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Ctte Date: 16th July 2018

File No: CHE/18/00190/REM
Plot No: 2/2057

ITEM 1

RESERVED MATTERS APPLICATION FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF CHE/14/00872/OUT (OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ON 3.66 HECTARES OF LAND UP TO 75 DWELLINGS INCLUDING MEANS OF ACCESS) WITH AMENDED PLANS RECEIVED 13/06/2018 AND 14/06/2018 - LAND AT CRANLEIGH ROAD, WOODTHORPE, DERBYSHIRE FOR AVANT HOMES (ENGLAND) LIMITED

Local Plan: Open Countryside / Other Open Land
Ward: Lowgates / Woodthorpe

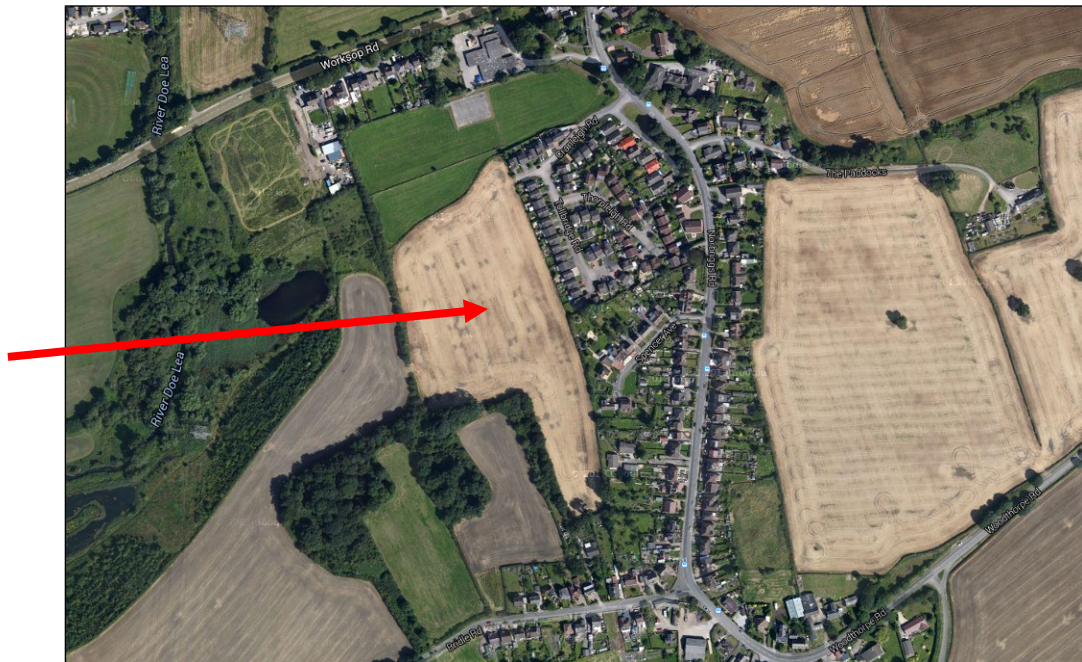
1.0 CONSULTATIONS

DCC Highways	Comments received 04/05/2018 – see section 5.3
Yorkshire Water Services	Comments received 16/04/2018 – see section 5.4.1
Environment Agency	Comments received 13/04/2018 – see section 5.4.1
Crime Prevention Design Advisor	Comments received 25/04/2018 and 26/04/2018 – see report
Derby & Derbyshire DC Archaeologist	Comments received 01/05/2018 – see section 5.4.1
Coal Authority	Comments received 01/05/2018 – see section 5.4.1
Design Services (Drainage)	Comment received 26/04/2018 – see section 5.4.1
Derbyshire Wildlife Trust	Comments received 03/05/2018 – see section 5.4.1
Forward Planning	Comments received 27/04/2018 – see section 5.4.1
Lead Local Flood Authority	Comments received 26/04/2018 – see section 5.4.1
Environmental Health Officer	No comments received
Urban Design Officer	Comments received 23/05/2018 – see report

Leisure Services	No comments received
Housing Services	No comments received
Economic Development	No comments received
Ward Members	One representation from Cllr Lisa Collins – Woodthorpe & Lowgates
Site Notice / Neighbours	23 no. representations received

2.0 **THE SITE**

2.1 The site the subject of the application is an agricultural field 3.66 hectares in area which is located on the western edge of Woodthorpe village. Gated access into the site is located at the western end of Cranleigh Road.



2.2 The aerial photograph above shows the application site as comprising the whole of the central field to which the arrow is pointing. There are residential properties immediately adjoining the eastern and southern tip boundaries of the site. To the west is open land comprising of farmed fields, woodland and the area of Netherthorpe Flash Nature Reserve. To the north there is a small parcel of open grassland and school playing fields with properties beyond fronting onto Worksop Road. The site slopes generally downwards from south to north.

