

## **Item No. 9**

<b>APPLICATION NUMBER</b>	<b>CB/16/04918/OUT</b>
<b>LOCATION</b>	<b>The Paddock New Road, Clifton, Shefford</b>
<b>PROPOSAL</b>	<b>Outline Application: Development of 20 dwellings, public open space, landscaping, parking and associated works. All matters to be reserved with the exception of access.</b>
<b>PARISH</b>	
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Alex Harrison</b>
<b>DATE REGISTERED</b>	<b>25 October 2016</b>
<b>EXPIRY DATE</b>	<b>24 January 2017</b>
<b>APPLICANT</b>	<b>High Street Homes Ltd</b>
<b>AGENT</b>	<b>David Coles Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The scheme is a departure from the development plan. Parish Council objection to a major application. Change in Council's 5 year housing land supply position.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Reason for Recommendation**

The proposal for 20 dwellings is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document; however the application site is adjacent to the existing settlement boundary of Clifton on three sides and Clifton is considered to be a sustainable village location. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be significant and demonstrable given its relationship to surrounding development already in this area. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014).

### **Introduction**

This application was resolved by Members to approve at the Development Management Committee meeting of 1 March 2017 subject to the completion of a S106 agreement which remains incomplete. On 18 April 2017 the Council published its quarterly housing monitoring statement which concluded that the Council is able to demonstrate a deliverable housing land supply in excess of 5 years (5.88 years). As a result the Council's housing supply policies are not considered to be out of date and the weight that is applied to schemes proposing housing development is affected. Prior to the April monitoring statement the Council was unable to

demonstrate a deliverable 5 year housing land supply and therefore in accordance with the National Planning Policy Framework (NPPF) significant weight was given to the provision of housing through applications that would otherwise be contrary to the Council's policies that determine the supply of housing.

This was the case with this application and the Council's ability to now demonstrate a deliverable 5 year housing land supply means that the weighting and material considerations have materially changed. As a result the previous resolution to grant, through giving significant weight to the supply of housing, is out of date and inaccurate given the current position. Any applications resolved to approve on this basis that have not had a decision therefore need to be reviewed and re-determined against the current material considerations.

This report will therefore assess and make a recommendation on the individual merits of the scheme and any other material considerations to reflect the current housing land supply position.

### **Site Location:**

The application site is an undeveloped parcel of land located adjacent to, but outside of, the settlement envelope for Clifton. The site is defined on its southern, western and the majority of its northern boundary by established trees and hedgerows. The site is open to the east as it adjoins a new housing development currently being constructed. The site has been maintained as grassland with no agricultural activity evident.

### **The Application:**

Outline planning permission is sought to develop the site to provide 20 dwellings. All matters are reserved aside form access which is proposed to join onto the existing access road constructed as part of the adjacent Taylor Wimpey development to the east which would join the highway at New Road.

Since the original application submission an amended indicative layout was submitted revising the location of plots indicated at numbers 17-20.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (March 2012)**

#### **Core Strategy and Development Management Policies - North 2009**

CS1 Development Strategy

CS2 Developer Contributions

CS3 Healthy and Sustainable Communities

CS4 Linking Communities - Accessibility and Transport

CS5 Providing Homes

CS6 Delivery and Timing of Housing Provision

CS7 Affordable Housing

CS13 Climate Change

CS14 High Quality Development  
 CS16 Landscape and Woodland  
 CS17 Green Infrastructure  
 CS18 Biodiversity and Geological Conservation  
 DM1 Renewable Energy  
 DM2 Sustainable Construction of New Buildings  
 DM3 High Quality Development  
 DM4 Development Within and Beyond Settlement Envelopes  
 DM10 Housing Mix  
 DM14 Landscape and Woodland  
 DM15 Biodiversity  
 DM16 Green Infrastructure  
 DM17 Accessible Green Spaces

