**Application No: 19/00662/REMM**

**Description of Development: Application of approval of Reserved Matters for appearance, landscaping, layout and scale for the erection of 25 dwellings (including new access and vehicle turning area) in accordance with application 17/01379/OUTM**

**Site Address: Land At, The Shrubbery, Elford, Tamworth**

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| --- | --- |
| **Pre – commencement condition agreement** | **Agreed extension of time until:** |
| **Required:** Yes**Agreed:** Yes**Agreed Date**: 03.04.2020 |  **31st March 2020** |

**RECOMMENDATION: Approve with conditions**

**CONDITIONS:**

1. This approval of reserved matters is granted in respect of outline planning permission 17/01379/OUTM and the development hereby approved shall comply in all respects with the terms of that outline permission and the conditions imposed on it except insofar as may be otherwise required by this permission, or any subsequent amendment or condition to which the permission is subject.
2. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.

**CONDITIONS to be complied with PRIOR to commencement:**

1. Prior to the commencement of development, all facing materials and external finishes of the proposed dwellings and garage door details shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
2. Notwithstanding the details shown on the proposed site plan, prior to the commencement of development details shall be submitted to and approved in writing by the local planning authority indicating the longitudinal gradients for the access road. The development shall thereafter be carried out in accordance with the approved details.
3. Prior to commencement of development a revised plan indicating limits of adoption to include the extent of all vehicular visibility splays and footways shall be submitted to and approved in writing by the Local Planning Authority. All vehicular visibility splays shall thereafter be provided and maintained for the life of the development.
4. Prior to Commencement of development a Highway Works Agreement shall be secured with Staffordshire County Council Highways for the main site access point and associated offsite highway works. The works shall be completed in accordance with the agreement prior to the occupation of any new dwellings.
5. Prior to the commencement of development details of storm water drainage shall be submitted to and approved in writing by the Local Planning Authority for the following:
* Surface water drainage and outfall from the proposed parking and manoeuvring areas to remain private.
* The drainage system shall thereafter be provided and retained in accordance with the approved details prior to first use of the proposed development.

**All OTHER conditions to be complied with:**

1. The development permitted by this planning application shall be undertaken in accordance with the Woodland Management document reference 434-19, Revision 0 and the Management Strategy outlined in section 6 which shall be reviewed at the end of a 10 year period, and updated with details of a new Management Strategy for a further 15 years with these details submitted and agreed in writing with the Local Planning Authority. Management of the woodland shall thereby be managed in accordance with details as agreed for a period of 25 years.
2. The development permitted by this planning permission shall be carried out in accordance with the updated Flood Risk Assessment/Drainage Strategy (RACE/ECA/TSE/DS1/REV1/3rd September 2019 complied by RACE) and the following documents contained within the FRA:
* Engineering General Arrangement –ENG\_100-REV # - Aug 2019
* Balancing Pond Construction Detail – ENG\_209-Rev # -Aug 2019
* Cellular Storage Detail – ENG\_285 – Rev#- Aug 2019
* Surface Water Catchment Area Plan – ENG\_140-Rev# - Aug 2019
* Private Drainage Sheet 1 – ENG\_110-Rev# - Aug 2019
* Private Drainage Sheet 2 – ENG\_111 – Rev # - Aug 2019
* Private Drainage Sheet 3 – ENG\_112 – Rev # - Aug 2019
* Private Drainage Sheet 4 – ENG\_113 – Rev # - Aug 2019

1. The development permitted by this planning permission shall be carried out in strict accordance with the Construction Environment Management Plan and Habitat Management Plan (reference SET\_009.01).
2. Before any of the dwellings hereby approved are first occupied, the new site access from The Shrubbery to the site, shall be completed within the limits of the public highway and an appropriate visibility splay either side of the access shall be provided, and the visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.
3. Prior to the occupation of any permitted dwelling the parking and turning areas for that dwelling shall be provided. The parking and turning areas shall always thereafter be retained for their designated purposes.
4. No dwelling hereby permitted without access to a garage shall be occupied until a secure cycle storage has been provided and maintained in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
5. The garages indicated on the approved plans shall be retained for the parking of motor vehicles and cycles. At no time shall these be converted to living accommodation without the prior express permission of the Local Planning Authority.
6. Prior to occupation of the first dwelling, the pedestrian links into the site within the limits of the adopted highway shall be provided and thereafter retained for the life of the development.
7. Prior to occupation of the first dwelling, introduce a pedestrian crossing on The Shrubbery creating a pedestrian connection from the development to the existing footway on the opposite side. The exact location and detail of the crossing to be agreed with Staffordshire County Council.
8. The development permitted by this planning permission shall be carried out in strict accordance with the Tree Protection Plan (Plan Ref BS5837).

