

RBD/lb/22478



**DAVIES & CO.**  
CHARTERED SURVEYORS

19<sup>th</sup> May 2016

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Dear Sirs,

**Response to Draft Chelveston-cum-Caldecott Parish Council Neighbourhood Plan Consultation- May 2016**

**RE: Land at Chelston Rise**

Davies & Co has been instructed to make representations to the Emerging Draft Chelveston-cum-Caldecott Parish Council Neighbourhood Plan ("NDP" version 4 - March 2016), which has recently been submitted to East Northamptonshire Council ("ENC") for the "Regulation 16" consultation.

The DNP has clearly been informed by significant amounts of local consultation following on from the approval of the neighbourhood plan area by ENC in October 2014. Our Client has been involved in the discussions to date on the overall strategy for the draft NDP as well as site specific allocation, as they have an interest as owners of land at Chelston Rise and have made appropriate representations throughout the process.

As it will be demonstrated within this letter of representations, elements of the draft Neighbourhood Plan are not consistent with the NPPF and adopted and emerging development plan and therefore the draft NDP should not be found "sound".

**The Site & Background**

The Chelston Rise settlement was successfully converted to civilian use in 2010 having been vacated by the United States Air Force in 2009. The need for enhanced security made the site both unattractive for families and unviable for ongoing military use.

The site was purchased our Client who has invested significantly to refurbish the houses to a very high standard and enhanced landscaping across the site.



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The site comprises of a current total of 50 residential properties set around an existing estate road with a frontage onto Caldecott Road. The site also includes a dedicated and well overlooked play space at the centre of the site and the footprint of a former school and associated basketball court (the "previously developed" part of the site) to the northwest.

Further north on the land parcel are playing fields which previously mainly served the former school on site but are now underutilised following the schools demolition, with little direct natural surveillance from the adjoining housing.

Two outline permissions have been recently granted earlier this year across part of the site (Ref: 16/00180/OUT & 16/00218/OUT) for a total of 9 dwellings. An Officers report for the outline permission for 5 dwellings is attached (Attachment 1) and is highly relevant since it confirms the principle of additional housing in this location was acceptable.

Given the principle of new housing in this location has recently been accepted, this letter will demonstrate this policies within the draft NDP should be amended to include an element of housing on the underutilised playing fields and basketball court. This would help boost housing supply and also cross-subsidise the upgrading of the playing fields and the relocation of the basketball court alongside the existing child's play area which is located on a well overlooked part of the site with good natural surveillance.



Aerial photograph of housing and land at Chelston Rise

## **The Development Plan**

The Development Plan for Chelveston cum Caldecott consists of the National Planning Policy Framework (NPPF) (2012), the adopted Joint Core Strategy (2008). The "saved" policies from the District Wide Plan also form part of the Development Plan, however very few are still relevant at a strategic level. There is a replacement Emerging Joint Core Strategy (JCS) (2011-2031) which is currently at an advanced stage (examination held in July 2015).

### **- NPPF**

At a national level, paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. Paragraph 13 of the NPPF confirms that the NPPF constitutes guidance for LPAs and decision takers both in drawing up plans and as a material consideration in determining planning applications.

Paragraph 14 of the NPPF confirms that at its heart there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision-taking.

In terms of planning for rural areas, NPPF paragraph 28 sets out planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development.

Paragraph 29 of the NPPF recognises opportunities to maximise sustainable rural transport solutions vary from urban to rural areas and that development in rural areas generally cannot be expected to achieve the same level of sustainability in transportation terms as urban areas.

Paragraph 47 makes it clear Councils should boost significantly the supply of housing through a variety of measures.

Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas and states housing should be located where it will enhance or maintain the vitality of rural communities.

Overall there is a clear policy presumption at a national level to support sustainable development within rural areas, recognising small to medium scale housing within villages and settlements can ensure the long term viability of local services whilst providing much needed rural housing.

### **- Local Development Plan**

At a local level, as the adopted Development Plan is time expired and is therefore out-of-date, having been adopted prior to the NPPF (2012). Furthermore, some of the saved policies are inconsistent with the NPPF and therefore, in line with paragraph 215 of the NPPF, they should be given limited weight.