3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/18/00396/DOC – Discharge of condition numbers, 4 (drainage), 5 (coal mining investigation), 6 (archaeological survey), 7 (grass snake mitigation), 11 (wheel cleaning facilities), 12 (details of estate roads), 15 (access drives), 16 (discharge of water from highway), 17 (surface water drainage), 18 (travel plan) and 22 (employment and training scheme) of CHE/14/00872/OUT. Still pending consideration.
- 3.2 CHE/14/00872/OUT - Outline residential development on 3.66 hectares of land for up to 75 dwellings including means of access (revised travel plan received 12/03/2015 and geophysical survey received 19/03/2015). Conditional permission granted 04/09/2015 (inc. S106 Agreement).
- 3.3 CHE/14/00393/EIA - Environmental Impact Assessment for outline residential development for up to 90 dwellings including means of access on 3.7 hectares of land. LPA concluded Environmental Assessment not required 26/06/2014.

4.0 **THE PROPOSAL**

- 4.1 In September 2015 planning permission was granted in outline for residential development of 75 dwellings on land located west of Cranleigh Road. The outline application site measured 3.66 hectares in area.
- 4.2 This is an application which seeks reserved matters approval for that outline planning permission for the erection of 75 dwellings detailing appearance, landscaping, layout and scale (as amended on 13/06/2018 and 14/06/2018).
- 4.3 The application submitted is supported by the following list of plans / documents and *revised plans*:

Planning Statement
Design and Access Statement

1806.01 Rev C - Planning Layout + Planning Layout (Colour)
1806.02 - Site Location Plan
1806.03 Rev A – *Materials Plan*
1806.04 Rev A – *Street Scenes (Colour)*
1806.05 Rev C – *Cross Sections*

1806.06 Rev A – Boundary Plan

1806.ASY.01 – Ashbury Elevations / Floor Plans

1806.ASY.02 – Ashbury – Plot 12 Only

1806.AVY.01 – Avebury Elevations / Floor Plans

1806.BAN.01 – Barton Elevations / Floor Plans

1806.BIN.01 – Bishopton Elevations / Floor Plans

1806.COM.01 – Cotham Floor Plans

1806.COM.02 – Cotham Elevations

1806.KIN.01 – Kilmington Elevations / Floor Plans

1806.ROY.01 – Rosebury Floor Plans

1806.ROY.02 – Rosebury Elevations

1806.ROY.03 – Rosebury Elevations - Plot 44 Only

1806.ROY.04 – Rosebury Elevations – Dual Aspect

1806.WRY.01 – Wrenbury Elevations / Floor Plans

1806.WRY.01 – Wrenbury Elevations / Floor Plans

1806.G.01 – Single Garage Elevations /Floor Plan

Illustrative Landscape Masterplan – March 2018

R-2096-1 – Landscape Masterplan

1806.BT.01 – 1.8m Timber Screen Fence

1806.BT.02 – Brick Pier and Timber Panel

1806.BT.03 – 0.6m Post and 2 Rail Fence

1806.BT.04 – 1.5m Fence with Trellis

1806.BT.05 – 1.2m Metal Feature Railings

1806.BT.06 Rev A – Feature Wall – Plots 1 and 2

1806.BT.07 – Feature Wall – Plot 12

1806.BT.08 – 0.45m Knee Rail

1806.BT.09 – Solid Wall

5.0 **CONSIDERATIONS**

5.1 **Planning Background / Principle of Development**

- 5.1.1 The site the subject of this reserved matters application benefits from a live outline planning permission CHE/14/00872/OUT for the erection of up to 75 dwellings on site with all matters except for means of access being reserved. The outline permission was approved on 04/09/2015 subject to 23 no. planning conditions and a S106 agreement covering the provision of public art, affordable

housing, an education contribution, management of green space and suds infrastructure.

5.1.2 The live outline permission enables applications for reserved matters approval to be submitted for a period of three years following the date of the outline approval (i.e up to 03/09/2018) and this reserved matters application concerns that development.

5.1.3 Having regard to the principles and parameters set by the live outline planning permission the principle of development is already accepted and subject to the details of the reserved matters submission meeting the provisions of the outline planning conditions and the S106 agreement the issues already agreed and set by the outline permission cannot be revisited. Only the outstanding reserved matters issues concerning appearance, landscaping, layout and scale are to be considered. Access was agreed at the time of the outline planning permission.

5.2 **Design and Appearance Considerations (inc. Neighbouring Impact)**

5.2.1 Having regard to the detailed design and appearance considerations of the proposed reserved matters details alongside the case officers own appraisal of the scheme; the Council's **Urban Design Officer (UDO)** was invited to review the submission.

5.2.2 Initially the UDO undertook a thorough review the reserved matters submission and offered the following feedback on the submitted scheme:

'Assessment

The layout has been prepared based upon a number of guiding design principles, namely:

- 1. Creating an acceptable relationship with the neighbouring properties on the eastern site boundary.*
- 2. Taking advantage of the key aspect views to the west.*
- 3. Working with the levels to create/meet an adoptable highway standard.*
- 4. Provide an area of POS and a drainage basin.*
- 5. Ensure there is a transition within the site between the urban and rural fringe to the west.*

6. Use appropriate landscaping to create an attractive entrance into the site.

Although these are appropriate parameters, they do not in themselves form a sound design concept capable of providing a strong sense of place, which then informs and shapes the design response to the scheme. At present this appears very 'standardised' and fails to capitalise upon the opportunity of the western fringe and green space in particular to help embed a sense of place and identity within the development.

Use

The use of this land for residential purposes has previously been established through the grant of outline planning permission (ref. 14/00872/OUT).