**REASONS FOR CONDITIONS:**

1. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
2. For the avoidance of doubt and in accordance with the applicant’s stated intentions, in order to meet the requirements of Policy BE1 of the Local Plan Strategy and Government Guidance contained in the National Planning Practice Guidance.
3. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
4. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
5. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
6. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
7. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
8. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 and Policy NR4 of the Local Plan Strategy.
9. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the impact of flooding on the proposed development and future occupants.
10. To secure a net gain to biodiversity and enhance the nature conservation value of the site in accordance with Core Policies 3 and 13 and Policy NR3 of the Local Plan Strategy, the Biodiversity and Development SPD and the National Planning Policy Framework.
11. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
12. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
13. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
14. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
15. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy
16. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework and to ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy.
17. To ensure the protection of existing trees in accordance with the requirements of Policy BE1 and Policy NR4 of the Local Plan Strategy.

**NOTES TO APPLICANT**

 1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and Lichfield District Local Plan Allocations (2019).

 2. If applicable, the applicant’s attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £34 for a householder application or £116 for any other application including reserved matters. Although the Council will endeavour to deal with such applications in a timely manner, it should be noted that legislation allows a period of up to 8 weeks for the Local Planning Authority to discharge conditions and therefore this timescale should be borne in mind when programming development.

 3. Please be advised that Lichfield District Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 19th April 2016 and commenced charging from the 13th June 2016.  A CIL charge applies to all relevant applications. This will involve a monetary sum payable prior to commencement of development.  In order to clarify the position of your proposal, please complete the Planning Application Additional Information Requirement Form, which is available for download from the Planning Portal or from the Council's website at [www.lichfielddc.gov.uk/cilprocess](http://www.lichfielddc.gov.uk/cilprocess).

4. The applicant is advised to contact Western Power Distribution prior to any works commencing. This is in order to avoid any inadvertent contact with any live apparatus including underground cable and overhead lines during any stage before or after development. Any works within the vicinity of electrical conductors should be undertaken in accordance with HSE documents GS6 and HS(G)47 – all excavation works shall be undertaken by hand around electricity apparatus and any striking of cables or overhead lines should be reported to WPD on 105 immediately or as soon as it is safe to do so.

### APPROVED PLANS

|  |  |  |
| --- | --- | --- |
| Other | Topographical Survey  |  |
| Site / Location Plan | Location Plan  | Version: 17 14501  |
| Other | Street Scenes  | Version: ELF-SS-001 D  |
| Other | Preliminary Refuse Vehicle Tracking  | Version: RACE/EH/TSE  |
| Other | Tree Protection Plan  | Version: BS5837  |
| Other | Landscaping Layout  | Version: ELF-LL-001/M  |
| Other | Planning Layout  | Version: ELF-PL-001/R |
| Other | CEMP and HMP  | Version: SET\_009.01/5  |
| House Type Banbury G Series ELF-G-P/BAN-01 REV BHouse Type Beeston G Series ELF- G-P/BEE-01 REV B House Type Howden G Series ELF-G-P/HOW-01 REV BHouse Type Special Fearn G Series ELF-G-P/FEA-SP-01House Type The Aviemore G Series ELF-G-P/AV1-01 REV B House Type Grosvenor G Series TYPE 1 ELF-G-P/GRO-01 REV CHouse Type Grosvenor G Series TYPE 2 ELF-G-P/GRO-01.1 REV CHouse Type The Buckingham Special G Series TYPE 1 ELF-G-P/BUC-SP-01 REV CHouse Type The Buckingham Special G Series TYPE 2 ELF-G-P/BUC-SP-01 REV BHouse Type Broughton G Series ELF-G-P/BRO-01 REV BHouse Type Mayfair G Series ELF-G-P/MAY-01 REV CHouse Type Halstead G Series Sheet 1 of 2 ELF-G-P/HAL-01 REV AHouse Type Halstead G Series Sheet 1 of 2 ELF-G-P/HAL-02 REV CHouse Type 14 G Series Sheet 1 of 2 ELF-G-P/14-01 REV BHouse Type 14 G Series Sheet 1 of 2 ELF-G-P/14-02 REV BGarage G Series Non Standard Sheet 1 of 3 ELF-G-P/GAR-01 REV BGarage G Series Non Standard Sheet 2 of 3 ELF-G-P/GAR-02 REV BGarage G Series Non Standard Sheet 3 of 3 ELF-G-P/GAR-03 REV C |  |
|  |  |