The replacement Emerging Joint Core Strategy (JCS) (2011-2031) is currently at an advanced stage. The preparation of the emerging JCS began in 2011 and the draft plan was submitted to the Secretary of State for Examination on 31<sup>st</sup> July 2015.

The strategy for "Rural Areas" is set out within the emerging JCS in detail (P77). This notes villages vary greatly in character, size and function and it is important for plans to be responsive to local circumstances.

Paragraph of 5.14 of the JCS notes local housing needs will be identified through "site specific" assessments agreed with the local planning authority and evidence provided by applicants may be a material consideration where it demonstrates how a proposal will address issues such as a community's need for affordable housing, the need to support viable local services or to enable a local business to prosper.

Policy 11 relates to "The Network of Urban and Rural Areas" and part (b) encourages small scale infill development in villages where this will not "materially harm" the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.

It must be noted the policy does not set out a specific "settlement boundary" approach or impose a "blanket ban" on new development in rural areas, in accordance with the positive thrust of the NPPF in relation to rural development.

Policy 7 is also to a degree relevant and relates to "Community Services and Facilities." This sets out development should support and enhance community services and facilities. The policy includes various strands including (a) maximizing opportunities for the co-location of facilities or the use of existing suitable sites and (c), safeguarding existing facilities unless it can be demonstrated that they are no longer viable.

Part (d) of the policy also sets out development should not result in a net loss of open space, allotments, sports and recreation buildings and land, including playing fields unless (i) the facility is surplus to requirements; or (ii) site of equivalent quality and accessibility can be provided, serviced and made available to the community prior to use of the existing site ceasing; or (iii) the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss.

Main modifications to the plan have been the subject of recent consultation and the Council within recent planning decisions have set out emerging policies within the plan "*should be given significant weight compared to those in the adopted Core Strategy which pre dates the NPPF.*" As the next section demonstrated, the emerging NDP largely fails to consider the emerging JCS and therefore cannot be found to be "sound".

### **Draft Neighbourhood Development Plan (NDP)**

The Chelveston-cum-Caldecott Neighbourhood Development Plan (NDP) has been prepared by the Parish Council. It covers the period 2016-2031 and is an opportunity for local people to shape their own futures, mapping out how the Village will develop.

#### **- Overall Strategy**

As a starting point, the "Chelveston-cum-Caldecott Past, Present, Future" consultation event was then held in the Village Hall during December 2012. A 2013 survey as part of the consultation event showed the majority of households indicated that they would support up to 20% growth over 20 years.

The development strategy set out in the Chelveston-cum-Caldecott NDP sets out the parish should remain as a small but sustainable rural village, with three distinct settlements, each retaining its unique character and boundaries, but part of a combined Parish, with a strong sense of community. The strategy goes on to state that 2031 the Parish should have grown “by no more than 20%” whilst:

- maintaining a mix of all age groups and housing types,
- with local employment opportunities for young people,
- with a thriving pub,
- and access to public transport.

It’s not entirely clear the origins for the “no more than 20% growth” figure or whether this has been the subject of a robust evidenced based calculation. Notwithstanding the apparent lack of evidence based, these strategic aspirations are contrary to the aims of paragraph 47 & 55 of the NPPF, which makes it clear Councils should boost significantly the supply of housing (i.e. not just meet demand) through a variety of measures and promote development in rural areas where it will enhance or maintain the vitality of rural communities.

The growth figures set out in the draft NDP are also contrary to Policy 11 of the Emerging Joint Core Strategy (JCS) (2011-2031).

As previously rehearsed, this encourages small scale infill development in villages where this will not “materially harm” the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.

It must be noted the Policy 11 does not set out a specific “settlement boundary” approach or impose a “blanket ban” on new development in rural areas, in accordance with the positive trust of the NPPF in relation to rural development.

It is also clear additional small to medium scale housing can within the village and settlements can ensure the long term viability of local services whilst providing much needed rural housing.