## **Development Strategy**

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

## **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

## **Relevant Planning History:**

Application Number	CB/13/01208/FULL
Description	Erection of 73 dwelling including affordable housing, an equipped area of play, access and associated works.
Decision	Permit
Decision Date	06/06/2014

## **Consultees:**

Clifton Parish Council	Clifton Parish Council objects to this application since this area was specifically excluded from the LDF site that CBC put together because they specified their requirement was for just 80 houses on the site. What has changed?
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If CBC is now minded to agree to this development access should not be allowed via Harbrook Lane which is totally unsuitable for such traffic and but taken from New Road (will exacerbate what is already a difficult situation but there is no other option)

The Parish Council remembers that the original outline plan for the New Road estate showed similar apparently well designed houses to the ones now shown on the plan in this application.

The final application was different and not as good.

If outline permission is granted it should specify that the density and good design now displayed should be adhered to in the final application.

## Highways

The proposal is outline with all matters reserved apart from access, for 20 dwellings with associated access and parking provision. Access will be taken from the new development CB/13/01208/FULL which is not fully implemented or adopted as public highway.

To safeguard the means of access to the proposed site the red line plan needs to include a means of access from the public highway inclusive of the service margin either side of the access.

The applicant should also be aware that the indicative layout has several issues:

- The service margin should be 2.0m wide
- The refuse vehicle (11.5m length) and service vehicle (6.25m length) should not have to reverse more than 12.0m. Therefore a turning head should be provided between plots 16/17, 6/7 and 3/10. Tracking diagrams should be provided to show a refuse/service vehicle being able to turn and leave in forward gear
- Visitor parking should be provided at 1 space per 4 dwellings, and dispersed throughout the site
- Parking provision should be NO MORE than 2 tandem spaces , inclusive of a vehicle in the garage
- Tracking diagrams should show the refuse vehicle manoeuvring at any bends within the site

Please ask the applicant to provide a revised red line plan to show the means of access from the public highway, so that I am able to assess the proposal.

### Following the submission of a revised red line plan.

The applicant has submitted a revised red line plan showing a means of access from the public highway but has not included the land required for a 2.0m service margin to continue from plot 23 and 24 at the adjacent development? I can not find the red line plan from the application no. CB/ 13/01208 to ascertain if the 2 sites abut with no ransom strip between them? I am assuming that they do, but if this is not the case a revised red line plan will be required to indicate the sites abut with no ransom strip.

A revised indicative internal layout has also been resubmitted but has not addressed the previous issues, which the applicant should be mindful of when submitting a reserved matters application:

- The service margin should be 2.0m wide along either side of the carriageway and around the turning head.
- The refuse vehicle (11.5m length) and service vehicle (6.25m length) should not have to reverse more than 12.0m. Therefore a turning head should be provided for a service size vehicle between plots 16/17, 6/7 and a refuse size vehicle at plots 3/10. Tracking diagrams should be provided to show a refuse/service vehicle being able to turn and leave in forward gear
- Visitor parking should be provided at 1 space per 4 dwellings, and dispersed throughout the site
- Parking provision should be NO MORE than 2 tandem spaces, (this includes a vehicle in the garage)
- Tracking diagrams should show the refuse vehicle manoeuvring at any bends within the site

#### Trees and Landscape

Supplied with the application is a Tree Constraints Plan. This has insufficient detail and does not seem to have any schedule of trees included. As part of any full application we are going to require a detailed Arboricultural Impact Assessment and Method Statement which will accurately identify all trees and hedgelines on site and offsite that could be affected by the proposals. Colour Illustrative Masterplans seem to identify that the southern access point has a number of trees identified for removal, there is no mention on the Tree Constraints Plan of this.

SUDS area has potential for new additional tree planting and this should be utilised to the maximum to try and achieve the best planting possible.

Landscape detail will be conditioned and include a comprehensive planting scheme.