**RELEVANT PLANNING HISTORY:** yes no

|  |  |  |  |
| --- | --- | --- | --- |
| 13/00428/FUL | Erection of a 4 bedroom dwelling and associated works |  Refuse  | 04/07/2013 |
| 17/01379/OUTM | Outline application for up to 25 dwellings including new access and vehicle turning area (outline: access) | Approve  | 14/06/2018 |
| 17/01379/DISCH | Discharge of condition 13 of application 17/01379/OUTM | Approve  | 26/02/2019 |
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| --- | --- | --- | --- |
| 13/00020/REF | Erection of a 4 bedroom dwelling and associated works | Dismissed  | 02/04/2014 |
|  |  |  |  |

**REPRESENTATIONS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Site Notice Expires:** | 28 June 2019 |  | **Press Notice Expires:** | 27 June 2019 |
| **Council owned land:** |  No |  | **Parish Objections:** | No Comment received |
| **Member Personal Interest:** |  No |  | **Member Personal interest reason:** |  None |
| **Cllr Call in expiry :** | 28 June 2019 |  |  |  |
| **Cllr Call In?** |  No  |  |  N/A  |  |

**LETTERS OF REPRESENTATION RECEIVED:** yes no No. received: 9

Neighbour Notification expiry date: **28 December 2019**

The comments made are summarised as follows:

* A respondent raised a query relating to whether the Environment Agency has been consulted.
* A respondent requested that during construction of the development, clearance works take place in the north-western section of the site in order to alleviate flooding issues.
* Concerns were raised as to the positioning of the affordable housing units.
* Neighbouring residents raised concerns in relation to the boundary treatment between Eddies Lane and the development as well as surface water runoff and sewerage.
* A neighbouring resident raised concerns in relation to a potential detrimental impact upon their amenity.
* Concerns were raised in relation to the detrimental impact upon the Elford Conservation Area.