Amount

The site area comprises 3.66 hectares of farmland. 75 dwellings are proposed. This equates to a gross density of 20.5 dwellings per hectare (dph), which is a low density of development.

The area of POS measures approximately 0.42 hectares. A further area of green space at the southern end of the site measures approximately 0.15 hectares, leaving a net developable area of 3.01ha. The resulting net density is 25dph which represents a standard suburban density.

Layout

Entrance area

The arrangement of buildings and elevations (Plots 1-3, 12, 13 and 21) around the entrance into the site appears ad-hoc rather than planned, with no dialogue or relationship between the buildings, to define or enclose space or the alignment of the road. The resulting entrance into the development has a clumsy relationship and fails to work in a coordinated manner, resulting in a poor sense of arrival into the site.

Corner Plots

Numerous corner plots utilise standard house types not designed to address corner positions (such as the Barton and Rosebury house types) and result in blank or poorly articulated facades against public frontages (see Plots 2, 21, 22, 72, 73). These should be articulated to ensure dual aspect units are created to address

both street frontages. Alternatively, they should be substituted for corner house types designed for this purpose. N/B if a corner house type is used, it is recommended that an alternative design to the Wrenbury is introduced to avoid an over reliance on a single corner turning solution, as the Wrenbury is used extensively elsewhere within the scheme, the repetition of which weakens the legibility of the layout.

Terminating view points

Plot 49 is well placed to terminate the vista, with its gable and bay window aligned on the axis of the street. However, other units positioned at the end of a street are not well so well resolved.

Plot 72 occupies an important position that terminates views on approach from both the north and the east. This unit is currently offset from the vista from the north which terminates in the parking bays and garage, and also presents a large blank wall to the east elevation. Equally, the flank wall of Plot 73 also steps forward of Plot 72 to create a staggered building line and reveal a further blank wall on approach from the east. This aspect of the proposals needs to be revisited to address the various views towards these buildings and respond to the corner appropriately.

Plot 8 is similarly positioned off centre and fails to terminate the vista effectively on approach from the south. It is recommended that Plot 8 is handed to more effectively close the vista.

Plot 41 is aligned to terminate the vista on the parking garage element of the front elevation. This arrangement should be reviewed and amended to ensure a positive 'end stop' to this street. A more appropriate house type should be utilised, such as an 'Avebury' which has a suitably broad and high front gable to help create a focus to the vista.

Relationship with neighbouring properties.

The layout along the eastern boundary is generally offset from the neighbouring rear gardens by a distance in excess of 10.5m which is considered necessary given the short length of the existing rear gardens along Tollbridge Road.

First floor window to window separation also generally exceed 21m, although this is less at ground floor where neighbouring properties have been extended.

Nevertheless, there are several points along the eastern boundary where proposed new dwellings would be sited in close proximity to the adjacent gardens. Plots 12 and 44 in particular, present tall flank walls against the gardens of the neighbouring properties and achieve a separation of just 12m. Although Plot 44 is shown with a hipped roof to help reduce its impact the site section shows that this unit will also be elevated above existing ground levels. As the plots in question extend across the majority of the neighbouring gardens, which are themselves small, this is considered likely to appear dominant, overbearing and detrimental to the outlook from these properties. Utilising bungalows on Plots 12 and 44 or increasing the separation distance would improve the relationship with the affected properties.

Amenity

The rear gardens are proposed to be subdivided by low (600mm high) post and rail timber fences. This raises a question of amenity and security between residential plots due to the absence of tall secure boundaries between gardens.

Green Space and Rural Fringe

The western edge of the site incorporates a green space containing a drainage basin. Plots 22-30 face west to overlook the space, although the shape of the space, the alignment of the road and the arrangement of the adjacent houses appears rigid in contrast to the rural informality of the location.

This aspect of the scheme has the potential to provide a place with a strong character for the development. However, the arrangement shown is somewhat generic does not capture this opportunity or the character of the 'rural fringe' on this important edge to the site. It is recommended that the road alignment is adjusted to introduce a more informal curved or meandering alignment, with the building line amended to reflect changes of direction, so as to shape the street, enclose the space and break down the rigid form of the current road. A looser knit pattern of development along this edge should also be developed to further strengthen this design response.

These adjustments should be combined with the introduction of boundary enclosures around the edges green space, plot frontages and tree planting to space. These should be appropriate to the

rural fringe, such as estate style railings (such as those used on the Avant Homes scheme on The Edge, Clowne).

The size of the space provides an opportunity to introduce some larger scale tree species (e.g. Limes or Horse Chestnut) into the development that would strengthen the character of this location and define this as the heart of the development. A line of such trees, along the roadside edge of the space would provide an avenue effect that would support the creation of a more evident sense of place and reflect this locally relevant feature (similar to those present on Woodthorpe Road on approach to the village).

Street and place hierarchy

The application includes reference to a street hierarchy together with areas of tight and loose urban. However, there appears to be just a single street type (excluding a private drive) and any distinction in terms of urban grain is almost imperceptible, with a consistent density throughout.

Road character and alignment

As identified above the road alignment in front of Plots 22-29 should be revisited to help create a stronger identity to the location by reinforcing the informality of the village edge and better assimilate the proposals against the rural fringe.

The inclusion of a verge along the main route would bring more informality to the streetscene and echo this characteristic found elsewhere within Woodthorpe.

