

Agenda Item A5	Committee Date 21 August 2017	Application Number 17/00730/REM
Application Site Land Off Sycamore Road Brookhouse Lancashire	Proposal Reserved matters application for the erection of 22 dwellings	
Name of Applicant Oakmere Homes	Name of Agent Mr Daniel Hughes	
Decision Target Date 19 September 2017	Reason For Delay None	
Case Officer	Mrs Jennifer Rehman	
Departure	N/A	
Summary of Recommendation	Approval	

(i) Procedural Matters

A site visit was arranged for the Planning and Highways Regulatory Committee Members to view this particular site in advance of the earlier full planning application (16/01603/FUL) being reported to the Committee. This site visit took place on 27 March 2017.

1.0 The Site and its Surroundings

1.1 The site relates to an agricultural field and an existing residential property located adjacent to the north western edge of the village of Brookhouse, accessed from Sycamore Road. The 0.75 hectare site is surrounded by existing residential development (east and south) and open countryside (north and west). The character and style of existing residential development within Brookhouse is varied. Within the vicinity of the site, existing residential development is predominately two-storey with some bungalows neighbouring the proposed site but at different elevations (due to the sloping nature of the site and surroundings). The character and appearance of neighbouring development varies markedly along Brookhouse Road but along Sycamore Road and Sycamore Crescent existing properties are quite uniformed in their appearance (typical of their age/period).

1.2 The southern boundary of the proposed site consists of a high stone wall along the length adjoining St Paul's Vicarage and then dissects a small part of the existing field where there is currently no boundary feature. The furthestmost southern field boundary (outside the red edge of this application site but forming the red-edge of the outline permission) consists of a timber post and rail fence which separates the field from the garden belonging to 151 Brookhouse Road. This boundary (on the neighbour's side) consists of a number of protected trees (Tree Preservation Order No: 593 (2017)) and shrubs. There is also a pond on this adjoining land. To the west of the site are open fields that appear to be used for equestrian purposes and includes a horse arena. The arena sits immediately behind a row of high leylandii trees abutting the western boundary, which also consists of a low timber post and rail fence. To the north of the site is open grazing land which rises to an elevation of approximately 35m AOB. To the east of the site, the site adjoins existing residential property, namely 88 Sycamore Road and 47 Sycamore Road. The latter is included in the application site and is proposed for demolition. The eastern boundary comprises a dry stone wall (circa 1.2m high)

along the boundary with 88 Sycamore Road and a timber post and rail fence with domestic planting beyond between the field and 47 Sycamore Road.

- 1.3 The topography of the site varies markedly with undulations within the site boundaries. The most significant falls across the site are in a south–north direction and also a south-east to north-west direction. Levels range from approximately 12.5m AOD on the southern boundary to approximately 8m AOD along the northern boundary where there is a distinct depression marked by a small area of wetland habitat.
- 1.4 The site is located within the designated Countryside Area and the Forest of Bowland Area of Outstanding Natural Beauty (AONB). Most of the field is also within a Mineral Safeguarding Area. There are no public rights of way affected by the proposals and the site is situated away from the village’s Conservation Area and Listed Buildings (approximately 220m and 320m respectively to the east). The site is located in flood zone 1, with a small part of the site along the northern boundary identified on land susceptible to surface water flooding (for the 1:100 year and 1 in 1000 year flood events).

2.0 The Proposal

- 2.1 Outline planning permission was granted for the demolition of the existing bungalow and the erection up to 31 dwellings with associated access. Consideration of access was considered as part of the outline planning permission. This Reserved Matters submission seeks to agree the matters that were not submitted in detail at the time of the outline application, which in this case are layout, appearance, scale and landscaping of the residential development.
- 2.2 The applicant proposes 22 houses, four of which shall be affordable. The breakdown is as follows:
- 2 x one bedroom units (both affordable rented units)
 - 1 x two bedroom unit (shared ownership affordable unit)
 - 2 x three bedroom units (one shared ownership affordable unit and one open market unit)
 - 17 x four bedroom units (all open market units)

An explanation of the affordable housing provision is set out in the Planning Obligations section of this report. The scheme includes a mix of seven different house types across the site, including 4 split-level properties to address the level changes across the site. The proposed properties are all two-storey units to be finished in a combination of artificial stone and white roughcast render under natural slate roofs. Windows are proposed in a dark grey uPVC.