**CONSULTATIONS:**

|  |  |  |  |
| --- | --- | --- | --- |
| Ecology Team - LDC | Initial  | The team requested further information in respect of biodiversity enhancements and habitat creation/management that form part of the reserved matters application and landscaping scheme. It is difficult to consider the Reserved Matters application without information for condition 10 being provided.  | (05/07/2019) |
| Ecology Team - LDC |  Amended | Previous comments still valid.  | (12/12/2019) |
| Ecology Team - LDC | Initial  | The ecology team are in agreement with the Arboriculture Officers, in regards that all documents provided should be consistent in respect of habitat creation, ongoing management and landscaping measures. On submission of the additional information the ecology team will provide further comments.  | (24/02/2020) |
| Ecology Team - LDC | Initial  | The team is satisfied with the information provided, subject to a condition.  | (27/03/2020) |
| Conservation Team - LDC | Initial  | Issues raised in relation to the siting of affordable housing units, the balancing pond and proposed boundary treatment.  | (13/06/2019) |
| Conservation Team - LDC |  Amended | Further information required on facing materials. Specific brick and tile types should be provided.  | (20/06/2019) |
| Conservation Team - LDC |  Amended | The affordable housing units have been better dispersed, although plots 14-18 are clearly distinguishable. Where properties do not have garages, details of cycle and other general external storage should be provided.  | (11/11/2019) |
| Conservation Team - LDC |  Amended | Facing materials and boundary treatments requirement amendments.  | (19/12/2019) |
| Conservation Team – LDC | Amended | Boundary treatments are now acceptable. Issues still remain with facing materials and garage doors.  | (05/03/2020) |
| Environmental Health Team - LDC | Initial  | No Objections. | (04/07/2019) |
| Environmental Health Team - LDC |  Amended | No Objections.  | (21/12/2019) |
| Housing Manager - LDC | Initial  | Design and positioning issues were raised in relation to the affordable housing units. Amendments required in order to take account of these.  | (02/07/2019) |
| Spatial Policy And Delivery Team | Initial  | No Objections, given that outline permission has already been granted.  | (30/05/2019) |
| Waste Management | Initial  | No Objections. | (05/06/2019) |
| Waste Management |  Amended | No further comments.  | (07/06/2019) |
| Tree Officer - LDC | Initial  | Additional information and amendments required in respect of design in relation to retained trees and TPO trees. Landscaping proposals require amendment in accordance with the Council’s ‘Trees, Landscaping and Development’ SPD.  | (29/05/2019) |
| Tree Officer - LDC |  Amended | The removal of the footpath on the eastern side of the access is welcomed. All comments of 29 May 2019 remain outstanding.  | (10/07/2019) |
| Tree Officer - LDC |  Amended | Additional amendments required. Further information is required as to how the landscaping proposals provide habitats to meet the condition for its 25 year period.  | (08/11/2019) |
| Tree Officer - LDC |  Amended | Woodland Management Plan now accepted. Previous comments in respect of substantial planting around the perimeter of the treatment works and watering are outstanding.  | (16/12/2019) |  |
| Tree Officer - LDC | Initial  | A revision to the CEMP is required to reflect the current revisions that are appended and to details with the woodland plan only being 10 years.  | (13/02/2020) |
| SCC Rights Of Way Officer SCC | Initial  | The location plan do not show the public footpath No.7 Elford Parish in its correct alignment and indicate that the intention is to divert the footpath. Any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network.  | (04/06/2019) |
| SCC Rights Of Way Officer SCC |  Amended | Previous comments still stand.  | (17/06/2019) |
| Staffordshire County Council (Highways) | Initial  | No Objections, subjection to conditions.  | (27/06/2019) |
| Staffordshire County Council (Flood Risk Officer) | Initial  | Additional drainage details required, demonstrating how the run off generated at a lower elevation will be collected by the drainage network.  | (20/06/2019) |
| Staffordshire County Council (Flood Risk Officer) |  Amended | No Objections, subject to conditions.  | (02/10/2019) |
| Environment Agency | Initial  | No Objections | (29/05/2019) |
| Central Networks | Initial  | Note to applicant provided.  | (12/06/2019) |
| Elford Parish Council | Initial  | The appearance of the development appears on the whole to be well considered, although issues raised in relation to drainage and surface water runoff and positioning of affordable housing units.  | (20/06/2019) |
| Elford Parish Council |  Amended | Concerns still present in relation to surface water runoff and positioning of affordable units.  | (15/11/2019) |
| Environment Agency |  Amended | No Objections. | (21/12/2019 |
| Cadent Gas Limited |  Amended | No Comment Received.  |  |
| Network Rail |  Amended | No comments.  | (29/05/2019) |
| Staffordshire County Council (Highways) |  Amended | No Objections, subject to conditions.  | (05/12/2019) |

**LIST OF RELEVANT DEVELOPMENT PLAN POLICY:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Local Plan Strategy** | **Allocations Document** | **Elford Neighbourhood Plan**  | **Supplementary Planning Documents** | **Government****Guidance** |
| CP1, CP2, CP3, CP6, CP14, ST2, H1, NR3, NR4, NR7, BE1  | BE2 | SP1, HD1, DH1, DH2, E3, E4, MD1, MD2, MD4, MD5 | Sustainable Design SPDTrees, Landscaping and Development Biodiversity and DevelopmentHistoric Environment | NPPFNPPG |

**EMERGING POLICY**

**Local Plan Review: Preferred Options (2018-2040)**

**CONSTRAINTS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Green Belt:** |  |  | **Flood Zone:** |  |
| **Conservation Area:** | Elford Conservation Area |  | **Art 4:** |  |
| **Listed Building:** |  |  | **TPO:**  | No |
| **SAC Zone** |  |  |  |  |

**DESCRIPTION OF SITE & LOCATION:**

This application relates to a regular shaped parcel of land, extending to an area of 2.9 hectares. Residential development lies to the north east and west, comprising an eclectic mix of properties in terms of architectural design and age but the majority of which are detached dwellings set within large plots.

There are changes in levels from the southern point of the site from The Shrubbery at a gradient which levels out within the main field. An existing public footpath runs through the site along with a farm access of Eddies Lane used for agricultural machinery. To the south of the site lies the Elford Sewerage Treatment Works compound screened by hedgerows. Access to this compound can be accessed directly from The Shrubbery.

