

# Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 5<sup>th</sup> December 2019

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## Subject:

A Reserved matters application requesting consideration of access, appearance, landscaping, layout and scale for a residential development of 12 dwellings (pursuant to outline approval reference 18/01604/MAO).

## Summary statement:

Outline planning permission for the construction of 12 dwellings was granted by the Regulatory and Appeals Committee on 22<sup>nd</sup> August 2018. The resolution required that any Reserved Matters application must be submitted to the Regulatory and Appeals Committee for determination. The resolution also required that any reserved matters application for the layout of the development should explore all possible opportunities for the provision of parking to cater for existing residents.

This reserved matters application seeks consideration of access, appearance, landscaping layout and scale. The proposed layout includes additional car parking provision to assist in reducing the demand for on street car parking in the locality.

The Reserved Matters application is recommended for approval subject to the conditions included within the report at Appendix 1.

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## Portfolio:

**Change Programme, Housing, Planning and Transport**

## Overview & Scrutiny Area:

**Regeneration and Economy**

## **1. SUMMARY**

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application reference 19/02329/MAR made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1.

## **2. BACKGROUND**

Attached at Appendix 1 is a copy of the Officer's Report which identifies the material considerations of the proposal.

## **3. OTHER CONSIDERATIONS**

All considerations material to the determination of this planning application are set out in the Officer's Report at Appendix 1.

## **4. FINANCIAL & RESOURCE APPRAISAL**

There are no financial or resource implications arising from the development.

## **5. RISK MANAGEMENT & GOVERNANCE ISSUES**

No implications.

## **6. LEGAL APPRAISAL**

The determination of the application is within the Council's powers as Local Planning Authority.

## **7. OTHER IMPLICATIONS**

All considerations material to the determination of the application are set out in the technical report at Appendix 1.

### **7.1 EQUALITY & DIVERSITY**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Full details of the process of public consultation undertaken and a summary of the comments made are attached at Appendix 1.

### **7.2 SUSTAINABILITY IMPLICATIONS**

The development meets the sustainability criteria outlined in relevant national and local planning policies. The site is located in close proximity to Highgate Road, which provides nearby public transport connections to access facilities and services further afield. The development would not result in either the formation of a new settlement or significant sprawl of an existing settlement. No adverse sustainability implications are

therefore foreseen.

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

The development of new buildings and land for residential purposes will invariably result in an increase in greenhouse gas emissions associated with both construction operations and the activities of future users of the site. Consideration should also be given to the likely traffic levels associated with this development. Consideration should also be given as to whether the location of the proposed development is such that the use of sustainable modes of travel would be best facilitated and future greenhouse gases associated with activities of the residents are minimised.

It is accepted that the proposed development would result in greenhouse gas emissions. However, it is considered that such emissions are likely to be relatively lower than would be the case for alternative, less sustainable locations.

In order to encourage sustainable travel the approved Outline Planning Permission is subject to a planning condition requiring the provision of Electric Vehicle (EV) charging points at a rate of 1 per residential unit in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy.

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

All community safety implications material to the determination of this planning application are set out in the Officer's Report at Appendix 1.

### **7.5 HUMAN RIGHTS ACT**

Articles 6 and 8 and Article 1 of the first protocol all apply (European Convention on Human Rights). Article 6- the right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

### **7.6 TRADE UNION**

None.

### **7.7 WARD IMPLICATIONS**

The Technical Report at Appendix 1 summarises the material planning issues raised by representations and the appraisal gives full consideration to the effects of the development upon residents within Queensbury Ward.

### **7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS**

None.

### **7.9 IMPLICATIONS FOR CORPORATE PARENTING**

None.

### **7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT**

None.

## **8. NOT FOR PUBLICATION DOCUMENTS**

None.

## **9. OPTIONS**

The Committee can approve the application as per the recommendation contained

within Appendix 1, or refuse the application.

If the Committee decides that the application should be refused, it may refuse the application. In which, case the reason(s) for refusal would have to be given, based upon development plan policies or other material planning considerations.

