The Planning Inspectorate

Appeal Decision

Inquiry held on 14-17 and 21-24 August 2018

Site visit made on 24 August 2018

by Phillip J G Ware BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2018

Appeal Ref: APP/R1038/W/17/3192255
Land at Deerlands Road, Wingerworth

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Ripon Homes Ltd against the decision of North East Derbyshire District Council.
- The application Ref 17/00268/OL, dated 3 March 2017, was refused by notice dated 14 December 2017.
- The development proposed is a residential development of up to 180 dwellings, public open space, landscaping, highway and drainage works and associated infrastructure.

Procedural matters

1. The application was submitted in outline, with only access and scale to be decided along with the principle of the development. I have dealt with the appeal in this manner.

2. A Planning Obligation (31 July 2018) was submitted before the Inquiry opened, and I have considered its content below.

3. As anticipated at the Inquiry, amendments to Planning Practice Guidance (PPG) and updated household projection figures were published after the Inquiry. The views of the main parties were sought on these matters and the responses have been considered in this decision.

4. In October 2018 a consultation paper was issued regarding possible updates to national planning policy and guidance, including the standard method of assessing local housing need. This paper was raised by the Council on 31 October. The appellant was given the opportunity to comment on this matter, which they did on 7 November. This correspondence has been taken into account.

Application for costs

5. At the Inquiry an application for costs was made by Ripon Homes Ltd against North East Derbyshire District Council. This application will be the subject of a separate Decision.

Decision

6. The appeal is allowed and planning permission is granted for a residential development of up to 180 dwellings, public open space, landscaping, highway

and drainage works and associated infrastructure on land at Deerlands Road, Wingerworth in accordance with the terms of the application, Ref 17/00268/OL, dated 3 March 2017, subject to the conditions appended to this decision.

Main issues

7. The application was recommended for approval by officers but was refused by the Council on 14 December 2017. There were five reasons for refusal, three of which are no longer being defended by the authority. These related to the adequacy of the sewerage system, the need for social infrastructure and the effect on highway safety.

8. There are two main issues in this case, which reflect the Council's two remaining reasons for refusal:

   - The effect of the proposal on the character and appearance of the area
   - Whether the proposed development would be accessibly related to the settlement of Wingerworth

Reasons

The site and the proposal

9. The appeal site is an area of rough grazing land around 7 hectares in extent located northeast of Deerlands Road and east of Hockley Lane. There are trees and hedgerows along many of the site boundaries. The land rises up to the north from Redleadmill Brook at the south of the site towards Hockley Farm and other properties, including Wingerworth Hall Gardens. To the east of the site are further fields and large areas of woodlands.

10. To the south of the site, beyond the brook, is a recent housing development which was allowed on appeal (51 units) in August 2013[1]. The planning history of this site (along with the previous history of the appeal site) is summarised in the Statement of Common Ground[2]. This development is known as Spindle Drive.

11. The main built up area of Wingerworth lies to the west of the site, and in this area is typified by predominantly 1960's houses and bungalows. Wingerworth is a very large village (with a population of over 6,000) and is the largest second tier settlement in the District.

12. The proposal, as set out in the bullet points at the top of this decision, is in outline along with scale and access. The entrance would be taken from Deerlands Road by way of Spindle Drive and over Redleadmill Brook on a new bridge. The proposal, as judged by the submitted plans and the illustrative material, would include up to 180 homes with 40% affordable units (secured by the Planning Obligation), open space, and on-site storm water attenuation.

Planning policy background and weight

13. The development plan includes the North East Derbyshire Local Plan (LP) (2005) which was intended to operate until 2011. The site is outside the Settlement Development Limit (SDL) of Wingerworth, which is on the opposite

[1] APP/RR1038/A/13/2192646
[2] Section 2

side of Deerlands Road. For planning purposes the site is therefore agreed to be classified as open countryside.

14. Leaving aside the matters which are no longer being pursued by the Council, the remaining policies in the reasons for refusal are:

    - LP policies GS1, GS6 and H3. These deal with SDLs and development in the countryside.
    - LP policies GS1, H12 and T2. These deal with accessibility to local facilities.

15. The Wingerworth Neighbourhood Plan (NP) was made in June 2018, and is part of the development plan. This plan does not allocate any housing sites, and I will return to the role of the NP below.

16. The draft Local Plan (DLP) has been submitted for examination, and has attracted representations on a wide range of issues, including policies related to housing requirement and supply, settlement development limits and the overall development strategy. The Council did not place any reliance on the DLP at the Inquiry[3] and, given the stage which it has reached and the existence of numerous representations, only limited weight could have been placed on it in any event.

17. Returning to the development plan, the parties are agreed that the proposal does not conform to the relevant spatial policies of the LP, most particularly in that the appeal site is outside the Wingerworth SDL and is open countryside in policy terms. In the context of the age of the LP, it is unsurprising that the question of whether the LP is out of date was raised in evidence and debated at length at the Inquiry.

18. The simple fact that the LP period was until 2011 does not mean that, as it is time expired, it should be disregarded. Nor does the fact that progress on the replacement DLP has been slow, emphasised by the Secretary of State's correspondence with the Council regarding possible local plan intervention[4], mean that the LP is out of date. The important question is the extent to which the policies in the LP are consistent with the National Planning Policy Framework (the Framework).

19. The Wingerworth SDL, as set out in the LP, was stated in the officers' report to be out of date as it did not address the District's housing needs. This is clearly the case, and is unrelated to whether the Council can demonstrate a five year housing land supply – a matter to which I return below – as what matters in this instance is whether the saved policies still have a function in relation to housing need.

20. The SDLs were intended to address development needs up to 2011 and have little to do with the present position. The housing targets set out in the LP are out of date and this was confirmed in the Statement of Common Ground. The SDL and the related policies are inextricably interlinked, in that policies relating to the location of development and the delivery of housing lose much of their meaning if their spatial location is not set out and, conversely, the SDL is meaningless unless there are policies related to it.

[3] Other than to note that the SDL for Wingerworth is not proposed to be changed
[4] CD E38

21. In the Council's written evidence it was stated that the LP as a whole was up to date, but this position appeared to change at the Inquiry and it was accepted by the Council's witness that the plan was out of date. The Council's position in the closing submission was that the relevant policies were "mainly consistent" or have "some consistency" with the Framework. This confusing position is not helpful, but I prefer the clear evidence given by the Council's witness.

