

Application Number:	P/RES/2023/05407		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land South Of A30 And East Of Shaftesbury Salisbury Road Shaftesbury Dorset		
Proposal:	Erect 107 No. dwellings (reduced from 115), garages and electricity substation. Form roads, car parking, public open space and carry out ancillary development. (Reserved Matters application to determine access (in relation to accessibility and circulation within the site), appearance, landscaping, layout and scale; following the grant of Outline Planning Permission No. APP/D1265/W/20/3259308 (LPA Ref. 2/2018/1773/OUT)).		
Applicant name:	Mr David Buczynskyj		
Case Officer:	Alex Skidmore		
Ward Member(s):	Cllr Somper		
Publicity expiry date:	10 July 2024	Officer site visit date:	Latest site visit 09/07/2024
Decision due date:	15 April 2024	Ext(s) of time:	For November Committee

1.0 Reason application is going to committee

Referred to Committee in view of concerns raised by the Parish Council (Melbury Abbas and Cann), in accordance with the Scheme of Delegation.

2.0 Summary of recommendation:

Approve, subject to condition.

3.0 Reason for the recommendation:

- The principle of residential development on this site has already been established.
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The proposal is acceptable in its scale and appearance.
- The applicant has worked with officers seeking to address some of the concerns raised in respect to layout and landscaping. On balance, these matters have been adequately addressed.
- There is not considered to be any significant harm to residential amenity.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development was established for up to 135 dwellings on this site when the Planning Inspectorate allowed the planning appeal of planning application ref. 2/2018/1773/OUT
Layout	The proposed layout is very similar to the illustrative layout submitted with the outline application. This is in keeping with the neighbouring development on the north side of the A30 and adjoining development to the west.
Scale	The scale of buildings would be primarily two-storey with ancillary buildings being single storey. This is appropriate in the context of the site.
Character and appearance	The scheme includes a variety of house types which include a pallet of features and use of materials that are respectful of the local character and should sit comfortably within this context.
Impact on the living conditions of the occupants and neighbouring properties	The scheme will allow for acceptable conditions without resulting in any demonstrable harm to the residential amenities of neighbouring properties.
Landscaping	The Council's Landscape Office sustains an objection to the scheme, in particular its impact on views from the nearby AONB (Cranborne Chase). The proposed landscaping as amended will limit such impacts and is considered proportionate to the scale and nature of the residential element of this development.
Trees	No important trees will be lost, additional tree planning is proposed and conditions will secure the requisite protection.
Heritage	There would be no harm to heritage.
Highway impacts, safety, access and parking	Details of access was established at outline stage. Highway Authority has raised a couple of minor matters that require resolution relating to traffic calming within the scheme however these are not sufficient to uphold an objection.
Flood risk and drainage	The Lead Local Flood Authority was previously satisfied that an adequate drainage scheme could be designed for this site.

Biodiversity	Conditions to secure biodiversity matters were secured through planning conditions attached to the outline permission.
Affordable Housing	In accordance with the legal agreement that forms part of the outline consent, the development will provide 30% affordable housing.

5.0 Description of Site

The proposed development site is located within the Defined Development Boundary of Shaftesbury and forms part of a wider site area on the south side of Salisbury Road (A30). The site is allocated for employment uses under the North Dorset Local Plan (allocation SB12).

The site adjoins existing residential development on its western boundary with further established residential development located to the north on the opposite side of the A30. A&R Tiles and George Cole Combine and Plant Machinery storage warehouse depot (service yard) abuts the site on its northern site. The B3081 (Blandford Road) runs along part of the western edge of the site. To the east of the site is an established travellers site with community allotments beyond. The site is approximately 4.04 hectares (9.9 acres) in area.

The application site is relatively flat and level with surrounding development. There are established hedgerows interspersed with trees along much of the boundaries of the site. The site access, which leads off the A30 to the north, has already been installed and is shared with the adjacent traveller site and allotments, and will also provide access to the other phases of the wider approved scheme including a primary school and commercial uses as they come forward. There are no public rights of way across the site.