**10. RECOMMENDATIONS**

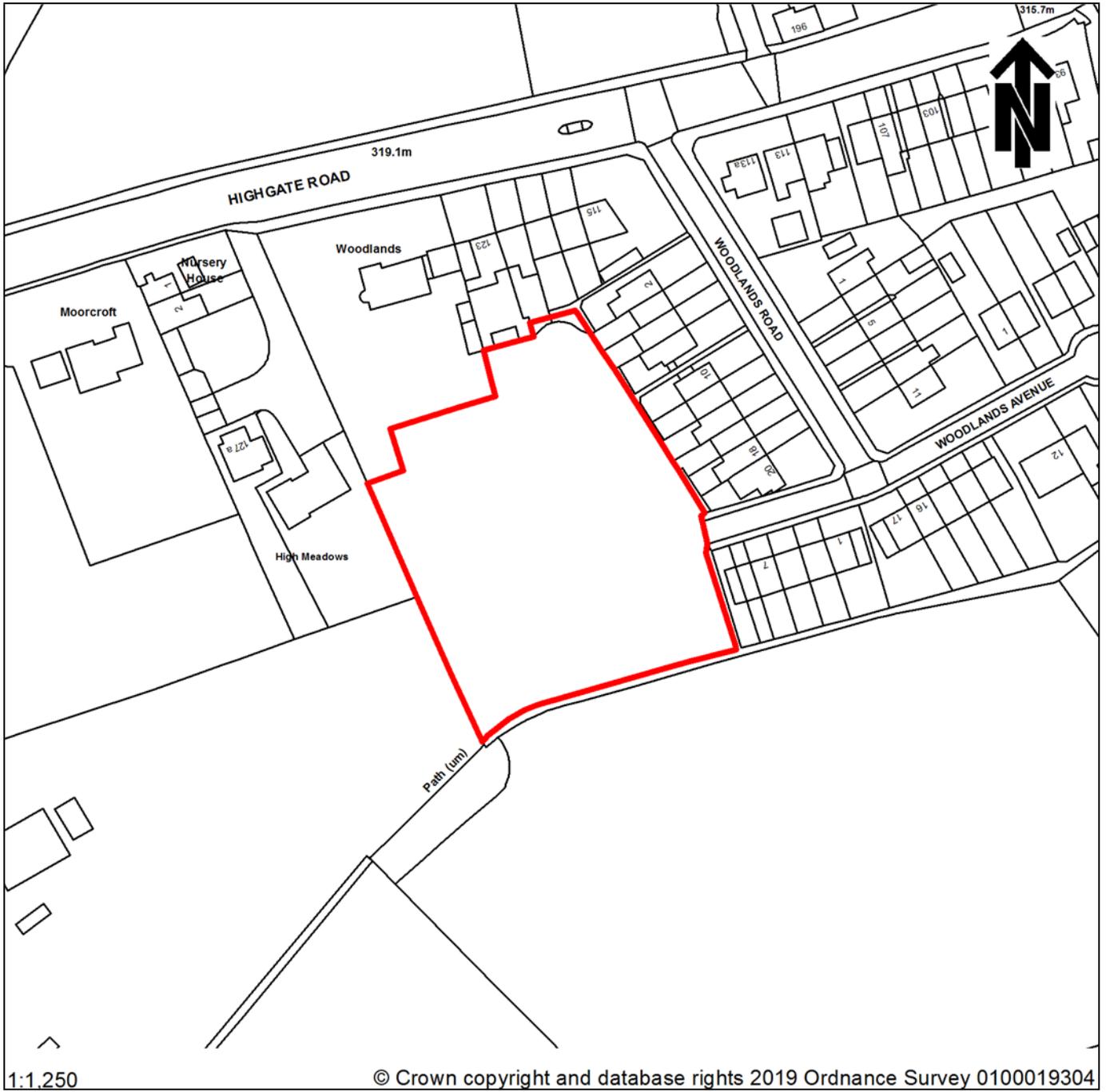
This reserved matters application is recommended for approval, subject to the conditions included within Appendix 1.