22. In addition, it was accepted by the Council that the authority has allowed developments which are inconsistent with the LP. Furthermore, the approach of my fellow Inspector in the Spindle Drive decision was that policy should be accorded limited weight as it was more restrictive than the (then) Framework. Although this decision was some time ago, nothing in the intervening period suggests that more weight should be given to the same policies.

23. In any event, as accepted by the Council at the Inquiry, the wording of LP policy GS1 is incompatible with the Framework as it includes an "overriding exceptional circumstances" test for development in the countryside. This is not, and has never been, part of national policy outside Green Belts or Areas of Outstanding Natural Beauty. Additionally LP policy GS6 gives the countryside a level of blanket protection which is inconsistent with national policy. All these additional matters clearly point to the LP being out of date.

24. I appreciate the Council's argument that the DLP does not propose a change to the Wingerworth SDL. However the emerging plan is of limited weight and there are apparently numerous representations to the spatial and housing policies. The emerging position regarding SDLs is therefore of very limited assistance.

25. Before concluding on the weight to be accorded to the LP, mention needs to be made of the recently-made NP. This plan makes no allocations and is therefore silent on housing needs. As was explained to me at the Inquiry, the original intention was for the NP to update the existing SDL. But, following discussions with the District Council, it was decided that the SDL should not be revised through the NP and this was left to the DLP. Overall, the NP does not address housing development needs, as this is reserved to the DLP. The Council accepted at the Inquiry that, if the NP were seen to be restrictive in its own right, then the NP itself would be out of date. I do not consider that to be the case and, in view of the perfectly proper relationship between the NP and the LP/DLP, I do not consider the NP to add anything of substance to the relevant policy base.

26. Overall the proposal does not conform to the relevant spatial policies of the LP, as the site is outside the SDL and is in the open countryside in policy terms. However, for reasons given above, the LP policies which are most important in determining the appeal are out-of-date. This does not mean that they can be ignored, but they have significantly reduced weight.

The character and appearance of the area

27. Part of the Council's composite first reason for refusal alleged negative environmental impacts in relation to visual prominence and the wider landscape/local topography.

28. In considering this matter, I am conscious that the Council did not call any landscape or design evidence to defend this aspect of the reason for refusal,

although it was briefly addressed by the planning witness. This is in contrast to the appellant, who produced a full Landscape and Visual Impact Assessment (LVIA) and who called landscape evidence.

29. The site falls within National Character Area 38 – the Nottinghamshire, Derbyshire and Yorkshire Coalfield. Regionally it is with the Wooded Slopes and Valleys Landscape Character Type. At the most detailed level it is within the Wooded Farmlands Landscape Character Type, which is typified by scattered ancient woodlands and hedgerow trees, dense tree cover along streams, small to medium irregular fields enclosed by mixed species hedgerows, curving lanes with irregular verges, scattered sandstone farmsteads and occasional hamlets.

30. Even allowing for the presence of Wingerworth, the last categorisation is a good description of elements of the appeal site, which is generally well enclosed by hedgerows and trees. There is no reason to doubt the appellant's statement that the majority of these would be retained in the detailed scheme design.

31. The Council suggested that the site is prominent, but this was persuasively contradicted by the appellant's detailed landscape evidence and by what I saw from the agreed viewpoints on my site visit. Although the site is visible at close range, when I visited the more distant locations, it was difficult in many cases to pick out the appeal site – so any future development thereon would have comparatively little effect. Subject to a height limitation applying to development on the upper part of the site, the proposal would not be unduly prominent or out of place.

32. The appellant's LVIA assessed the landscape and visual impact of the proposal and there is no dispute as to the methodology employed. In terms of the effects on landscape character, obviously the proposed replacement of fields by housing would introduce built form onto currently undeveloped land. However so would any built development on a greenfield site, and this would be set in the context of existing development to the south and west and, to a lesser extent, to the north. This limits the sensitivity, remoteness and tranquillity of the site.

33. The site is not in a valued landscape in terms of the Framework. The introduction of built form into the countryside beyond the settlement edge would have a minor adverse change to the landscape – but this would be appreciated only in localised views. The extent of this change is agreed between the main parties.

34. The parties debated the meaning of the appeal decision at Spindle Drive in relation to any consideration of the current appeal site. However this is not a particularly worthwhile exercise as, quite naturally, that Inspector was considering the site before him at that time, and it is not clear what evidence was presented to him in relation to the current appeal site.

35. For the above reasons the proposal would cause limited harm to the character and appearance of the area, and would thereby conflict with the relevant development plan policies (to which I attach significantly reduced weight) summarised above.

Relationship with Wingerworth

36. Wingerworth is a large village with a number of local amenities, including primary schools, public houses, places of worship, convenience stores and a number of other shops. There are several formal and informal public open spaces. The extent of the facilities is agreed between the main parties[5].

37. Whilst I accept that, due to the proximity of Chesterfield and the good transport links to that town, Wingerworth functions to an extent as a dormitory for Chesterfield and beyond. Nevertheless it has a reasonable range of services and facilities.

38. The issue therefore revolves around how the appeal site relates to Wingerworth and the facilities beyond.

39. Dealing first with bus transport, there are bus stops around one minute's walk from the entrance to the site. I appreciate that it would take some while to walk from the furthest part of the site to the bus stop, but the distance is not such as would be likely to put many people off using the bus. Once at the stop, there are two services, providing around three services an hour, to Wingerworth, Chesterfield and Clay Cross. Interchange facilities to other destinations and other modes of transport are present especially in Chesterfield.

40. Turning to walking and cycling, I note that only three amenities fall within a 1 km walk, but the great majority of the remainder are within 2 kms. I agree with the Council's argument that accessibility must be considered against the situation on the ground, including gradient, as opposed to two dimensional plan form. From what I saw on site some of the routes are sufficiently steep or poorly surfaced as to put some people off walking or cycling. In particular the route north up Hockley Lane is potentially unattractive in inclement weather, or for those with children, or the infirm. However alternative routes exist the shortest of which is only around 150m longer, and offer easier walking or cycling routes.

41. In dealing with this issue, I am mindful of the conclusion of my fellow Inspector dealing with the Spindle Road appeal. The access point to that development and the current appeal site are all intents and purposes the same – although I accept that the distance across the current appeal site is greater that which he was considering. I have no reason to disagree with his conclusion which was that, having regard to the location of the site and the accessibility to local facilities and services, the development was satisfactorily related to the settlement of Wingerworth. Nothing has been put before me to suggest that matters have significantly changed on the ground since that time.

