

Parish: Aiskew

Ward: Bedale

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Committee date: 17 October 2019

Officer dealing: Ms A O'Driscoll

Target date: 8 April 2019

18/02748/REM

Application for approval of all reserved matters (access, appearance, landscaping, layout and scale) pursuant to condition 2 of outline approval 15/01240/OUT for the construction of 116 dwellings

At Wilbert Farm, Sandhill Lane, Aiskew

For Barratt Homes

This application was deferred at September Planning Committee for a number of matters to be addressed.

1.0 The application was deferred at the September Planning Committee owing to a number of concerns about the proposed development. The first part of the following report provides an up-date on the matters of concern. The remainder of the report remains as previously reported to Members in September.

1.1 The matters of concern related by Members comprised:

- Concern about the housing mix in terms of the high percentage of 4 bed units proposed.
- Failure of the larger properties to meet the Nationally Described Standards for the larger units.
- Proposed percentage of Affordable Housing and potential for an overage clause with regard to the abnormal costs of development.
- Location of children's play area which was considered to be better located more centrally within the site rather than being pushed into the boundary with existing neighbours.
- Concern that all of the Access issues on other parts of Sandhill Lane are not addressed and the footpath to the A684 to the west of the site should be fully hard surfaced.
- Question over peak hour flows using Sandhill Lane.

Housing Mix

1.2 Members raised a concern regarding the proposed housing mix and the proportion of larger 4 bedroomed properties. Table 8 of the Council's Size, Type and Tenure of New Homes SPD sets out the target requirements as set out below:

- One Bedroom - 10%
- Two Bedroom - 35%
- Three Bedroom - 25%
- Four Bedroom - 10-15%
- Two Bedroom Bungalow -10%

1.3 The requirements set out in the SPD are targets and not absolutes. The applicant has responded, stating that:

"these targets apply at a district wide level and do not take into account local circumstances. Regard must be given to site specific circumstances, and the LPA

should be open to a degree of negotiation based on the commercial viability of the site.”

- 1.4 Having said this, the applicant has amended the housing mix and the ‘Chester’ 4 bed house type has been removed and substituted for the ‘Kingsley’ three bed house type. This change has reduced the number of 4 bedroom properties from 48 (41.4% of the old layout) to 40, which now accounts for 34.5% of the new site layout as set out in the table below.

Table 1 Housing mix old layout vs new layout

	Old Layout (Rev AB)	New Layout (Rev AC)
2 Bed	37 (31.9%)	37 (31.9%)
3 Bed	31 (26.7%)	39 (33.6%)
4 Bed	48 (41.4%)	40 (34.5%)

- 1.5 Officers agree that the viability of the scheme is finely balanced and any further revisions to the scheme could result in a significant impact on the viability of the scheme which has already been rigorously tested by the Council’s advisers. It is also noted that the identified local need is for two and three bed units and the proposals meet the identified need of circa 60% in these terms.

Nationally Described Space Standards (NDSS)

- 1.6 Concern was raised at committee in relation to the larger 4 bedroomed house types not meeting the NDSS. The table below shows each house type and the intended number of bedroom spaces per house type. The applicant previously noted that 4 bedroomed properties are not intended to be occupied to full capacity i.e 4 bedrooms at 8 persons. From the applicant’s experience this capacity is unrealistic and places an additional and unnecessary burden on the developer and viability of the scheme.
- 1.7 As noted above, the ‘Chester’ house type has been removed and it has been replaced with the ‘Kingsley’ which is a 3 bedroomed 5 person house type. The ‘Kingsley’ meets (and exceeds) the NDSS requirements. As such, all of the properties now exceed the nationally described space standards.