Cranborne Chase AONB (National Landscape) is close by (approximately 275m to the east and 600m to the south) and its escarpment edge is inter-visible with the application site. The catchment area for the River Avon, which is a nutrient sensitive catchment for phosphorus, crosses the existing access that leads on to the A30, however the site area for the proposed residential dwellings and associated works sit outside this area, with associated discharge flowing to the southwest and away from the catchment area.

6.0 Description of Development

Submission of reserved matters in respect of scale, layout, appearance and landscaping pursuant to outline permission 2/2018/1773/OUT, which granted consent for a mixed use development including the erection of 135 no. dwellings, industrial starter units, primary school, flexible commercial uses, revised vehicular access, car parking, sports pitches, public open space and associated works.

7.0 Relevant Planning History

P/PAP/2022/00452 - Preapplication enquiry relating to a proposed Reserved Matters Application for the erection of up to 135 dwellings with associated works - The

response was provided on 02/08/2023 and was generally supportive of the details provided but highlighted a number of constraints and issues that the applicant would need to address as part of any ensuing application.

2/2018/1773/OUT – Outline application (including the detailed matter of access) for a mixed use development including the erection of up to 135 no. dwellings, industrial starter units, primary school, flexible commercial uses including a combination of hotel and non-food retail or residential care home, modify vehicular access, car parking, sports pitches, public open space and associated works - ALLOWED at appeal in February 2022 (APP/D1265/W/20/3259308) following an appeal for non-determination.

2/2018/0300/SCREIA - Request for EIA Screening Opinion under section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for an outline application (with all matters reserved) for erection of a 2 form entry primary school, hotel, retail unit, industrial starter units and enabling housing development - NOT EIA Development 04/02/2019.

2/2006/1022 - Develop land by erection of employment development of B1 and B2 uses with ancillary B8 use, all with associated infrastructure and landscaping including strategic landscaping to east and south. Formation of vehicular access from A30 (Outline application to determine use and including means of access) - Granted 12/05/2011.

8.0 List of Constraints

Settlement Boundary – Shaftesbury (inside)

Agricultural Land – Grade 2

Neighbourhood Plan – adjacent to Shaftesbury NP (Made 22/06/2021)

Neighbourhood Area – emerging Melbury Abbas & Cann

Area of Outstanding Natural Beauty (National Landscape) - Cranborne Chase & West Wiltshire Downs

Flood Risk Zone 1 – 1 in 1000 years

Surface Water Flood Risk - 1 in 1000 years

Groundwater Source Protection Area

Higher Potential ecological network

Japanese Knotweed - Distance: 5.75

Site of Special Scientific Interest (SSSI) impact risk zone

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

Melbury Abbas & Cann GPC (MAAC) – Object for the following reasons:

- The site is allocated for employment purposes not housing.
- The site sits within MAAC, this development exceeds our housing quota.
- Lack of local services/infrastructure to meet existing demands.
- Increased traffic on local highway network.
- Unsustainable location – too far to walk to the town centre / shops.
- Displacement of surface/ground water to the detriment of MAAC.
- Landscape harm – impact on views from Melbury Beacon and Winn Green.

Shaftesbury Town Council (neighbouring parish)– No objection. Careful consideration should be given to the detail of the affordable housing and how it relates to Dorset Council’s own identified requirements within the county. There is concern that no shared ownership is being offered.

Donhead St Mary Parish Council (neighbouring parish) – No comments received

Wiltshire Council – No comments received

Beacon Ward – No comments received

Cranborne Chase & West Wiltshire Downs AONB - No comment received

DC Highways – The previously requested changes to the estate road layout have been implemented except for two points which relating to traffic calming features, these should be addressed. The submitted swept path analyses confirms that refuse and emergency vehicles will be able to freely traverse the site.

DC Dorset Waste Team – No comments received.

