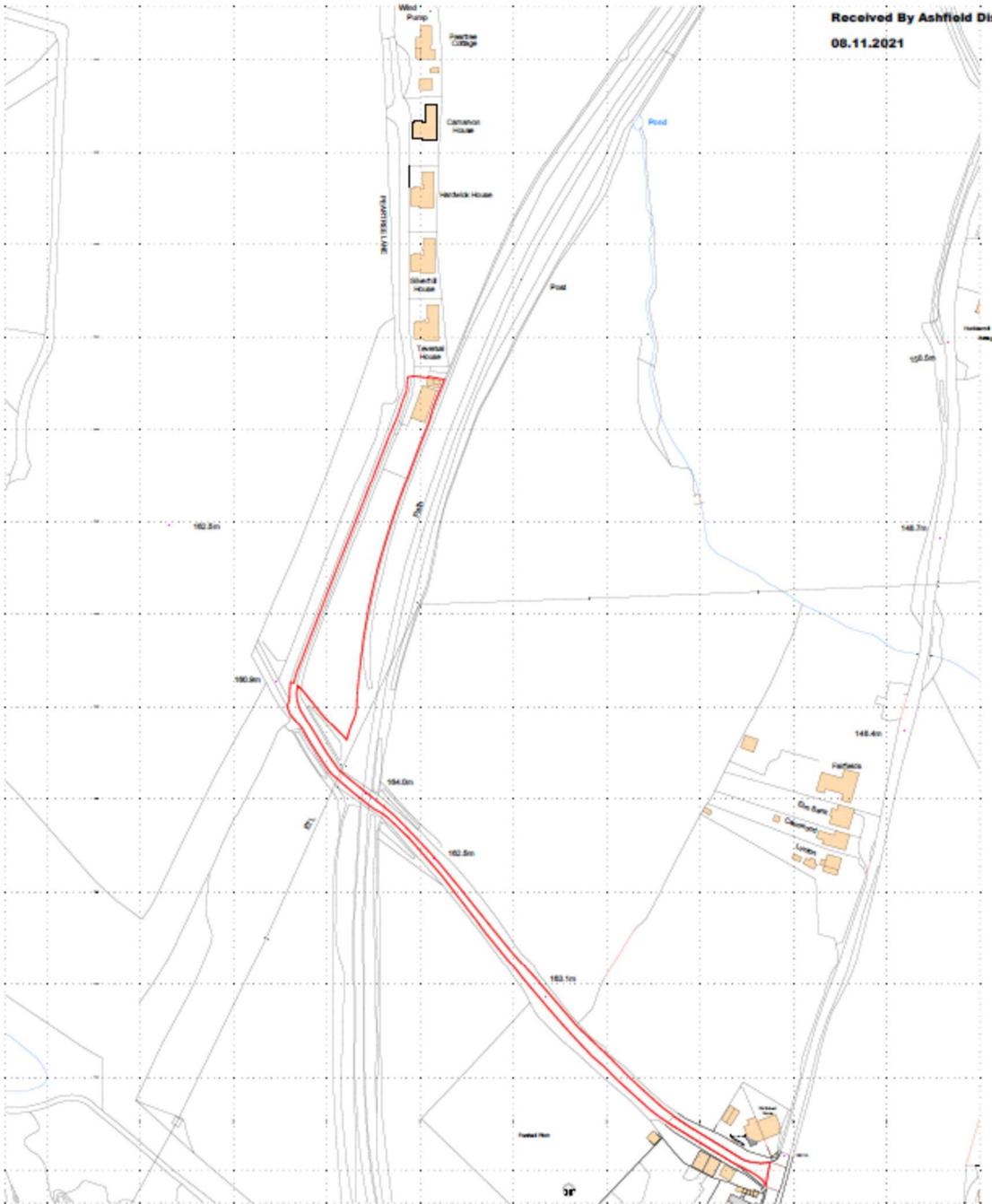
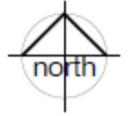