Table 2: Assessment of NDSS House Type	Floor space	Bed space	NDSS Requirement	Difference
T51 Special	79.92	2B 4P	79	+ 0.92m
Bedale	61.8	2B 3P	61	+ 0.80m
Kirkbridge	84.8	3B 4P	84	+ 0.80m
Ennerdale	85.4	3B 4P	84	+ 1.40m
Andover	93.3	3B 5P	93	+ 0.30m
Kingsley	98.8	3B 5P	84	+ 12.0m
Windermere	111.8	4B 5P	97	+ 14.8m
Alderney	113.8	4B 6P	106	+ 7.80m
Halton	115.5	4B 7P	115	+ 0.50m
Radleigh	120.4	4B 7P	115	+ 5.40m

Affordable Housing

- 1.8 The matter of affordable housing has been dealt with in great detail, with the assistance of the Council’s adviser’s Align Property Services. Officers are satisfied that the result of the abnormal costs of development of the site, mainly relating to site

remediation and drainage, results in a scheme which is not capable of providing a policy compliant 40% affordable housing. The degree of developer profit and the blended profit rate has been agreed. As such the 17 affordable properties (14.66% of the 116 dwellings proposed) is considered to be realistic and acceptable.

- 1.9 In order to provide assurance of this to Members it is recommended that an Overage Clause be provided within the Section 106 agreement which would allow for an open book assessment of the development, following the remediation phase, to ensure that the maximum percentage of affordable housing possible is achieved through the development of this site. Following deferral of the application the applicant has agreed to accept an overage clause as part of the Deed of Variation to the agreed S106 agreement in-line with the following broad principles;

1. *The Overage is restricted to Abnormal Development Costs only (the assessment therefore excludes Revenue and Standard Build Costs)*
2. *An assessment to take place once the development is complete and all Abnormal Development Costs have been expended*
3. *An off-site sum will be paid in the event that the Actual Abnormal Development Costs exceed the Estimated Abnormal Development Costs*
4. *The Estimated Abnormal Development Costs will mirror those that formed part of the EVA submitted with the Reserved Matters*

Children's Play Equipment

- 1.10 Through the course of the application, the main area of Public Open Space has focused on the area to the south west of the site. This was designed to facilitate both the play area and dry basin. The primary concern being the impact of noise on the existing residents of Ings View and Bedale Road, and also the position of the play area away from the affordable housing units.
- 1.11 The applicants have reviewed the site again with a view to repositioning the play equipment on the central area of open space. The play equipment can be located on this central area. The distance between the POS and the nearest properties is 15m. No rear gardens or private amenity space back onto this central POS and the play equipment. Furthermore, additional landscaping and planting will be provided to screen the POS from the surrounding houses for additional privacy, and for the amenity of the new residents.

Access Issues

- 1.12 Members raised concerns around the access, Highways position, and the increase in the number of dwellings, over and above the 105 consented at outline stage. A supplementary Transport Statement dealing with the uplift in numbers was submitted and reviewed by NYCC. The supplementary TA submitted with this application confirmed that the uplift in vehicle movements would not have a significant, material impact over and above the outline scheme.
- 1.13 NYCC Highways have been further consulted on this matter and have commented that;

“ the flows generated by the development are likely to be 31 in the am peak and 33 in pm peak (hour) and the highway authority is satisfied that the existing highway network has spare capacity and will manage the increase in vehicles on the local network. This is due to the introduction of the bypass last year which has reduced vehicles on the Bedale Road and hence improved the capacity of the roundabout. Without the bypass the LHA may have objected to the development.”

- 1.14 Members requested that the pedestrian access along the existing footpath to the west of the site, and which is proposed to connect to the A684, should be fully hard surfaced. The upgrade of this footpath was secured by condition 18 of the outline consent. The wording of this condition was agreed by the planning committee in 2016. The condition states that the footpath “*shall be levelled, graded and the final surface shall be finished in an unbound material helping to improve access for pedestrians but in keeping with the surrounding.*”
- 1.15 This matter has been further discussed with the Highway Authority who has reiterated their earlier position stating that owing to the character of the space and the close proximity of trees a bound surface would not be appropriate as it would be likely to break up due to tree roots.
- 1.16 Members expressed concerns about the access along Sandhill Lane and again further consultation with the Highways Authority has taken place in this regard. Again, this matter was considered at the time of the earlier outline approval. The Highway Authority remain of the view that Sandhill Lane as it approaches the mini roundabout is of sufficient width to allow access to the development on Sand Hill Lane at present and see no reason why it needs to be widened due to this new development.