Our Client therefore contends to boost housing supply in the NDP area and to help build a sustainable and thriving community with good local services for all residents, it is important new small and medium scale housing proposals are fully considered. Without new housing for all elements of society, the Village will stagnate as the population aged and there is no influx of new residents.

#### - **Specific Draft NDP Policies**

This section of the representations addresses specific policies within draft NDP and provides comments on such policies.

Draft **Policy H1** relates to new housing in the parish which is proposed to be limited to in-fill developments on sites allocated within the defined settlement boundaries (H1a, H1b, H1c). The policy goes on to state housing development will not be considered on open land outside or adjacent to the defined settlement boundaries.

Draft **Policy H4i** relates to preserving the character of the Chelston Rise settlement. The draft policy sets out development within Chelston Rise will be “strictly controlled” to preserve the “unique character” of the site.

The policy also states new developments will only be considered within the settlement boundary defined in policy H1a, and the Local Green Spaces LGS1 / 2 / 3 (1- open space including children play space / 2- playing fields & basketball court / 3- adjacent paddock) will be protected from development to conserve their amenity value.

Draft **Policy H5** relates to development site allocations with a policy objective to achieve the managed growth of the Parish at a pace which promotes the effective integration of new residents into the community, and in locations which preserve and enhance the character of each settlement, without extending the existing settlement boundaries. The policy goes on to set out up to 37 new properties will be considered from 2016-2031 on the sites identified as preferred options during the land owner and resident consultation process.

Chelston Rise site is a viable and sustainable community is clearly been successfully established. There are sufficient local employment opportunities within the vicinity of the site, a good road network. The site is also within walking distances of services within Chelveston and Caldecott.

Draft Policies H1, H4i and H5 are contrary to the aims of paragraph 47 & 55 of the NPPF, which makes it clear Councils should *boost significantly* the supply of housing (i.e. not just meet demand) through a variety of measures and promote development in rural areas where it will enhance or maintain the vitality of rural communities. There is also no provision within the draft NDP if one or more of the sites which are proposed to allocated in the plan does not come forward within the plan period or if there are increased needs for housing within the settlement.

The restrictive approach to housing development set out in the draft NDP is also contrary to Policy 11 of the Emerging Joint Core Strategy (JCS) (2011-2031) which does not set out a specific "settlement boundary" approach or impose a "blanket ban" on new development in rural areas, in accordance with the positive thrust of the NPPF in relation to rural development. Policy 11 of the JCS is not referenced within the housing policies within the draft DNP. Therefore the draft DNP cannot be found "sound."

Draft **Policy H5h** relates specifically to housing allocations at Chelston Rise. This sets out the sites NDP-S019c (in-fill spaces between existing properties which already have outline permission) are allocated for the development of up to 4 houses in the period 2016-2025. The site NDP-S019d (the previously developed land comprising the footprint of the old school and boiler house off The Crescent at Chelston Rise) is allocated for the development of up to 6 houses in the period 2016-2025. The draft policy also has a number of requirements including;

- i. *the developments should be in the same "open plan American suburban style" as the existing properties;*
- ii. *the developments should follow the line of The Crescent;*
- iii. *the developments should protect the amenity value of the playing fields (LGS2).*

Our Client would like to make representations this policy should be amended to include an element of housing on the underutilised playing fields and basketball court. This would help cross-subsidise the upgrading of the playing fields and the relocation of the basketball court alongside the existing child's play area which is a well overlooked part of the site with good natural surveillance, in accordance with Policy 7 of the JCS relating to community facilities and playing fields.

The principle of new housing in this location has already been accepted with two outline permissions have been recently granted earlier this year across part of the site (Ref: 16/00180/OUT & 16/00218/OUT) for a total of 9 dwellings. An Officers report for the outline permission for 5 dwellings is attached (Attachment 1) and is highly relevant since it confirms the principle of additional housing in Chelston Rise is acceptable;

*".....a large established group of 50 dwellings originally constructed for the adjacent Chelveston airfield. Accordingly, whilst not historically a village, it is considered that Chelston Rise can be regarded as a settlement. As such, it is suitable to be considered for new housing development."* (P2, Para. 7.2 – Attachment 1 – Officers Committee Report – 30<sup>th</sup> March 2016)

The additional housing on the part of the existing underutilised playing fields would be designed to reflect the character of the settlement, protect the open character of the area whilst providing much needed natural surveillance to the enhanced playing fields.