#### Ecology

I have read through the submitted documents and have no objections but would ask that further consideration is given to the inclusion of more integrated nest boxes, ideally on a 1:1 ratio. The NPPF calls for development to deliver a net gain for biodiversity and I acknowledge that species selected for landscaping will benefit biodiversity and that existing hedgerows are to be maintained. The adjacent site has delivered bat and bird boxes and I would ask that this provision is mirrored on The Paddock.

Housing Officer	Development	I support this application as it provides for 7 affordable homes which reflects the current affordable housing policy requirement of 35%. The supporting documentation however does not indicate the proposed tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) indicates the tenure requirement as being 73% rent and 27% intermediate tenure from sites meeting the affordable threshold. This would make a requirement of 5 units of affordable rent and 2 units of intermediate tenure (shared ownership) from this proposed development.
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I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally prescribed space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council.

Sustainable Drainage	Urban	We have no objection to the proposed development and consider that planning permission could be granted subject to condition.
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Internal drainage Board	Raised no objections.
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Anglian Water	<p>Section 1 – Assets Affected</p> <ul style="list-style-type: none"><li>• Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.</li></ul>
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#### Section 2 – Wastewater Treatment

2.1 The site is in the catchment of Clifton Water Recycling Centre which does not have the capacity available. A drainage strategy will need to be prepared in consultation with Anglian Water and the Environment Agency to determine whether additional flow can be discharged to watercourse and to cover temporary measures in the interim, if additional capacity can be provided at the STW.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

#### Section 3 – Foul Sewerage Network

3.1 Development will lead to an unacceptable risk of flooding downstream. The proposed method of connection on the attached drawings is on a presently privately owned network. We have been in communication with the developer to advise of a manhole

connection point which we would wish to see confirmation of as a proposed connection point to the public network. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We will request a condition requiring the drainage strategy covering the issue(s) to be agreed.

#### Section 4 – Surface Water Disposal

4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We will request that the agreed strategy is reflected in the planning approval

#### Section 5 – Trade Effluent

5.1 Not applicable

#### Section 6 – Suggested Planning Conditions

Anglian Water would therefore recommend a planning condition if the Local Planning Authority is mindful to grant planning approval.

#### Adult Social Care

The proposed development falls within the Ivel Valley locality and the Shefford ward. Ivel Valley has a total population of 84,900 and 5,800 of these residents are aged over 75 years. This is forecast to rise to 10,180 by 2030. Delivering accommodation suitable for older people

is therefore a priority for Central Bedfordshire Council.

In 2013 the Shefford ward had a population of 9,900 and 13% of this was over 65 years old. For the same area 10.6% of households consist of one person of 65 years of age and over and 7.3% of households have all occupants aged 65 and over. In 2011 10.7% of the population in this ward were retired, which is lower than average for Central Bedfordshire (13.5%) and England (13.7%).

The number of older residents in this ward and the substantial predicted rise in the people over 65 in the Ivel Valley area demonstrates that there is likely to be significant demand for mainstream housing that is specifically designed for older people and for specialist accommodation for older people, such as residential care homes and housing with care and support available such as extra care developments.

If older people live in accommodation that does not meet their needs it can have an adverse impact on their health and well-being. In 2011 in the ward of Shefford 5.4% of residents stated that their day to day activities were limited a lot due to a long term health condition or disability and 7.8% of residents were limited a little. This highlights the need to have more accommodation available for older people that enables them to live independently within the community.

It would therefore be beneficial that a proportion of the dwellings proposed were designed to be suitable for older people, taking into account their needs, expectations and aspirations.

#### Design and layout

With good design, mainstream housing can be suitable for older people at little or no additional cost to the developer. Indeed where housing is designed to be specifically for older people it may be acceptable to have reduced provision in some aspects such as outdoor amenity space.