- 2.3 To develop the site earthworks are required. The ground will be cut from the south-eastern corner of the site and filled predominately over the central and northern sections of the site. A 2m high retaining wall, which gradually reduces in height towards the west, is required along the southern boundary of the site to the rear of plots 1 to 3. Small retaining features are also proposed within some of the individual plots.
- 2.4 The proposed 22 units are served from a single road, which runs through the site from Sycamore Road in an east-west direction forming a large cul-de-sac with large turning head in the north-western corner of the site. A field access is maintained along the western boundary of the site to provide maintenance access to the sewer. A small private drive is proposed off the spine road to serve 3 dwellings in the south western corner of the site. This drive extends up to the furthestmost southern boundary of the site to secure access to the remaining southernmost part of the field, which does not form part of this reserved matters approval. All the proposed dwellings have off-street parking either on private drives/garages or on a small parking court to serve some of the affordable units.
- 2.5 A detailed landscaping proposal has been submitted proposing native hedgerow planting to the site boundaries and around the amenity space. Instant hedgerows are proposed around garden curtilages to properties in visually prominent positions with new tree planting throughout the site and along the boundaries. There is no tree or significant hedgerow removal proposed as part of the scheme other than the domestic planting within the curtilage of 47 Sycamore Road which is proposed for demolition.

3.0 Site History

3.1 The previous outline consent was subject to a Section 106 agreement securing the following:

- Provision of up to 40% affordable housing based on a 50% intermediate housing basis and 50% social rented basis (subject to development viability at the Reserved Matters stage);
- Allotment Contribution (to provide on-site area for allotments or a financial contribution towards the provision of allotments, such to be agreed at the Reserved Matters stage);
- Provision and in perpetuity maintenance of Amenity Green Space, such to be agreed at the Reserved Matters stage.

3.2 Before this reserved matters application was submitted, the applicant had submitted a full planning application for 21 houses with an associated access. Amongst other matters, development viability had been a key consideration and was debated heavily over an extensive period of time, involving an independent review of the applicant's viability submissions. The Council (via its independent consultant) and the applicant only recently reached agreement on the key financial assumptions required for a viability appraisal. The outcome of this was that the development could not support the Council's affordable housing policy expectations due to abnormal costs. In order to improve the viability (and therefore deliverability) of development, the applicant sought to increase the number of units on site from 21 to 22 units. This increase could not be dealt with as an amendment to the full application. The applicant subsequently submitted this reserved matters application to increase the dwelling numbers. The full planning application is still pending subject to the outcome of this reserved matters application. The applicant has confirmed that the full planning application will be withdrawn in the event of a favourable recommendation.

3.3 The Council has also received an application to vary the legal agreement to remove the obligations relating to the provision of allotments (either on-site or by way of an off-site financial contribution). This application is also reported and is set out at Agenda Item A6.

Application Number	Proposal	Decision
14/00270/OUT	Outline application for the demolition of existing bungalow and erection of up to 31 dwellings	Approved
16/01603/FUL	Demolition of existing dwelling and erection of 21 dwellings with associated access, landscaping and parking	Pending (see Paragraph 3.2 above for details)
17/00924/VLA	Variation of legal agreement attached to planning permission 14/00270/OUT to remove the obligation relating to allotment provision on or off site.	Pending
17/00925/RCN	Application to removal condition 4 of 14/00270/OUT relating to off-site highway works.	Pending
17/00133/DIS	Application to agree details reserved by pre-commencement conditions on the outline permission 14/00270/OUT	Pending validation