This would ensure the future development would accord with Policy 11 of the emerging JCS, which encourages small scale infill development in villages where this will not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.

The JCS is at an advanced stage of preparation following examination and policies should be given significant weight compared to those in the adopted Core Strategy which pre dates the NPPF. The draft NDP has failed to have proper regard to these key emerging policies which set out the development strategy and therefore cannot be found "sound."

Whilst it's acknowledged the site does have its landscape constraints, these can be overcome through the detailed design and technical solutions within the final scheme. These matters should not prevent the allocation of the site for housing which would also help facilitate improvements to the available recreational area on the site whilst, providing much needed housing adjacent to existing development within the Chelston Rise to ensure the long term viability surrounding local services.

The proposals would help boost housing supply in accordance with the NPPF on this available and deliverable site within the NDP area and to help build a sustainable and thriving community with good local services for all residents. Without new housing for all elements of society, the Village will stagnate as the population aged and there is no influx of new residents.

### **Conclusion**

The draft NDP has clearly been informed by significant amounts of local consultation following on from the approval of the neighbourhood plan area. However, the evidence base for the draft NDP in relation to required housing numbers is questionable and would not help boost housing supply in accordance with the principle of the NPPF.

Full and proper consideration should therefore be given to allocating additional land at Chelston Rise for housing on the part of the existing underutilised playing fields for the reasons set out within this representation.

We would appreciate an acknowledgement of this representation letter and look forward to working with the community, the school and the Parish Council to consider options for development to provide much needed housing and other measures, and to support local services.

Yours sincerely

A black rectangular redaction box covers the signature of Barry Davies. A thin, light-colored line extends from the bottom right corner of the redaction box.

**Barry Davies**

**Committee Report****30<sup>th</sup> March 2016**Case Officer **Wayne Cattell****16/00218/OUT**

Date received	Date valid	Overall Expiry	Ward	Parish
<b>2 February 2016</b>	<b>3 February 2016</b>	<b>30 March 2016</b>	<b>Higham Ferrers</b>	<b>Lancaster</b>
<b>Chelveston-cum-Caldecott</b>				

Applicant **Mr M Hamway**Agent **Davies And Co - Mr Barry Davies****Location** Land Off The Crescent Chelston Rise Caldecott NorthamptonshireProposal **Outline planning application for the construction of 5 dwellings (all matters reserved)****1 Summary of Recommendation**

This application is reported to the Planning Management Committee because it falls outside the Scheme of Delegation in Part 3.2 of the Council's Constitution (2015). Specifically, the site area is 0.59Ha and the Council's scheme of delegation requires applications of this nature over 0.5Ha in area to be determined in this way.

1.1 That Outline Planning Permission is granted subject to Conditions.

**2 Proposed Development**

2.1 The application seeks outline planning permission for the erection of five dwellings on a single site with all matters reserved for future consideration.

2.2 Indicative drawings show a detached dwelling and two pairs of semi detached dwellings.

**3 The Site and Surroundings**

3.1 The application site is where a school used to be located on a crescent shaped estate originally constructed for service personnel at Chelveston airfield.

3.2 There are two existing access points from the crescent to the road leading from Chelveston to Newton Bromswold. The crescent itself is an unadopted road.

**4 Policy Considerations**

4.1 National Planning Policy Framework

4.2 Adopted North Northamptonshire Core Spatial Strategy, June 2008 plus the emerging Replacement Core Spatial Strategy 2011 to 2031.