The following design characteristics are based on national research and local practitioners' views and are what older residents look for in a new home:

- The ability to live on the ground floor and avoid the use of stairs. If stairs are unavoidable then residents need provision for a future stair lift or space for a platform lift.
- Smaller homes that are easy to manage, with a minimum of two bedrooms and outdoor amenity space that is accessible but small and easy to



maintain.

- En-suite bathrooms and/or an easy route from the main bedroom to the bathroom.
- Level access throughout the ground floor.
- Layout, width of doors and corridors to allow for wheelchair access and turning circles in living rooms.
- Walls able to take adaptations such as grab rails.
- Sockets, controls etc. at a convenient height.
- Low window sills to maximise natural light levels and so that people in bed or a wheelchair can see out.
- Sufficient sized parking space with the distance to the parking space kept to a minimum.
- Bathrooms to include easy access shower facilities.
- Level or gently sloping approach to the home and an accessible threshold.
- Energy efficient and economical heating system to help to keep energy costs as low as possible.

The applicant may be aware of developments in the field of accommodation for older people but we would draw their attention to a report published in October 2016 which provides a number of helpful design and layout examples in this area. The document “Designing with Downsizers” is published by DWELL5 at the University of Sheffield.

#### Summary

Our view is that the needs of older people should be considered as part of this proposal and, should approval be given, we would support a proportion of houses in the scheme being suitable for older people, by incorporating some or all of the design features mentioned above.

Pollution Team

Had no comments to make

Sustainable Growth

I welcome the commitment made in the Design and Access Statement to deliver energy and water efficient development that will comply with policy DM1 and DM2 requirements. The Statement proposes that the scheme will be designed to reduce energy demand, deliver 10% of its energy demand from renewable or low carbon sources and will achieve the higher water efficiency standard of 110 litres per person per day.

The sustainability section of the Statement doesn't include any information how risk of overheating in dwellings will be minimised and what measures will be incorporated. Risk of overheating can be minimised by

inclusion of measures such as limiting unwanted solar gains by providing shading or glazing with low g-value; specifying light colour materials and ensuring a sufficient rate of ventilation to prevent built up of heat.

To ensure that the above standards are achieved at the details design stage and the scheme complies with the policy requirements I request that the following conditions are attached:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres per person per day;
- Development to include climate change adaptation measures to minimise risk of overheating in dwellings.

### **Other Representations:**

#### **Neighbours**

Three letters have been received, two making comments and the other in favour of the development.

The comments made are summarised as follows:

- Question raised over the future maintenance of the conifer trees on the boundary with 55 Shefford road and other properties.
- Issues of difficulty to get appointments at doctors and developments will make this worse

The letter of support was raised with the additional comment raising concerns over the increase in traffic in the area and that there should be a no right turn arrangement onto the A507 junction to the south.

### **Determining Issues:**

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations
6. Sustainable Development and the Planning Balance.

### **Considerations**

#### **1. Principle of Development**

- 1.1 The site lies outside of the settlement envelope of Clifton and is therefore located on land regarded as open countryside. The adopted policies within the Core Strategy and Development Management Policies 2009 limit new housing

development on unallocated sites to within settlement envelopes (Policy DM4). Clifton is designated as a large village where Policy DM4 limits new housing to small scale developments. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with Policy

