

Appeal by Hallam Land against non-determination of an outline planning application for up to 300 dwellings with all matters reserved except access Land at Newark Road, Sutton-in-Ashfield

Statement by:

Councillor Matthew Relf

- Executive Lead Member for Growth
- Ward member for Sutton Junction and Harlow Wood
- Member of the Sutton Junction Residents Association

Planning Inspectorate Reference: **APP/W3005/W/24/3350529**

Council Reference: **V/2022/0629**

Introduction

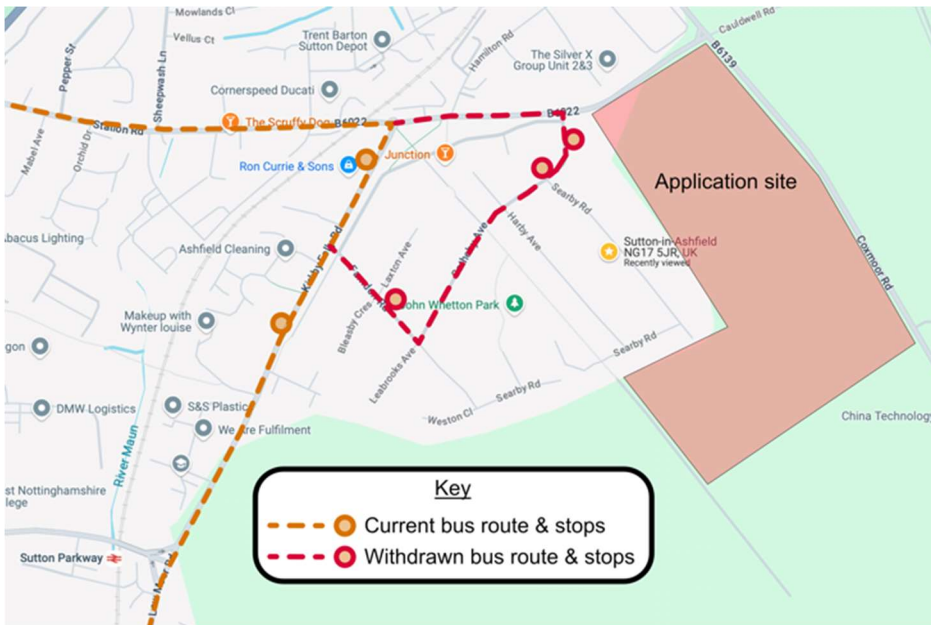
In 2016 I joined the committee of the Sutton Junction Residents Association (SJRA) to assist with opposing the proposed Local Plan that was being put through at that time. I did this because the proposed Local Plan put forward development in the area (including the land that is the subject of this appeal) without, in my opinion, sufficient improvements in local infrastructure. I became the SJRA spokesperson at the Local Plan hearing where the appointed inspector agreed with many of the points I brought forward, which forced the then administration to have to revise their plans.

It was off the back of me speaking at the Local Plan hearings that I was approached and asked if I would be interesting in standing to represent Sutton Junction & Harlow Wood on Ashfield District Council. I very much enjoyed supporting my local community and so I stood in a by-election in 2018 and was duly elected. It was soon after this that the new administration invited me onto the cabinet to take responsibility for Local Planning.

I take planning's role of balancing benefit and harm very seriously and consider any decision upon the merit of facts. While many in the area I represent would oppose any development of land nearby I would not seek to oppose any scheme put forward that is appropriately considered, well evidenced and sustainable. I do not feel this scheme achieves these criteria and so I therefore feel it must not proceed as I feel it would bring undue burden and harm to the local area.

Public Transport

Following the withdrawal of bus services through the Sutton Junction estate the bus stops closest to the application site are way outside of the maximum walking distances stipulated by Nottinghamshire's Highway Design Guidance. The railway station is even further away from the application site. This will ultimately mean all households on the proposed development would almost certainly be entirely reliant upon car transport to reach all services.



Impact upon exist junctions

Kirkby Folly Road, Newark Road and Coxmoor Road form the primary commuting route between Kirkby in Ashfield and Mansfield. During peak times this results in a nearly constant stream of traffic from one direction or another passing along Newark Road. This makes it particularly challenging for traffic to exit Searby Road onto Newark Road and it can frequently be a 10-minute wait to exit. The proposed new signalised junction would cause East bound traffic to queue past the proposed Searby Road box junction. The box junction and the queuing traffic would prevent vehicles waiting to turn right out from Searby Road from moving out. When the proposed signalised junction then goes green the West bound traffic it had been holding would then flow, causing further blockage to the traffic seeking to exit from Searby Road prior to the East bound traffic clearing. I feel certain that the traffic patterns created by the proposed new junction, the proposed changes to the Newark Road/Searby Road junction and the additional traffic from the proposed development with significantly worsen the ability for traffic to exit Searby Road and lead to much worse waiting times than already exist.