Further Representations

- 1.17 Since the last Planning Committee meeting a further letter of representation was received from a member of the public. The letter is in objection to the development raising the following issues:
- Highway Safety
 - Increase in number of dwellings
 - Issue of infestation of rats on site
 - Loss of farm land

2.0 SITE, CONTEXT AND PROPOSAL

- 2.1 The site lies on the eastern side of Sandhill Lane, at the northern edge of Aiskew. The site was last used for agricultural purposes as an intensive poultry farm but is now in a poor state of repair. The site also includes two dwellings towards the southern part of the site, which are currently unoccupied. The site extends to approximately 3.74 hectares in area.
- 2.2 Access to the site is from Sandhill Lane via the mini roundabout on the main A684 through Aiskew. A public right of way lies along the south western boundary of the application site providing footpath access from Sandhill Lane to Bedale Road (A684).
- 2.3 This is a reserved matters application considering all matters following outline approval under application number 15/01240/OUT. The outline approval was for 105 dwellings with 25% affordable dwellings provided on site. This application originally proposed 120 dwellings with 12.5% affordable dwellings provided on site. Subsequent negotiations during the life of the application led to variations in the number and type of dwellings proposed. The proposal now is for 116 dwellings with 17 units being provided as affordable dwellings (14.65%).
- 2.4 As identified in Section 2.0 below, the majority of the site is allocated for housing development within the Local Development Framework.
- 2.5 Improvements have been achieved as follows:
- Improvements to the space standards of the smaller properties
 - Removal of back to back housing elements

- Improvements to the location and form of public open space
- Improvements to the sustainable drainage proposals

3.0 PLANNING & ENFORCEMENT HISTORY

- 3.1 01/00224/FUL - Layout of land and construction of 22 dwellings and domestic garages and construction of 2 buildings to comprise office accommodation - Refused.
- 3.2 15/01240/OUT - Outline application for up to 105 dwellings with all matters reserved – Granted

4.0 RELEVANT PLANNING POLICIES

- 4.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
 Core Strategy Policy CP2 - Access
 Core Strategy Policy CP4 - Settlement hierarchy
 Core Strategy Policy CP5 - The scale of new housing
 Core Strategy Policy CP6 - Distribution of housing
 Core Strategy Policy CP7 - Phasing of housing
 Core Strategy Policy CP8 - Type, size and tenure of housing
 Core Strategy Policy CP9 - Affordable housing
 Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
 Core Strategy Policy CP17 - Promoting high quality design
 Core Strategy Policy CP18 - Prudent use of natural resources
 Core Strategy Policy CP19 - Recreational facilities and amenity open space
 Core Strategy Policy CP20 - Design and the reduction of crime
 Development Policies DP1 - Protecting amenity
 Development Policies DP3 - Site accessibility
 Development Policies DP4 - Access for all
 Development Policies DP6 - Utilities and infrastructure
 Development Policies DP30 - Protecting the character and appearance of the countryside
 Development Policies DP32 - General design
 Affordable Housing - Supplementary Planning Guidance - June 2008
 Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
 Development Policies DP33 - Landscaping
 Supplementary Planning Document - Sustainable Development - Adopted 22 September 2009
 Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015
 Supplementary Planning Document - Open Space, Sport and Recreation Adopted 22 February 2011
 Allocations Document Policy BH5 - Wilberts Farm, Sandhill Lane, Aiskew - adopted 21 December 2010
 National Planning Policy Framework

5.0 CONSULTATIONS

- 5.1 Parish Council – The concerns from councillors were as follows:

- Traffic in and out of Sandhill lane with additional 200+ cars
- Increase in dwellings from original plan
- Does this include the other site of a possible 80 dwellings
- Only 12.5% affordable dwellings

- Back Lane usage
- Road upgrading
- Flooding issues
- Tree demolition with only saplings replacing established trees
- Impact on already struggling Health Centre
- Infrastructure
- Development proposals are too big
- The current application has increased from 105 to 120 houses, this is too many (Officer note, the total number of units is now 116).
- There are concerns about the infrastructure within Aiskew and whether it can cope with any more houses
- Have GP practices and schools in neighbouring parishes been consulted about this significant increase in population. (understand that the GP practice has not been consulted)
- There is significant concern regarding the NYCC Highways traffic assessment within the planning application documentation and whether the criteria used to assess the potential impact of at least a further 180 vehicles has been applied to Sandhill Lane and more importantly the mini roundabout on the old A684 from Sandhill Lane. It is hard to believe this will not have a “detrimental impact” as described in the NYCC report, on traffic and highway capacity.
- Concern about the environmental impact of the proposed development,
- The proposed development will contain more boring brick and tile boxes isn't it time that developers we're encouraged to be more adventurous with their building designs.