V/2021/0320

Received By Ashfield District Council
08.11.2021



COMMITTEE DATE 23/02/2022 **WARD** Stanton Hill and Teversal

APP REF V/2021/0320

APPLICANT N Porter

PROPOSAL Outline Application With All Matters Reserved for Residential Development

LOCATION Land Adj. Teversal House, Peartree Lane, Teversal, Nottinghamshire, NG17 3LE

WEB-LINK <https://www.google.com/maps/place/Peartree+Ln,+Sutton-in-Ashfield/@53.1555716,-1.2860531,495m/data=!3m1!1e3!4m5!3m4!1s0x487996e8489b3ae5:0x2c83a161394bdb98!8m2!3d53.1555786!4d-1.2849725>

BACKGROUND PAPERS A, B, C, D, F, H, & K.

App Registered: 27/04/2021

Expiry Date: 21/06/2021

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Councillor Smith to discuss the impact upon the countryside.

The Application:

This is an outline application with all matters reserved for residential development. The application site is primarily a grassed field, although a reasonably sized corrugated garage building is present in the north east corner of the site.

The Teversal Trail runs adjacent to the eastern boundary of the site. There are 5 existing residential properties to the north of the site.

The application site is located outside of the Districts main urban areas or named settlements, in an area designated as Countryside, as identified by policy EV2 of the ALPR 2002.

A revised red-boundary of site has been submitted, which now extends up to the adopted Highway of Pleasley Road, encompassing Peartree Lane. In conjunction with this, Certificate D within the application form has been completed, and the applicant published a notice within the local press.

Consultations:

A site notice has been posted together with individual notifications to surrounding residents. A notice has also been published in the local press.

The following responses have been received:

Resident comments:

10 comments have been submitted by 8 individuals/properties, raising the following points:

- Peartree Lane is a narrow, unmade road with limited passing places.
- Road surface is poor and deteriorating. Further development will lead to further damage.
- Peartree Lane should be adopted by the Council, or brought up to an adoptable standard by the developer.
- The level of traffic on the lane is a risk to other users, such as pedestrians, cyclists and horse riders.
- Further development would increase vehicle movements, increasing safety issues. Visibility is poor.
- 7 homes on this site is too many due to scale, layout, access etc.
- 3-4 homes on this site may be more appropriate to help tidy the site.
- The site is an asset to local wildlife. Proposal will damage/remove trees.
- A contribution towards fibre broadband should be provided.
- Noise pollution caused by construction.
- Significant impact on views from the adjacent trail.

Ashfield District Council Planning Policy:

The application form identifies that the existing use of the land is for B8 (Storage and distribution), however the Council have been unable to identify that the planning records support this use.

If the use is established as B8, it would need to be demonstrated that the site is no longer capable of providing an acceptable site for employment purposes, or that an employment site would cause unacceptable environmental problems (Policy EM5 of the Ashfield Local Plan Review (ALPR) (2002).

The Council does not have a 5-year housing land supply of deliverable housing sites.

The proposed development does not fall within the definition of 'appropriate development' in ALPR Policy EV2. It is considered that Policy EV2 is broadly consistent with the objectives of the National Planning Policy Framework (NPPF).

The application does not address the issue of whether it meets local housing needs set out in the NPPF and the Teversal, Stanton Hill and Skegby Neighbourhood Plan(TSS NP) policies.

The originally submitted Ecology report did not address the impact upon adjacent local wildlife sites/nature reserves. Biodiversity net gain should be secured.

Peartree Lane is a Byway Open to All Traffic (BOAT) and has policy protection under ALPR RC8 and the TSS NP policies. Vehicle traffic could have a detrimental impact on the surface of the track as well as conflict between other users such as horse riders and walkers.

Ashfield District Council Conservation Officer:

The site is located in open countryside in an unsustainable location.

It is unclear from the information submitted whether there would be any effect on the views north, across the valley, from Teversal Conservation Area which would be affected by this proposal, which is clearly out of character with the open countryside.

Development would result in fragmentation of the hedgerow, and suburbanise this rural location.

