

Lucas Lane Planning Application DMPA/2019/1143

Councillor Briefing Paper

This paper bullet points all the objections that residents, the Hilton, Marston and Hoon Neighbourhood Plan Steering Group and Hilton Parish Council have lodged with South Derbyshire District Council Planning Department and puts them into the context of the broader picture of the emerging Hilton, Marston and Hoon Neighbourhood Development Plan (NDP).

The Plan envisages an alternative use of the Lucas Lane site which preserves the amenity value and provides much needed community assets for the village.

The Plan has been through Regulation 14 consultation and has received overwhelming support, in excess of 90%, including the alternative use of this Lucas Lane site. The Draft Plan together with the Consultation Statement was formally submitted to SDDC on **15 May 2020** for the Regulation 16 Consultation. The submission has been formally acknowledged by SDDC Planning Policy who are preparing for the Regulation 16 consultation. Therefore the **Draft Plan should be given due weight under paragraph 48 of the NPPF**, particularly given the compliance with sub-section (c).

The NDP fully supports the Housing needs of Hilton through to 2035

The statement on p17 (of the Planning Committee Agenda Pack) stating that the Draft NDP has not been submitted is incorrect.

It is recommended that Councillors do not allow the application to proceed at this time, but grant the Hilton Marston and Hoon Neighbourhood Plan Steering Group time to propose a viable alternative use of the land consistent with the Neighbourhood Plan.

- **The proposed site and associated housing do not form part of the Local Plan and the allocation for Hilton. SDDC already has enough houses for the 5 year housing supply.**

Whilst the site is within the Settlement Boundary and it is recognised that there is a duty to positively consider such applications under Policy S2, allowing the Neighbourhood Plan proposal to proceed will not affect the Five Year Housing Supply and is not inconsistent with Policy S2.

Currently, SDDC has a more than 5 year supply of housing and even if there is a sharp reduction in completions this year due to the Covid 19 lockdown, there will still be more than a five year housing supply through 2023.

- **The proposed development would destroy the highly valued community asset contrary to Policy SD1**

Lucas Lane is a valued community amenity. It is used by walkers, dog walkers, cyclists, runners and as a safe route for schoolchildren on their way to and from John Port school.

Lucas Lane features pleasant views of neighbouring green fields and in spring is first lined on both sides by massed naturalised snowdrops in February, these are followed by daffodils and then bluebells then tulips. Nature takes over later and the display carries on with cow parsley and meadow sweet and is added to when the hawthorn blossoms in May. This is a real asset to the village where residents can walk with children and grandchildren and cycle appreciating the beauty of these flowers close up.

Its character as a country lane cannot be mitigated by condition, only destroyed by unnecessary development.

A survey conducted in November 2019 received 192 responses, 168 from people living in Hilton, but not on Lucas Lane supporting and emphasising the unique amenity value of the lane. Key words expressed in the comments: **safe, peaceful, natural, green, children, open space**. Concerns were expressed over the width of the lane and its ability to cope with more cars, delivery vans, trucks etc, and that it would become more dangerous for its amenity and well-being use.

This proposed development conflicts with the Neighbourhood Plan policies on Active Travel, Access to Schools, Cycle Paths, Green Spaces, Community Land and Biodiversity.



- **The Noise Assessment presented:**
 - **does not model the current proposal,**
 - **is incomplete and not compliant with the PropPG guidelines and**
 - **it is not clear that it recognises the elevation of the A50**

The noise assessment presented in the documents is dated March 2019, and does not model the current proposed number and layout of houses. The noise assessment was undertaken May 23rd – 30th 2018 over the weekend, bank holiday, and into school half term, and is not a representative period. The elevation of the A50 is approximately 10 metres above the site ground level and it is not clear this is taken into account. These issues question the validity of the underlying data on which the whole assessment is based.