**11. APPENDICES**

Appendix 1: Technical Report

**12. BACKGROUND DOCUMENTS**

National Planning Policy Framework 2019  
Replacement Unitary Development Plan  
Local Plan for Bradford  
Application Reference- 18/01604/MAO



**Appendix 1**

**5<sup>th</sup> December 2019**

**Ward: Queensbury (ward 20)**

**Recommendation:**

To approve the reserved matters subject to the conditions included within the technical report.

**Application Number:**

19/02329/MAR

**Type of Application/Proposal and Address:**

A Reserved matters application requesting consideration of access, appearance, landscaping, layout and scale for a residential development of 12 dwellings (pursuant to outline approval reference 18/01604/MAO) on, land at Highgate Road, Queensbury, Bradford with access taken from Woodlands Grove.

**Applicant:**

Heights Developments Ltd

**Agent:**

Mr Richard Langley  
Langley Architectural

**Site Description:**

The site is comprised of a broadly rectangular parcel of grazing land with an area of 0.39ha. To the north the site backs onto the garden boundaries of residential properties on Highgate Road. To the east the site abuts the rear garden boundaries of terraced dwellings on Woodlands Road. To the south the site boundary is comprised of a post and rail fence. Public footpath Bradford South 228 runs parallel with the southern boundary and is enclosed by a dry stone wall, beyond which there is agricultural land located within the Green Belt.

**Relevant Site History:**

18/01604/MAO- Outline application for construction of 12 dwellings with all matters reserved-Granted- 17.09.2018

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

### **Replacement Unitary Development Plan (RUDP):**

#### ***Allocation***

The site is unallocated, however, the main body of the site was formerly allocated as a Phase 2 Housing Site (Ref: BS/H2.2):

#### **BS/H2.2 WOODLAND ROAD, CLAYTON HEIGHTS 0.83ha**

Existing site carried forward from the 1998 adopted Plan. Greenfield site.

#### ***Proposals and Policies***

The following adopted Core Strategy policies are considered to be relevant to the proposed development.

P1- Presumption in Favour of Sustainable Development  
SC1- Overall Approach and Key Spatial Priorities  
SC4- Hierarchy of Settlements  
SC6- Green Infrastructure  
SC9- Making Great Places  
TR1- Travel Reduction and Modal Shift  
TR2- Parking Policy  
TR3- Public Transport, Cycling and Walking  
HO5- Density of Housing Schemes  
HO8- Housing Mix  
HO9- Housing Quality  
EN5- Trees and Woodland  
EN7- Flood Risk  
EN8- Environmental Protection  
DS1- Achieving Good Design  
DS3- Urban Character  
DS4- Streets and Movement  
DS5- Safe and Inclusive Places  
ID3- Developer Contributions

#### **Parish Council**

Not in a Parish.

#### **Publicity and Number of Representations:**

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the submission of comments was 18<sup>th</sup> July 2019. A total five objections were received.

**Summary of Representations Received:**

General

- No information detailing the heights of the proposed dwellings.
- The proposed houses would be built over 2 metres higher than the ground level of the houses in Woodlands Road.
- Insufficient school place available in the surrounding area.
- Health services in the surrounding area are already overburdened.
- A mature flowering cherry tree has been described as a common beech tree.
- Brownfield sites should be developed before greenfield land.
- The site address is incorrectly described as Land at Highgate Road.

Highways

- Unsuitable access to the development via Woodlands Road and Woodlands Grove.
- Pedestrian safety implications for residents of Woodlands Road and Woodlands Grove.
- Highway safety implications for Highgate Road.
- Loss of amenity and privacy for adjacent residences
- Vehicles parked on street on Woodlands Grove and Woodlands Road restrict access to the proposed development and prevent access for larger vehicles such as refuse collections, ambulances and other emergency vehicles.
- Increased traffic volume on Woodlands Road and Woodlands Grove is unacceptable.
- The junction of Woodlands Road with Highgate Road is on a stretch of road where motorist attempt dangerous overtaking manoeuvres. An increase in the number of vehicle trips will exacerbate problems at the junction and create a significant danger.
- Parking on Woodlands Road has worsened since the approval of outline planning permission.
- Construction traffic would pose a danger for children and the elderly.