Ashfield District Council Tree Officer:

The submitted report does not constitute a full arboricultural impact assessment or appropriate method statement. No details have been submitted as to exactly how trees may be affected by the proposal, and the appropriate measures required to ensure their safe retention.

Until such a time as an arboricultural impact assessment and arboricultural method statement are produced my objection still stands.

Teversal, Stanton Hill and Skegby Neighbourhood Forum:

The Ashfield Local Plan is out of date, and the Council cannot identify a 5 year housing land supply. Paragraph 11 (sustainable development) of the NPPF therefore applies. TSS Neighbourhood Plan policies should be considered alongside the NPPF.

The application site is isolated, and the presence of 5 homes along the lane does not make it a sustainable location, it only introduces more isolated homes.

Teversal has no school, health centre, permeant shop or bus service. The nearest house in the village is 340m away, the nearest shop is 2.3km away, GP 2.8km away, primary school 3.1/3.76km away (Depending on route) and secondary school 3.6km

away. The adjacent trail is not fit for year-round use as a transport route to schools, and is unlit.

The applicants planning statement makes reference to a bus stop/service in Fackley, however despite the bus stop being present busses no longer take this route. Reinforcing the isolated location of the site.

The site is demonstrably unsustainable, with the existing dwellings north of the application site a discordant feature in the countryside. Most of the site is grazing paddock.

Concern over the state of the surface of Peartree Lane and the severely restricted visibility when turning onto Pleasley Road. Access improvements required.

Local Lead Flood Authority:

No bespoke comments to make. General informative notes advised.

Severn Trent Water:

Drainage plans should be submitted and approved. Informative note suggested.

Environment Agency:

The site lies fully within flood zone 1. Therefore we have no fluvial flood risk concerns associated with the site.

There are no other environmental constraints we would like to formally comment upon. However there is no indication on the means of foul sewage disposal and therefore an informative note is advised.

Natural England:

No objection subject to appropriate mitigation being secured.

Development has the potential to damage or destroy the interest features of the Teversal Pastures SSSI. Located downstream of the proposed development site, Teversal Pastures includes some of the finest remaining areas of neutral grassland in Nottinghamshire and is of Regional importance.

An appropriate condition/obligation requiring details of foul and surface water drainage to be submitted and agreed should be secured. Additional informative information also provided for drainage/biodiversity net gain etc.

Nottinghamshire Wildlife Trust:

Concerns over the submitted Preliminary Ecological Appraisal report (PEAR). The submitted report is considered to be inadequate in that it does not provide the detail needed to support such an application.

A PEAR should primarily be used to inform a developer about key ecological constraints and opportunities on a site, and should be used to inform a full Ecological

Impact Assessment. It is not normally appropriate to submit a PEAR in support of a planning application as its scope is unlikely to fully meet LPA requirements in respect of biodiversity policy and implications for protected species.

Incorrect reference to statutory sites, resulting in inaccurate conclusions. Full impact assessment is required to assess impact on LWS, LNR and SSSI.

Information on habitats and species were brief, or information missing.

The hedgerow provides an essential buffer between the site and LWS and LNR. Must be retained and enhanced. Both hedgerows provide ecological value for a range of species.

Suggested conditions re site clearance, permeable boundary treatments, covering of excavations etc, and a lighting strategy.

Nottinghamshire County Council Highways:

Refuse due to highway safety concerns due to restricted visibility, and in increase in danger to other users of the highway.

The site is accessed via Peartree Lane which is a BOAT (Byway Open to all Traffic). It is a narrow, unadopted lane, and has few passing places. It is also unlit, with grass verges each side and no footways resulting in potential safety issues for pedestrians. There are no turning facilities for delivery vehicles.

Visibility for vehicles emerging from Peartree Lane onto Pleasley Road, which is a narrow single carriageway road with no footways, is substandard. The required visibility stated in Design Manual for Roads and Bridges (DMRB) is 2.4m x 90m.

An intensification of the use of Peartree Lane should not be encouraged.