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
County Highways	No objections – They note the internal road is not intended to be put forward for adoption. LCC have commented on the ability to provide services within the verges and provide driveways of sufficient length to accommodate parked vehicles and open garage doors – suggesting roller garage doors can resolve this.
Caton-with-Littledale Parish Council	Objection on the following grounds: <ul style="list-style-type: none">• Access via Sycamore Road is considered inappropriate;• Access concerns/disruption to neighbouring residents during construction;• Flood risk and inadequate drainage proposals;

	<ul style="list-style-type: none"> • Lack of housing mix – too many larger units so proposal fails to meet local housing needs; • Lack of affordable housing (18%); and, • Lack of consultation with the community and lack of consideration of the Neighbouring Plan.
Forest of Bowland AONB	At the time of compiling this report, no comments received within the consultation period.
United Utilities	UU indicate that they are unable to discharge the conditions relating to drainage as the Flood Risk Assessment is not conclusive. They also advise sewer easements must be met. <i>NB: the reserved matters application is not seeking to agree the proposed drainage strategy.</i>
Lead Local Flood Authority	At the time of compiling this report, no comments received within the consultation period.
Tree Protection Officer	No objection provided the development is carried out in accordance with the Tree Survey Report and submitted landscaping scheme. An Arboricultural Method Statement and Landscape Management Plan has recently been submitted and are currently in the process of being reviewed. A verbal update will be provided in relation to this matter.
GMEU (Ecology)	At the time of compiling this report, no comments received within the consultation period.
Public Realm Officer	No objection
Strategic Housing Officer	At the time of compiling this report, no comments received within the consultation period.
Environmental health Service	At the time of compiling this report, no comments received within the consultation period.
Fire Safety Officer	Standard response receiving relating to Part B5 of the Building Regulations.
Lancashire Constabulary	At the time of compiling this report, no comments received within the consultation period.

5.0 Neighbour Representations

5.1 At the time of compiling this report, 11 letters of objection have been received. A summary of the main reasons for opposition are as follows:

- The Landscape and Visual Impact Assessment does not consider all properties affected;
- Loss of outlook, loss of views of agricultural land and loss of privacy due to overlooking;
- Detrimental impact to character of the area, Conservation Area and public rights of way;
- Loss of amenity and increased disturbance due to additional traffic passing existing property on Sycamore Road;
- Increase in anti-social behaviour, noise and traffic pollution, light pollution;
- Loss of play space within the existing cul-de-sac;
- Impact on wildlife;
- Increased flood risk on and off site from surface water flooding;
- Lack of small housing units and affordable housing; failure to comply with housing policy and concerns over the viability being confidential;
- Inappropriate access to the site; capacity of Sycamore Road to accommodate the additional traffic – traffic has already increased since the Post Office moved into the newsagents – alternative access via Hornby Road or via the existing private property at the western end of the site should be considered;
- Impact on local infrastructure - schools already over-subscribed; and
- Over-reliance on private car due to lack of evening and weekend bus services.

5.2 The Council has also received 4 letters neither objecting nor supporting the scheme raising the following comments:

- An acknowledgment that the site has outline consent but recommends that the development should have regard to the Neighbourhood Plan policies and evidence, including, in summary: the protection and enhancement of the AONB landscape character through good design, local materials and minimising light spillage; providing smaller housing units and a greater

level of affordable housing; that the scheme does not increase flood risk; mitigating impacts of the development on local infrastructure (traffic/services);

- Lack of consultation with the community and Neighbourhood Plan Steering Group from the developer;
- Concerns over increased traffic and congestion on Sycamore Road, including during construction;
- The proposal would remove safe playing environment at the end of Sycamore Road;
- Layout of amenity/ecology areas raise concerns over security (access to rear gardens); and
- Sewerage systems are already over-capacity.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7, 12 and 14 – Achieving Sustainable Development