42. Development should be focussed on locations which are sustainable and which offer genuine choices of transport modes. I find that the proposed development would offer a choice of transport modes – including walking, cycling and public transport. It would comply with the LP policies summarised above.

Other matters – housing land supply

43. As accepted by the appellant, the presence or absence of a five year housing land supply is not the determinative factor in this appeal. However the

[5] Statement of Common Ground Paragraph 3.6

absence of such a supply would be an important additional material consideration in favour of the proposal.

44. National policy, as set out in the Framework, is that the supply of homes should be significantly boosted and it is important that a sufficient amount and variety of land can come forward where it is needed. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. The use of the standard method is now enshrined in the Framework, and the PPG has been amended to explain its application.

45. The most important difference between the parties relates to whether the standard method should be employed. The Council's position is that it can demonstrate a five year supply of housing land, with an OAN based on the standard methodology. The Council is content to rely on 266 dpa, which is the minimum figure derived from the new methodology and the 2014 household projection figures. This approach captures any under-delivery[6]. On the basis of the Standard Method, on any view of the details of the supply and other matters[7], it is agreed that a five year housing land supply exists.

46. However the appellant's approach is that the standard method should not be used. Their requirement position, using the approach which existed before the standard method emerged, leads to a shortfall in housing land supply, as clearly demonstrated in their evidence.

47. The parties agreed at the Inquiry that, when the new standard methodology for assessing housing need was introduced, it was for the purpose of simplifying the process and making the it more transparent. A number of matters have been put forward as potential exceptional circumstances which, it is contended, lead to the conclusion that the standard method should not be used in this case.

48. The appellant has suggested that the new household projections cast doubt on the standard methodology. It is clear that the recently produced 2016 projections may have a potentially significant effect on the national picture. However for North East Derbyshire the impact appears to be less pronounced. The methodology and the data underpinning it may well be changed, as was flagged up when the Framework and the revised PPG were published and as is illustrated by the recent consultation on draft changes to planning policy and guidance (including the standard method of assessing local housing need). However the fact that the government intends to review the methodology in the light of the 2016 population data is not a good reason for departing from the standard approach at this time. This position was clearly appreciated when the new methodology was introduced. As matters stand the national policy position is clear.

49. The transitional provisions in the Framework allow for emerging plans submitted up to January 2019 to be examined in accordance with the approach set out in the former Framework. That is the case in North East Derbyshire, and the Council is relying on a different OAN (330 dpa) at that examination to

[6] Based on the new projections the Council states that the figure would be 234 dpa.
[7] Appellant's supplementary statement Table 3.1

that which was put forward in relation to this appeal. However the DLP figure using the methodology of the previous Framework is as yet untested.

50. The appellant's concern is that this could lead to a perverse position in that this appeal decision and the DLP examination will occur at around the same time, and the results could be founded on different approaches. However the Framework is clear that that the transitional provisions apply to local plan examinations and not to s78 appeals, where the new Framework is immediately applicable. Whilst appreciating the argument, this eventuality will doubtless have been foreseen when the new Framework and revisions to PPG were produced.

51. Overall, the standard methodology was introduced to provide clarity and consistency, and with this background circumstances to justify departing from the new methodology would have to be truly exceptional. It is highly unlikely that this is the only instance where the determination of an appeal will occur around the time of a local plan examination, which will be considering the wider picture on a different basis. This does not represent a circumstance so exceptional as to justify a departure from the standard methodology.

52. There remain other matters in dispute between the parties, including the use of blended Experian and OBR or solely OBR figures, affordable housing uplift, and details of the supply. However, given my conclusion on the applicability of the standard methodology, it is not necessary to pursue these matters further as it is agreed that a five year housing land supply exists using the standard method approach.

53. Therefore the housing land position does not trigger the 'tilted balance' arising from paragraph 11 of the Framework. However it is important to note that the presence of a five year supply of housing land is not a ceiling and the provision of general needs housing is a significant material consideration in light of national policy to significantly boost the supply of homes.

54. In addition, the need for affordable housing is agreed by the parties to be acute and significant. The Council criticised some of the details of the appellant's approach towards consideration of affordable housing at the Inquiry, but it is clear that there is a very significant need for affordable housing in the District, and that there is very considerable doubt as to delivery. Even if one accepts the Council's position that there is a pipeline of affordable housing coming forward in Wingerworth - which is far from clear – the provision of 40% affordable housing in the appeal scheme is a benefit. This is a very significant material consideration weighing in favour of the appeal scheme.

Other matters – traffic, flooding/sewage, ecology, ownership

55. Residents are very concerned at the impact of construction traffic on highway safety, based on experiences with the Spindle Road development. I fully understand these concerns but, given the possibility of a condition related to a Construction Method Statement, I am confident that these issues can be significantly ameliorated.

56. Residents graphically explained the problems experienced in the area in relation to sewage issues. Whilst I sympathise with the concerns of local people, there is no technical evidence to support their fear that the proposal would worsen the existing position. Surface water would eventually drain to

the watercourse and only foul water flows would enter the sewer – but this would be downstream of the location of the majority of issues reported by residents.

57. In terms of ecology, I have nothing which persuades me to depart from the agreement between the main parties that there would be no detrimental impact, and that the proposal could provide a net gain in biodiversity.

58. There was a specific concern raised related to the ownership of a dry stone wall to the north of the site. However this is a land ownership issue and is not a matter on which this appeal should turn.

59. All these matters and others are agreed between the main parties, as set out in the Statement of Common Ground[8]. I have no substantial evidence to depart from that position.

Conditions and planning obligation

60. I have considered the conditions put forward, without prejudice, by the parties in the light of PPG.

61. Along with the submission of reserved matters, a number of other details (surface and foul water, levels, planting, play area, climate change, coal mining and biodiversity) need to be submitted prior to the development commencing, to ensure a satisfactory standard of development (1, 2, 12, 20, 21, 22, 23, 24, 25, 32, 33, 35). For the avoidance of doubt, a condition specifying the approved plans is necessary, as is a condition limiting the number of dwellings (3 and 4).

62. For heritage reasons, a condition relating to archaeology is necessary (5).

63. In the interests of the health of future occupiers, a series of conditions addressing potential contamination is necessary (6 – 11).

64. For ecological reasons, external lighting and the timing of the development needs to be controlled. A Construction Environmental Management Plan and a Landscape and Ecological Mitigation and Management Plan need to be approved and implemented (26, 27, 28, 31).