Nottinghamshire County Council Rights of Way:

Object. Pear Tree Lane is a BOAT and is not part of the adopted highway, and as such is maintained to a very different standard than one would expect of a road. Although there is a right of way for vehicular traffic, it is mainly used for the purposes of which footpaths and bridleways are used, i.e. by walkers and horse-riders.

The current surface of Pear Tree Lane is in poor repair. It is believed that the damage to the surface has been caused by vehicles using the lane.

The proposed development will see a significant increase in vehicles using the lane which the surface simply cannot sustain.

No mention of how the BOAT will be repaired or how the public will be protected during construction.

The applicant should bring the lane up to an adoptable standard as part of the development.

Policy:

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF):

Part 2: Achieving sustainable development.

Part 5: Delivering a sufficient supply of homes.

Part 8: Promoting healthy and safe communities.

Part 9: Promoting sustainable transport.

Part 12: Achieving well-designed places.

Part 14: Meeting the challenge of climate change, flooding and coastal change.

Part 15: Conserving and enhancing the natural environment.

Part 16: Conserving and enhancing the historic environment.

Ashfield Local Plan Review (ALPR) (2002):

ST1: Development.

ST4: Remainder of the District.

EV2: Countryside.

EV5: Sites of Special Scientific Interest.

EV6: Local Nature Reserves and Site of Importance for Nature Conservation and Geological Significance.

EV8: Trees and Woodlands.

HG5: New Residential Development.

HG6: Public Open Space in New Residential Developments.

RC8: Recreational Routes.

Teversal, Stanton Hill & Skegby (TSS) Neighbourhood Plan (2016-2031):

NP1: Sustainable development.

NP2: Design Principles for Residential Development.

NP4: Protecting the Landscape Character.

NP5: Protect and Enhancing Heritage Assets.

NP6: Improving Access to the Countryside.

NP8: Improving Digital Connectivity.

Relevant Planning History:

Although there is no planning history for the application site, the following applications are applicable to the existing development to the north of the site, which are considered to be of relevance in the determination of this application:

Site to the North:

V/2004/0738 - Site for 4 No. Two Storey Dwellings with Detached Garages & One Double Garage - Outline Application - Conditional Consent.

V/2012/0045 - Four Detached Dwellings - Full Application Refusal.

V/2013/0012 - Four Dwellings and Associated Access - Full Application - Conditional Consent.

V/2014/0209 - Residential Development of Four no. Two Storey Detached Dwellings with Double Garages - Full Application - Conditional Consent.

In coming to a decision to approve this application the Council was particularly mindful of the pre-existing condition of the site and its particular circumstance.

Comment:

Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan, unless material considerations indicate otherwise. Therefore, the starting point for decision-making are the policies set out in the Ashfield Local Plan Review 2002 (ALPR)

The National Planning Policy Framework (NPPF) is a material consideration. The policies in the development plan must be considered in relation to their degree of consistency with the provisions of the NPPF (NPPF paragraph 219). This will depend on the specific terms of the policies and of the corresponding parts of the NPPF when both are read in their full context. An overall judgement must be formed as to whether development plan policies, taken as a whole, are to be regarded as out of date for the purpose of the decision.

ALPR Policy ST4 sets out that permission will only be given for:

- Sites allocated for development;

- Development appropriate to the Green Belt (Policy EV1) or the countryside (Policy EV2).

The Council does not have a 5-year housing land supply of deliverable housing sites. In these circumstances, the application must be seen in the context of the National Planning Policy Framework (NPPF) paragraph 11 d, the tilting balance, whereby permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole.

Principle of Development:

Theversal is washed over by the countryside and, therefore, the application site is in the countryside as defined by Policy EV2.

In combination with Policy ST4, Policy EV2 establishes a vision for the countryside and seeks to locate development in the most sustainable locations and to ensure that development does not adversely affect the countryside. The Policy restricts development in the countryside to defined appropriate forms of development. It also emphasises that development must be located and designed so as not to adversely affect the character of the countryside, in particular its openness. The NPPF does have a more flexible approach to development in the countryside, but also recognises the intrinsic character and beauty of the countryside (NPPF para 174 b). Therefore, it is considered that the objectives of Policy EV2 are broadly consistent with the policies relating to the countryside in the NPPF.