Paragraph 17 – Core Principles

Paragraphs 35 and 39 – Promoting Sustainable Transport

Paragraph 50 – Housing needs

Paragraphs 56, 57, 58, 60, 61, 62, 64, 65) – Requiring Good Design

Paragraphs 69 – Promoting Healthy Communities

Paragraph 109, 115 – Conserving the Natural Environment

Paragraphs 187 – Decision Taking

Paragraphs 196 -197 – Determining Applications

Paragraphs 203, 206 – Planning Conditions

Paragraph 173 – Ensuring Viability and Deliverability

Paragraphs 204 and 205 - Planning Obligations

6.2 At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Saved Lancaster District Local Plan Policies:

E3 – Areas of Outstanding Natural Beauty (AONB)

E4 – Countryside Area

6.4 Development Management DPD

DM21 – Walking and Cycling

DM22 – Parking Provision
DM25 & 26 – Green Corridors and Open Space
DM28 Development and Landscape Impact
DM29 Protection of Trees, Hedgerows and Woodland
DM35 Key Design Principles
DM39 Surface Water & Sustainable Drainage
DM41 New Residential Dwellings
DM42 Managing Rural Housing Growth
DM48 Community Infrastructure

6.5 **Other Material Considerations**

National Planning Policy Guidance (NPPG)
Meeting Housing Needs Supplementary Planning Document (February 2013)
Caton-with-Littledale Draft Neighbourhood Development Plan (2016-2031)
Planning Advice Note – Open Space Provision within New Residential Developments
Planning Advice Note – Provision of Electric Vehicle Charging Points for New Development

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:

- The principle of development;
- Whether the layout, appearance, scale and landscaping of the development is appropriate in relation to the sites position within the AONB;
- Whether the proposal secures an acceptable standard of amenity for future and existing residents; and
- Finally whether the proposed scale and layout of the development enables compliance with relevant conditions set out in the outline planning permission.

7.2 Principle of Development and Affordable Housing

7.2.1 An application for approval of reserved matters is not an application for planning permission. The principle of developing this site for residential purposes with its access via Sycamore Road has been accepted by the grant of outline planning permission. Matters relating to traffic, access, flood risk, biodiversity and impacts on local infrastructure, such as school places, were considered at the outline stage and where necessary conditions were imposed to mitigate against the impacts of the development. Despite a number of concerns raised by local residents in relation to such matters, this application is not a re-examination of these key planning considerations. The principle of residential development at the site is established.

7.3 Design, Visual Amenity and Landscape considerations

7.3.1 The application site sits within a relatively secluded part of the AONB landscape, but nevertheless it is within the AONB and so great weight should be afforded to conserving the scenic beauty of the landscape. The outline consent considered the principle of developing the site within the context of paragraph 116 of the NPPF and concluded that the proposal was considered not to have a significant adverse impact on the character and appearance of the designated landscape and that the housing need was weighted heavily in favour of the development. The key issue now is to consider whether the proposed scale of development (22 dwellings) and the associated layout and design would be appropriate to the area.

7.3.2 The site is heavily constrained by the site topography making it a difficult and challenging site to develop. The proposed cut and fill operations to lower the ground levels along the south eastern part of the site are necessary to enable a suitable development platform for the proposed housing scheme. There is some disturbance to the site topography but the proposal maintains the undulating character of the site (lowland drumlin landscape) by creating a development platform that maintains natural falls across the site. The proposed earthworks to create the development platform will not lead to significant visual effects on the designated landscape and are judged to be acceptable and sensitive to the character and form of the AONB landscape.