65. To encourage local construction employment, a condition is needed to require a scheme for local recruitment (34).

66. Various highway matters need to be approved and implemented in the interests of highway safety (13, 14, 15, 17). For this reason and in relation to the amenity of nearby residents a Construction Method Statement needs to be prepared and implemented and the hours of construction controlled (28, 29, 30).

67. In the interests of encouraging sustainable modes of transport a Travel Plan needs to be submitted to and approved by the Council, and subsequently implemented (16).

68. As discussed above, a condition is necessary to limit the height of the development in the most prominent part of the site, in the interests of the appearance of the scheme (18).

[8] Section 8

69. A condition was put forward which would require the provision of public art as part of the development (19). Although no specific justification was provided, there is some policy support for this matter and it is agreed that this should be the subject of a condition.

70. A suggested condition regarding Biodiversity Metric Calculations is unnecessary as this should form part of the application for approval of details.

71. As noted above a Planning Obligation has been submitted. This provides:

- 40% affordable housing in accordance with LP policy H6 and the guidance in the Affordable Housing SPD.
- A public art contribution in line with LP policy BE5.
- Public open space and a Locally Equipped Area of Play (LEAP) in accordance with LP policy R5 and the Council's Recreational and Open Space SPD. The Obligation deals with provision and future maintenance. The proposal includes around 1.76 hectares of public open space, as well as the LEAP.
- An education contribution. Evidence to justify the contribution has been provided by the County Council, including detailed information on the ability of local schools to accommodate the additional children arising from the development. Confirmation has been given that the number of contributions has not exceeded the CIL Pooling Regulations
- Highways contributions related to improvements along the A61 corridor. Evidence has been submitted regarding the need for the contribution and its relationship with the proposal, along with confirmation that the number of contributions has not exceeded the CIL Pooling Regulations.
- Healthcare contributions. This would be directed to the Wingerworth Medical Centre, and evidence has been provided to explain the amount of the contribution.
- Travel Plan. A monitored Travel Plan is required in relation to LP policy T4.

72. The CIL Compliance Statement and other evidence demonstrate that the provisions of the Obligation are directly related to the proposed development and are necessary to make the scheme acceptable in planning terms. Therefore the Obligation meets the policy in paragraph 56 of the Framework and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010. Some of the provisions are designed to mitigate the impact of the proposal and these elements therefore do not provide benefits in favour of the appeal. However other matters, most notably the provision of affordable housing, weigh in favour of the appeal.

Planning balance and conclusion

73. In conclusion the proposal does not conform to the relevant spatial policies of the LP, as the site is outside the SDL and is in the open countryside in policy terms. It would cause limited harm to the character and appearance of the area, as would any built development on a greenfield site. However the LP policies which are most important in determining the appeal are out-of-date and are afforded significantly reduced weight.

74. The location is sustainable and the proposal offers genuine choices of transport modes and complies with the relevant policies.

75. Although I have concluded that there is a five year housing land supply in the District, based on the standard methodology, this is not a ceiling and the provision of general needs housing is a significant material consideration in the light of national policy. In addition the provision of 40% affordable housing is a very significant material consideration weighing in favour of the appeal scheme.

76. There would also be some limited benefits arising from construction employment, indirect economic benefits, and increased local spend.

77. As explained above, the housing land supply position does not trigger the so called 'tilted balance' in paragraph 11 of the Framework. However, as accepted by the Council, this is triggered by the fact that the spatial strategy and settlement boundaries are out of date. Permission should therefore be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits. In this case the adverse impacts do not come close to outweighing the benefits.

78. For the reasons given above I conclude that the appeal should be allowed.

P. J. G. Ware
Inspector

CONDITIONS

1) Applications for approval of reserved matters are required before development can start and shall be made to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be started within two years from the date of the approval of the last of the reserved matters to be approved.

2) Approval of the details of the layout, appearance of the buildings and landscaping of the site (called "the reserved matters") shall be obtained from the local planning authority in writing before any development is started.

3) The development hereby approved shall be carried out in accordance with the following plans: Location plan 2A; Draft general arrangement 02072-03F; Revised illustrative layout Rev B; Drawing 17.

4) The development hereby approved shall not exceed 180 dwellings.

5) No development shall take place until a Written Scheme of Investigation of archaeological work has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of the significance of the site, research questions and:

    - The programme and methodology of site investigation and recording
    - The programme for post investigation assessment
    - Provision for analysis of the site investigation and recording
    - Provision for publication and dissemination of the analysis and records of the site investigation
    - Provision for archive deposition of the analysis and records of the site investigation
    - Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

    No development shall take place other than in accordance with the archaeological Written Scheme of Investigation.

    The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

6) Before the commencement of the development hereby approved a Phase I contaminated land assessment shall be undertaken and approved in writing by the local planning authority. The contaminated land assessment shall include a desk-study with details of the history of the site's use including:

    - the likely presence of potentially hazardous materials and substances
    - their likely nature, extent and scale
    - whether or not they originated from the site

- a conceptual model of pollutant-receptor linkages
- an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments
- details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy

7) The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.

8) Before commencement of the development hereby approved, where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to CLR 11 and other relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

9) None of the dwellings hereby approved shall be occupied until the approved remediation works have been carried out in full in compliance with the approved methodology and best practice.

10) If during the construction of the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described above.

11) Upon completion of the remediation works required by conditions above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved

remediation standard, together with the necessary waste management documentation shall be included.

12) Before the commencement of any operations on site, a scheme for the disposal of highway surface water via a positive gravity-fed system, discharging to an outfall or public sewer, highway drain or watercourse, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with these details.

13) Before the commencement of any operations on site, detailed designs shall be submitted to the local planning authority for written approval indicating the design and construction of the proposed access road bridge structure, the proposed works being completed in accordance with the approved scheme prior to the occupation of any dwelling hereby approved and maintained throughout the life of the development free from any impediment.

14) Before any other operations are commenced (excluding site clearance and the erection of the bridge to allow access), space shall be provided within the site curtilage for storage of plant and materials/site accommodation/loading and unloading of goods vehicles/parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the local planning authority for written approval and retained throughout the contract period in accordance with the approved designs free from any impediment.

15) Before any other operations are commenced, (excluding condition numbers 11 - 13 above) a new estate street junction shall be formed to Spindle Drive located, designed, laid out, constructed and provided with 2.4m x 25m visibility splays in either direction, all as agreed in writing with the local planning authority, the area in advance of the sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other sub-division of the site.