The Noise assessment states that the site is a “low to medium risk”; however the PropPG guidelines on “Planning & Noise” state just 3 levels – Low, Medium, and High. The issues addressed (ref : p23 PropPG guidelines) in the Noise assessment, and the design actions deemed necessary are consistent with a **Medium Risk** assessment.

The same guidelines state (s. 3.13) that, for a **Medium Risk** site *“the examination of acoustically critical issues such as site layout, building heights, materials, landform contouring, detailed design and landscaping, the location of vehicle and pedestrian access, boundary treatments, amenity spaces etc. **should not be left for agreement at a later stage.** Any changes in acoustically critical issues following grant of outline consent should be fully assessed in an ADS.”*

There are no details of the housing design, which would successfully mitigate the level of measured noise, nor thermal modelling which will inform the materials to counter the likely over heating risk due to the need to keep windows closed. **This has explicitly been deferred to the detailed design stage, contrary to ProPG guidelines. Consequently the Planning application is incomplete in this respect.**

The assessment assumes that all occupants will have “normal sensitivity” to noise. Given the ageing population in the village, and the higher than average incidence of autistic children in the Derby area, then this development is in contravention of ProPG guideline 2.66

The proposal is also contrary to the Neighbourhood Plan Noise policy and Well Being aspirations.

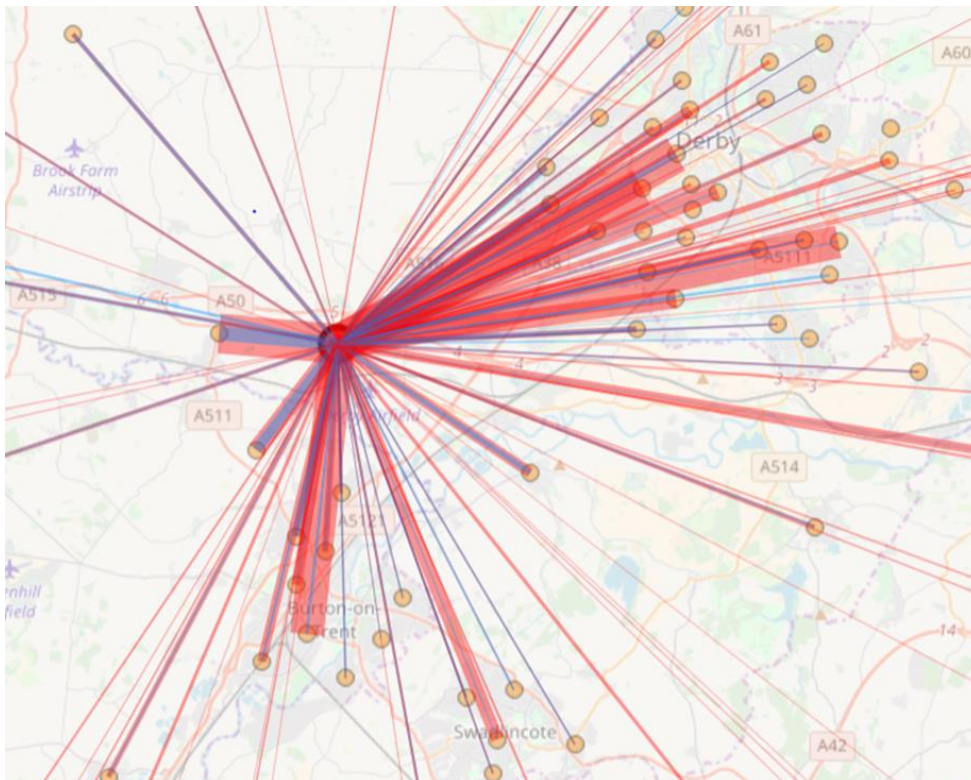
- **Residents from this development would drive to work; there are limited employment opportunities in Hilton. Private car traffic will increase.**

On p9 (of the Planning Committee Agenda Pack) it states :

*“That there are a range of jobs, schools, shops, community facilities and amenities, which are accessible within **reasonable walking and cycling distance** of the site, reducing the need to travel by private car and that the development would also be well positioned relative to a **wider range of employment**, commercial, retail and recreational facilities located in Hilton”*

According to AECOM’s survey the average commuting distance for people in Hilton is 26.7km against South Derbyshire which is 16.4km (England 14.9km).