Various forms of development are identified by Policy EV2 as being appropriate development in the countryside. The development in question is not proposed as an essential rural use and would not constitute infill development. The application site extends beyond the single building located on the site and therefore does not meet the requirements of EV2 f). Consequently, it is considered that the proposed development does not meet any of the appropriate forms identified by Policy EV2.

Whilst the NPPF sets out a more flexible approach to housing development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that the development of isolated homes in the Countryside should be avoided, except where other policy exceptions apply.

There has been appeal cases on what constitutes isolated homes and being adjacent to other isolated dwellings does not amount to such circumstances with the judgement being physically isolated from a settlement, rather than whether it was remote from other dwellings. Furthermore it is considered that judging isolation of whether there was another nearby dwelling would be contrary to the government's policy of promoting sustainable development close to existing settlements in rural areas.

The application site is in the open countryside. To the north of the site are five detached dwellings built along Peartree Lane, however these represent a linear form of development. It is considered that this short line of buildings could not be identified as a rural community, settlement, or village. The nearest settlement would be Teversal Village, which is physically separate from the proposed development site. Teversal Village has very limited services to meet day to day needs and cannot be identified as a sustainable location as services are essentially limited to a church and village hall. Occupiers of the new dwellings would have to travel to Stanton Hill or Skegby to access other services. On this basis it is considered that the proposal would not meet the requirements of NPPF paragraph 79, which requires housing to be located where it will enhance or maintain the vitality of rural communities. It would result in new isolated homes in the countryside which should be avoided under NPPF paragraph 80, and it is also considered that the proposal would not meet any of the exceptions within paragraph 80.

Paragraph 105 of the NPPF recognises that sustainable transport solutions vary between urban and rural areas. However there are no bus services which are located close to the site. Future occupiers of the proposed dwellings would be heavily reliant on private vehicles to access services and facilities due to the sites location. While a greater dependency on private vehicles is inevitable in more rural locations, the cumulative effect of allowing additional properties in this location is likely to significantly increase the number of unsustainable journeys made.

Four dwellings have been erected to the north of the application site along Peartree Lane. The matter was considered at the Planning Committee of 9th May 2013. The Report identifies that while the site was considered to be relatively isolated one of the exceptions to development in these circumstances was where development re-uses redundant or disused buildings and where it will lead to an enhancement to the immediate setting of a locality. The Report identified that it was considered that the removal of existing HGV's and paraphernalia associated with the last use of the site for a haulage business had a beneficial impact.

It is acknowledged that there is a small building already on site with some paraphernalia, which at the time of the Council's visit consisted of things such as trailers, a boat, and a container. However this is contained to the north section of the site, with the remaining extent of the site being an open grassed field and the circumstances do not relate to the previous approval which was in respect of lawful use. There are other powers that are open to the council to control the appearance and condition of the site.

In this respect, it is considered that the proposal does not meet the exceptions criteria listed at Paragraph 80 of the NPPF. Ultimately it is considered that the proposal would be an uncharacteristic intrusion into the open countryside resulting in a substantial linear development along an unadopted road and a development which is not related to Teversal Village. It would result in a significant intensification of activity on the application site and change its appearance. Therefore, it is considered

that it would be detrimental to the character and appearance of the area and have a substantial negative impact on the openness of the countryside. Consequently, the proposal does not meet the requirement of ALPR ST1 and EV2 and TSS NP Policy NP1 part 3 c).

Amenity:

While this is an outline application it is stressed that design is an important aspect for all development and is relevant in a broad aspect. The NPPF, which places a substantial emphasis on the importance of good design with the creation of high-quality buildings and places (NPPF paragraph 122 to 130). This includes, in relation to the application, the effect of the proposed development on the character and appearance of the surrounding area.