16) No dwelling shall be occupied until a Travel Plan has been submitted to and approved by the local planning authority. The Travel Plan shall set out proposals (including a timetable), to promote travel by sustainable modes which are acceptable to the local planning authority, and shall be implemented in accordance with the timetable set out therein. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of the planning permission, to the local planning authority for approval for a period of five years from first occupation of the development.

17) Throughout the entire period of construction, wheel washing facilities shall be provided within the site in a location and of a form that shall be submitted to and be approved in writing by the local planning authority before development commences.

18) The dwellings built within the area identified in purple on Drawing 17 shall be no taller than 1 and a half storeys in height.

19) Before the development hereby approved starts, a scheme for the provision of public art on the site, including a timetable for implementation of the scheme, shall be submitted to and approved in writing by the local planning authority. The public art shall thereafter be completed in full in accordance with the approved scheme and timetable and shall be retained as such thereafter.

20) Details of the existing ground levels, proposed finished floor levels of the dwellings and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development, shall be submitted to and approved in writing as part of the reserved matters approval. The development shall then be carried out in accordance with the approved details and the levels shall be retained as such thereafter.

21) All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

22) Before development starts, and as identified on the submitted indicative masterplan, a plan identifying a locally equipped area of play shall be submitted to and approved in writing by the local planning authority. As a minimum it shall include details of equipment to be erected, material used, including flooring and boundary treatments. The details as approved shall be built before more than half of the dwellings on site are occupied.

23) Before development starts a scheme for the provision of surface water drainage works, including details of any balancing and off-site works, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full before the occupation of the first dwelling and shall be retained as such thereafter.

24) Before development starts, a scheme for the provision of foul drainage works shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full before the occupation of the first dwelling and shall be maintained as such thereafter.

25) The site shall be developed with separate systems of drainage for foul and surface water on and off site.

26) No development shall commence until a detailed external lighting strategy has been submitted to and approved in writing by the local planning authority. Such approved measures shall be implemented in full and retained as such thereafter. No other lighting shall be constructed or implemented on the site.

27) No site clearance shall take place between 1st March and 31st August inclusive, unless a qualified ecologist has undertaken a detailed check of the site for active birds' nests immediately before work is commenced and provided written confirmation that no birds will be harmed and/or that there

are appropriate measures in place to protect nesting birds. Any such written confirmation should be submitted and approved by the local planning authority.

28) No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following incorporating the measures outlined within Section 4 of the ecological report:

- Risk assessment of potentially damaging construction activities
- Identification of biodiversity protection/buffer zones to include the Brook, hedgerows, woodland, trees other habitat as required
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on habitats and species during construction
- The location and timing of sensitive works to avoid harm to habitats and species
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

29) No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved by the local planning authority. The Statement shall provide for:

- Details of construction workers' accommodation
- The storage of plant and materials
- Parking and manoeuvring areas for vehicles
- Loading and unloading areas

The approved CMS shall be adhered to and implemented throughout the construction period in accordance with the approved details.

30) No construction work shall be carried out or deliveries made to the site outside of the hours of 0730 to 1800 hours Monday to Friday and 0730 to 1200 on Saturday. No construction work or deliveries shall be carried out/ made at any time on Sundays or Public Holidays.

31) A Landscape and Ecological Mitigation and Management Plan (LEMMP) for all retained habitats within the development site shall be submitted to and be approved in writing by the local planning authority as part of any reserved matters application. The plan should incorporate the details provided in the ecological appraisals and the content of the plan should include the following:

- Description and evaluation of features to be managed/enhanced or created
- Ecological trends and constraints on site that might influence management
- Aims and objectives of management
- Appropriate management options and methods for achieving aims and objectives
- Timescales
- Prescriptions for management actions
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- Details of the body or organization responsible for implementation of the plan
- Ongoing monitoring and remedial measures

The LEMMP shall be implemented in accordance with the approved details.

32) The details to be submitted to and approved in writing by the local planning authority as part of the reserved matters shall include a scheme for mitigating climate change through the sustainable design and construction of the dwellings including the provision of sources of renewable energy. Thereafter the approved climate change scheme shall be implemented in full and retained as such thereafter.

33) Prior to the commencement of development further investigation works with regard to the coal mining legacy shall be submitted to and approved in writing by the local planning authority. The works shall include the submission of a scheme of intrusive site investigation works. The works as approved shall be completed and a report of the findings submitted to the local planning authority for written approval. Any remedial works as agreed shall be implemented in full.

34) Before the development hereby approved starts a scheme for the recruitment of employees for the construction period of the development hereby approved shall be submitted to and approved in writing by the local planning authority. Thereafter the scheme shall be operated in accordance with the approved details.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:	
Mr J Mitchell of Counsel	Instructed by the Council's Planning Manager
He called	
Ms L Chapman MSP Cert PLAP	Principal Planning Officer, Policy
Mr N Ireland BA(Hons) MTP MRTPI	Director, Iceni Projects
Mr G Bradford BSc(Hons) MRTPI PGDipURP MA	Director, Planning and Environment Studio

FOR THE APPELLANT:	
Mr C Young QC	Instructed by Mr P Hill
He called	
Mr R McWilliam DipLA CMLI	Director of Landscape, Barton Willmore
Mr A Moger BA(Hons) MA MRTPI	Tetlow King Planning
Mr M Nettleton BSc MCIHT	Joint Managing Director, Phil Jones Associates
Mr C Austin-Fell BA(Hons) MRTPI MTP	Associate RPS Planning and Development
Mr D Owen BA(Hons) MTPL MRTPI	EFM
Mr R Chalmers BSc ME MICE	Director of Engineering, RPS Group
Mr S Clyne LCP Dip SMS Cert Ed MAE	EFM
Mr P Hill BA(Hons) MA MRTPI	Director, RPS Planning and Development

INTERESTED PERSONS:	
Mrs L Carter	Local resident
Mrs Y Piggott	Local resident
Cllr D Ruff	Chair, Wingerworth Parish Council
Mr K Boulden	Local Resident
Mrs D Nash	Local resident

INQUIRY DOCUMENTS

1	List of persons present at the Inquiry
2	CIL Compliance Statement
3	Mrs Piggott's statement
4	Mrs Nash's statement
5	Mr Boulden's statement
6	Mrs Carter's statement
7	Cllr Ruff's statement
8	Appellant's table on 2018 OBR Economic Activity Rates
9	Mr Winter's photograph of 2014 flooding