DC Public Transport – Seeking a S106 to create bus stopping points outside the development on Salisbury Road, to include shelters and laybys on each side of the road.

DC Street Lighting Team – The new estate and its roads will extend the existing urbanised area and will link from an existing highway which has a system of lighting present. Any of the new estate being proposed for adoption as public highway must also be lit in accordance with Dorset Council Street Lighting Policy POLS900. The need for street lighting on the periphery of the estate should be avoided/minimised in the interests of minimising light pollution and impacts on ecology.

Active Travel England – referred to their Standing Advice

Dorset Fire & Rescue Service – The development will need to be designed and built to meet current Building Regulations requirements.

DC Building Control North Team – No comment received

DC Environmental Protection – No comment

Dorset Police Architectural Liaison Officer – Recommends that the security of the development meets the standards laid out in Secured by Design Homes 2023. It is recommended that all gates that lead to the rear of a dwelling are key locable from both sides.

DC Section 106 Officer – No comment

DC Housing Enabling Team – The total number of discounted market units is incorrect and should be 10. These units should be shared ownership, to accord with the terms of the S106 agreement. The affordable housing is providing 65% of flats but the Dorset Strategic Housing Market Assessment (2015) states that North Dorset has a particularly low need for flats and that in the affordable housing sector the estimated requirement is for 35-40% flats and 60-65% houses. The development is proposing too many flats and this needs addressing.

NHS Dorset (Dorset Integrated Care Board) ICB – The reduction in the number of houses is noted however we would still request the contributions secured at outline stage.

DC Policy - Urban Design – No comments received.

DC Landscape – Objects.

NPPF para 136 states all streets should be tree lined unless clear, justifiable and compelling reasons are given explaining why this would be inappropriate. The stage that this development is at leaves little opportunity to ensure adequate strategic landscaping appropriate for this transitional rural edge. Notwithstanding this I suggest the applicant should ensure the internal tree planting that is proposed will thrive in the long term and provide detail of tree volumes and urban tree pits as requested.

The revised plans have increased tree planting close to the SUDS basin which is positive in terms of softening the edge of the development but will also detract from views towards the AONB from the B3081. I suggest the additional planting of native tree mix and individual trees to the northwest of the basin is reduced to more tightly follow the existing hedge line. However, the planting north/northeast of the basin closer to the LEAP could be enhanced.

Requests that the SUDS basin and public open space (POS) is redesigned to extend an informal circuit to provide improve the accessibility of the POS to local residents.

DC Trees Officer – No objection. The application is supported by Arboricultural information reference PERSC241amasA by ACD Environmental dated 5th July 2023. I have no objection to the schedule of works and proposed tree and part hedge removal and support the location of the tree protection fencing.

DC Natural Environment Team – Biodiversity Net Gain Metric trading rules are not met due to the loss of medium distinctiveness woodland on site not being adequately mitigated. Can more information be provided in the LEMP for the 10m bat dark corridors proposed, particularly for the eastern boundary. It should also state that any dark corridors will meet sensitive lighting schemes (max 0.5 lux). The proposed street lighting layout report contains diagrams referencing 5.0 lux horizontal illuminance within the proposed eastern boundary dark corridor which does not meet the dark corridor light requirements.

Dorset Wildlife Trust – No comment received

DC Environment Mitigation Delivery Team – No comment received

DC Flood Risk Management – No objection subject conditions to secure a detailed surface water management scheme and details of a maintenance and management scheme.

Wessex Water - No comment received

Representations received

Shaftesbury Tree Group – Objects. No landscape concept or planting strategy to substantiate proposals. Density and extent of hard surfacing is excessive. There is a lack of tree and hedge planting generally but particularly around the southern building frontage. Woodland planting along western boundary will shade gardens. More native evergreen trees and shrubs should be included and more native wetland planting in the attenuation basin area.