5.2 Environmental Health – No Objections.

5.3 Highway Authority – The increase in the number of dwellings on the site indicate that the development is expected to generate a comparable number of trips compared to the previous assessment due to the type of dwelling now being considered and the original assessment which included for 120 dwellings. Therefore I do not expect the application to have a detrimental impact in traffic and highway capacity terms. The Local Highway Authority has no objections to the increase in house numbers.

5.4 Lead Local Flood Authority – Initially object to the proposed development as the layout would preclude compliance with the conditions set out in the outline permission. Further information was submitted and the LLFA have now withdrawn their objection subject to satisfactory discharge of drainage conditions on the outline permission 15/01240/OUT

5.5 NYCC Heritage Services – No objections, subject to archaeology conditions set out in the outline permission.

5.6 SABIC – No objections.

5.7 Yorkshire Water – No comments to make.

5.8 Public comments - 106 letters of representation were received. The majority of these were Objections on the following grounds:

- Concerns about the number of vehicle movements generated by the proposed development.
- Sandhill Lane is not appropriate for the level of traffic that will be generated.
- The roundabout at the junction of Sandhill Lane with the main road is not suitable for the traffic levels.
- Traffic using Sandhill Lane will lead to a loss of amenity in the area.

- Lack of affordable housing
- Detrimental impact on wildlife
- Access should be taken direct to the A684
- Detrimental impact owing to flooding of property below the site
- Detrimental impact on parking in Bedale Town Centre

In addition to the above a petition with 152 signatures was received. The petition protests “the proposed increase in number of vehicles which will use the mini roundabout at the Bedale Road and Sandhill Lane junction. 120 dwellings proposed, vehicle number could be increased by upwards of 240. There have been many ‘near misses’ and we feel that it is only a matter of time before there is an accident. There is also a danger to pedestrians using the section leading from the roundabout up Sandhill Lane as they have to walk on the road because there is no footpath.”

6.0 OBSERVATIONS

- 6.1 The principle of the development of this site has been set through the BH5 allocation and the approval of outline planning permission 15/01240/OUT.
- 6.2 The main issues to consider are: (i) principle of development (ii) the variance from the outline approval (iii) affordable housing (iv) size, type and tenure (v) highways safety (vi) amenity and (vii) landscaping

Principle of development

- 6.3 The LDF Core Strategy was adopted in 2007 and provides the basis for the scale and distribution of housing development within Hambleton. Following this the Allocations DPD identifies sites to meet and deliver the targets and objectives as set out within the Core Strategy. As noted above, the majority of the application site is allocated for new housing under Policy BH5. Policy BH5 states that the site is allocated for housing for release in Phase 2 (2016-2021). In December 2013, following an audit of allocated sites and sites with planning permission, the Council approved the relaxation of the housing phasing policy in the Plan. This was to ensure that a robust and deliverable supply of housing sites is available to cover the 5 year period from October 2013 to September 2018.
- 6.4 On the basis that the site has gone through an extensive site allocations process, that the community has had the chance to comment on that site allocation process, that the Development Limits boundary includes the majority of the application site, it is considered that the development for residential purposes has in principle support.
- 6.5 The site is allocated for housing development within the Council's Local Development Framework (Allocations DPD 2010) and the requirements are as follows:

BH5 - Wilberts farm, Sandhill Lane, Aiskew (3.0ha)

This site is allocated for housing development in Phase 3 (2021-2026), subject to:

- development being at a density of approximately 35 dwellings per hectare, resulting in a capacity of around 105 dwellings (of which a target of 40% should be affordable);
- types and tenure of housing developed meeting the latest evidence on local needs;
suitable access being gained from Sand Hill Lane;
- provision of landscaping to limit the visual impact on the approach to Aiskew from the north east;

- iv. the adjacent remainder of the farm buildings to be cleared and the area landscaped or returned to agricultural use;
- v. contributions from the developer towards providing footpath and cycleway links to the A684 and the Wensleydale Railway footpath and cycleway route including improvements to Bedale Bridge, public open space and, if required, additional drainage and sewerage infrastructure; and
- vi. contributions from the developer towards the provision of additional school places and local health care facilities as necessary.