The junction in front of Plot 49 would benefit from a change in priority with the cul-de-sac spur to the north designed as a secondary street. The area in front of Plot 49 could be expanded to create the bend. Forward visibility around Plot 66 would need to be assessed and the layout adjusted accordingly.

The sharp bend in front of Plot 22 results in an overwide area of hard surface in order to achieve the necessary forward visibility. This results in a broad area of hard surfacing within the footway (approx 5.3m deep) and is almost 13m wide across the entire carriageway. This is an awkward incongruous feature which undermines the streetscene and is at odds with the 'rural fringe' part of the site. Locating a tree within a verge on the corner would break up the expanse of hardscape and soften its appearance.

Alternatively, the alignment of the road might be revisited and adjusted as part of a revised road alignment as recommended above.

Front boundary treatments

No front boundary treatments are included within the scheme and appropriate boundary treatments should be should be provided throughout.

Side Garden Boundaries

Side garden boundaries are shown as pier and panel fences and represent a poor quality boundary treatment against public frontages. Appropriately designed brick walls should be introduced in lieu of the pier and panel boundaries.

Southern Green Space

The purpose and use of the southern green space is unclear and appears to serve only Plots 54-58. The nature and use of this space should be clarified.

An easement passes through part of this site which is a constraint; although an alternative arrangement that includes a publically accessible space would be preferred.

Relocating a unit(s) from elsewhere into this location would afford an opportunity to create a large plot with distant views and importantly, enable the layout to be 'loosened up' elsewhere, in parts of the site where this is currently more cramped.

SUDS basin

The size and position of the SUDS basin is identified as being finalised by the others. It is therefore unclear at this stage whether the feature indicated is representative of what would come forward. Any water storage area should be shallow sided and designed as an attractive component of the wider space and not appear as an engineered feature. Levels, together with sections through the space should be provided to illustrate its size, depth and gradients of the basin.

Bin Collection Point

This will be required at the entrance to the private drive serving Plots 14-21. It is suggested that this could be achieved by slightly widening the entrance area into the drive to enable bins to be

placed on collection day without interfering with the ability of cars to enter or leave the drive.

Scale and massing

The development comprises mainly 2-storey houses and two bungalows. This generally reflects the scale of development associated with the village.

Landscaping

The proposed landscaping proposals are somewhat generic and non-specific in respect of tree planting. The submission provides a list of trees from which tree planting will be selected. However, this does not cross reference to where particular trees will be located on the site. As such, it would be difficult to use trees to support places of character (such as the avenue discussed above) or to enforce any future replacement planting as may be required. In addition, shrub planting sizes are not specified. It is recommended that these details should be clarified. However, before the landscaping proposal are amended that the layout is first amended to in response to the comments raised above.

Access

Access is taken as an extension to Cranleigh Road via the NE corner of the site. No other connections are possible due to position of adjacent development.

Appearance

The submission indicates that the proposals are an extension of Woodthorpe and are sensitive to its vernacular. However, it is unclear from the submission how the scheme achieves this. The supporting DAS includes only a cursory assessment of the village's character and fails to identify a number of locally relevant features and details that could be used to inform the design and more clearly integrate the local distinctiveness of the village within the development.

The distribution of materials takes a somewhat 'scattergun' approach, rather than using these to reinforce legibility or strengthen areas of character within the development itself. Use of buff bricks is not generally a locally relevant material and, notwithstanding the adjacent development on Cranleigh and Tollbridge Roads, buff coloured brick is a minor component of the

village materials palette and is not a generally a distinctive characteristic of Woodthorpe.

Conclusion

In light of the above concerns it is not considered that the proposals meet the requirements of Policy CS18 or guidance contained within Successful Places (SPD). It is therefore recommended that the application is amended and revised proposals are provided that respond positively to the design issues identified above.'

5.2.3 Comments from the **Crime Prevention Design Advisor (CPDA)** were also received and these are reported below:

'I've no comments to make regarding the layout proposed. There are a handful of key plots where an outlook over the street should be provided.

Cobham - plot 56 (shown to be built as plans but is actually handed) add windows to the side ground floor relax/living areas.

Rosebury – plots 21, 22 and 37 add windows to the relax and live/eat areas on outer side elevations.

Barton – plot 2 add a window to the side dining/kitchen area.

There are a few plots where the garden fencing/walling is too prominent and will block sight lines from existing or additional windows.

I'd recommend that the position of fence, plot or both is slightly realigned to make active elevations more prominent for the following plots.

Rosebury - plot 22

Wrenbury – plots 13 (not 12 as indicated), 30 and 66.

The inter-garden boundaries are shown as 600mm post and rail wood fencing, with an option to upgrade to 1800mm close boarded.

The height of inter-garden boundaries wouldn't usually be a concern as lower fencing is more likely to encourage community interaction, whereas higher fencing will provide more privacy, and we would as a rule leave this to the discretion of developers, knowing their own tenant mix.

Having said this an open post and rail fence of 600mm is unlikely to provide an adequate boundary to stop pets or small children from wandering, nor I would think an adequate distinction between private spaces.

If a divisional boundary of under 1800mm is desired my recommendation would be to use a more solid type, such as close or open boarded fencing, set at a minimum of 1200mm in height.'