- 7.3.3 The outline planning permission permitted up to 31 dwellings. The scheme presented proposes 22 dwellings which is significantly less than what was envisaged at the outline stage. The development consists of a single spine road running from Sycamore Road in a westerly direction for approximately 87m before turning north and lowering towards the main turning head. This arrangement responds to the proposed site topography and reflects the built form of the adjacent estate, which comprises dwellings located either side of the carriageway. This is a reasonable approach to developing the site.
- 7.3.4 The Council's current evidence indicates that the market housing needs in Caton and Brookhouse is predominately for 2 and 4+ bedroom detached and semi-detached properties with some 3 bedroom properties (and some bungalows). The affordable housing need is predominately 2 bedroom properties (preferably bungalows). It is acknowledged that the evidence gathered as part of the Neighbourhood Plan suggests there is a greater demand for smaller units. At this stage, the Draft Neighbourhood Plan does not form part of the Development Plan and therefore carries limited weight in the assessment of planning proposals. National Planning Practice Guidance (NPPG) states that a Neighbourhood Plan would only attain the same legal status as the Local Plan once it has been approved at a referendum; at which point it comes into force as part of the district's Development Plan. Consequently, there would be limited policy basis to push the developer for a significantly greater number of smaller units. The proposal provides a mix of housing types but in general provides predominately large market units and smaller affordable units. This approach is generally consistent with the approach set out in the Council's "Meeting Housing Needs SPD". Officers contend the housing mix is satisfactory. Whilst there may be a preference for a greater number of smaller units, Officers are of the opinion a refusal on such grounds could not be substantiated.
- 7.3.5 The layout of the 22 units across the site appears quite tight. This is perhaps a reflection of what appears disproportionately small gardens to large units, the site topography, and the backland position of the affordable units (plots 16-18) behind the central row of properties. Notwithstanding this, the plots on the whole meet the required residential amenity standards, secures suitable provision of open amenity space and scope for appropriate landscaping. The position of the open space is also much improved from the earlier submission (submitted with the full planning application). Its position now creates a "green" gateway into the development which benefits from natural surveillance and supports new landscaping. The proposal also incorporates extensive native hedgerow planting around the site boundaries and some plot enclosures and includes new tree planting. The scheme adopts an 'open-plan' approach to the design and appearance of the estate with only landscaping along the street frontages with no fences/enclosures. The carriageway dimensions have also been kept to a minimum with no formal footways but grassed/paved verges instead. This is to create a sense of shared space and minimises the visual impacts of the road infrastructure within this rural AONB location. These features collectively enable the development to better integrate into the landscape without leading to significant visual and landscape impacts on the area. The layout is considered acceptable.
- 7.3.6 With the house types and materials, the applicant seeks to utilise their standard house types which have been accepted elsewhere in the District. There is one new split-level house type and some of the standard house types have also been designed with split levels to work with the site topography. The house types are considered to reflect traditional vernacular in terms of the verticality of the buildings, the proportion of void to solid and simple detailing. The proposed materials are a combination of white roughcast render, artificial stone and slate with dark grey uPVC windows. The stone proposed is a grey split-faced product. The colour composition of these materials works well together and gives the scheme a slightly contemporary edge. Policy requires development to reinforce local distinctiveness to ensure new development integrates into the natural and built environment. Policy equally argues that planning policies and decisions should not attempt to impose particular styles or tastes. In this case, there may be an argument that a buff stone should be used. However, the site is not prominently visible from wider views within the AONB landscape and is not visually associated with the historic core of the village. It is also separated by more modern development on Sycamore Road and significant screening along the southern boundary. On this basis, Officers are minded to support the applicant's proposed use of materials.
- 7.3.7 The layout also needs to demonstrate that there is suitable car/cycle parking provision. The Council's parking standards are maximum standards, requiring 1 space for 1-bedroom properties; 2 spaces for 2/3 bedroom properties and 3 spaces for 4+ bedroom properties. For the larger units proposed, there are driveways suitable to accommodate two vehicles. These larger units also benefit

from garages to accommodate any additional parking needs and cycle provision. Given the narrow carriageway, it is considered necessary and reasonable to ensure the garages are only used for parking of a motor vehicle or domestic storage. The conversion or use of garages for other domestic purposes (habitable rooms such as bedrooms) could increase the demand for parking, which could lead to insufficient provision and inappropriate on-street parking. On this basis, a condition is required to control the use of the garages. On a similar point, there are some drives that are only just acceptable in terms of their length. These properties need garages fitted with roller doors to avoid vehicles over hanging the highway. This can also be secured by condition. The applicant has submitted a plan setting out the provision of electric charging facilities for each unit and cycle parking provision (small sheds) for the smaller units that do not benefit from garages. Such detail is acceptable and can be secured by condition.