Total - Objections	Total - No Objections	Total - Comments
3	3	3

Petitions Objecting	Petitions Supporting
0	0

Summary of comments of objections:

Local Residents:

- Concerned there could be an increased risk of flooding to their property due to location of drainage features and attenuation pond

- Loss of privacy.
- Increased traffic. The A30 and Higher Blandford Road are very busy and access is already difficult/hazardous as a result.
- High density, proximity of units reduces passive solar gain and causes privacy issue
- No meaningful green infrastructure – space corridors of varying width, permeable paving, rainwater harvesting, rain gardens, grass swales and soakaways, roadside bio-retention and filter strips for amenity and biodiversity.
- Drainage strategy does not follow SuDs hierarchy and principles as stated in the Sustainability Statement.
- Small, isolated and high maintenance grass areas amid developed areas.
- Integrated pedestrian and cycleway provision required beyond site boundary adjacent to A30.

Summary of comments of support:

None

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

s85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)

11.0 Relevant Policies

Development Plan

North Dorset Local Plan Part 1 (2016)

- | | | |
|-----------|---|--|
| Policy 1 | - | Presumption in Favour of Sustainable Development |
| Policy 2 | - | Core Spatial Strategy |
| Policy 3 | - | Climate Change |
| Policy 4 | - | The Natural Environment |
| Policy 5 | - | The Historic Environment |
| Policy 6 | - | Housing Distribution |
| Policy 7 | - | Delivering Homes |
| Policy 8 | - | Affordable Housing |
| Policy 11 | - | The Economy |
| Policy 13 | - | Grey Infrastructure |
| Policy 14 | - | Social Infrastructure |
| Policy 15 | - | Green Infrastructure |
| Policy 18 | - | Shaftesbury |
| Policy 23 | - | Parking |

- Policy 24 - Design
- Policy 25 - Amenity

Shaftesbury Neighbourhood Plan - 'Made' 22/06/2021

Material Considerations

Emerging Local Plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

Melbury Abbas & Cann Neighbourhood Plan (NP) – this is in draft format only and has yet to be put to referendum, the relevant policies within this NP should be accorded very limited weight in decision making.

National Planning Policy Framework

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities

9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Other material considerations

The Government are currently consulting on various changes to the NPPF. Whilst this is only draft at present, there is a clear intention to boost the supply of housing, including changes to the standard methodology for calculating housing targets. The written ministerial statement of 30th July 2024 regarding Building the Homes we Need, makes clear the Government's commitment to tackle the housing crisis, restore and raise housing targets, building homes in the right places, and moving to strategic planning. There is also a commitment to build more affordable homes and infrastructure. The statement is a material consideration and highlights the need to deliver housing in sustainable locations.

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

National Design Guide (January 2021)

Shaftesbury Design Guidelines February 2019

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove or minimise disadvantage and in considering the

merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The application site is located within the defined development area of Shaftesbury as identified within the North Dorset Local Plan. Considerations of accessibility and proximity to day to day services were given at the time of the outline application and it is considered that occupiers of the proposed dwellings would have good access to the facilities available within Shaftesbury along with those to be provided as part of this scheme.

The proposed change in land use will not result in any disadvantage to people due to their protected characteristics. While there is no specific provision for lifetime homes or accommodation specifically for those with protected characteristics, the form of development proposed will provide housing, additional open space and enhancements to the local rights of way network, to ensure the needs of people with disabilities or mobility impairments or pushing buggies are met. This will be through accommodation of appropriate off road footpath links, shared surfaces, improvements to existing links and by ensuring that the access arrangements to the new housing and open space are subject to the requisite standards applied by the Building Regulations and Highway Authority.

Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

14.0 Financial benefits

A Section 106 agreement was completed for the outline permission, securing the following:

- 30% affordable housing;
- An onsite LEAP;
- Informal open space;
- Land for a new primary school;
- £2,017.31 per dwelling towards additional primary school places
- £4,077 per dwelling towards additional secondary school places
- £722 per dwelling towards the cost of acute, community and primary care branches of the NHS in the local vicinity;
- £75,456 towards Rights of Way enhancements.