5.2.4 The comments of the UDO and CPDA were fed back to the applicant and this led to a package of revised drawings being submitted on 13/06/2018 and 14/06/2018 which included the following changes:

- Plots 19-21 re-planned to face back onto private drive;
- Plot 1 switched to Cotham;
- Plots 12-13 moved west 1.2m away from eastern boundary with Plot 12 also amended to include hipped roof;
- Plot 22 switched to Rosebury;
- Plot 43 switched to an Ashbury;
- Plot 44 switched to Avebury with hipped roof to eastern boundary;
- Plot 72 switched to Wrenbury; and
- Dual aspect Rosebury type plotted for plots 21 & 22.

Also amended are some of the relevant boundary treatment details, following comments made.

5.2.5 Overall having regard to the amendments presented it is considered that the applicant / developer has sought to address where possible the comments of the UDO and CPDA and the changes made are welcomed as positive improvements to the design and appearance of the overall scheme. It is noted that the detailed landscaping plans are yet to be fully prepared, and the application is supported by a landscape masterplan whose principle are accepted (subject to some minor amendment and agreement of final species). Accordingly an appropriate condition can be imposed on any subsequent decision to allow these details to be submitted in full for further specification consideration.

5.2.7 It is considered that the scheme presents an appropriate design response that has due regard to the site constraints and opportunities which have been appropriately treated in the

proposed site layout to ensure a good standard of design overall is achieved. The application submission is supported by working details of hard and soft landscaping solutions which have been considered and are acceptable in principle. They offer appropriate response and legibility to the streetscene being created. A detailed materials schedule has been prepared by the developer selecting chosen brickwork and finishes to the individual plots – which are considered to be acceptable as they reflect the local vernacular.

5.2.8 The site has been laid out such that all adjoining and adjacent neighbouring properties have an acceptable separation distance to the new dwellings and all gardens are of appropriate depths to protect the privacy and amenity of neighbours commensurate with the requirements of the Council's adopted SPD 'Successful Places – Housing Layout and Design.

5.2.9 Overall it is considered that the development proposals are acceptable. The design, density, layout, scale, mass and landscaping proposals are considered to comply with the provisions of policy CS2 and CS18 of the Core Strategy, the wider NPPF and the adopted SPD such that the scheme is acceptable in this regard.

5.3 **Highways Issues**

5.3.1 The application has been reviewed by the **Local Highways Authority** (LHA) who has provided the following comments:

The principle of development for this site was established at outline stage, under application reference CHE/14/00872/OUT; this included means of access at that time. The current application now seeks approval for the remaining items previously reserved, namely appearance, landscaping, layout and scale. The scale of development remains in line with the quantum approved at outline stage, therefore, the following highway comments are confined to layout matters only.

The applicant has entered into pre-application discussions with the District Council regarding the proposed development and the Highway Authority's views have been sought on a number of different internal layouts. Following the most recent consultations it would appear the highway comments have been incorporated into further revised layouts. From a highways perspective the horizontal

design layout of the estate streets appears to conform to adoptable criteria - the internal streets have 5.5m wide carriageways with 2m wide footways on both sides of the street, appropriate visibility at internal estate street junctions and forward visibility around bends, together with adequate manoeuvring areas for service / delivery vehicles to turn at the closed ends of the streets. The only minor issue which could be improved relates to carriageway widening on the inside of small radius bends - the 6C's design guide suggests 0.6m additional carriageway widening be provided to accommodate vehicles passing each other at these confined locations. This could be dealt with as part of any construction approval process with this Authority, should the applicant wish to pursue future adoption of the estate streets.

Visibility from individual driveways is generally acceptable throughout the development, however, in some cases this will be reliant on boundary treatments being maintained to an appropriate level, to maximise visibility – this particularly applies to plots in the vicinity of bends etc. (in particular plots 12, 13, 21, 22 and 30). A visibility condition could be appended to any consent issued to ensure maximum visibility sightlines are protected in these areas.

An adequate level of residential parking appears to be achievable throughout the development, with garage and parking dimensions meeting current design guide criteria. It is however noted that condition 14, appended to the outline planning consent (14/00872/OUT), infers on-site turning should be provided to enable vehicles to enter and exit the curtilage in a forward gear; this will certainly not be feasible to achieve with the layout presented, for the majority of plots. However, whilst it is often desirable to provide on-site vehicle turning facilities, especially on busier, more heavily trafficked routes, it is not particularly essential on lightly trafficked, purely residential estate streets. The majority of existing dwellings in the vicinity do not benefit from dedicated on-site turning facilities and the Highway Authority is not aware that this has resulted in a particular highway safety issue. I am therefore generally satisfied with the parking arrangements shown on the planning layout plan.

Therefore, on the basis of the above comments, the Highway Authority would not be in a position to raise a sustainable objection to the proposals submitted, on the grounds of highway safety. After having reviewed the conditions appended to the outline planning

permission, which remain valid and applicable to the current application, I would suggest the following additional conditions be included in any consent issued to secure appropriate levels of visibility from individual plots to the estate street and appropriate bin storage facilities within each plot, to ensure footways are not obstructed on refuse collection days.