- 1.2 At the time of writing the Council is able to demonstrate a five year supply of housing land in excess of the 5 year requirement. Therefore the Council's policies concerned with the supply of housing are not considered to be out of date and can command significant weight when considering such proposals. Proposals should still be considered in the context of the presumption in favour of sustainable development. It is considered that Members are able to give significant weight of Policy DM4. Full weight cannot be given and DM4 is silent on the matter of exceptions where residential development in the open countryside is considered acceptable. This is outlined in para 55 of the NPPF. The application proposal does not form one of these exceptions.
- 1.3 Sustainability  
Clifton is designated as a large village. Taken in isolation it is a settlement that contains a number of services including a village shops, petrol station, restaurant/pubs, school, local businesses, community halls and public transport availability via buses. In addition to this Clifton is very closely related to Shefford which is designated as a Minor Service Centre. Shefford has a range of additional and alternative services that can be accessed by residents of Clifton. Taking these points into account it is considered that, as a settlement, Clifton should be regarded as being sustainable.
- 1.4 Settlements that are classified as Large Villages are considered to be able to accommodate small scale housing and employment uses together with new facilities to serve the village. Although small scale development is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. The scale of this proposal is considered to be reflective of the scale of development of the area, namely the recently constructed development immediately east of this application site.
- 1.5 Although it is acknowledged that the development is contrary to policy DM4 it is also considered that the individual merits of this site and its relationship to the existing settlement are such that the loss of open countryside in this instance is not considered to result in a significantly adverse impact on the character and appearance of the area. This is particularly apparent as the application site has a clear relationship with existing residential development on three of its sides.
- 1.6 Some weight can also be given to the benefit of the site providing what could be shown to strengthen the Council's housing land supply. This weight should be limited as the intention to deliver homes over a five year period is not a significant benefit that would outweigh adopted development plan policies.
- 1.7 It is therefore considered that while the proposal is directly contrary to policy DM4 the loss of open countryside and impact on the character of the area is not in this instance harmful to the extent that it would warrant a reason to

refuse planning permission. Therefore it is considered that the scheme can be considered acceptable in principle as an exception to policy DM4. Additional material planning considerations may contribute towards the benefits and the dis-benefits of the development and can impact of the final planning balance. These are considered in the report below.

## **2. Affect on the Character and Appearance of the Area**

- 2.1 Development of the site will increase the built form in the area. Development results in a loss of open countryside and this is considered to be an adverse impact. However the site abuts residential development and curtilage to three of its four sides. It is a parcel of land that sits alone in relation to the village and the open countryside and does not form part of the arable fields to the south. This particular site has a clear relationship with the built form of the village and would not read as an isolated development. It can be regarded as a sympathetic extension of the village which would tie into the housing development currently under construction to the East. Therefore while there would be a loss of open countryside it is not considered that the impact would detrimentally harm the character and appearance of the area to the extent that it is regarded as significant and demonstrable in this instance.
- 2.2 With regards to the residential scheme, detailed design considerations will be left for any subsequent reserved matters layout. An indicative layout was submitted with the application which shows a development of mixed dwelling types within the site. This layout was amended over the course of the application to relocate an indicative garage following concerns raised by a neighbouring resident. Little weight is given to this layout with this outline application but it does indicate that the site could accommodate the quantum of development proposed. The current layout does not appear to provide suitable garden sizes that accord with the Council's Design guide. Any reserved matters proposed would expect to provide a high quality development that is designed in accordance with the Council's adopted design guide and this would likely affect the indicative layout as garden and parking standards are taken account of.

## **3. Neighbouring Amenity**

- 3.1 The site does adjoins a number of residential curtilages on its northern, eastern and western boundaries. To the east the site abuts newly constructed dwellings forming part of an allocated development off New Road the indicative layout shows that there would be suitable distances between these dwellings, achieved largely by the presence of the access road and SUDs Open space area. As a result there would be no harmful impact on amenity to these new dwellings through either overlooking or loss of light. To the west the site abuts the curtilages of 63, 63a and 63b Shefford Road which are backland plots. The layout shows the retention of an existing established hedgerow on this boundary which acts as a screen from the development. Furthermore the amended layout shows dwellings to have a side-on relationship to these properties which would remove the principle of overlooking concerns and gaps are left to the boundary to reduce the prominence of the development. To the north the site abuts the longer gardens of dwellings on Shefford Road which is also subject to an established hedgerow, indicated for retention, which would screen any impact from the development. A single dwelling, 39a Shefford Road is located closer than the other dwellings to the north. The development would be visible from this

property but the indicative layout shows development could be proposed in a layout that would not result in direct overlooking and would not result in buildings being overbearing or causing a loss of light.