4.3 The Chelveston-cum Caldecott Neighbourhood Plan.

4.4 Other Documents - Highway Authority Standing Advice for Planning Authorities 2013.

**5 Relevant Planning History**

5.1 This part of the site was previously occupied by a primary school.

**6 Consultations and Representations**

6.1 Neighbours - Letters sent to all the properties in the Crescent.

6.2 A site notice was put up on 9th February 2016.

6.3 In response objections have been received on the following grounds:

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- a. The proposal will result in the loss of an area of green space which is of value as a facility to the local residents and contributes to the character of the area in visual terms. Related to this, it is considered that incremental housing development is taking place at this location which is also altering the character.
  - b. The proposal represents over development at this location and it is not located in a village where new housing is directed.
  - c. The housing will cause additional problems for the infrastructure including drainage and broadband reception in the area.
  - d. The development will cause problems for the private road which serves the estate and the proposals will cause problems in terms of parking provision.
  - e. The design of the properties will be out of keeping with the surrounding properties.
  - f. The Council has already met its housing quotas and so no new houses are needed at the current time.
  - g. The application is based on inaccurate plans which do not take account of recent land sales to adjacent properties which have altered garden boundaries.
  - h. The construction works and traffic will cause problems for the surroundings including noise, odours and mud on the road.
- 6.4 Chelveston cum Caldecott Parish Council – (summary) – Does not object to the principle of development but does object to the application as they consider it premature because it seeks to thwart the phasing of the emerging Neighbourhood Development Plan contrary to national and local Policy.
- 6.5 Local Highway Authority - (summary) - No objections in principle subject to their detailed requirements being complied with.
- 6.6 East Northamptonshire Council, Planning Policy - Summary - No objections on Policy grounds.
- 6.7 East Northamptonshire Council, Waste Management Officer - The residents will be required to present their waste immediately adjacent to the main thoroughfare, The Crescent, for collection.
- 6.8 East Northamptonshire Council, Environmental Protection - No objections subject to a condition to control noise, dust, hours of construction and mud on the road.
- 6.9 Councillor Glen Harwood, East Northamptonshire Council – Notes the Chelveston cum Caldecott Parish Council's views and advises he considers it does nothing to meet the aspirations of policy in terms of meeting local need nor does it achieve any affordable properties for the young people of the village.
- 7 Evaluation
- 7.1 The National Planning Policy Framework states that housing should be located where it would enhance or maintain the vitality of rural communities and the adopted North Northamptonshire Joint Core Strategy seeks to ensure that any new development that is outside the sustainable urban extensions is within the established boundaries of settlements.
- 7.2 Policy 11 of the emerging North Northamptonshire Joint Core Strategy 2011-2031 encourages small scale infill development in villages where this will not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services. The proposal is located outside the village of Chelveston in an area historically regraded in Policy terms as open countryside. It is, however, within a large established group of 50 dwellings originally constructed for the adjacent Chelveston airfield. Accordingly, whilst not historically a village, it is considered that Chelston Rise can be regarded as a settlement. As such, it is suitable to be considered for new housing development.