The site is located wholly within the defined settlement boundary for Elford, with part of the site located within the Elford Conservation Area. Outline permission for 25 dwellings was granted under planning application reference 17/01379/OUTM, with appearance, landscaping, layout and scale to be determined at reserved matters stage.

##### DATE OF SITE VISIT: 28 October 2019

**PROPOSAL:**

This application seeks the approval of Reserved Matters (appearance, landscaping, layout and scale) for the erection of 25 dwellings. The access is in accordance with outline permission reference 17/01379/OUTM.

The development comprises a mixture of 2, 3, 4 and 5 bedroom dwellings, focused around a central meandering spine road, which runs centrally through the site and around the retained treatment works. A central area of open space and the attenuation pond present features which give a lower density and more open aspect to the site. Plots are generous with rear gardens presented to the perimeters of the site and trees and landscaping also retained to the boundaries.

A public right of way is retained through the centre of the development and through the open space.

The landscaping strategy aims to achieve a woodland character, as well as adequate screening against the Severn Trent Treatment Works in the southern section of the site.

**OBSERVATIONS:**

Principle of development

The principle of residential development has been established through the extant outline permission reference 17/01379/OUTM, and as such is acceptable, subject to compliance with other policy criteria and the conditions and legal agreement set out in the outline permission.

The Elford Neighbourhood Plan was made on 15 January 2019. Of relevance to this application is Policy HD1 Housing Types Mix which supports development proposals which deliver housing mixes that meet the needs of the community and contribute to the diversification of the Parish’s housing stock. Policy DH1 Design of New Development seeks to ensure all new development are of high quality in design and use materials and respond positively to the surrounding built character and natural landscape and Policy DH3 Design for Streets and Footpaths which supports development schemes that enhance the quality of the public realm beyond the site.

The main consideration in this instance is therefore whether the appearance, layout, scale and landscaping are acceptable and in accordance with the neighborhood plan, local plan, SPDs and the NPPF.

Housing Mix and Affordable Housing

Policy H1 of the Local Plan Strategy seeks the delivery of a balanced housing market through an integrated mix of dwelling types, sizes and tenures based on the latest assessment of local housing need. This reflects the approach in the NPPF, which sets out that local planning authorities should deliver a wide choice of high quality homes with a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Evidence in the Southern Staffordshire Housing Needs Study and Strategic Housing Market Assessment (SHMA) Update (2012) identified an imbalance of housing types across the District with high concentrations of larger detached homes. Consequently, it has identified the need for smaller affordable homes, particularly those of an appropriate type and size for first-time buyers or renters.

Policy HD1 of the Neighbourhood Plan Housing Types Mix supports development proposals which deliver housing mixes that meet the needs of the community and contribute to the diversification of the Parish’s housing stock.

The housing mix required for residential development within the Local Plan Strategy (Policy H1) is for 5% one bed, 42% two bed, 41% three bed and 12% four bed. The mix proposed for this site is 36% two bedroom dwellings 36% three bedroom dwellings and 28% four bedroom dwellings. The Spatial Policy and Delivery Team have been consulted and state that whilst the proposed mix does differ slightly from the indicative mix outline as part of Policy H1 contained within the Local Plan Strategy, it is noted that the scheme will provide over 70% 2 and 3 bedroom properties which is welcomed. Given the site only provides 25 units it is considered it would prove difficult to meet the full aspirations of the policy in this instance particularly given the lower density of the area, and the site characteristics. The mix proposed however provides a good all round mix of properties and a substantial amount of smaller properties which is welcomed. Bearing this in mind it is considered the proposal is on balance acceptable in terms of housing mix and adheres to policy HD1 of the Elford Neighbourhood Plan, as well as relevant guidance contained within the National Planning Policy Framework.

Affordable Housing

The NPPF advises that the aim of all new developments should be to create a mixed and sustainable community and so all the affordable housing should be indistinguishable from and integrated amongst the homes for sale on the open market. Policy H2 of the Local Plan Strategy reflects this and seeks to create a mixed and sustainable community. However, neither the NPPF nor the Local Plan Strategy has a specific policy which dictates where and how affordable housing should be positioned within a development. As a rule of thumb any clusters should have no more than about 15 units. Registered Social Landlords (RSL) prefer larger clusters for maintenance purposes. In this instance the outline permission required 37% provision and the scheme proposes 9no affordable units, which are considered to be distributed appropriately across the site as well as comply with the mix provision set out in the accompanying S106. A cluster of 5 affordable dwellings are located in the north-eastern section of the site, with units 11, 12, 20 and 21 being integrated amongst market units.