- 3.2 In terms of providing a suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents and it is already noted that the layout as shown would need to be changed to provide suitable garden areas.

#### **4. Highway Considerations**

- 4.1 The Highway Officer has considered the scheme and raised comments that the red line area did not adjoin the highway as the adjacent development to the east was under construction and the roads were not yet adopted. A revised plan showing the red line connecting to New Road was submitted and confirmation from Highways that this is acceptable is awaited at the time of drafting this report. The comments regarding increased traffic are noted however the access road has been constructed to an adoptable standard and it is considered that the increased flows can be accommodated. There are no capacity issues as a result of this scheme and consideration of the junction arrangements onto the bypass would not form part of this application.
- 4.2 In terms of parking the residential scheme will be required to meet the design guide parking standards for both residents and visitors but this is a design detail that would be considered at reserved matters stage. The indicative layout indicates that suitable parking arrangements can be achieved although there are instances of three car tandem parking arrangements which is not considered to be acceptable. A detailed design would be expected to omit this arrangement.
- 4.3 Subject to the confirmation that the access road onto New Road that serves the adjacent development is suitable enough to accommodate the additional 20 dwellings proposed here, there are no objections on the grounds of highway safety and convenience.

#### **5. Other Considerations**

##### **5.1 Drainage**

In terms of drainage, if a scheme were considered acceptable in principle it would be subject to ensuring details of suitable drainage systems are proposed and in place to accommodate drainage impacts. The application included details of sustainable urban drainage details and there are no objections to this in principle. It is necessary to condition the approval of drainage details on the outline consent to ensure the specifics of a scheme are acceptable in accordance with the Council's adopted Sustainable Drainage SPD and to ensure appropriate management and maintenance is secured.

##### **5.2 Ecology**

Concerns were raised over the future of landscaping features at the site. The recommendation includes conditions requiring the approval of landscaping and a management and maintenance scheme for the site and this would be

considered as part of this condition. It is preferable that prominent landscape features that contribute to the character of the site and provide screening are kept within public realm locations so that they can be maintained collectively rather than sectioned off within gardens however this is a detailed design matter and can be considered further at reserved matters stage.

### 5.3 S106 agreement

Spending Officers were consulted and comments returned from Education and Leisure. The following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.

Education:

Full Education contributions are requested from this development which amount to the following:

EY	£13,826.40
Lower	£46,088.00
Middle	£46,375.68
Upper	£56,868.86

Leisure

There is an identified project to upgrade existing sporting facilities at the village and as this scheme provide no public open space as per the indicative layout a contribution towards this would be sought.

Transport

A contribution will be sought towards the upgrading of existing bus stops in Clifton including but not limited to the installation of real time information.

Timetable for delivery of housing:

The heads of terms presented to DMC in March included the Build Rate Timetable – an obligation to provide all of the dwellings within a period of five years from the grant of permission. Given the change in housing land supply position, the Council would no longer require this obligation.

## 6. **Whether the scheme is Sustainable Development**

6.1 Although the Council has determined it is able to demonstrate a deliverable 5 year supply of housing land Paragraph 14 of the NPPF still applies and states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*

The wording of policy DM4 limiting residential development to small schemes

within the settlement envelope should be given weight as the Council's housing land supply position is such that this policy is no longer considered out of date. This has been considered and in this instance the scale of development and its relationship with the existing settlement are such that although it is contrary to this policy the impact is not significant and demonstrable to the extent that harm outweighs the benefits

- 6.2 Consideration should still be given to the individual merits of the scheme in light of the presumption in favour of sustainable development. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental. The scheme should therefore be considered in light of these.

6.3 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. However the impact is not considered to be of such significance that it would warrant a reason to refuse planning permission. It will sit adjacent to existing residential properties on three of its four sides and is not used for agricultural purposes. While materially altering the character of the area will not appear isolated, relating well to the existing settlement, and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant and demonstrable harm.