- 7.3 The January 2015 consultation draft of the Chelveston-cum-Caldecott Neighbourhood Plan shows the site subject to this application as being suitable for housing. It is, however, noted that the Parish Council object to the application on the grounds that they consider it premature pending the progression of the Neighbourhood Plan.
- 7.4 The Council's planning policy team has been consulted on the application. They advise that planning policy supports the development of sustainable development. They add that planning law also requires that planning applications must be determined in accordance with the development plan as the starting point for decision making unless material considerations indicate otherwise.
- 7.5 In this case, the Development Plan for Chelveston cum Caldecott consists of the National Planning Policy Framework (NPPF), the adopted Joint Core Strategy (2008) and the replacement Joint Core Strategy (JCS) (2011-2031). The saved policies from the District Wide Plan also form part of the Development Plan, however they are considered to have little relevance in the context of this particular proposal. The planning policy context does not evidence any material considerations which would weigh against a presumption in favour of granting planning permission for the proposal, which is considered to be sustainable and meet the broad objectives of government policy along with the strategic policy direction set out in the Joint Core Strategy (JCS).
- 7.6 The JCS is at an advanced stage of preparation following examination and policies should be given significant weight compared to those in the adopted Core Strategy which pre dates the NPPF. This is particularly heightened where policies have received no or little in terms of significant representation and are not subject to further modification. The JCS states that: "Small scale infill development will be permitted on suitable sites within villages, where this would not materially harm the character of the settlement and residential amenity..." As has been noted above, whilst the application sites are not within a development recognised previously in planning documents as a village, they are located in an established group of 50 dwellings and it is considered that this can be regarded as a settlement for the purposes of this application.
- 7.7 The policy goes on to add that such sites may be identified through the Local Plan Part 2 or through Neighbourhood Plans. The Chelveston cum Caldecott Neighbourhood Plan identifies this site as a suitable infill proposal, however, the Plan is yet to be examined and therefore significant weight cannot be attributed to that proposal at this stage of the process. Nevertheless, in principle the JCS supports small scale infill rural development where there is no identified harm to the character of the settlement and residential amenity or exceed the capacity of local infrastructure and services. In view of all these points, in conclusion, the planning policy team consider there are no clear policy constraints in respect of the proposal, and given the presumption in favour of sustainable development it is recommended that the principal of development in this location be approved. On this basis, the proposal is considered acceptable in planning policy terms.
- 7.8 Finally, in terms of general principles, it is noted that one grounds of objection is that the Council's housing quotas have already been met. Whilst this is true, the figure is not a ceiling and does not preclude the development of 'windfall sites' such as this.
- 7.9 In more specific terms, the application site is located close to the entrance of the development. However, provided that the dwellings are of an appropriate scale and design, it is considered that any views of them would not be detrimental. In addition, the overall housing development at this location has significant amounts of open space most of which is unaffected by this proposal. The loss of what will be a small amount of open space for the development of the 5 houses subject to this application is not considered to significantly impact on this or the character of the overall development. Related to this, it is noted that there are some concerns about incremental development altering this character. To date, there has only been approval for 4 dwellings on 3 small sites further into the development (16/00180/OUT). The

combination of these sites plus the one subject to this application is not considered to result in a significant cumulative harm to the character of the area. Should any further applications be received in the future, these will be considered on their merits and one of the factors will be whether they impact on the area's character.

- 7.10 The indicative details submitted with the application demonstrate that the site can accommodate the appropriate numbers of dwellings each with an appropriately sized garden without appearing overdeveloped in a visual sense.
- 7.11 The detailed design of the proposed dwellings is not known at this stage but they would need to have regard to the predominant character of the dwellings to which it would most closely relate. Further consideration of these issues can take place via a Reserved Matters Application in due course.
- 7.12 In terms of residential amenity, the crescent of dwellings begins adjacent to the site and there are also dwellings opposite. The indicative plan shows that the proposed dwellings could be positioned so that any of the adjacent dwellings would experience any overshadowing or overbearing impact as a result.
- 7.13 The closest adjacent dwelling has a blank wall in the side elevation facing where the houses are to be built and so there are no overlooking implications associated with this.
- 7.14 All of the new dwellings will be able to overlook dwellings on the opposite side of the road. However, this is a normal domestic situation and not a reason to refuse permission.
- 7.15 Given the close proximity of neighbouring dwellings, it is recommended that a condition is used to seek a construction management plan to control building works. Such a condition will control noise, dust, working hours and mud on the road as requested by the Council's Environmental Protection Team. In response to concerns about the impact of construction traffic on the overall development and roads, the application site is close to the entrance to Chelston Rise from the adopted highway and so there is no need for any lorries etc. to go a large distance into the existing housing development.
- 7.16 Overall, the indicative site plan successfully demonstrates that five dwellings could be accommodated within the site, without having a negative impact on neighbouring amenity.
- 7.17 In relation to access, the site will gain access to the existing unadopted road which serves the crescent. The Highway Authority has no objections in principle to the additional dwellings that will result from this proposal subject to their detailed requirements being complied with in relation to matters such as visibility and size of garages and parking spaces etc. It is considered that the site is large enough to achieve these requirements and the detail can be agreed at the Reserved Matters stage.
- 7.18 In terms of parking, the proposed development would be self-sufficient as there is enough space for it to be possible to create at least of two off-road parking spaces on each plot to be occupied by a dwelling. As an alternative, part of the site is an existing parking area which contains 10 spaces and this could be utilised as part of the development, again, giving two spaces per dwelling. This amount of parking provision is considered acceptable. In addition, there is considered to be enough parking provision elsewhere on the overall development so that the loss of this existing parking area to other users would not be significant.
- 7.19 In view of the above, the proposal is considered acceptable on parking and highway grounds.