15.0 Environmental Implications

In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning process will secure carbon footprint reductions in new developments.

The application was accompanied by a Sustainability Statement outlines a fabric first approach to minimise energy use, the development will be fully electric and

incorporate the installation of solar PV, air source heat pumps, EV charging points and natural ventilation to aid energy efficiency.

The development would result in change to the nature of the site with increased vehicle movement, domestic noise and general activity. However, the site is located in a highly sustainable location with easy access to public transport and within walking distance of the town centre and most key day to day services and facilities. The scheme will be subject to a Travel Plan and there is a requirement for cycle parking to encourage future occupiers to consider sustainable forms of travel whenever possible. The proposal will not lead to any significant air quality, noise or other amenity impacts.

It is considered that there is sufficient scope within the proposed development to incorporate a wide range of sustainability measures in the interests of reducing the impact of the development on the environment.

16.0 Planning Assessment

The application site is located within the Defined Development Boundary of Shaftesbury and forms part of a wider site area that sits on the eastern periphery of Shaftesbury on the south side of Salisbury Road (A30). The site is allocated for employment uses under the North Dorset Local Plan (allocation SB12).

The principle of residential development on this site, including matters of access, have already been established and approved as part of extant planning permission P/RES/2023/05407, which was allowed at appeal (ref. APP/D1265/W/20/3259308) in February 2022. The appeal gave consent for a mixed use development comprising up to 135 dwellings, industrial units, primary school, flexible commercial uses including a combination of hotel and non-food retail or residential care home along with associated public open space, sports pitches and an amended access leading on to the A30 (Salisbury Road).

The outline application included a S106 agreement which secured a range of obligations and financial contributions, as detailed in Section 14 of this report above, to mitigate and make the development acceptable as a matter of principle. In brief, these obligations include the provision of 30% affordable housing, informal open space and a LEAP on site, land for a new primary school, contributions towards additional primary and secondary school places, contributions to the NHS and a contribution towards Rights of Way enhancements.

The current application is seeking to agree reserved matters of layout, scale, appearance and landscaping for what is known as Phase 2 of this development, which forms the residential element of the overall scheme.

Scale and layout

The application site occupies a relatively central position within the wider site area, is set back from the A30 behind land specified for commercial uses, and will be encompassed by industrial development and new primary school to the east and south/southeast as and when these phases come forward.

Concerns have been raised by Officers and other interested parties in respect of the density of the scheme. There has, however, been a significant reduction in housing numbers from 135, which was agreed at outline stage, to the current 107 units. The site immediately abuts residential development on its western flank with established residential development located just to the north side of the A30. The density of this amended scheme is not dissimilar to these neighbouring developments and is considered to be acceptable in this location and context.

The layout has been informed by the shape of the site and various site specific constraints, in particular relating to landscape, ecology, drainage and highway matters. The public open space which includes the LEAP is not as well integrated with the housing as would have been desirable however, the position of the attenuation basin which forms part of the open space is located by necessity towards the lowest part of the site and for landscape reasons (as discussed later in this report) this part of the site has been kept free of built form. The position of the open space in this southerly position has the added advantage of siting alongside the open space of the adjoining development to the west. A footpath link is proposed between the two sites at this point linking the open spaces of these developments and providing a pleasant walking route to the primary school site.

The layout of the roads and houses reflect that indicated at outline stage. The Highway Authority has noted that the layout is suitable to accommodate the movements of emergency and waste vehicles and that parking levels are generally acceptable. They have identified a couple of detailed matters relating to traffic calming which have yet to be addressed however it is not considered that these are sufficient to hold up determination of this application.

Whilst the affordable housing could have been distributed more evenly across the site, the group sizes accord with the recommendations of the Housing Enabling Officer (not larger than 15 units in one group) and with the arrangements shown it is anticipated that the affordable units should integrate well within the wider scheme without being identifiable as such.