1. Individual driveways shall be provided with 2.4m x 25m visibility sightlines to the new estate street in each direction, measured up to 1m into the carriageway at the extremity of the splay, or other such dimensions as may be agreed in writing with the Local Planning Authority. The area in advance of the sightlines remaining free from any obstructions to visibility over 1m high, relative to the nearside carriageway channel level, and so maintained for the life of the development.

2. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

It is noted a number of pre-commencement highway related conditions are appended to the outline planning consent, which will need to be discharged prior to any development taking place on the site. Condition 12 specifically requires full highway construction details to be submitted for the carriageway and footway areas, to ensure the development is safe and satisfactory for future residents.

The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of any details to the Local Planning Authority, to discharge Condition 12 of the outline consent. At present the construction approval process may take up to 12 weeks to achieve, depending on the appropriateness and completeness of the original information submitted, the applicant should therefore allow sufficient timescales within their development program to accommodate this. Without construction approval being issued the Highway Authority would not be in a position to discharge the condition within the normal planning application consultation period.

5.3.2 Having regard to comments made by the LHA above, their support for the application and the layout / design submitted is noted. The applicant is likely to apply to have the estate roads formally adopted and therefore they will be required to separately seek technical and construction approvals from the Highways Authority under S38 and potentially S278 of the Highways Act. Separate private driveways will either be maintained under a management company appointed by the developer (in a similar case as to the open spaces / SuDS infrastructure) or conveyed to the respective owners for future maintenance. There are conditions already imposed on the outline permission to ensure the details of any such arrangements are provided for further approval.

5.3.3 Overall it is considered that in the context of policies CS2, CS18 and CS20 of the Core Strategy the proposed layout of the development is acceptable. Appropriate levels of parking are detailed as well as bin collection points etc. The LHA will continue to be involved in the construction approval of the internal road layout (as it is intended that the estate streets are to be adopted) and therefore the applicant / developer will continue to be tied to meeting appropriate design requirements set by the LHA in order to ascertain final adoption (such as the provision of street lighting).

5.4 **Technical Considerations**

5.4.1 The reserved matters application has been reviewed by a number of consultees (listed in section 1.0 above) having regard to matters concerning flood risk, drainage, ecology protection / enhancement, land condition and contamination; however these matters and the detailed matter thereof are all being dealt with under the various discharge of conditions applications which have also been submitted for consideration. Accordingly whilst some of the consultees have made comments in respect of this application reference; the matters they have raised are being dealt with separately in connection with each respective planning condition / discharge of conditions application.

6.0 **REPRESENTATIONS**

6.1 The application has been publicised by site notice posted on 16/04/2018; by advertisement placed in the local press on 19/04/2018; and by neighbour notification letters sent on

16/04/2018 (who were re-consulted on revised plans for 14 days on 18/06/2018).

6.2 As a result of the applications publicity there have been 23 no. representations and a comment from a local ward member (Cllr Collins) received. The origin of these representations are listed below followed by summary of the issues which have been raised:

1. ***A Local Resident 300418***
2. ***32B Norbriggs Road 030518***
3. ***26 Norbriggs Road 030518***
4. ***5 Spencer Avenue 030518***
5. ***6 Spencer Avenue 030518***
6. ***9 Spencer Avenue 030518***
7. ***3 Burkitt Drive 030518***
8. ***7 Spencer Avenue 040518***
9. ***7 Tollbridge Road 070518***
10. ***Woodthorpe Village Community Group 070518***
11. ***10 Spencer Avenue 080518***
12. ***7 Spencer Avenue 080518***
13. ***7 Spencer Avenue 080518***
14. ***9 Tollbridge Road 070518***
15. ***1 Tollbridge Road 080518***
16. ***38 Norbriggs Road 080518***
17. ***11 Tollbridge Road 080518***
18. ***11 Tollbridge Road 080518***
19. ***8 Spencer Avenue 080518***

20. ***29 Tollbridge Road 310518***

Received Following Re-Consultation

21. ***9 Spencer Avenue 270618***
22. ***A Local Resident 290618***
23. ***32B Norbriggs Road 030718***

Cllr L Collins – Lowgates & Woodthorpe Ward 090518

Issues Raised:

Principle of Development

At present Woodthorpe is a small quiet village.

The development will turn Woodthorpe into a sub-urban area, it is not brownfield land and it will destroy valuable agricultural and green space. Markham Vale and other proposed housing development is already threatening the character of Woodthorpe.

My concerns were fully expressed in my initial objection to the outline application and these still stand.

There are plenty of other brownfield sites available for development and this site does not constitute sustainable development. The houses are not going to be affordable for the younger generation and that is where the greatest housing shortage is.

It is obvious this development is going to be allowed to happen given the works already taking place in the field.

The field is often used to walk dogs and for outdoor play. This will be lost as a result of the development.

It is understood that CBC have now met their current housing target with current planned developments.

Officer Response: The principle of development is established on this site by the presence of the outline planning permission; this cannot be revisited. Furthermore in respect of the Council housing supply, this site and permission will now be being counted towards the housing supply calculation.

Design / Layout / Outlook / Privacy / Overlooking / Neighbour Amenity

Houses backing onto the site only have small back gardens but the outlook offered to them made up for this. The development will spoil their outlook; they'll be disturbed by noise from the development and will lose their privacy. Plot 44 is situated at the bottom of my garden and appears to be quite close to the boundary and will block out light and cause a lot of shading.