Drainage

- The development will place extra strain on the drainage system

Residential Amenity

- Loss of amenity and privacy for neighbouring residents.
- Overbearing impact on properties on Woodlands Road.
- Overshadowing impact on properties on Woodlands Road.
- Loss of sunlight to properties on Woodlands Road.

Design

- The proposed dwellings are not in keeping with properties in the surrounding area.
- Three storey properties are not in keeping with surrounding two storey dwellings.
- Green belt land should not be developed.

Biodiversity

-Harm to biodiversity

**Consultations:**

**West Yorkshire Combined Authority-** The developer should make a contribution of £6,006.00 towards the provision of a residential Metrocard scheme.

N.B- The provision of Electric Vehicle charging points was secured by a planning condition imposed on the Outline Planning Permission. The provision of EV charging points was considered to constitute a betterment of the scheme, as charging points are in situ permanently rather than a MetroCard Scheme which is only for 1 year, with no guarantee that residents will renew after that period.

**Drainage-** The Lead Local Flood authority have no objections to the proposals set out in the Reserved Matters application. The necessary planning conditions were imposed on the outline planning application reference 18/01604/MAO.

**Yorkshire Water-** Yorkshire Water have no comments to make on the information submitted for this reserved matters application. Foul and surface water drainage proposals covered by condition numbers 6 and 7 from the granted decision notice, can be dealt with via a future discharge of conditions application for the development site.

**Rights of Way-** Public Footpath No. 228 (Bradford South) runs along the southern boundary of the site, as shown on the plan above. There is also a path linking from this route to Woodlands Avenue along the eastern edge of the site. The footpaths are separated from the site by the existing boundary walls

The existing walls appear to be being replaced with a 1.8 metre timber screen fence to side of plot 1 and the rear of plots 1-6 with 1.2 metre timber screen fencing adjacent to other sections of the paths. .

Replacing a low boundary with a higher close boarded boundary can make paths feel more enclosed and lead to the path feeling less secure and attractive to path users. Generally we would prefer to see a 1.8 metre fence to comprise a 1.5 metre high fence topped with 0.3 metres of trellis to allow for some natural surveillance of the path.

The new fences must be positioned so that they do not encroach into the existing width of the public footpaths

**West Yorkshire Police-** The boundary treatments shown on the landscaping plan (drawing number 1676-19-007) are acceptable, however in relation to plots 1 to 6 changing the boundaries at the rear of these plots to either a 1500mm high close board fence with 300mm high trellis on the top will allow more surveillance of the existing footpath, alternatively installing an 1800mm high close board fence may allow some surveillance through the gaps in the fence panels.

Gates should be installed for each plot to a height of 1800mm and incorporate some form of locking mechanism such as hasp and staple or pad bolts. Plots 2/3, 4/5, 10/11 should have rear gates moved nearer to the front building line to increase natural surveillance.

Natural Surveillance: Installing a small side window in plots 6 and 12 will allow more surveillance so that plot 6 can overlook the adjacent land and plot 12 can overlook their parking bay including visitor parking spaces.

Open Space: The area of land adjacent to plot 6 is shown to have 1200mm high boundary fence, this should also include a lockable gate for access / maintenance. There should be a management plan for this area to ensure that the land is kept tidy and maintained. Management over the front areas of planting is also required to ensure that these remain tidy. Further matters raised in relation to external on-plot lighting and window and door specifications are not material planning considerations.

**Highways-** The principle of development has already been accepted with the approval of outline application reference 18/01604/MAO. The following amendments should be made to the Layout Plan (Ref: 1676-18-004 Rev. A) in order for it to be supported by highways:

The road should either be constructed as a traditional estate road (5.5m wide with 2m wide footways on both sides) or as a shared surface road (5.5m wide with 600mm margins all the way round the access road. The footway from Woodlands Grove should extend into the site, past a ramp across the road, and then taper into the shared surface.