The general layout of the dwellings and their juxtaposition with existing neighbouring dwellings are such that future occupiers should enjoy a good level of amenity without giving rise to any demonstrable harm to the amenity of existing neighbouring properties. A number of units at the northern end of the site back on to the service yard associated with a plant machinery storage warehouse depot. The activity associated with the yard and business appears to be relatively low key and as such is unlikely to give rise to any significant noise and other associated concerns that might give rise to conflict or undue disturbance to these nearest dwellings. Environmental Protection have been consulted and raised no concerns.

Appearance

The proposal comprises a range of house types and sizes, comprising 6 x 1 bedroom dwellings, 44 x 2 bedroom dwellings, 44 x 3 bedroom dwellings and 13 x 4 bedroom dwellings. The house types are predominantly two storey, but also include some 2 ½ storey dwellings and two 3 storey blocks of flats. Their design marries well with that of neighbouring residential development, in particular that to the west which

includes some similar house types. The material palette is to comprise mainly stone and brick with a mix of roof tiles, again this is not dissimilar to the adjacent development. The design of the affordable units are such that they should blend into the wider development and appear 'tenure blind'. Overall the design of the built elements of this development is considered to be of an acceptable character and appearance.

Landscaping

The application site sits at the southwestern edge of Shaftesbury and due to its relatively flat and open nature there is resulting intervisibility between the site and the wider countryside, including Cranborne Chase AONB to the south and east. The proposed scheme and associated wider development will form the new edge on this side of Shaftesbury and as such will impact on views both from the AONB looking towards the town as well as views looking out from the town towards the AONB.

The outer perimeter of the site comprises predominantly native hedgerows interspersed with occasional trees. Other than works to form the access through the perimeter hedge these features will be retained and bolstered. Additional tree planting is proposed along the primary access road and more minor estate roads as well as within the open space. Other features include the provision of different grass habitats and wildflower areas as well as woodland and shrub planting.

The Landscape Officer (LO) has raised an objection to the scheme and whilst the applicant has diminished some of their concerns the LO maintains an overall objection.

An important view from the B3081 (Higher Blandford Road) looking towards the AONB to the south/southeast has been identified by the LO. The layout and planting scheme for the neighbouring development to the west was designed to secure this vista and the proposals for the current application have been amended to do likewise.

The sensitivities of the site in conjunction with the wider landscape and the nearby AONB are such that planting along the southern and eastern areas of the site will be important in mitigating the impacts of the development. There are some notable constraints to the landscaping scheme, including the above mentioned vista as well as an easement for a water main which runs along the east and southern perimeter of the site. The applicant has submitted a number of iterations of the landscaping scheme seeking to address as many of the LO's concerns as possible. This has resulted in additional tree planting around the southern and eastern perimeters of the site as well as within the area of public open space to the south.

The applicant has also sought to include additional street trees where feasible and do not conflict with highway layout and street lighting requirements. Whilst the LO is of the opinion that this scheme falls short in terms of the level street tree planting, there are no parameters detailing what constitutes an acceptable level of street tree planting. It is acknowledged that the extent of street trees is at the lower margins of what would be desirable however the applicant has made efforts to include such planting where possible.

The landscaping scheme only relates to this phase of the wider development and as previously noted within this report the outline approval includes additional development that will encompass this site to the north, east and southeast and which will require their own landscaping schemes as they come forward.

Overall, the revised landscaping scheme is considered to be of an acceptable quality and robustness that will help assimilate the development into the local context and wider landscape setting while responding to the various constraints identified above.

Other matters

Housing tenure – The Housing Enabling (EN) Officer noted that the tenure mix included discount market housing rather than shared ownership, as secured by the S106 agreement. This has now been amended to shared ownership. They also raised concerns about the number of flats being proposed for the affordable units. This also has been revised reducing the proportion of flats compared to houses which is the EN Officer is now satisfied with.

17.0 Conclusion

The principle of residential development on this site has already been established through the outline application allowed at appeal in February 2022, and which secured the relevant planning obligations and infrastructure necessary to meet the needs of the future occupiers.