Plot 55 is proposed at the bottom of my garden and its windows are faced in line with my sitting room windows. The arrangement will be intrusive to both properties and will cast significant shade over my house and garden. Furthermore the separation distances

between plot 55 and the adjacent neighbour are below those recommended by the Council own urban design officer. I am also concerned about parking spaces indicated being made into garages in the future as these would cast further shade; and also seek assurance that the hedge between my property and the site will not be damaged during works.

You should consider reducing the number of dwellings considerably to mitigate the impact on roads and schools and the layout is ill conceived.

My boundary adjoins the site and I ask whether it will be fenced off properly to keep my property secure and private?

Building works will increase the risk of air, land and water pollution.

Please can we have more information on the proposed fencing to be erected around the properties and how close this will be to Tollbridge Road.

Will the new home owners be required to cut my hedge when it becomes part of their boundary – I will require a written agreement of this. Also I have a life limiting illness and I would not wish for there to be balls or dogs coming onto my land.

People often look for the shortest route to get from A to B and I am worried people will look to use Spencer Avenue as a shortcut into the development site. I would ask that consideration is given to the creation of a greater gap between the current back gardens and the new properties to reduce people taking shortcuts.

Can the house to the back of No 1 Tollbridge not be changed into a bungalow, also how close is it going to be? Also can it be a rule that the new occupier doesn't grow climbing plants or tall trees.

Regarding plot 44 although the property has been changed it has only moved an additional 2 metres away from my boundary, and although it is shown with a hipped roof to help reduce the impact the site shows that it will be elevated above existing ground levels. As the plot in question extends across the majority of my garden, which is only small, this will appear dominant, overbearing, claustrophobic and detrimental to the outlook from our property, i.e we will basically be looking straight at a brick wall.

The impact of the development upon No 29 Tollbridge Road will result in a loss of daylight and sunlight to our property and the development will result in an overbearing impact. The proposals fail to meet the criteria for separation and amenity as set out in the Council's adopted SPD on Housing Layout and Design.

Officer Response: Please refer to section 5.2 and 5.3 above.

Impact on Wildlife

The development will threaten habitat and many species of wildlife who make their home in and around the site. This is contrary to the policies of the Local Plan.

Please consider the RSPB article attached, which involved Barratt Homes incorporating wildlife friendly measures into their development.

The nature reserve near the site will suffer.

Officer Response: Please refer to section 5.4 above. The impact upon wildlife was considered at the outline planning permission stage and appropriate conditions to secure mitigation measures were imposed on the permission granted.

Southern Site

What is intended to be done with the southern tip of the site where there are no houses? With no purpose this site will become wild and overgrown both to the detriment of myself and the new houses.

Officer Response: The southern tip of the site includes power lines which cross above the ground and therefore development cannot be placed underneath or adjacent to these lines. This is why the site is not proposed to be developed. The parcel of land will form part of the private driveway serving plots 54 – 58 and is likely to be conveyed to these home owners.

Highway Safety / Impact

The local highway network is already at capacity and cannot cope with any increase / pressures. School times affect the local area particularly badly and is a highway safety risk.

Children walk to school along the main road to local primary and secondary school and with increased traffic there is greater risk to their safety and them being exposed to more pollution.

If extra public transport is needed this will further contribute to disruption and pollution.

All construction traffic will go along one minor road (Cranleigh) and given its proximity to the nearby Primary school this is an accident waiting to happen.

We request that as and when the development starts that the following restrictions be put in place in the interest of safety and environmental issues.

A) that the developer is restricted to starting and finishing at the following times Mon-Friday not before 9.30 and no later than 14.30 to avoid the busy school times with regards to traffic congestion and safety .

B) Saturdays not before 8am and to finish no later than 1pm

C) No development on Sundays or public holidays.

Officer Response: The principle of development, the impact of traffic arising from the development at the access point onto Cranleigh Road were all considered at the outline planning application stage and accepted. There is no further opportunity to revisit this alongside this reserved matters application. The Local Highways Authority have confirmed their acceptance to the proposed layout – see section 5.3 above.

Construction hours on site have been limited under condition 19 of the outline planning permission as follows:

Work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

The Local Planning Authority has no powers to limit the movement of traffic on the local highway network at any time.

School Capacity / Doctors etc

Local schools are already oversubscribed , so where are the children from this development going to go? Any school expansions will expand into green fields which leaves not room for outside activities.

GP Surgeries and Local Dentists are already struggling to cope with patient demand.

This will mean there is greater competition for local school places, and existing residents already struggle to get the places they apply for.

There are no amenities in Woodthorpe in terms of shops and no youth recreational facilities – so there will be youngsters hanging around the streets and safety will be an issue.

Officer Response: The principle of development is established on this site by the presence of the outline planning permission; this cannot be revisited. The S106 agreement deals with securing any necessary contribution towards local schools and this financial contribution will be spent in accordance with Derbyshire County Council's requirements (which may include expansion / extension to nearby local schools). A contribution towards the provision of GP services was not sought by the CCG at the outline application stage and it cannot be sought alongside a reserved matter approval. Local dentists are not secured through the planning process.

Archaeology

There are potential archaeological remains at the site and the application doesn't make it clear what is proposed and how important these remains are.