6.4 Social

The provision of housing is a benefit to the scheme which should be given weight. As is the provision of affordable housing. Both of these considerations are regarded as benefits of the scheme.

The site is within walking distance to an existing bus route and village services and the village is well served by existing footways making the site accessible to the village core. The report has detailed that Clifton is regarded as a sustainable settlement and it is considered that it offers the services and facilities that can accommodate the growth from this scheme. Impacts on local infrastructure can be appropriately offset

6.5 Economic

The economic benefits of construction employment are noted. As mentioned above financial contributions will be secured for education projects at schools in the catchment area of the site to help accommodate the level of growth anticipated from this scheme which is considered to be a benefit.

**7. Planning balance.**

- 7.1 In this case, the provision of housing and the provision of policy compliant affordable housing units would be a benefit by contributing to strengthening the 5 year housing land supply. The site is considered to relate to the existing settlement and represents a modest and appropriate extension to the village. The loss of open countryside is considered to be an adverse impact but is not significant. It is considered that the benefits continue to outweigh the adverse impact on the character of the area that would occur from developing land in the open countryside. In light of the comments made above it is considered even though the development is contrary to policy DM4 of the Core Strategy and

Development Management Policies 2009 the individual merits of this scheme are such that the proposal can be regarded as sustainable development in the eyes of the NPPF and no significant and demonstrable impacts have been identified. As such the application is recommended for approval.

### **Recommendation:**

That Planning Permission be granted subject to the completion of a S106 agreement and the following:

### **RECOMMENDED CONDITIONS / REASONS**

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended)

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 **No development shall take place until details of the existing and final ground, ridge and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**



- 5      **No development shall take place until details of hard and soft landscaping (including details of retained and enhanced planting schemes at the southern, western and northern boundaries, boundary treatments and public amenity open space) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

**Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009**

- 6      **No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 5 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 5.**

**Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009**

- 7      The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 8      **No development shall commence until a revised wastewater strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the wastewater strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems.**

- 9      **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from**

**flooding.**

- 10 **No development shall take place until a detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on sustainable drainage principles and a site specific assessment of the hydrological and hydrogeological conditions, has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall then be implemented in accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason : To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance.**

- 11 **No development shall commence at the site before details of the type and location of bat and bird boxes to be located at the site have been submitted and approved in writing by the Local Planning Authority. the details shall the carried out as approved before any unit at the site is occupied.**

**Reason: To ensure that the impact of the development on the ecological value of the site is reduced.**

- 12 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Councils's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 13 No development shall take place until the access and junction and visibility splay for 'Herberts Meadow' shall be constructed in accordance with the approved plans for the permission CB/13/01208/FULL.

Reason: To provide adequate access from the public highway to the development in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 Any subsequent reserved matters application shall include the following;
- The road designed and constructed to a standard appropriate for adoption as public highway
  - Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission
  - Cycle parking and storage in accordance with the councils standards applicable at the time of submission
  - Vehicle turning area(s) where applicable and in accordance with the councils standards for reversing vehicle distance applicable at the time of submission

- Driver/driver intervisibility and pedestrian visibility from the residential access within the site, and forward visibility at any bends in the road layout
- Replacement parking provision, if lost, for planning permission CB/13/01208/FULL where the proposal joins with the existing carriageway
- Pedestrian linkages to existing routes
- Materials storage area
- Wheel cleaning arrangements
- Construction worker on site parking and loading/unloading areas

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 15 Details of a refuse collection point located at the property frontages and outside of the public highway and any visibility splays, and a collection point as close to the public highway for non adoptable highway area shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15151 (B) 004 Rev A.

Reason: To identify the approved plan/s and to avoid doubt.

## **INFORMATIVE NOTES TO APPLICANT**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted

pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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