



Sent by email

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Our ref AJW
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Date 10 June 2016

Dear Mr Moore

Update on Recent Residential Planning Applications - Land at Breadsall Hilltop and Land at Allan Avenue/Pritchett Drive

At the Core Strategy Hearings and through the subsequent additional work we have provided on 5 Year Supply, we advised you that two planning applications for large housing sites were to be considered by the Council's Planning Control Committee on 26 May 2016. Both applications had officer recommendations for approval. Both sites had previously been identified in the Council's Preferred Growth Strategy as having potential for housing development but as requiring further information before they could be allocated. This further information was provided through the planning applications.

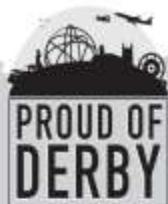
As you will recall, neither of these sites was included in the 5 year supply as they were both in Green Wedges and not included as Core Strategy allocations. They were therefore contrary to current policy and unsuitable for residential use in principle. However, we considered that if the planning applications were approved by Planning Control Committee the principle of residential development would be established and they could therefore contribute to the supply of deliverable dwellings.

On 26 May 2016 the Committee resolved to grant planning permission subject to conditions and S106 agreements and we consider that the principle of residential development has now been established on both sites.

Further details on each site are included below :

Land at Breadsall Hilltop

An Outline application for up to 230 dwellings now has a resolution to grant permission subject to receiving comments from Derbyshire Wildlife Trust (DWT) and the signing of a S106 agreement. DWT had not objected to the application but Members wanted to clarify that they had no objection to the proposals.



The Council has received information from the National Planning Casework Unit (NPCWU) to say that a request has been made (by an unknown party) that the unit consider whether the application should be called in for determination by the Secretary of State for Communities and Local Government. The relevant application documents and Committee Report have now been sent to the NPCWU for consideration and it is possible that the Council may receive a holding direction preventing the granting of permission until the unit has made a decision about the call in.

A planning application for the drainage solution for the housing development has been submitted to the neighbouring local authority, Erewash Borough Council, and this is due to be determined shortly.

Section 106 Heads of Terms for the site were agreed with the developer prior to the Committee meeting and the Council's legal department were instructed to prepare the S106 agreement on 3 June 2016. There are no infrastructure requirements which require complex drafting (for example an on-site primary school) and the Council does not anticipate that there will be any lengthy negotiation during the process.

Derby City Council strongly feels that this application would not meet the requirements for call in and that the principle of residential development has been established with enough certainty that the majority of the site can be included in the 5 year supply. It is in a suitable location by virtue of the Committee decision, available now and achievable with a realistic prospect of most of the dwellings being delivered within 5 years. The house builder has indicated that they intend to submit a Reserved Matters application in September 2016 and that they will build circa 200 dwellings in the 5 year period.

Land at Allan Avenue/Pritchett Drive

An Outline application for 80 dwellings now has a resolution to grant permission subject to the signing of a S106 agreement. The land is greenfield and unused. It is in the control of a house builder and the house builder has already commenced work on a Reserved Matters application which is expected to be submitted in Autumn 2016. They have indicated that their own delivery trajectory would hopefully see them on site in 12 months.

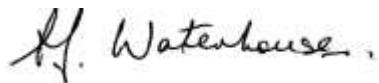
We consider that the principle of suitability for residential development has been established on this site now. It is also available and achievable with a stated intent by the owner to build the dwellings within 5 years.

Solicitors are about to be instructed to prepare the draft S106 agreement which will include a review mechanism. The details of the contributions have already been agreed by both parties in principle and the Council does not anticipate any problems which would impact on the progress of the agreement. Even if the agreement takes longer to complete than it would for an average site of this size/type, we are in no doubt that the full 80 units will be built within 5 years.

Any dwelling numbers which could count to the 5 year supply from these two sites would be additional to the 5 year land supply position which was recently updated in the supplementary work provided by the Council (EX039 and EX040).

We trust this information is of assistance in updating you on the progress in relation to these two sites.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Waterhouse".

Andrew Waterhouse
Spatial Planning Group Manager