6.6 The additional 0.74 hectares was considered under the outline application 15/01240/OUT. The report indicated as follows:

“The additional area proposed for development within this application is part of the operational area of the farm and its incorporation into the development site would allow for a lower density of development with improved landscaping, incorporating the existing boundary planting. As noted earlier, the allocation and the Development Limits run through the site and Members will recall that a similar situation existed on a development site in Dalton, where allocation TH4 did not cover the entire former turkey factory site. An application to build housing on the unallocated part was refused permission but allowed on appeal. In view of that precedent it is not considered sustainable to resist the development of the additional 0.74 ha, which would include all of the former poultry farm. Furthermore, this site is within and immediately adjacent to a Service Centre, which is a highly sustainable location for development within Hambleton and therefore well suited to accommodating additional development.”

6.7 The additional land beyond the development limits was therefore considered to be acceptable and subsequently outline permission was granted. It is therefore considered that development of the whole site is acceptable in principle.

The variance from the outline approval

6.8 The outline application gave permission for up to 105 dwellings. The current application (as amended) seeks approval for 116 dwellings. As scale was not considered at outline stage, (nor was the total number or units limited) the increase in number of units can be considered at this stage. Case law indicates that unless the outline permission conditionally controls the number of units, there is no absolute limit to the number of units from the outline permission. As detailed above the additional land was included to achieve a lower density of units across the site and to allow for a good size landscape buffer to the north east boundary of the site.

Affordable Housing

6.9 Policy BH5 states that the site is allocated for housing subject to “development being at a density of approximately 35 dwellings per hectare, resulting in a capacity of around 105 dwellings”. The Policy also states a target of 40% provision of affordable housing, subject to viability testing. At outline stage the applicant proposed the provision of 25% affordable housing, amended from their original proposal of 20%.

6.10 A report on a basic viability assessment was undertaken at outline stage on behalf of the Council, which suggested that the scheme could provide at least 28% of the dwellings as affordable units. The lack of significantly higher viability was due to

abnormal costs to address highway improvements on the approach to the site, demolition costs and asbestos disposal. The Council's advisers at that time suggested that 28% would be a reasonable offer based on the submitted viability information. This would also be similar to comparable sites within Aiskew, such as the Taylor Wimpey site at Fox Covert Close (site BH3) (28% affordable provision). A requirement for the provision of 28% affordable housing was recommended and approved by members.

- 6.11 The current applicant, after further investigation and viability assessment, had originally proposed the provision 12.5% affordable housing. It is argued by the applicant that whilst the assessment conducted at outline stage took account of anticipated abnormal costs, upon more detailed examination of the site and circumstances these costs have increased significantly. In addition to this it is argued by the applicant that the NPPF, issued in 2018, introduced changes to how viability is assessed now requiring individual assessments to refer back to viability assessments carried out during the plan making stage and identify how circumstances have changed. In this case, as the LDF predates the NPPF, no detailed viability assessment was carried out when the site was being considered for allocation. It is argued by the applicant that this has impacted on the anticipated land value at which the owner is willing to release the land for development, although it is noted that part of the reduction in the affordable housing quotient agreed by the Council at the time of the outline approval was on the basis of higher than average build costs as the land owners intended to progress the development themselves rather than to sell to one of the large scale house builders.
- 6.12 On behalf of the Council Align Property Partners undertook a review of the current viability assessment (which was conducted on behalf of the applicant by Resolve 106 Affordable Housing Consultancy). The preliminary report found that the abnormal costs were considered to be high but that further detailed investigation of the quotes for remedial work and abnormal costs was required. Further investigation was agreed with the applicant and a full independent assessment has been undertaken. The assessment looked at a number of positions and concluded that at a profit rate between 17 and 20% on GDV (Gross Development Value) the development could realistically achieve between 17 and 21 affordable units (this would equate to 14-17% based on the original proposal of 120 units). As a final offer the applicant has proposed 116 units of which 17 (14.6%) are to be affordable. This is considered an acceptable position given the high levels of abnormal costs involved in the development of the site.
- 6.13 Under the outline application a S106 agreement was entered into requiring the provision of 28% affordable housing on the site. A variation to the S106 agreement would therefore be necessary.