Appearance, Layout and Scale

Core Policy 3 of the Local Plan Strategy states that the Council will require development to contribute to the creation and maintenance of sustainable communities. To achieve this, development should protect and enhance the character and distinctiveness of Lichfield District and its settlements and be of a scale and nature appropriate to its locality.

Policy BE1 sets out that all development proposals should ensure that a high quality sustainable built environment can be achieved. Development will be permitted where it can be clearly and convincingly demonstrated that it will have a positive impact on the built vernacular in that new development should carefully respect the character of the surrounding area and development in terms of layout, size, scale, architectural design and public views and amenity, by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance.

The dwellings are arranged around a central spine road, the majority of dwellings located around the sites perimeter edge, which offers a central open space area. The units are considered to be appropriately spaced from one another and create a grain of development that is similar to that of surrounding residential development. The majority of dwellings face onto a central area of accessible open space, which provides a strong sense of place and amenity value.

The application proposes predominantly one and two storey properties of detached or semi-detached design, with a block of 5 units to the north east of the site. It is considered that the proposed layout respects the grain of existing residential development adjacent to the site, while also respecting the rural edge location with a lower density design approach. Overall the density of the development is considered to be appropriate and the proposals, from a design perspective, do not result in an overdevelopment of the site.

The majority of off street parking is appropriately positioned without resulting in a car dominant frontage, with side driveways and garaging used effectively. Notwithstanding this, the parking fronting Units 13-17 is on the frontage however this lies at the end of a cul de sac and is broken up by shared surfacing and landscaping which results in a softer impact to this section of the site. Additionally landscaping is proposed to the front of the majority of properties to soften the street scene and improve the sense of place and as such the development is considered acceptable in this regard. The dwellings comprise traditional design features, including rendered front gables, pitched roof and stacked chimneys. Facing materials, external finish materials and garage door details will be submitted via condition.

The Conservation and Urban Design Officer requested amendments to the boundary treatments, replacing close board fencing with walls. This has been reflected within the amended site layout plan and is now considered to be acceptable. The scheme proposes a variety of house types of varying design and appearance. The mix of houses is deemed to be acceptable and would provide interest in the development

The proposed appearance and layout is considered to be acceptable in terms of design and scale and it is considered that issues concerning the positioning of affordable units have been overcome, through the integration of 4no affordable housing units in amongst the market dwellings. There remains a cluster of affordable homes within the north-eastern corner of the site, however it is considered that this is acceptable given that these do not appear physically detached from market dwellings. As such, the submitted details are considered to comply with Core Policy 3 and Policy BE1 of the Local Plan Strategy, as well as relevant guidance contained within the National Planning Policy Framework.

Impact upon the Heritage Asset (Elford Conservation Area)

Core Policy 14 states that the District Council will protect and improve the built environment and have special regard to the conservation and enhancement of the historic environment through positive action and partnership working. The historic environment contributes to sustainable communities, including economic vitality, and new development must make a positive contribution to the historic environment’s local distinctiveness.

Policy BE1 states that development will be permitted where it can be clearly and convincingly demonstrated that it will have a positive impact on the significance of the historic environment.

Policy BE2 of the Local Plan Allocations Document states that development proposals which conserve and enhance our historic environment will be supported where the development will not result in harm to the significance of the heritage asset or its setting.

The Conservation Team and Urban Design Officer has been consulted and offers no objection to the proposal in respect of design and layout. Materials for the main dwellings remain to be agreed and as such have been attached via pre commencement condition. In respect of the above, the details provided are considered to be in accordance with policies CP14 and BE1 of the Local Plan Strategy, Policy BE2 of the Local Plan Allocations Document and guidance contained within the National Planning Policy Framework.

The LPA is therefore satisfied that the development would not cause harm to the significance or setting of the Conservation Area.

Public Open Space

Policy HSC1 of the Local Plan Strategy states that the District Council will support appropriate proposals that improve the quantity, quality and accessibility of green spaces.

Policy E3 of the Elford Neighbourhood Plan states that new development adjacent to existing footpaths and rights of way should take account of its setting by avoiding negative impacts on safety, visual appearance, surveillance and functionality of these routes.