Examples of traffic queues on Searby Road waiting to exit onto Newark Road. Photos taken 2024.

There is also the issue of the traffic queues created by the level crossing on Station Road/Newark Road. Unlike the automated crossing on Coxmoor Road that is only down for a matter of seconds prior to the passing of a train, the Newark Road crossing is manually operated from the control centre in Derby. This is due to Network Rail’s perceived risk profile from the proximity of the crossing to the Newark Road/Station Road/Kirkby Folly Road junction. Despite multiple requests to Network Rail to review the timings of their closure of the gates it is the case that the gates are regularly shut between 4 and 10 minutes prior to the passing of a train. At peak times this regularly leads to traffic queues

stretching past the proposed development's new junction location. I regularly see queues stretching down Coxmoor Road and Hamilton Road all the way back to the MARR A617.

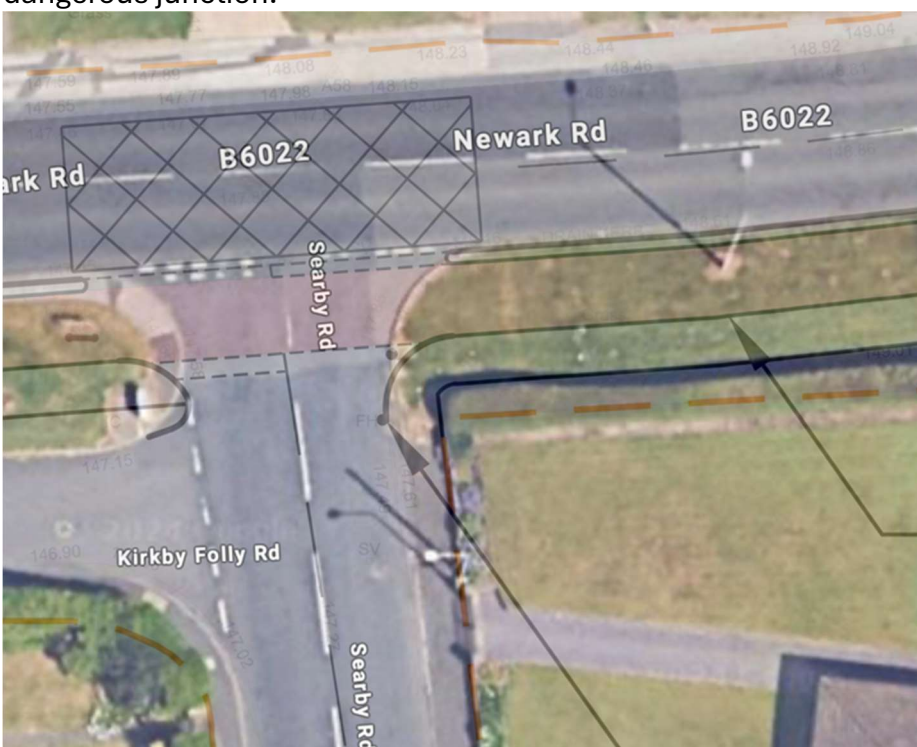


Traffic queue from Newark Road stretching down Coxmoor Road and Hamilton Road. Photo taken from just off the MARR A617. Photo taken December 2024.

Given that residents on the proposed development would be so car dependent it is also clear that the proposed development would further worsen traffic at peak times due to the additional vehicle movements it would bring and the additional interruption in traffic flow brought by the proposed new junction. For such a car dependent development to be considered I feel it should bring forth solutions to the local traffic issues rather than exacerbating them.

Searby Road/Newark Road Junction dangerous design

The proposed design of the Searby Road/Newark Road junction with the new cycle path pushes the Give Way line back to a point where there will be insufficient visibility splays for drivers wishing to exit Searby Road. Views to the right (looking East) would be blocked by the boundary treatment of 1 Searby Road. It would not be possible to see approaching cyclists or vehicles, leading to a very dangerous junction.



Junction proposal overlaid aerial view of the site.