10	County Council Affordable Housing Completions (run 8/18)
11	Requirement/Supply Options summary
12	Correspondence related to Former Avenue Site
13	Extract from PPG on availability
14	Pioneer House affordable completions
15	Appeal decision (3180400) at Watlington Road, Benson
16	Appeal decision (3164961) at Langford Road, Henlow (and related decisions)
17	EWCA Civ 1146 [2016] Gladman Developments Ltd & Daventry District Council and SSCLG
18	Mr Bradford's note on the Planning Balance
19	Note by Mrs Carter from 2013 Inquiry
20	Response to residents by Mr Clyne
21	Response to residents by Mr Chalmers
22	Mr Nettleton's plan of routes to amenities
23	Response to residents by Mr Nettleton
24	Affordable housing clarification
25	Email from Mr Owen regarding ownership of dry stone wall
26	Note related to Mrs Piggott's letter on ecology
27	DLP Inset plan
28	Response to Council's affordable housing clarification note
29	Note on housing provision at Nethermoor Road
30	Requirement/supply options table (amended)
31	Clarification of minor sites dispute
32	Closing submissions by the Council
33	Closing submissions by the appellant
34	Council's further submissions on revised PPG and Household projections
35	Appellant's further submissions on revised PPG and Household projections

CORE DOCUMENTS

A	PLANNING APPLICATION DOCUMENTS, COMMITTEE REPORTS AND DECISION NOTICE
A1	Not used
A2	Covering Letter (03.03.17)
A3	Notice Letter 03.03.17 (Artisan and Mr. Needham)
A4	Application Forms 03.03.17
A5	AAH4960_01_D_Illustrative Masterplan;
A6	AAH4960_02_A_Location Plan;
A7	AAH4960_04_D_ Illustrative Street Scene;
A8	0272-03-F General Arrangement;
A9	2000_REV2 Topographical Survey;
A10	Design and Access Statement Rev A (RPS);
A11	Building for Life 12 Assessment Rev A (RPS);
A12	JBB7419.C5050 Planning Statement, including Statement of Community Involvement and draft S106 Heads of Terms (RPS) 03.03.17
A13	2072_A Transport Assessment (Phil Jones Associates);
A14	2072_A Framework Travel Plan (Phil Jones Associates);
A15	Landscape and Visual Impact Assessment Rev 1 (Barton

	Willmore);
A16	OXF90695 Ecological Appraisal V3 (RPS);
A17	AAC5338 Flood Risk Assessment (RPS);
A18	JKK9312 Arboricultural Impact Assessment (RPS);
A19	JAC23051 Desk-Based Baseline Heritage Assessment (RPS);
A20	JER6605 Coal Mining Risk Assessment (RPS).
A21	Wingerworth Drainage Response (19 June 2017)
A22	Addendum Design & Access Statement (RPS) (July 2017)
A23	AAH4960_09_RevA_Revised Illustrative Masterplan (RPS) (July 2017)
A24	AAH4960_10_RevA_Revised Illustrative Layout (RPS) (July 2017)
A25	Covering Letter, 26 July 2017
A26	02675-P-001-P3 - Proposed Re-Alignment Long Section (PJA Engineering) (23 March 2017)1
A27	AAH4960_09_RevB_Revised Illustrative Masterplan (RPS) (July 2017)2
A28	AAH4960_10_RevB_Revised Illustrative Layout (RPS) (July 2017)
A29	AAH4960_11_Rev-_Illustrative Land Use Layout (RPS) (July 2017)
A30	OXF9065 Wingerworth Addendum Biodiversity Report V1 (RPS) (4 September 2017)
A31	NEDDC Planning Committee, 26 September 2017
A32	Geophysical Survey Report (SUMO Services Ltd) (April 2017)
A33	NEDDC Planning Committee, 26 September 2017 – Minutes
A34	NEDDC Planning Committee, 12 December 2017
A35	AAH4960_03_RevA_Illustrative Layout
A36	NEDDC Planning Committee, 12 December 2017 - Minutes
A37	NEDDC Decision Notice, 14 December 2017
B.	APPEAL DOCUMENTS
B1	Appeal Forms & Grounds of Appeal
B2	LPA Appeal Questionnaire
B3	LPA Statement of Case
B4	Appellant Statement of Case 22 December 2017
B5	Letter to NEDDC dated 7 March 2018 from RPS re clarification for Reason for Refusal 3
B6	Email from NEDDC withdrawing three of the reasons for refusal, 20 March 2018
B7	Letter dated 19 June 2018 from RPS to NEEDC relating to future Local Plan Examination
B8a	Letter dated 29 June 2018 from RPS to NEDDC regarding Condition 18
B8b	Drawing 17 Building heights and massing plan sent in conjunction as CD B8a letter regarding Condition 18
B9	Statement of Common Ground (July 2018)
B10	List of proposed planning conditions (July 2018) – To follow
B11	Section 106 Agreement (July 2018) – To follow
C.	GOVERNMENT GUIDANCE
C1	National Planning Policy Framework (2012)
C2	National Planning Policy Framework – Draft text for consultation (March 2018)
C3	(National) Planning Practice Guidance (Extracts)
C4	Draft Planning Practice Guidance – Draft updates to planning

	guidance which will form part of the Government's online Planning Practice Guidance (March 2018)
C5	Institution of Highways and Transportation – Guidelines for Providing for Journeys on Foot (2000)
C6	Housing White Paper 'Fixing Our Broken Housing Market', February 2017
C7	Guidelines for Providing for Journeys on Foot – Institution of Highways and Transportation (2000)
C8	Design Guidance - Active Travel (Wales) Act 2013.
C9	Manual for Streets
C10	Environment Agency (EA) Flood Risk and Drainage guidelines
C11	Environment Agency - Flood Zone Classification.
C12	Guidelines for Providing for Journeys on Foot (Institute for Highways and Transportation, 2000)
C13	Home to School Travel and Transport Guidance: Statutory Guidance for Local Authorities (Department for Education, 2014)
C14	Inclusive Mobility (Department for Transport, 2005)
C15	LTN 1/04 Policy, Planning and Design for Walking and Cycling (Department for Transport, N.D.)
C16	Local Cycling and Walking Infrastructure Plans Annex C (Department for Transport, 2017)
C17	Manual for Streets 2 (Chartered Institute of Highways and Transportation, 2010)
C18	Planning Policy Guidance 13: Transport (Communities and Local Government, 2011)
C19	PAS OAN & Housing Targets Technical Advice Note
C20	Neighborhood Planning Written Ministerial Statement December 2016
C21	Fixing the Foundations; Creating a More Prosperous Nation
D.	APPEAL DECISIONS AND COURT JUDGEMENTS
D1	Bishops Cleeve Secretary of State July decision, APP/G1630/A/11/2146206 & APP/G1630/A/11/2148635 (16 July 2012)
D2	The House of Lords Select Committee on Economic Affairs 'Building more homes' report, (July 2016)
D3	Horse and Jockey, Brackenfield Lane, Wessington. DE55 6DW, APP/R1038/W/17/3180085 (15 November 2017)
D4	Land at Gaydon Road, Bishop's Itchington, Southam, Warwickshire, APP/J3720/A/13/2202961 (29 January 2014)
D5	Land to the rear of 61-119 Nethermoor Road and opposite 15-21 Deerlands Road, Wingerworth (Phase 1), APP/R1038/A/13/2192646 (20 August 2013)
D6	Gladman vs Daventry District Council and Secretary of State for Communities and Local Government, [2016] EWCA Civ 1146 (23 November 2016)
D7	Marsh Green Estates Ltd. Land at the junction of Narrowleys Lane and Moor Road, Ashover, APP/R1038/W/15/3133527 (19 December 2016)
D8	APP EWHC827 Phides v Secretary of State for Communities and Local Government and Shepway District Council and David Plumstead (26 March 2015)
D9	APP/U4230/A/11/2157433, Burgess Hill Secretary of State