The width of the "Private Drive" can be 4.8m however there should be a clear delineation (using a 600mm margin) where the extent of the adoptable road finishes.

The existing width of Woodlands Grove would present a pinch point between the development site and Woodlands Road however this would be over a relatively short distance.

The proposed visitor parking arrangement is not acceptable. The parking should be provided contiguous with the highway (forming part of the area to be adopted) and a minimum of 4 spaces would be required for the 12 dwellings. Two of these should be laid out next to Plot 8.

**Summary of Main Issues:**

Access

Appearance

Landscaping

Layout

Scale

Residential Amenity

Further Issues Raised by Representations

Other Matters

**Appraisal:**

**Access**

Access into the site is taken from Woodlands Grove via Woodlands Road. The acceptability of the access and the number of dwellings to be served by it was established with the approval of the outline planning permission. This matter cannot be revisited as part of the assessment of this Reserved Matters Application.

The internal highway layout has been amended to reflect the comments made by Bradford Council Highways Development Control. Specifically, the footway from Woodlands Grove is continued into the site, beyond the access ramp and it then tapers into a shared surface road. The shared surface road has an acceptable width of 5.5 metres with a 600mm wide hard margin. A turning head has been provided within the development site to enable larger vehicles to access and egress the site in a forward gear. The proposed 4.8 metre width of the 'private drive' is considered to be acceptable and the extent of the adoptable road is delineated by a 600mm hard margin.

Policy TR2 and Appendix 4 of the Core Strategy require the provision of an average of 1.5 off street car parking spaces per unit for residential development. The proposed development would provide two spaces per dwelling and it is therefore considered to accord with the requirements of policy TR2 and Appendix 4 of the Core Strategy.

In considering the outline planning application members of the committee requested that consideration should be given to the provision of a parking layby within the development to reduce inconvenience to existing local residents resulting from parking congestion on Woodlands Grove and Woodlands Road. The proposed layout includes two laybys providing four additional car parking spaces. The additional spaces are considered to represent a betterment as they would serve to reduce the level of on street car parking required on surrounding streets.

The proposed highway layout is considered to be safe and suitable for all users and the development would not result in an unacceptable impact on highway safety. The proposed development is therefore considered to accord with policy TR2 of the Core Strategy and paragraph 109 of the National Planning Policy Framework.

There is a public footpath (No.228 Bradford South) adjacent to the southern boundary of the site. There is also a path linking from this route to Woodlands Avenue along the eastern edge of the site. The footpaths are separated from the site by the existing boundary walls. The footpath routes would be unimpeded by the proposed development.

## **Appearance**

The proposed development is comprised of 12 semi-detached dwellings constructed of artificial stone at ground floor level and render to the first floor level, beneath artificial slate roofs. The existing terraced and semi-detached properties to the East of the site, on Woodlands Road, are constructed of natural stone to the ground floor and pebble dashed render to the first floor, with a mixture of natural and artificial slate roofs. The existing terraced and detached properties to the north of the site, on Highgate Road, are constructed of natural stone walling beneath a mixture of concrete tile and stone slate roofs.

The area surrounding the site includes a variety of dwelling types and construction materials. As such the design and construction materials of the proposed dwellings are considered to be acceptable subject to the approval of sample materials.

Plots 1-6 would include a pitched roof dormer window to the front and rear roof planes (House Type A), whilst plots 7-12 would include a pitched roof dormer window to the front roof plane only. The dormer windows would be of an appropriate width and would achieve an acceptable degree of separation from both the ridgeline and eaves of each

dwelling. The use of artificial slate cladding to the cheeks and roof of the dormer windows would be in keeping with the roofing material of the main dwelling. The dormer windows are considered to be an acceptable design feature of the proposed properties and accord with the requirements of policies DS1 and DS3 of the Core Strategy.