ALPR policies ST1 and HG5, which are supported by Supplementary Planning Documents on residential design and car parking, provides detailed guidance on the standards of design the Council is looking to achieve. Policy ST1 specifies that development will be permitted where (a) it will not conflict with other LP policies and (b) will not adversely affect the character, quality, amenity, or safety of the environment. Amongst other considerations, Policy HG5 specifies that residential development will be permitted where (a) the amenity of neighbouring properties is protected, (b) where the design and layout minimises potential overlooking, and (g) where the design is acceptable in terms of appearance, scale and siting.

As the development is for more than 5 dwellings, ALPR Policy HG6 would be applicable in relation to the provision/contribution to open space.

The TSS NP, Policy NP1 (Sustainable development) is a general policy which places a strong emphasis on high quality design. This is also reflected in Policy NP2, which emphasises that:

- Development should respect local character.
- The scale, height and massing of a proposal should make a positive contribution to local character and should not harm the amenity of nearby residents.

Whilst the possible impact upon nearby residential properties cannot be fully assessed at this time, based on the information available to date it is considered that the proposed development would detrimentally harm the character and openness of the countryside and wider street scene.

Highway Safety and Public Rights of Way:

Peartree Lane is a byway open to all traffic (BOAT). It is a narrow, unadopted and unlit, and has few passing places. The lane is also bound by grass verges either side

with no segregated footways, and no turning facilities for delivery vehicles. The BOAT has policy protection under ALPR RC8 and the TSS NP policies NP.

ALPR Policy RC8 identifies that development will only be permitted on existing footpaths where:

- a) An acceptable access corridor along the original route is retained or
- b) A suitable direct alternative route is provided.

The TSS NP, Policy NP6 (Improving Access to the Countryside), requires that *'Proposals for housing development will be expected to demonstrate how they protect and enhance existing public rights of way affected by those developments and show the opportunities taken to improve linkages between existing routes and from the edge of the existing settlement to the countryside and open spaces'*.

The NPPF states that applications should ensure that safe and suitable access to the site can be achieved for all users, and that sustainable transport modes should be promoted (Paragraph 110). Paragraph 111 also states that development should be refused on highway grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impact upon the road network would be severe. Paragraph 100 of the NPPF also states that planning decisions should protect and enhance public rights of way and access.

The Highway Authority and the Rights of Way Team at Nottinghamshire County Council have provided comments in relation to this application, and it is considered their comments relating to the safety and capacity of Peartree Lane carry significant weight.

The BOAT does not form part of the adopted highway, and as such is maintained at a very different standard than one may expect of a road. Although vehicles have a right of way over the lane, it is considered to be principally used by walkers, cyclists and horse riders, which is reflected in the current standard of surfacing.

The current surface of Pear Tree Lane is in a poor state of repair, which is likely to have been caused by various vehicles using the lane. The proposed development will see a significant increase in vehicles using the lane, which in the opinion of the Rights of Way team, the surface simply cannot sustain.

Aside from the lanes condition, there is no mention as to how other public users of the lane will be protected from increased vehicle movements, both during and after construction. This exacerbates concerns over highway safety issues, and the increased likelihood of pedestrian-vehicle conflict.

Similarly the Highway Authority consider that an intensification of the use of Peartree Lane by vehicle traffic should not be encouraged, and recommend that this application is refused on highway safety grounds. In addition to safety concerns for other users of the BOAT, the Highway Authority also consider that there is substandard visibility at the junction where Peartree Lane meets Pleasley Road.

Visibility splays of 2.4m x 90m are required for an access of this nature, as identified within the Design Manual for Roads and Bridges (DMRB).

In the event that the Council is minded to grant permission for this application, the Rights of Way team have requested that Peartree Lane is brought up to an adoptable standard as part of this development. This however has not been shown to be possible within the red boundary of site or within the applicant's ownership because the width of the access is limited with limited passing places possible and visibility not being achievable.

In light of the above comments and policy standing, it is considered that the proposed development fails to provide a safe and suitable access for all users of Peartree Lane, and that through the intensification of usage, would result in an unacceptable impact upon highway safety as a result of substandard visibility and the increased likelihood of pedestrian-vehicle conflict.

Environment & Ecology:

The NPPF paragraph 174 stresses that planning policies and decisions should contribute to and enhance the natural and local environment by a variety of measures including minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks.