7.20 Finally, in response to the concerns from the local Councillor about the application not meeting local housing needs and providing affordable properties, the application will provide some housing for the general market and does not exceed the threshold to require affordable housing

7.21 Overall, there are considered to be no reasons to justify refusing outline planning permission for five dwellings on this site.

## 8 Other Issues

8.1 It is noted that there are concerns that the proposal could impact on the infrastructure provision in the area, for example, in terms of drainage and broadband. In response to this, a planning condition can ensure that the site has an adequate surface water drainage scheme and the developer will be required by other Legislation to ensure it has adequate foul drainage. Bearing in mind there was previously a primary school where the housing is to be built and the infrastructure for the area must have been provided with this in mind, the proposal is considered too small to have any significant impact on the area's other infrastructure.

8.2 Further to comments made about the application not being shown on accurate plans, it is understood this largely relates to land that various properties on the overall development have purchased to extend their gardens. It is accepted that the boundaries of this extra land plus some other changes are not shown on the submitted plans. However, this situation is not considered to impact on the determination of this application as it is the application site that is being considered and the increase in some gardens and other changes elsewhere will not impact on whether the proposed site is suitable for housing.

## 9 Recommendation

9.1 That outline planning permission be granted subject to the following conditions.

### Conditions/Reasons -

1. Approval of the details of the access, layout, scale and appearance of the dwellings and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is to commence.  
Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.
2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.  
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
4. Before commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the dwellings and any garages shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To achieve a satisfactory appearance for the development.

5. The details to be submitted for approval in writing by the Local Planning Authority at the reserved matters stage shall include drawings showing the finished floor levels of the dwellings and any garages in relation to the existing and proposed levels of the site and the surrounding land. The dwellings and any garages shall thereafter be constructed in accordance with the details so approved.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

6. The details required to be submitted as part of condition 1 shall include a scheme of landscaping scheme or the site. No works shall commence until the submitted details have been agreed in writing by the local planning authority. The development shall thereafter be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development. Any trees or plants which within a period of five years of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of a similar size and species.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

7. Prior to the commencement of development a scheme of boundary treatment for the sites shall be agreed. This fencing shall be implemented prior to the occupation of the dwelling and maintained in perpetuity.

Reason: In the interests of amenity

8. No development shall commence until details of a scheme for the provision of surface water drainage on and off the site has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

9. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- i. Overall strategy for managing environmental impacts which arise during construction;
- ii. Measures to control the emission of dust and dirt during construction;
- iii. Control of noise emanating from the site during the construction period;
- iv. Hours of construction work for the development and delivery times;
- v. Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure;
- vi. Designation, layout and design of construction access and egress points;
- vii. Internal site circulation routes;
- viii. Directional signage (on and off site);
- ix. Provision for emergency vehicles;
- x. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials
- xi. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- xii. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles and other similar debris on the adjacent public highways;
- xiii. Routing agreement for construction traffic.
- xiv. Storage of plant and materials used in constructing the development;
- xv. Enclosure of phase or development parcel development sites or development parcels and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

xvi. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of residential amenity and highway safety.

10. Except where otherwise stipulated by Condition, the works hereby permitted shall be carried out strictly in accordance with the detail shown on drawings 1213/1A and 1213/4 received on 2nd February 2016.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

#### Reason for approval

In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187

#### Reason for pre-commencement conditions

The details pursuant to conditions 1, 4, 5, 6, 7, 8 and 9 are required prior to the commencement of development because they are critical to the material considerations of the scheme. The development would not be acceptable without these details being first approved.