless there are no alternatives.

There is a clear demarcation between the countryside to the west of Kedleston Road and the established housing to the east of it. Approval of this application would result in suburban sprawl away from the established urban area. Approval is likely to precipice further planning applications based on the recent applications from the developer, AVA/2014/0928.

Access onto Kedleston Road would be dangerous due to its close proximity to the existing Quarn Drive junction, being situated on the bend of Kedleston Road. The access road would also contravene planning guidance give the need for a level entry point onto Kedleston Road and the slope of the ground the proposed development will be built on. With standing traffic seen regularly as far back as Askerfield Avenue, the single site access would involve cars from the development queuing to access stationary traffic. With 195 houses using the access, this will lead to significant congestion at this junction.

Traffic from the development will increase flows along Kedleston Road, Askerfield Avenue and Church Road to the detriment of residential amenity and the free and safe flow of traffic along these roads. Previously, independent traffic assessments have confirmed the likelihood of severe congestion should this development be approved. The proposed mitigation by the applicant is neither practical nor beneficial to the further congestion.

Properties adjacent to and downstream of this site face the risk of significant flooding and sewage pollution if this proposal is approved. Proposed sustainable drainage solutions on the development site adjacent to Memorial Road have already proven not to work and that development has already further increased flood risk. The proposals for this application look ill-defined, under-developed and would appear to increase the risk of flooding further.

As confirmed previously by Derbyshire County Council, there is neither capacity in local Primary Schools to cater for the children living in this proposed development nor any opportunity for these schools to expand. Similarly, the local Secondary School are all at capacity.

Support services in Allestree, on which the development will have to rely, are already operating at full capacity with little opportunity to expand.

The proposed development is too close to the Markeaton Brook which is home to numerous fish species and white clawed crayfish. The latter are protected by European and UK legislation. Development should not take place here when there are alternative sites available for housing.

Submitted as an outline planning application, the proposal is contrary to saved Local Plan policies LS1; LS3; LS5; H12; TP1; EN1; EN10; EN15; EN16; EN24; EN27;EN30 and EN33.

The applicant has had a previous application AVA/2014/0928 refused by AVBC which utilises the same land. The grounds for refusal apply directly to this planning application and AVBC should uphold its earlier decision that this heritage setting is not suitable for sustainable development.

**Please return this form to your local Kedleston Voice representative:**

**22 Crabtree Close, DE22 2SW**

**Or send directly to:**

**Dylan Jones, Town Hall, Ripley, Derbyshire, DE5 3BT**

**Tel: 01773 570222 or e-mail: dylan.jones@ambervalley.gov.uk**