Size Type and Tenure

- 6.14 The proposal comprises a mix of two, three and four bedroom properties, including detached, semi-detached and terraced houses and bungalows. A target mix is included in the Council's Supplementary Planning Document on size, type and tenure of new homes.

Type	Target Percentage	No. of Units	Proposal
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One Bedroom	10%	0	0
Two Bedroom	35%	37	31.8%
Three Bedroom	25%	31	26.7%
Four Bedroom	10-15%	48	41.3%
Two Bedroom Bungalow	10%	9	7.7%

Table: Housing Mix compared against SPD Target Mix

- 6.15 The proposal does not strictly accord with the SPD targets on mix. The original proposal included 8 one bedroom dwellings (which would equate to 6% of the development). These were laid out in a “back to back” terrace form which was considered unacceptable in amenity terms. These were then omitted on officer request and replaced with two bedroom units.
- 6.16 The Councils SPD on Size, Type and Tenure of new homes states: “Historically maintaining size standards has been relatively straight forward on schemes that rely on public subsidy since Registered Providers are required to build to a minimum standard, known as the Housing Quality Indicators (HQI) standard, in order to claim grant funding. However, a considerable amount of affordable housing is delivered through S106, without public funding and the requirements associated with it. Whilst the Council has delivered many homes through this mechanism, over the past year or so housing officers and Registered Provider partners have started to become concerned about the size of these homes, particularly in the light of Welfare Reform changes. In March 2015 DCLG issued Nationally Described Space Standards. The Council will use these standards to guide the provision of new homes. It is the intention to embed the standards within the forthcoming Local Plan.”
- 6.17 The SPD therefore supports the use of the Nationally Described Space Standards as a benchmark against which the amenity value of a proposed unit can be assessed.

House Type (no of beds)	Gross Floor Area (m2)	Internal measurement of Gross Floor Area (m2)	Nationally Described Space Standard (m2)
Type 51 (2b)	80	80	79
Bedale (2b)	60.72	61	61
Kirkbridge (3b)	84.6	84	84
Ennerdale (3b)	85	85	84
Andover (3b)	93.6	93.6	93
Chester (4b)	96	96	106
Windermere (4b)	98	100	124
Alderney (4b)	114	114	115
Halton (4b)	115.5	118	124
Radleigh (4b)	120	122	124

Table: Comparing proposed floor area against NDSS

- 6.18 It can be seen from the table above that none of the four bed dwelling types meet the NDSS. Windermere falls considerably short of the standard, however, an integral garage has not been included in the useable living space. During the life of the application it was indicated to the applicant that all dwelling types should meet the nationally described space standards. Whilst it could be argued that the larger 4

bedroom dwellings are much less likely to be occupied to capacity the smaller 2 and 3 bedroom dwellings are much more likely to be occupied at capacity. As a compromise the 2 and 3 bedroom units were increased in size to meet space standards.

- 6.19 In addition to this the applicant argues that the application should not be refused on this basis as the NDSS have not been embedded in the LDF. Whilst this is correct, as the LDF predates the NDSS, the Size, Type and Tenure SPD indicates that the NDSS should be used as a guide for new development. It is considered that the NDSS provides an important benchmark indicating the amenity level of a proposed unit and that of the overall development. Whilst it could be argued that the larger 4 bedroom dwellings are much less likely to be occupied to capacity the smaller 2 and 3 bedroom dwellings are much more likely to be occupied at capacity. It is concluded that the discrepancy with the standards is acceptable in this case.

Highways Safety

- 6.20 Many of the objections from the local community to this application and the previous outline application relate to the additional traffic that would be generated by the proposed development. It must be highlighted that the access arrangements were a factor in the assessment of suitable sites through the preparation and adoption of the Allocations DPD. Alternative accesses onto the A684 would require land that is well beyond the allocation site and would only be financially viable if significantly more than the 105 dwellings identified in the allocation were to be developed, which is not case at this stage.
- 6.21 In relation to the outline application the Highway Authority advised that there were no concerns with the suitability of the access road and the junction with the A684. In relation to this reserved matters application the Highway Authority have also considered the increase in dwelling numbers from 105 to 119 and found that there would be no detrimental impact in traffic and highway capacity terms. Subject to the satisfactory discharge and compliance with the conditions on the outline permission the Highway Authority have raised no objection to the application. It is therefore considered that despite the high level of local objection in this regard, there is no reasonable case to refuse the application on highways safety grounds.