	Decision, (16 July 2012)
D10	Land north of Upper Chapel, Launceston, APP/D0840/A/13/2209757, (11 April 2014)
D11	Yate, Appeal Decision APP/P0119/A/12/2186546 (8 April 2013)
D12	Land adjacent to Cornerways, High Street, Twyning, Tewksbury APP/G1630/W/14/3001706 (13 July 2015)
D13	Appeal Decision: APP/R1038/W/15/3133527 – Narrowleys Lane, Ashover (19 December 2016)
D14	Appeal Decision: APP/R1038/W/17/3183949 – Egstow Street, Clay Cross (2 February 2018)
D15	Appeal Decision: APP/R1038/W/17/3189171 – Back Lane, Wessington (23 March 2018
D16	Hunston Properties Ltd. vs. (1) Secretary of State for Communities and Local Government (2) St Albans City and District Council (5 September 2013)
D17	West Berkshire v (1) Secretary of State for Communities and Local Government (2) HDD Burghfield Common Ltd (16 February 2016)
D18	Oadby and Wigston Borough Council v (1) Secretary of State for Communities and Local Government (2) Bloor Homes Ltd (27 October 2016)
D19	Stratford on Avon District Council v Secretary of State for Communities and Local Government and (1) J S Bloor (Tewkesbury) Limited (2) Hallam Land Management Limited (3) Rase (Residents Against Shottery Expansion) (18 July 2013)
D20	City and District Council of St Albans v The Queen (on the application of) Hunston Properties Limited Secretary of State for Communities and Local Government and anr. (12 December 2013)
D21	(1) Gallagher Estates Limited (2) Lioncourt Homes Limited v. Solihull Metropolitan Borough Council (30 April 2014)
D22	Satnam Millennium Limited v Warrington Borough Council (19 February 2015)
D23	Kings Lynn West Norfolk v SSCLG (July 2015)
D24	Appeal Decision: APP/W0340/A/14/2228089- Land at Firlands Farm, Hollybush Lane. (6 July 2015)
D25	Appeal Decision: APP/V0728/W/15/3018546- Longbank Farm, Ormesby (9 March 2016)
D26	Appeal Decision: APP/C3105/A/14/2226552 Land at Sibford Road, Hook Norton (7 December 2015)
D27	Appeal 3171692, Land South of Marroway, Aylesbury, Bucks (30 November 2017)
D28	Secretary of State decision, Pulley Lane, Droitwich Spa (July 2014)
D29	Secretary of State decision, East Leake, Nottinghamshire (March 2008)
D30	Secretary of State decision, Sketchley House, Burbage (November 2014)
D31	Appeal decision, Campton Road, Shefford (2 September 2015)
D32	Appeal decision, Oving Road, Chichester (18 August 2017)
D33	Appeal Decision: APP/R1038/W/17/3188198 Land East of Fold House Farm (25 June 2018)

D34	Appeal Decision: APP/C3430/A/12/2189442 Land off Elmwood Avenue, Essington, WV11 2DH (11 April 2013)
D35	Appeal Decision: APP/D2320/A/12/2172693 Land to the north and west of Lucas Lane, Whittle-le-Woods, Chorley, PR6 7GY (19 September 2012)
D36	Appeal Decision: APP/D0840/A/13/2209757 Land north of Upper Chapel, Launceston PL15 7DW (11 April 2014)
D37	Appeal Decision: APP/A0665/A/14/2226994 Land at Fountain Lane, Davenham, Cheshire (3 September 2015)
D38	14/00766/OL Appellants Proof of Evidence- Statement of Common Ground for APP/R1038/W/15/3133527 – Narrowleys Lane, Ashover (19 December 2016)
D39	Dartford BC v SoS DLG 2014: EWHC 2636 (24 June 2014)
D40	Appeal Decision: APP/T2405/A/13/2193758 Land east of Springwell Lane, Whetstone, Leicestershire LE8 6LT (01 August 2013)
E.	LOCAL PLAN; EMERGING LOCAL PLAN; EMERGING NEIGHBOURHOOD PLAN; SUPPLEMENTARY PLANNING DOCUMENTS AND EVIDENCE BASE
E1	North East Derbyshire Local Plan Inspector's Report (2005)
E2	North East Derbyshire Local Plan 2001-2011 (November 2005)
E3	North East Derbyshire Local Plan Proposals Map Inset F (November 2005)
E4	Developer Contributions SPD (September 2007)
E5	Recreation and Open Space SPD (October 2007)
E6	Direction from the Secretary of State Letter of Karin Staples/Direction under Paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004/Schedule of saved Policies (November 2008)
E7	Access for All SPD (July 2008)
E8	Affordable Housing SPD (January 2008)
E9	Sustainable Buildings SPD (November 2011)
E10	North East Derbyshire Interim Sustainable Buildings Policy (May 2009)
E11	Successful Places SPD, A Guide to Sustainable Housing Layout and Design (December 2013)
E12	NEDDC Cabinet – Proposed Interim Housing Policy for New Housing Development in North East Derbyshire & Minutes (17 March 2010)
E13	Interim Planning Policy for New Housing Development in North East Derbyshire (March 2010)
E14	North East Derbyshire Core Strategy (Local Plan Part 1: Strategic Policies) (August 2012)
E15	North East Derbyshire Core Strategy: Spatial Portrait, Vision and Strategic Objectives (August 2012)
E16	North East Derbyshire Core Strategy: Green Belt Review (August 2012)
E17	Derbyshire County Council Developer Contributions Protocol (September 2012)
E18	North East Derbyshire Local Plan (2011-2031) Part 1 Initial Draft (Site allocations not included) (February 2015)
E19	Local Plan Position Statement (November 2016)