Officer Response: Archaeology and any findings / surveys being undertaken on site are addressed under conditions of the outline planning permission.

HS2 Route

Where is HS2 going?

Officer Response: The proposed alignment of HS2 has since been moved and no longer affects or runs adjacent to this application site boundary.

Drainage

Flooding is a problem in the field already and drains have been blocked in the past. With the development this will get worse.

Officer Response: Drainage and flood risk matters are addressed under conditions of the outline planning permission.

Other Issues

I am appalled by the poor standard of this letter in terms of it being written upside down on official headed paper and this reflects badly on CBC. Also there is no means of viewing the plans other than on the internet or at the Town Hall and given you come from Woodthorpe yourself, you should know that many residents are elderly, cannot travel and / or do not have the internet.

Please can my letter be read out in full to the planning committee at their meeting so that all Members are fully aware.

Officer Response: The case officer was made aware of the fact that some of the initial neighbour notification letters (which are prepared through a computer database system) had been printed upside down on the Council's letter headed paper and these were sent out to residents. This was clearly a printing error but it is accepted that the mistake should have been spotted by the customer services team when the letters were being put inside envelopes. This matter has been raised with their respective manager.

It is noted that the comment above also makes reference to a staff members former place of residence, but this is not material to the consideration of the planning application. The means by which residents are consulted on applications and the expectation for the public to view planning applications online is adopted nationwide.

In accordance with the planning committee procedure and protocol written representations received to planning

applications are not read out in full in the planning committee meeting. There is simply not enough time to do this with each planning application, often given the high levels of responses received to controversial applications. Any representations are summarised in the officer report and the application file is available for Members to inspect and read all the representations received prior to the meeting.

7.0 **HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

9.1 The proposals are considered to be appropriately designed having regard to the character of the surrounding area and would not have an unacceptable detrimental impact on the amenities of neighbouring residents or highway safety. As such, the proposal accords with the requirements of policies CS2, CS10, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework.

9.2 The outline planning permission already includes appropriate planning conditions such that the proposals are considered to demonstrate wider compliance with policies CS7, CS8, CS9 and CS10 of the Core Strategy and the wider NPPF in respect of technical considerations.

10.0 **RECOMMENDATION**

10.1 It is therefore recommended that the application be GRANTED subject to the following conditions:

01. All external dimensions and elevational treatments shall be as shown on the approved plans / documents (listed below) with the exception of any approved non material amendment.

Planning Statement
Design and Access Statement

1806.01 Rev C - Planning Layout + Planning Layout (Colour)
1806.02 - Site Location Plan

1806.03 Rev A – *Materials Plan*
1806.04 Rev A – *Street Scenes (Colour)*
1806.05 Rev C – *Cross Sections*
1806.06 Rev A – *Boundary Plan*

1806.ASY.01 – *Ashbury Elevations / Floor Plans*
1806.ASY.02 – *Ashbury – Plot 12 Only*
1806.AVY.01 – *Avebury Elevations / Floor Plans*
1806.BAN.01 – *Barton Elevations / Floor Plans*
1806.BIN.01 – *Bishopton Elevations / Floor Plans*
1806.COM.01 – *Cotham Floor Plans*
1806.COM.02 – *Cotham Elevations*
1806.KIN.01 – *Kilmington Elevations / Floor Plans*
1806.ROY.01 – *Rosebury Floor Plans*
1806.ROY.02 – *Rosebury Elevations*
1806.ROY.03 – *Rosebury Elevations - Plot 44 Only*
1806.ROY.04 – *Rosebury Elevations – Dual Aspect*
1806.WRY.01 – *Wrenbury Elevations / Floor Plans*
1806.WRY.01 – *Wrenbury Elevations / Floor Plans*

1806.G.01 – *Single Garage Elevations /Floor Plan*

Illustrative Landscape Masterplan – March 2018
R-2096-1 – Landscape Masterplan

1806.BT.01 – *1.8m Timber Screen Fence*
1806.BT.02 – *Brick Pier and Timber Panel*
1806.BT.03 – *0.6m Post and 2 Rail Fence*
1806.BT.04 – *1.5m Fence with Trellis*
1806.BT.05 – *1.2m Metal Feature Railings*
1806.BT.06 Rev A – *Feature Wall – Plots 1 and 2*
1806.BT.07 – *Feature Wall – Plot 12*
1806.BT.08 – *0.45m Knee Rail*
1806.BT.09 – *Solid Wall*

Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

03. Within 2 months of the commencement of development revised / fully detailed soft landscaping proposals conforming to the principles of the submitted Landscape Masterplan

(Ref. R/2096/1) shall be submitted to the Local Planning Authority for consideration and subsequent approval in writing. Only those details agreed shall be implemented on site.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

04. If, within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted as a replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

05. Individual driveways shall be provided with 2.4m x 25m visibility sightlines to the new estate street in each direction, measured up to 1m into the carriageway at the extremity of the splay, or other such dimensions as may be agreed in writing with the Local Planning Authority. The area in advance of the sightlines remaining free from any obstructions to visibility over 1m high, relative to the nearside carriageway channel level, and so maintained for the life of the development.

Reason – In the interests of highway safety.

06. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

Reason – In the interests of highway safety.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.
03. This permission is granted further to an earlier grant of outline planning permission and S106 agreement to which any developer should also refer.