Amenity

- 6.22 Policy DP1 states that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight. The site is bounded to the south west and south east by the rear boundaries of houses.
- 6.23 To the south west boundary the application site is separated from neighbouring development by Back Lane, a public footpath. The footpath is lined with well-established trees the majority of which are outside of the application site and are therefore to be retained. The landscaping plan indicates that tree root protection areas will be established during construction to avoid damage to the existing trees. It is recommended that these measures be secured by condition.
- 6.24 To the south east boundary much of the development is separated from neighbouring development by the proposed children's play area and dry basin for the sustainable

drainage scheme. One unit is located close to the boundary with number 77 Bedale Road. The proposed unit is single storey and will be located approximately 3 metres from the shared boundary and approximately 10 metres from the rear elevation of 77 Bedale Road. Given the scale of the proposed unit at single storey it is considered that this separation distance between new and existing development is acceptable.

- 6.25 It is therefore considered that the proposed development would not have a significant impact on neighbouring amenity.

Landscaping

- 6.26 A landscaping masterplan has been submitted in support of the application. The plan indicates that trees, hedges and a mix of shrubs will be planted to the front of selected plots to break up the built form. The trees will be planted as Select and Heavy Standards to provide a reasonable degree of instant maturity. At the centre of the site a landscaped area of public open space is proposed which includes paving, grassed areas and a number of trees. This area will provide a pleasant focal point in the development. It is recommended that the landscaping be secured by condition including the submission of a more detailed list of species and timing for planting and replacement.

7.0 RECOMMENDATION:

- 7.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within two years of the date of this permission.

2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings detailed below unless otherwise approved in writing by the Local Planning Authority:

Y81:968.03 Revision AB – Dated 04.09.19

Y81:968.03 Revision AB – Dated 04.09.19

Y81:968.05 Revision E – Dated 10.09.19

Y81:968.06 Revision E – Dated 10.09.19

Y81:968.07 Revision F – Dated 10.09.19

Y81:968.26 Revision E – Dated 10.09.19

Y81:968.32 Revision G – Dated 04.09.19

Y81:968.33 Revision G – Dated 04.09.19

Y81:968.34 Revision F – Dated 04.09.19

Y81:968.35 Revision G – Dated 04.09.19

Y81:968.36 Revision F – Dated 04.09.19

Y81:968.39 Revision B – Dated 10.09.19

Y81:968.56 Revision G – Dated 10.09.19

Y81:968.57 Revision G – Dated 10.09.19

Y81:968.58 Revision D – Dated 10.09.19

Y81:968.59 Revision C – Dated 10.09.19

Y81:968.60 Revision C – Dated 10.09.19

Y81:968.61 Revision A – Dated 04.09.19

Y81:968.62 Revision A – Dated 04.09.19

Y81:968.63 Revision A – Dated 04.09.19

Y81:968.64 - Dated 29.05.19

Y81:968.65 - Dated 29.05.19

Y81:968.66- Dated 10.09.19

3. No above ground construction work shall be undertaken until, a scheme of hard and soft landscaping works is submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide details of the species, numbers and locations of planting, all hard surface materials, timescales for implementation and a maintenance schedule. The approved landscaping scheme shall be implemented prior to occupation of any dwelling and maintained thereafter in accordance with the approved details.

4. Prior to the construction of above ground walling a detailed sustainable energy scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how sustainable energy issues have been addressed by reference to accredited assessment schemes. The sustainable energy scheme shall include an energy use assessment and consider the feasibility of incorporating Combined Heat and Power (CHP) schemes into the development. The scheme shall also show how energy efficient measures will be incorporated into the development which will provide at least 10% of their energy requirements from on-site renewable energy generation, or otherwise demonstrate similar energy savings through design measures. The development shall thereafter be carried out in accordance with the approved scheme.

Reasons for conditions

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990.

2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with LDF Policies CP17 and DP32.

3. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and to soften the visual appearance of the development in accordance with the Development Plan Policies CP17 and DP32.

4. To ensure compliance with Policy DP34 in relation to Sustainable energy.