7.3.8 On the whole, the scale, layout, landscaping, design and use of materials of the development is judged to be acceptable and would not harm the character and landscape qualities of the AONB, in compliance with saved policies E3 and E4, policies DM28 and DM35 and the relevant parts of the NPPF. Planning conditions will be required to secure the layout, design, appearance and landscaping of the site. It is also considered necessary and reasonable to remove certain permitted development rights including the provision of hard surfacing to the property frontages and the erection and alteration of fences/walls and other means of enclosures, in order to secure and maintain the open-plan appearance of the development.

7.4 Residential Amenity

7.4.1 The proposed layout has been designed (and amended) to secure an acceptable standard of amenity for future and existing residents in accordance with paragraph 17 of the NPPF and policy DM35. In relation to the standard of amenity provided within the development, on the whole the proposed layout achieves the minimum recommended separation distances between the proposed plots to ensure adequate privacy and sufficient garden space. Where the relationships have been considered tight the orientation of the dwellings have been revised (such as between plots 19 and 15). It is acknowledged that the position of plot 18 to plots 21 and 22 is not ideal. However, the property itself is orientated so the habitable windows face east-west with no habitable windows facing towards plots 21 or 22. There may be a perceived sense of overlooking into the garden of plot 18 due to the 13m interface distance but it is contended that with appropriate boundary details (1.8m high) and landscaping the slight difference in land levels would not lead to a significant adverse impact.

7.4.2 As the recommended amenity standards between the plots are only just acceptable (in a number of cases) it is considered necessary and reasonable to remove permitted development rights from this development. The provision of minor operations can be permitted but extensions, outbuildings, and new windows/doors should be prohibited in the interests of securing and acceptable standard of amenity for future and existing residents in the long term.

7.4.3 Regarding the impacts of the proposal on existing neighbouring residents, the neighbouring properties judged, in planning terms, to be most affected are 43, 86, 88 Sycamore Road, St Paul's Vicarage and 151 and 155 Brookhouse Road. Other neighbouring residents have raised concerns about the proposal, but those concerns are in relation to access/traffic/congestion/noise disturbance, which is not debated here. Other concerns over loss of views and outlook are noted, but other than the properties listed above, all other neighbouring dwellings are separated from the site by either other built development or are sufficiently far enough away that an argument over loss of amenity cannot be sustained.

7.4.4 To protect residential amenity, consideration is principally given to the interface distances, topography, orientation of dwellings and intervening boundary/landscaping details. In the case of 43 Sycamore Road, this two-storey property is orientated away from the principal elevation of plot 1, which faces onto Sycamore Road, with an interface distance of approximately 19.5m. This exceeds the required 12m and is judged acceptable. A similar relationship is proposed with 155 Brookhouse Road, where the side (blank) elevation of plot 1 faces the rear of this neighbouring bungalow (which is elevated above the proposed plot) with an interface of approximately 19.3m, far exceeding the required 12m. With regards 86 Sycamore Road, this two-storey property is on an oblique angle to plot 1 (the closest property) with an interface distance of approximately 24m. This is also considered an acceptable relationship in planning terms. In planning terms the proposed development would not lead to an unacceptable impact on the residential amenity of 151

Brookhouse Road either. The red edge boundary of the site is approximately 70m from the rear of their property and is separately by a belt of protected trees. St Pauls Vicarage sits behind plots 2 and 3. This neighbouring property is elevated above the proposed site and separated by an existing stone retaining wall. The applicant proposes to drop the site levels behind this neighbouring property with a further retaining feature in front of the stone wall. The proposed units are situated in excess of 25m from the rear elevation of the Vicarage building (at a much lower level) which again exceeds the recommended separation distances. This relationship is judged to be acceptable.