Comments by Natural England raise the potential impact on the Teversal Pastures Site of Special Scientific Interest in relation to the disposal of foul and surface water from the proposed development. ALPR Policy EV5 identifies that development should not be permitted that directly or indirectly has an adverse impact on a SSSI unless the reasons for development clearly outweighs the nature conservation value. The NPPF paragraph 180 b) identifies that development on land within or outside a SSSI and which is likely to have an adverse effect should not normally be permitted.

ALPR Policy EV6 looks to ensure that development does not have an adverse effect on local wildlife sites and local nature reserves. This policy is consistent with the NPPF (para 174 and 180) and Planning Practice Guidance.

The application site is adjacent to a Local Nature Reserve (Teversal/Pleasley Railway Network) and a Local Wildlife Site (Teversal Disused Railway). The originally submitted Preliminary Ecology Appraisal report (PEAR) failed to identify these, and therefore further, more comprehensive studies on the ecology of the site and possible impacts stemming from the development were requested.

A full ecological impact assessment of the site was requested, however a revised version of the originally submitted PEAR has been submitted. As raised previously, Nottinghamshire Wildlife Trust have again confirmed that the revised report is inadequate as it does not include the necessary level of detail needed to support such an application.

There are still inaccuracies and inconsistencies with the information contained with the revised PEAR, and the level of investigation and assessment into protected species and designated/non-designated sites is limited and/or non-existent.

In addition to ecology, further information in the form of a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement was requested to assess any possible impact upon trees and hedgerows. Such reports should also include mitigation to how any identified issues may be overcome.

Trees:

A 'Tree Survey Assessment' has been supplied, however after reviewing the document it is considered that it is inadequate, and only offers comments on general good practice principles for development and does not actually assess any potential impact upon any trees on/adjacent to the site.

The Council's Tree Officer has also provided comments on the submitted tree survey, who considers that although the report is supplied in accordance with BS5837, it does not constitute a full arboricultural impact assessment or appropriate method statement.

No details have been submitted as to how exactly the trees may be affected by the proposal and any appropriate measures required to ensure their safe retention. Ultimately until such a time as an arboricultural impact assessment and arboricultural method statement are produced, the council's Tree Officer maintains their objection.

Other:

Flooding & Drainage:

The site is identified as being in Flood Zone 1, with no flood risk from water courses being identified. Flooding was not a saved policy under the ALPR. Consequently any application will need to be considered against the provisions of the NPPF Part 14 (Meeting the challenge of climate change, flooding and coastal change). The Environment Agency have confirmed that they have no fluvial flood risk concerns associated with the site.

Under NPPF paragraph 174 e) planning decisions should prevent new and existing development contributing to unacceptable levels of soil, air, water, or noise pollution. Planning Practice Guidance Water supply, wastewater and water quality sets out:

"If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants can be asked to provide information about how the proposed development will be drained and wastewater dealt with. Applications for developments relying on anything other than connection to a public sewage treatment plant will need to be supported by sufficient information to understand the potential implications for the water environment."

It is unclear what current arrangements are for the disposal of foul and surface water drainage. In accordance with comments and advice supplied by Severn Trent Water, The Environment Agency and Natural England, drainage details should be secured by condition in the event planning permission is granted.

Heritage:

The Teversal Village Conservation Area is located to the south of the application site. Having assessed the relationship of the application site with the Conservation Area, it is considered that there would not be a detrimental impact upon the setting and/or significance of the Conservation Area, and as such would not warrant a refusal on this basis.

Digital Infrastructure:

Under Policy TSS NP Policy NP 8: Improving Digital Connectivity, if permission was to be given the policy places an emphasis on new development, where viable and practicable, providing the necessary means for residents to access the superfast broadband network when it becomes available and, if possible, contribute to improvements of the service for existing residents and businesses.