### **Landscaping**

The proposed hard landscaping would consist of a block paved shared surface road serving plots 1-8 and a tarmacadam private drive serving plots 9-12. All property driveways would be surfaced with tarmacadam. Garden boundaries would consist of 1.8 metre close boarded timber fencing, with the exception of the rear boundaries of plots 1-6 where the fencing would include a 300mm trellis panel to improve surveillance of the adjacent footpath. The proposed hard landscaping features are considered to be typical of a residential neighbourhood and are acceptable. The proposed soft landscaping would consist of intermittent shrub planting to frontage areas, with grassed gardens to residential curtilages. The soft landscaping is considered to be appropriate for the proposed residential development.

In conclusion the proposed hard and soft landscaping features are considered to be acceptable and would accord with policy DS2 of the Core Strategy.

### **Layout**

The site is self-contained and therefore the development layout is not constrained by the need to continue an existing established pattern of development. Nonetheless, the proposed shared surface road serving plots 1-6 would form a continuation of Woodlands Grove and plots 9-12 would be sited adjacent to the rear of the existing terraced dwellings on the west side of Woodlands Road. In conclusion it is considered that the proposed dwellings would be appropriately, situated and orientated in relation to each other and to existing dwellings outside of the development. The proposal is therefore considered to accord with policies DS3 and DS4 of the Core Strategy.

### **Scale**

The proposed dwellings would have a width of approximately 5.9 metres and a depth of 9.1 metres with an eaves height of 5 metres and a ridge height of 8.5 metres. The proposed dwellings are considered to be of a scale which would be in keeping with the scale of existing properties and the development is considered to accord with the requirements of policies DS1 and DS3 of the Core Strategy.

### **Residential Amenity**

Policy DS5 of the Core Strategy requires that development proposals do not harm the amenity of existing or prospective users and residents.

The submitted development layout ensures that the proposed dwellings would not include any habitable room windows with an unrestricted view within 7 metres of the rear garden boundary of any neighbouring dwelling, or within 17 metres of the habitable room windows of any neighbouring dwelling. As such no adverse overlooking implications are foreseen.

The proposed dwellings would benefit from appropriately sized amenity areas and bin storage provision for to ensure that prospective residents are afforded an acceptable level of residential amenity.

The proposed development would not harm the amenity of existing or prospective residents in accordance with the requirements of policy DS5 of the Core Strategy.

### **Further Issues Raised by Representations**

The site address is incorrectly described as Land at Highgate Road.

*The site description has been updated to clarify its location.*

There is no information detailing the heights of the proposed dwellings.

*The submitted drawings (1676-19-005, 1676-19-006) have been submitted at a recognised scale of 1:50 and the necessary measuring tools are provided on the public access website to determine the heights of the proposed dwellings.*

The proposed houses would be built over 2 metres higher than the ground level of the houses in Woodlands Road.

*The proposed houses would not be 2 metres higher than the existing houses in Woodlands Road.*

Insufficient school places available in the surrounding area.

*The site is located within 'Residential Zone 4' which is a nil CIL zone and therefore a contribution towards off site infrastructure provision is not required.*

Health services in the surrounding area are already overburdened.

*The site is located within 'Residential Zone 4' and therefore a contribution towards off site infrastructure provision is not required.*

A mature flowering cherry tree has been described as a common beech tree.

*It is noted that the tree (T9) nearest plot 9 is incorrectly identified as a beech tree on plan reference 1676-18-004 Rev C. However, the tree was correctly classified as a Cherry Tree within the Arboricultural Method Statement which was submitted in support of the outline planning application. The removal of T9 was considered at the outline application stage at which time the tree was noted to be of moderate quality and its removal was considered to be acceptable.*

Brownfield sites should be developed before greenfield land.