7.4.5 The most affected property is considered to be 88 Sycamore Road which is a large bungalow set in a large plot at the head of the existing cul-de-sac. Significant attention has been paid to the relationship of the development to this property with various amendments secured to address original concerns (from the original scheme presented with the full planning application). Amendments include the land levels on the proposed site being reduced (lowered), open space and landscaping being secured between the proposed built development and this neighbouring dwelling and the closest house type has been amended (plot 22) to reduce the impacts of the development. Plot 22 is now the applicant's bespoke split level property which has the lowest ridge height out of all the house types with a single storey attached garage to the east elevation of the house. It is orientated on a slightly oblique angle to the neighbouring bungalow with no habitable windows facing directly into their property. At the closest point the interface is approximately 16m extending to 18.6m from the corner of the main part of proposed house (not the garage) to the neighbours conservatory. This relationship exceeds the recommended 12m separation and is now judged to be acceptable. Plot 2 is also elevated above 88 Sycamore Road but is over 30m from the front elevation of this neighbouring dwelling and shall be separated by landscaping between the proposed road and 88 Sycamore Road's southern boundary. The plans indicate the existing hedgerow here will be retained. The landscaped/ecology area in the north eastern corner is not intended to form part of the public open amenity space and left as undeveloped land with planting. This area shall be maintained and secured by condition. The proposed landscaping along the eastern boundary will also ensure that neighbouring residential amenity is protected. This will also create some defensible space between the open space and this property.

7.4.6 Overall, the proposed development has been designed to secure acceptable standards of residential amenity for future residents and existing residents of neighbouring property. Whilst there will be an inevitable change in character of the site from agricultural land to residential development - such is a matter addressed under the outline permission - the layout, scale and landscaping ensure the development would not lead to significant adverse impacts that would render surrounding neighbouring properties inhabitable. On this basis, the development is considered acceptable and compliant with paragraph 17 of the NPPF and policy DM35 of the DM DPD.

7.5 Planning conditions

7.5.1 The outline planning permission included a number of conditions covering a range of matters. The only condition on this planning permission that could be implicated by the layout relates to surface water drainage. Through the submission of supporting documents and consultation on the full planning application, Officers are comfortable that the proposed layout is unlikely to compromise measures required to satisfy the drainage condition on the outline approval. The drainage strategy provided to date indicates that infiltration is not feasible and that there is no watercourse on site to directly connect to. In accordance with the SuDS hierarchy, draining to the public surface water sewer which connects to Artle Beck is the likely solution. A drainage scheme will need to ensure there is sufficient attenuation on site to allow a controlled discharge to the sewer, such is indicated to comprise over-sized pipes and underground tanks. These are capable of being accommodated under the open space and potentially under the road network, which is not intended to be put forward for adoption, shown on the submitted layout. The precise details of the drainage scheme would be considered and agreed as part of the discharge of condition application.

8.0 Planning Obligations

8.1 The outline planning permission was subject to a legal agreement securing the following:

- Up to 40% on-site affordable housing units of which 50% shall be provided as intermediate housing and 50% shall be social rented subject to development viability at the Reserved Matter stage.

- On-site area for allotments or a financial contribution towards the provision of off-site allotments – the figure to be agreed at reserved matters stage;
- Provision of Amenity Green Space to be provided and maintained as Amenity Green Space in perpetuity.