View from the approximate position many drivers would be in when waiting at the proposed new Give Way location.

I feel that this junction design is whole unsuitable and needs completely rethinking so that it gives suitable visibility and reduced wait times for those wishing to exit Searby Road.

Flooding and drainage

I have significant concerns that the application does not take suitable account of the surface water and ground water flooding the site receives nor the issues with foul water drainage in the area.

To the South East side of the site is a water course that flows to the site boundary and then flows underground, however heavy rain regularly overwhelms the underground flow and causes significant water flows over the site.



These flows cause deep ravines that can be easily seen on current and historic aerial photography. It is possible the applicant may not be fully aware of the extent of this issue as the farmer would regularly fill the ravines to permit farming activities to continue.



While the master plan is only indicative, I feel the applicant's lack of understanding of these regular flooding issues is clearly demonstrated because their master plan take no account of this natural surface water flow path in the location of housing or SUDS despite clear evidence of the flooding issues.



This exaggerated topography view clearly highlights why water takes this path across the site.



The Sutton Junction estate frequently suffers from flooding issues from the flow of water from the proposed site. While SUDS are there to mitigate the impacts of the development, I am concerned that the developer is not taking measures to protect the new development from flooding, nor using this development as an opportunity to invest in measures to alleviate the existing flooding issues in the area.



Photo from Searby Road showing water that has flowed off the proposed site, through residences and onto Searby Road. Photo from Feb 2020.



This surface water then further floods properties on Sotheby Avenue and Cardinal Court. Photo from Oct 2023.