*The principle of residential development was accepted on this site with the approval of outline application reference 18/01604/MAO. In granting the outline permission it was accepted that the site is greenfield land, as it is not previously developed. Policy HO6 of the Core Strategy aims to prioritise the use of previously developed land for housing and sets a target of 50% of new housing development to be built on previously developed land over the plan period. However, in the absence of a five-year housing*

*land supply the use of previously developed land cannot be insisted upon and where a site is considered to occupy a sustainable location there must be a presumption in favour of development in line with paragraph 49 of the NPPF.*

### Highways

Unsuitable access to the development via Woodlands Road and Woodlands Grove.

*The impact of the development on the surrounding highway network was considered in the assessment of the outline planning application. The matter cannot be reconsidered as part of the current Reserved Matters application.*

Pedestrian safety implications for residents of Woodlands Road and Woodlands Grove.

*The impact of the development on the surrounding highway network was considered in the assessment of the outline planning application. The matter cannot be reconsidered as part of the current Reserved Matters application.*

Highway safety implications for Highgate Road.

*The impact of the development on the surrounding highway network was considered in the assessment of the outline planning application. The matter cannot be reconsidered as part of the current Reserved Matters application.*

Loss of amenity and privacy for adjacent residences

*The proposed dwellings are sufficiently separated from the habitable room windows and private amenity areas of neighbouring dwellings to ensure that the development would not have an adverse impact on the residential amenity of neighbouring residents.*

Increased traffic volume on Woodlands Road and Woodlands Grove is unacceptable.

*The impact of the development on the surrounding highway network was considered in the assessment of the outline planning application. The matter cannot be reconsidered as part of the current Reserved Matters application.*

The junction of Woodlands Road with Highgate Road is on a stretch of road where motorist attempt dangerous overtaking manoeuvres. An increase in the number of vehicle trips will exacerbate problems at the junction and create a significant danger.

*The impact of the development on the surrounding highway network was considered in the assessment of the outline planning application. The matter cannot be reconsidered as part of the current Reserved Matters application.*

Parking on Woodlands Road has worsened since the approval of outline planning permission.

*The impact of the development on the surrounding highway network was considered in the assessment of the outline planning application. The matter cannot be reconsidered as part of the current Reserved Matters application.*

The development will place extra strain on the drainage system

*The outline planning permission is subject to planning conditions requiring the submission and approval of foul and surface water drainage details. The details will be assessed by the Lead Local Flood Authority prior to approval. It is considered that the planning conditions imposed on the outline planning permission are sufficient to ensure that the development would not place unacceptable strain on drainage infrastructure.*

Overbearing impact on properties on Woodlands Road.

*The proposed dwellings are adequately separated from existing properties on Woodlands Road to ensure that no adverse overbearing implications would be incurred.*

Overshadowing impact on properties on Woodlands Road.

*The proposed dwellings are adequately separated from existing properties on Woodlands Road to ensure that no adverse overshadowing implications would be incurred.*

The proposed dwellings are not in keeping with properties in the surrounding area.

*The proposed dwellings are considered to be of an acceptable design and appearance and would not result in adverse visual amenity implications.*

Three storey properties are not in keeping with surrounding two storey dwellings.

*The proposed development does not include any three storey units.*

Green belt land should not be developed.

*The application site is not located in the green belt.*

## **Other Matters**

### Density

Policy HO5 of the Core Strategy advises that residential development should usually achieve a minimum of 30 dwellings per hectare. The site has an area of 0.4ha and the development of 12 dwellings would provide a density of 30 dwellings per hectare. The proposal is therefore considered to accord with the density requirements of policy HO5 of the Core Strategy.

### Housing Mix

The proposed development would provide 12 3 bedroom dwellings. Policy HO8 of the Core Strategy deals with Housing Mix and identifies the provision of family housing as the most important strategic priority for the district. The proposed dwellings would contribute towards meeting the need for family housing provision and the proposed development would accord with the requirements of policy HO8 of the Core Strategy.