8.2 The legal agreement has the provision to allow the developer to re-negotiate the affordable housing requirements at the reserved matters scheme if it becomes apparent that abnormal costs of developing the site prohibit the delivery of a viable form of residential development. This is a common approach when dealing with outline planning applications. Such re-negotiation requires detailed evidence from the developer in the form of a financial viability appraisal. In this case, there have been lengthy negotiations during the course of the earlier application for full planning permission for 21 dwellings (16/01603/FUL). The Council sought independent expert advice to assist Officers in such negotiations. The developer (as part of the full application) originally proposed 2 affordable housing units. Whilst this application proposes an additional unit taking it to 22 dwellings units in total, Officers have now secured a total of 4 affordable housing units based on 50% intermediate housing and 50% affordable rent (opposed to social rent). This is somewhat below our policy expectations and is disappointing but national and local planning policy require Local Planning Authorities to consider the impacts of development viability and the delivery of housing in policy making and decision taking. The applicant has reasonably and sufficiently evidenced that the viability of the scheme is challenging and could not support a greater number of affordable units proposed or alternative tenures. On this basis, it is accepted that the alternative affordable housing scheme comprising two 1-bed affordable rented units, one 2-bed shared ownership unit and one 3-bed shared ownership unit is justified. This will need to be formalised as part of the s106 legal agreement by an exchange of letters.

8.3 The second obligation relates to an allotment contribution. This is the subject of the pending variation of legal agreement application, which is also being reported to this Committee Meeting.

8.4 The third schedule relates to the provision of Amenity Green Space, details of which are to be agreed at the Reserved Matters stage. As part of the layout considered and negotiated, amenity green space has been secured to the east of plot 22, the west of plot 19 and a small section of land to the north of the site entrance/access. The amount and locations of this amenity green space is acceptable and would be covered by the obligation to be made available to the public and maintained in perpetuity. The landscaped/ecology area shall not be available to the public and so is not covered by the s106 and instead shall be secured by condition.

9.0 Conclusions

9.1 The proposed scale, layout, appearance and landscaping of the scheme has been carefully considered and negotiated to ensure the development does not have a significant adverse impact on the visual amenities of the area, the character and landscape quality of the AONB or the residential amenities of existing and future residents. It is on this basis that Members are recommended to approve this application for reserved matters.

Recommendation

That Approval of Reserved Matters **BE GRANTED** subject to the following conditions:

1. Reserved Matters time limit
2. Approved Plans List
3. ***Pre-commencement***
Details of retaining features to be agreed
4. ***Pre-construction of dwellings***
Stonework panel to be agreed
Control conditions
5. Development to be carried out in accordance with the Tree Report, in particular tree protection fencing to be installed before commencement of site activity.
6. Submitted AMS to be implemented (subject to Tree protection Officer comments)
7. Provision of electric charging points within the development to be provided in accordance with submitted details before occupation and maintained/retained at all times thereafter
8. Cycle storage provision for dwellings without garages to be provided as set out in accordance with submitted details and retained at all times thereafter.

9. Driveway parking/garages to be provided before occupation of each unit
10. Boundary details/layout to be provided as set out in submission and maintained/retained at all times thereafter
11. Development to be carried out in accordance with agreed Materials Schedule
12. Landscaping scheme to be implemented in full and maintained in accordance with submitted Management Plan (subject to Tree Protection Officer comments)
13. Open space as indicated on the site layout plan to be provided in full before 1st occupation or completion of the development whichever occurs first, unless an alternative phased timetable for implementation is first agreed with the LPA.
14. Ecology/landscaped area indicated on the site layout plan shall be provided full before 1st occupation or completion of the development whichever occurs first, unless an alternative phased timetable for implementation is first agreed with the LPA, and shall be maintained for such purposes at all times thereafter.
15. No windows or doors to be inserted without prior express consent of the LPA
16. Removal of PD rights (Part 1 (except for Class G and H) and Part 2 (except for class D, D and F)
17. No gates, fences, enclosures to be installed or hardstanding between the highway and the frontages/sides of the dwellings hereby approved.
18. Garage use restriction (parking or storage only)
19. Garages to plots 2, 3, 12 and 13 to be fitted with roller garage doors (or alternative garage door which has no external overhang) to provide suitable off-street parking.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Officers have made this recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None