Since the current application was first submitted, the applicant has worked with Officers in response to concerns raised resulting in various amendments to the layout, landscaping and a reduction in the overall quantum of development. The resulting revised details of layout, scale, appearance and landscape are considered to be acceptable. Therefore, subject to the conditions outlined below, the proposals are considered to accord with the aims of the Development Plan and National Planning Policy Framework.

18.0 Recommendation

Approve subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - LP.01; Site Layout drawing no. SL.01 Rev D; Boundary Details drawing no. BD_01; Proposed Streetscenes drawing no. 100 revision P1; Brick Structure Substation Rev A; Phasing Plan drawing no. PH.01; Proposed Levels and Contours Plan drawing no. P988/02 Rev G; Bin Collection Layout drawing no. BCL.01 Rev B; Green Energy PV and ASHP layout drawing no. GEL.01 Rev B; Heights Site Layout drawing no. HSL.01 Rev B; Materials Site Layout drawing no. MSL.01 Rev C; Tenure Plan drawing no. TL.01 Rev B; Infiltration Basin Plan drawing no. P988/42 Rev A;

House types dated 07/07/23: Grizdale HT shared ownership plots 58, 57; Rendlesham_Mid HT shared ownership plots 38, 47; Rendlesham_End HT shared ownership plots 37, 46, 39, 48; Haldon_End HT affordable rent plots 71, 91, 93, 73, 92, 94; Haldon_End HT shared ownership plots 35, 36; Apartments 01 (Plans) affordable rent plots 020-022, 023-025; Apartments 01 affordable rent plots 020-022, 023-025; Grizdale HT affordable rent plot 26; Rendlesham_End HT affordable rent plots 27, 40, 43, 44, 28, 41, 42, 45; Haldon_Mid HT affordable rent plot 72; Haldon_End HT Plots 82, 101, 84, 102; Apartments 01 (plans) plots 011-013, 014-016; Apartments 01 plots 011-013, 014-016; Kielder HT plot 107; Kielder HT plot 107; Greenwood HT plots 87, 51; Barnwood_Dt HT plots 74, 95, 17, 70; Barnwood_Dt HT plots 74, 95, 17, 70; Knebworth HT plots 75, 80; Galloway DT plots 18; Barnwood HT Variant 1 plot 81; Barnwood HT plots 06, 50, 103, 07, 59, 88; Sherwood_HT plots 31, 32, 49, 104; Saunton_HT Variant 1 plots 77, 79, 76, 78; Saunton _HT plots 61, 60; Galloway Mid HT plot 55; Galloway HT plots 29, 54, 64, 66, 68, 89, 30, 56, 65, 67, 69, 90; Chiltern HT Variant 1 plots 01, 53, 03, 85, 105; Chiltern HT plots 19, 97, 33, 63, 99; Danbury Mid HT plot 2; Danbury HT Variant 1 plots 52, 86, 106; Danbury HT plots 8, 62, 96, 9; Redhill HT plots 10, 98; Redhill HT plots 10, 98; Haldon_Mid HT plot 83; Alnmouth HT plots 4, 5, 34, 100.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Prior to development above dampproof course level, samples of materials to be used in the construction and finish of the development shall be made available on site and retained in that location for inspection by the Local Planning Authority. Any such samples shall be approved in writing by the Local Planning Authority and thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To safeguard the visual amenity of the locality.

3. Prior to the construction or installation of any boundary walls, samples of the brick and stone to be used for the walls must be submitted to and approved in writing by the Local Planning Authority. Prior to the construction or installation of any boundary fences or railings, visual details of the fences and railings must also be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area.

4. All hard and soft landscape works must be carried out in accordance with the approved drawings number PERSC2412011 (sheets 1 to 7) and Soft Landscape Specification received 20/09/2024. The soft landscaping works detailed on the same approved drawing must be carried out in full during the first planting season (November to March) following commencement of the development. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from

the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

Informatives:

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case the applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.