### Community Safety

Policy DS5 requires that development proposals are designed to ensure a safe and secure environment and reduce opportunities for crime. The Police Architectural Liaison Officer has reviewed the submitted proposals and, whilst not objecting in principle to the proposed development, has advised that the following amendments would improve the development:

- The rear boundary fencing of plots 1-6 should consist of 1.5 metre close boarded timber fencing with 300mm trellis section on the top, to allow for surveillance of the footpath
- Gates should be installed for each plot to a height of 1800mm
- Installing a small side window in plots 6 and 12 will improve natural surveillance

The aforementioned amendments have been incorporated into the proposed development. It is considered that there are no grounds to conclude that the proposed development would create an unsafe or insecure environment and the proposal is considered to accord with policy DS5 of the Core Strategy.

### **Community Infrastructure Levy**

The site is located within 'Residential Zone 4' which is a nil CIL zone.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

### **Reason for Granting Planning Permission:**

The proposed development would meet the requirements of Core Strategy policies P1, SC1, SC4, SC6, SC9, TR1, TR2, TR3, HO5, HO8, HO9, EN2, EB3, EN5, EN7, EN8, DS1, DS3, DS5 and ID3 and the application is recommended for approval.

### **Conditions:**

#### **General**

##### 1. Approved Plans

The development hereby approved shall only be carried out in accordance with the following documents:-

1676-18-004- Revision C- Layout Plan

1676-19-005- Revision B- House Type A Plans & Elevations  
1676-19-006- Revision B- House Type B Plans & Elevations.  
1676-19-007- Revision A- Landscaping

*Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.*

#### 2. Three Year Time Limit

The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

#### 3. PD Rights Removed A-E

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties and to accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.

#### 4. Material Samples

Before development above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document.

#### 5. Boundary Treatments

The boundary treatments as indicated on submitted drawing reference 1676 07 REV A shall be provided in full prior to the first occupation of the residential units and shall thereafter be retained.

Reason: In the interests of amenity and privacy and to accord with Policy DS5 of the Core Strategy.

#### 6. Bin Storage

The bin storage areas as indicated on submitted drawing reference 1676 07 REV A shall be provided in full prior to the first occupation of the residential units and shall thereafter be retained.

Reason: To ensure appropriate design arrangements for waste handling and to accord with Policies DS1 and DS5 of the Core Strategy.

### 7. Landscaping Scheme

In the first planting season following the completion of the development, or as may otherwise be agreed in writing by the Local Planning Authority, the landscaping proposals and new tree planting shall be implemented at the site in accordance with details shown on the approved Landscape Proposals drawing reference 1676 07 REV A dated February 2019.

Any trees or plants comprising the approved landscaping that become diseased or die, or which are removed or damaged within the first 5 years after the completion of planting shall be removed and a replacement landscape planting using the same or similar species/specifications shall be planted in the same position no later than the end of the first available planting season following the demise of the original landscape planting.

Reason: In the interests of visual amenity and to accord Policies EN5, DS2 and DS3 of the Core Strategy Development Plan Document.

### 8. Landscape Maintenance

Before any part of the development is brought into use, the developer or successor in title, shall enter into a legal agreement to maintain the said 'internal verges and planting areas within the site in perpetuity' by way of a Management Company. The developer or successor in title shall lay out all those areas within the site in accordance with the approved drawing, and to a constructional specification approved by the Local Planning Authority, as part of those maintenance arrangements to be set out in a Management Maintenance Perpetuity Plan. As and when a phase or the whole development is completed the final verges and planting areas relating to that phase or the whole of the development, whichever shall apply, shall be laid out according to the approved plan.

Reason: To ensure that the areas are adequately maintained for the lifetime of the site in perpetuity, and therefore, will not require the Council to publicly maintain them at any time in the future.

## **Highways**

### 9. Parking Provision

Before any of the dwellings to be constructed are brought into use the proposed car parking spaces to be approved shall be laid out, hard surfaced, sealed and drained within the site as shown on the approved drawing and completed to a specification approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and highway safety, and in accordance with Policies TR2, DS4 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

### 10. Provision of Access

Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered

1676 04 REV C and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with paragraph 35 of the National Planning Policy Framework.