Section 106 Agreements

Under the planning permissions for the adjacent site Section 106 Unilateral Undertakings were entered into which required a sum of £5,000 for the maintenance and improvements to the Teversal Trail to be paid to the Friends of Teversal Trail and for Peartree Lane to be maintained annually. In the event that permission is granted on this site an agreement or undertaking may be necessary to ensure the occupiers also contribute to the maintenance of the access.

Conclusion:

Additional information was requested, specifically relating to ecology and trees, and some detail was submitted. An opportunity was also provided to address the concerns raised by other consultees.

It is considered that the proposal represents a form of inappropriate development in the Countryside, and development on this site for residential purposes is considered to detrimentally harm the character of the area, in particular the countryside's openness.

Furthermore, the site is considered to be located in an isolated and unsustainable location, which further indicates the unsuitable nature of the development site for residential purposes.

It is considered that insufficient information has been submitted to allow a full assessment of the impacts upon wildlife, biodiversity, trees and the historic environment. Accordingly without full investigation or evidence to demonstrate

otherwise, it is considered that the proposal would detrimentally affect the natural environment, primarily through harm to wildlife and habitats on and adjacent to the site.

With regards to Highways and Public Rights of Way, it is considered that the proposed development would cause detrimental harm to highway safety, and increase the likelihood of pedestrian-vehicular conflict. The Highway Authority also considered visibility at the Peartree Lane/Pleasley road junction to be inadequate.

It is therefore recommended this application be refused planning permission based on the above points.

Recommendation: Refuse planning permission.

Reasons:

1. It is considered that the proposed development does not meet the exceptions criteria as identified by policy EV2, and is therefore deemed to represent an inappropriate form of development within the countryside, which would be an uncharacteristic intrusion into the open countryside through a substantial linear development. Furthermore, the proposal has not been located or designed to avoid any adverse impact upon the character and appearance of the countryside, in particular its openness. Consequently, it is considered that the proposal does not meet the requirements of Policies ST1 (a and b), ST4 and EV2 of the Ashfield Local Plan Review (2002), Policy NP1 (part 3 c) of the Teversal, Stanton Hill and Skegby Neighbourhood Plan (2016-31), and Part 15 of the National Planning Policy Framework.
2. It is considered that the proposal would represent a form of development which is physically isolated from the nearest settlement of Teversal Village, which is acknowledged to have very limited facilities and services. Furthermore, it is also considered that the development site is located within an unsustainable location due to the heavy reliance on the use of a private vehicle, which would do little to enhance or maintain the vitality of the rural community. Accordingly it is considered that the proposal is contrary to Policies ST1 (a, b and c) and EV2 of the Ashfield Local Plan Review (2002), Policy NP1 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan (2016-31), and Paragraphs 79 and 80 of the National Planning Policy Framework.
3. Peartree Lane is narrow, unlit, bound by grass verges, has limited passing/turning facilities, and does not form part of the adopted highway. As such it is considered that the proposed development fails to provide a safe and suitable access route for all users of Peartree Lane, and that through the intensification of usage, would result in an unacceptable impact upon highway safety as a result of substandard visibility and the increased likelihood of

pedestrian-vehicle conflict. Consequently, the proposal is considered to conflict with Policies ST1 (a, b and c) and RC8 of the Ashfield Local Plan Review (2002), NP6 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan (2016-31), and Paragraphs 110 and 11 of the National Planning Policy Framework.

4. The submitted Preliminary Ecology Appraisal is considered to be inadequate to allow the Local Planning Authority to fully assess the potential impact upon protected species and designated/non-designated sites, and therefore insufficient information has been provided. As such the proposal is considered contrary to Policies ST1 (a, b and e), EV5 and EV6 of the Ashfield Local Plan Review (2002), and Paragraph 174 and 180 of the National Planning Policy Framework.
5. The submitted Tree Survey Assessment is considered to be inadequate to allow the Local Planning Authority to fully assess the potential impact upon trees on and adjacent to the site, and therefore insufficient information has been provided. As such the proposal is considered contrary to Policies ST1 (a and b) and EV8 of the Ashfield Local Plan Review (2002), and Paragraphs 131, 174 and 180 of the National Planning Policy Framework, which seek to secure the retention of trees wherever possible.