AECOM map showing daily commute destinations from Hilton



The vast majority of employment opportunities in Hilton are staffed from outside of the area. The most likely result from this development is that people will drive to work thus conflicting with the Council's "Green" agenda.

Lucas Lane is a convenient and safe route for children walking to the secondary school in Etwall. This development will create more traffic, especially around, school start/end times which could result in parents opting to drive children, rather than allowing them to walk.

From this location, people using the Village Hall, the Mease Pavilion, or Aldi will drive, due to the distance, not walk

- **The Traffic Survey is inadequate; there is no speed survey**

The Transport Statement prepared by Systra contains a traffic survey of Egginton Road for 5th July 2018.

Hilton Parish Council commissioned its own traffic survey carried out by Derbyshire County Council from 26th June to 2nd July 2018, so a meaningful comparison can be made. The Systra survey has far lower traffic flows. At peak times the volume of traffic is underestimated by between 5% and 16%. The traffic volumes today are already at the 2023 level forecast by Systra. This will increase the queuing times of traffic leaving Lucas Lane.

There is no speed survey of traffic on Egginton Road in the Systra document and unfortunately the Hilton Traffic Survey (HTS) did not measure speeds along this section of Egginton Road. Systra use the fact that there is a 40mph speed limit to demonstrate that the visibility splays from the junction are OK. What the HTS does show is that on other roads with a 40mph limit in Hilton (Derby Road and the Mease) 25% to 50% of the traffic exceed the speed limit. It is reasonable to assume that the speeds on Egginton are similarly higher and hence the visibility splays may be inadequate.

A proper speed survey needs to be undertaken.

- **There is no safe pedestrian access**

The Systra travel plan assumes that the 280m gap in the footpath to access this development will be constructed on Council land

A recently submitted plan proposes a widening of the carriageway to 5m but with just one 2 metre pathway. This development seeks to encourage walking, however this plan does not consider the need for safe social distancing without having to venture onto the road.

(see picture on next page)

- **Biodiversity Impact Assessment**

The Assessment dated 28 Jan 2020 demonstrates a small net biodiversity gain on the assumption that the landowner/applicant donates 0.67ha of adjacent land for "compensation". This is not only subject to agreement, but the ecological report makes clear that this land would have to be planted and maintained as woodland. There is no commitment as to who pays for this.

The gain calculation does not take into account the negative impact of widening the road and laying 280m of footpath to connect the development to the existing footpaths. This

would impact the natural habitat by at least 0.06ha. This needs to be included in the calculation

Impact on green borders of required increase in road width and footpaths



The Neighbourhood Plan option results in a materially superior biodiversity gain.

- **Inadequate Swept Analysis**

There is no proper swept analysis in the Systra report. What it claims to be a swept analysis it is only for the junctions from the site onto Lucas Lane. A swept analysis needs to be provided for the bin lorry for the new layout.

- **Probable Parking problems**

There are inadequate number of parking spaces provided as required by the Neighbourhood Plan. The parking survey undertaken for the Neighbourhood Plan reveals that if the parking spaces that are provided are either remote from the house or are of tandem nature then this leads to an on-road parking problem. Nearly 50% of the parking spaces provided are either remote or tandem. This will lead to significant on-road parking, which may make access for the bin lorry too difficult.

- **Overlooking/Overbearing of existing properties contrary to BNE1 (h)**

The proposed layout indicates that there is a potential overlooking or overbearing problem for properties located at 134a Derby Road and 19 Normandy Road. Plots 33 and 40 on the proposed development need to be either removed or located at least 12m and maybe 21m from the affected properties to comply with the South Derbyshire Design Guide policy on Overlooking/Overbearing and BNE1 (h).