E20	North East Derbyshire Local Plan (2011-2033) Consultation Draft (February 2017)
E21	North East Derbyshire Local Plan (2011-2033) Consultation Draft Wingerworth Policies Map (February 2017)
E22	North East Derbyshire Local Plan (2014-2034) Consultation Publication Draft (February 2018)
E23	North East Derbyshire Settlement Development Limits Review (January 2018)
E24	Wingerworth Parish Draft Submission Neighbourhood Plan (July 2017)
E25	Wingerworth Neighbourhood Plan 2016 – 2033 – Referendum Version (April 2018)
E26	Cabinet Report and Examiner's Report re Wingerworth Neighbourhood Plan (11 April 2018)
E27	NEDDC Wingerworth Neighbourhood Plan: Decision Statement (2018)
E28	Wingerworth Neighbourhood Planning Referendum: Declaration of Result (14 June 2018)
E29	North East Derbyshire District Council, Settlement Hierarchy (December 2016)
E30	Settlement Hierarchy Study Update (December 2017)
E31	Not used
E32	Not used
E33	North East Derbyshire Local Development Scheme (LDS8) (18 January 2018)
E34	Derbyshire County Council Developer Contributions Protocol (2018)
E35	North East Derbyshire "Successful Places" Guidance (2013)
E36	North East Derbyshire 2011 HNMAS Final Report 2012
E37	North East Derbyshire District Council Record of Decision Taken by the Chief Executive Officer 09 July 2018
E38	Letter from Secretary of State to NEEDC re Local Plan Intervention (23 March 2018)
E39	Wingerworth Neighbourhood Plan, Final Version (July 2018)
E40	Extract of Cabinet Report – North East Derbyshire Local Plan: Publication Draft and Proposals for Public Consultation followed by Submission to the Secretary of State (14 February 2018)
F	REGIONAL DOCUMENTS
F1	East Midlands Regional Plan (March 2009), Extract
F2	Derby and Derbyshire Joint Structure Plan (1991 – 2011)
F3	Strategic Housing Market Assessment, Objectively Assessed Need (November 2013)
F4	North Derbyshire and Bassetlaw Housing Market Assessment, Objectively Assessed Need Update (October 2017)
F5	Considering North East Derbyshire's OAN (GL Hearn) (February 2018)
F6	Derbyshire County Council Local Flood Risk Management Strategy (July 2015)
F7	Derbyshire County Council Preliminary Flood Risk Assessment (May 2011)
F8	Housing Need in the North Derbyshire and Bassetlaw HMA - Sensitivity Testing Analysis (March 2014)

G	HOUSING LAND SUPPLY INFORMATION
G1	Lichfields document Start to Finish How Quickly do Large-Scale Housing Sites Deliver? (November 2016)
G2	Housing Land Supply Completions (Major Sites)
G3	North East Derbyshire District Council, Five Year Land Supply (2017)
G4	NEDDC Housing Topic Paper (January 2018)
G5	NEDDC Housing Completions 2017-2018 and Housing Commitments at 31/03/2018 paper
G6	NEDDC, Five Year Housing Land Supply Statement (May 2018)
G7	Not used
G8	RTPI Research Report No. 1 - Planning for housing in England 2014
G9	OBR Fiscal Sustainability Report 2017
G10	SWDP Inspectors Report Interim Findings 2016
G11	Report on the Examination into the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (26 October 2017)
H	OTHER SUPPORTING INFORMATION
H1	Local Plan: Written Statement – HCWS254 (Local Plans) made by Savid Javid. 16 November 2017
H2	Guidelines for Landscape & Visual Impact Assessment 3rd Edition (April 2013)
H3	Sustainable Community Strategy for Chesterfield and North East Derbyshire 2009-2026
H4	NEDDC Housing and Economic Development Strategy 2015-2020
H5	NEDDC Corporate Plan 2015-2019
H6	NEDDC Growth Strategy 2014-2024 (2014)
H7	North Derbyshire Homeless Strategy and Homeless Review 2016-2021
H8	Census for Wingerworth Parish 20113
H9	HBF Housing Calculator4
H10	Council Tax Bands for NE Derbyshire for 2017-18
H11	Annual Monitoring Report (AMR13) (1 April 2016 – 31 March 2017) (February 2018)
H12	OPUN Design Review (19 June 2016)
H13	NEDDC's Green Belt Paper Topic Paper (Jan 2018)
H14	NEDDC's Settlement Role Update (December 2017)
H15	NEDDC' Local Development Scheme (November 2015)
H16	Local Plan Timetable (Updated June 2016)
H17	NEDDC website wording about stalled progress on the emerging NEDDC Local Plan (2011-2033) (22 November 2017)
H18	Not used
H19	North East Derbyshire Committee Report 20.03.18 concerning reasons 1 and 5 of the decision notice and minutes.
H20	CIRIA C753, Sustainable Urban Drainage Systems (SuDS Manual)
H21	3rd Party Representations to the Appeal
H22	BRE:365 soakaways infiltration rates testing (2007)
H23	Consultation responses to Outline Application
H24	Active Travel Wales Act 2013 Design Guidance Appendix B Walking Route Audit Tool (Welsh Government, 2013)
H25	The Avenue Area Strategic Framework (North East Derbyshire

	District Council, 2013)
H26	Not used
H27	North East Derbyshire Employment Land Review Update (2017) - Lichfields
H28	Employment Land Review Update - Economic Growth Analysis 2018 – Lichfields
H29	The Sheffield City Region Integrated Infrastructure Plan – Sectoral and Local Authority Distribution of SCR 70,000 Jobs Target, Assumptions Report FINAL REPORT (2015) - Ekosgen.
H30	North East Derbyshire Whole Plan Viability Assessment (2018) – Bailey Venning Associates Ltd.
H31	The Role of Land Pipelines in the UK Housebuilding Process (2017) - ChamberlainWalker and Barratt Developments PLC
H32	Duty to Cooperate Statement of Compliance