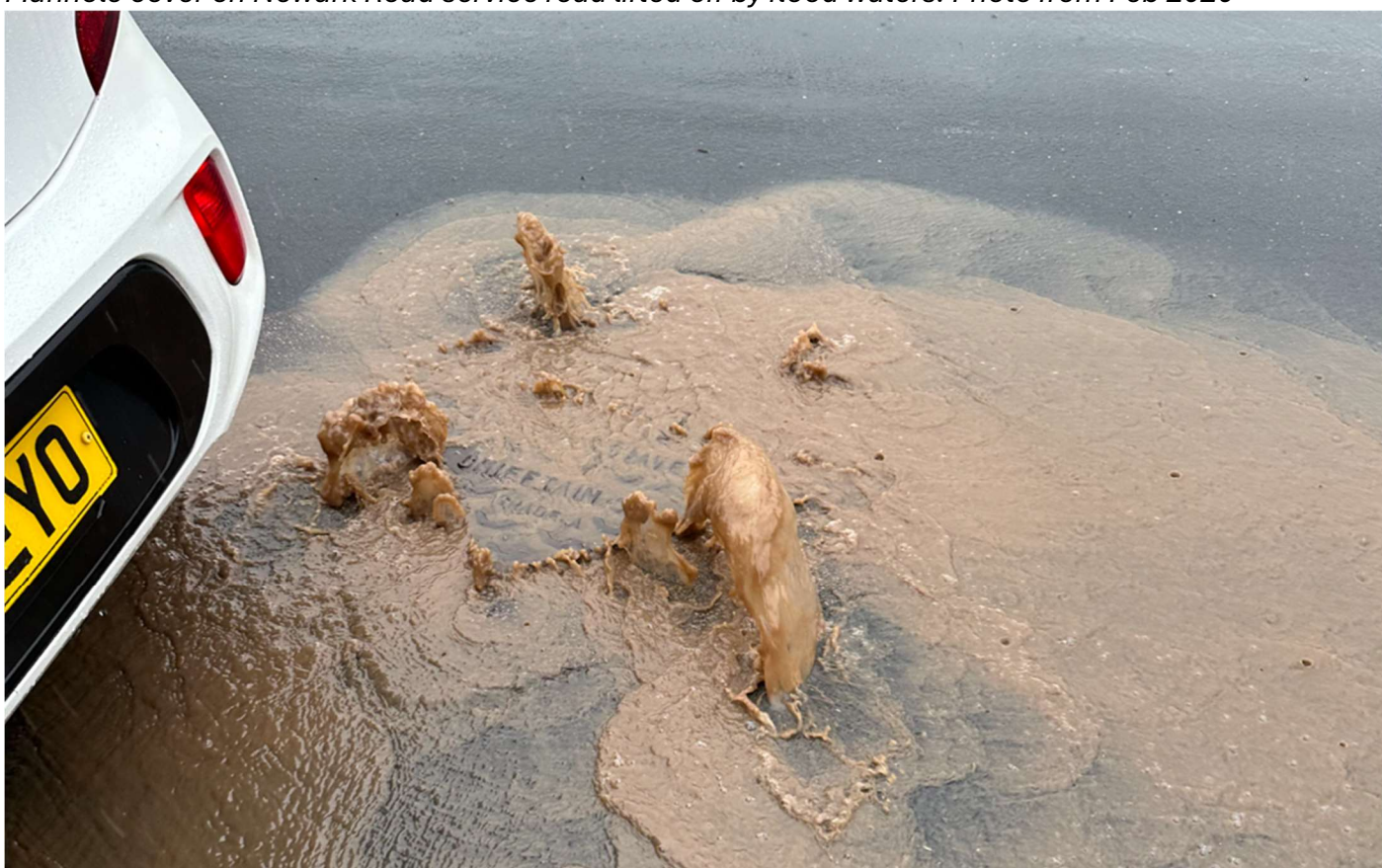


This then overwhelms the capacity of the downstream drainage systems causing widespread flooding on Newark Road and the service road. Photos from Oct 2023.

Much of the Sutton Junction Estate was built by different developers. Searby Road development was sold off piecemeal and different developers took different approaches to drainage. While much of the Sutton Junction Estate has separate surface and foul water drainage running down the street many properties on the estate have combined systems that empty only into the foul system. This already causes issue in flood situations with residents on the Newark Road service road and Cardinal Court having reported situations of manhole covers lifting off and dumping raw sewage onto their gardens. I am extremely concerned that the additional foul load the proposed development would place upon the local foul system would cause this situation to happen far more frequently in only more moderate rainfall situations. I do not see how this could be avoided without significant investment in expanding local drainage capacity.



Manhole cover on Newark Road service road lifted off by flood waters. Photo from Feb 2020



Manhole cover on Searby Road under pressure from flooding. Photo from Oct 2023.

Landfill ground contamination

This concern has already been raised to the inspector's attention so I won't reiterate the evidence that you already have to hand. I will though highlight that over the years several local residents have informed SJRA of significant dumping activities that would occur on the landfill site after hours and away from official records. These statements came from people who were frequently directly involved

in the dumping activities but were made under assurances of anonymity due to much of it being illegal dumping. From these statements we are aware of dumping into the site of:

- Asbestos roof from a local engineering firm
- Metal drums of used sulphuric acid.
- Metal drums of used machine oil.
- Metal drums of arsenic and other heavy metals from the local production of specialist paint products.

Local residents are understandably extremely worried about what impacts could be brought about by building works on and in the vicinity of the landfill portion of the site. Given the accepted need of further investigations of this before it can be determined how, if at all, the site could be safely developed I feel it is entirely reasonable to ask for that investigative work to be undertaken and proven before the principle of development of this site is granted.

Wildlife and countryside

Local residents are very concerned about the loss of prime farming land and the impact upon the appearance of the countryside and the local wildlife that live within it. While I accept that it is inevitable that with our rising population numbers some farmland will inevitably be built upon this site is part of a much broader farming area and is of a high quality which I feel is an important metric to consider when balancing the aspects of an application such as this.

Deer, bird of prey, skylarks and bats are regularly seen on the site and I and residence would be very sad to see their loss in the area due to this development.

Conclusion

While few people wish to see new development on their doorstep, I take my role as a public servant and the responsibilities that it brings very seriously. I always consider the merits of anything put before me. When this application was submitted, I genuinely looked at it with an open mind before coming to a conclusion. While there are local residents who will always oppose any application put forth, I would not oppose an application which is on balance sound. In my opinion though, this application does not fulfil that criteria and is not close to the balance point.

If feel significant work is required by the applicant to:

- Demonstrate that the landfill portion of the site can be safely developed or put forth a design that avoids development of this area of the site.
- Demonstrate a clear understand the surface water and ground water flooding issues and outline how the development will mitigate these for new and existing residents.
- Demonstrate that they understand the foul water flooding issues and that it is proven that development will ensure they are not worsened.
- Provide a means of meaningfully bringing public transport within ready access of the new development.
- Provide a different approach to highways connectivity that would not worsen local traffic conditions, and ideally improves current highways conditions.
- Demonstrate that sufficient local benefit is being brought to offset the loss of good quality farmland, impacts upon the appearance of the countryside and loss of wildlife.

If such an application were brought it would receive my support.