The Section 106 Agreement requires a minimum of 6,000 sqm to be laid out as informal open space. It is noted that the proposed development includes 6,549 sqm of informal open space. The open space is located within the centre of the site, in between the majority of the proposed dwellings and the Severn Trent Treatment Works. Given its size, it is considered that the open space provision will provide a strong level of amenity for residents as well as enhancing the woodland character of the site.

The proposals provide strong central open space and a pedestrian linkage through the centre which also runs through the attenuation pond is a strong linkage and the general layout is a such considered to adhere to Policy E3 of the Neighbourhood Plan.

Landscaping

To comply with the guidance contained within Paragraphs 9, 108 and 118 of the NPPF and the Council’s biodiversity duty as defined under Section 40 of the NERC Act 2006, new development must demonstrate that it will not result in the loss of any biodiversity value of the site.

Policy NR3 maintains that development will only be permitted where it protects, enhances, restores and implements appropriate conservation management of the biodiversity and/or geodiversity value of land or buildings; minimises fragmentation and maximises opportunities for restoration, enhancements and connections of natural habitats; incorporates beneficial biodiversity and/or geodiversity conservation features, including features that will help wildlife to adapt to climate change where appropriate; and delivers a net gain for biodiversity and/or geodiversity in the district.

Policy NR4 of the LDLPS iterates that the District’s trees, woodland and hedgerows are important visual and ecological assets. Trees and woodland will be protected from damage and retained, unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved. The policy goes on to state that potential long term conflict between retained trees, hedgerows and built form will be designed out at planning stage.

The applicant has consistently worked with the Local Planning Authority and submitted a number of plans relating to landscaping as well as a Construction Environment Management Plan and Habitat Management Plan, of which were required for condition 10 attached to planning consent 17/01379/OUTM. The dwellings are sited around an access road which meanders through the site, providing a naturalistic, non-regimented layout. On maturity of the proposed planting the site will be adequately screened appropriately from the sewerage works and surrounding dwellings and it is considered that the loss of TPO’d trees have been adequately compensated. In respect of the above, the proposal is considered to comply with relevant planning policies contained within the Development Plan and the National Planning Policy Framework.

Condition 10 attached to the outline permission requested the provision of a 25 year woodland management plan, which is considered a substantial timeframe, as circumstances may change significantly beyond 10 years . As such a 10 year management plan has been provided with this reserved matters and a condition is imposed for this to be reviewed and updated after a 10 year period with new measures and objectives over a further 15 year timeframe resulting in coverage of a 25 year period of woodland management in total, as requested by the original condition. The matters relating to woodland management are therefore considered to be suitably addressed.

In order to safeguard existing trees during construction works, the submission Tree Protection Plan will need to be adhered to via a compliance condition.

In respect of the above, it is considered that the proposal is compliant with Policies NR3 and NR4 of the Local Plan Strategy, as well as relevant guidance contained within the National Planning Policy Framework.

Design Conclusion

It is considered that the proposed development provides a high quality design which is in accordance with the Neighbourhood and local plan. The development can be carried out without causing undue harm to the setting or significance of adjacent heritage assets, while the proposals also respect the existing built form in the area. An appropriate landscape strategy has also been provided. The proposed development is considered to be in accordance with the design policies set out in the Development Plan, including Neighbourhood Plan, SPD’s, and guidance contained within the NPPF.

Impact on Amenity

BE1 of the Local Plan Strategy states that development should have a positive impact upon amenity by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance. Core Policy 3 also states that development should protect the amenity of residents and seek to improve overall quality of life. The NPPF core planning principles include the requirement that planning should seek a good standard of amenity for all existing and future occupants of land and buildings. The Council’s Sustainable Design Supplementary Planning Document contains guidance detailing appropriate space around dwelling standards. These standards establish a minimum distance of 21 metres to separate principle habitable windows and that there should be at least 6 metres between a principal window and private neighbouring residential amenity space. The SPD also requires that in order to prevent any overbearing impact upon residents, that there should be a minimum of 13 metres between the rear elevation and the blank wall of any proposed dwelling. Finally the SPD identifies that for 1 or 2 bedroom dwellings a minimum garden size of 45m2 should be provided, for 3 or 4 bed 65m2 and for 5 bedroom dwellings 100m2. All gardens should have a minimum length of 10m.

It is considered that the depth of the gardens for all proposed dwellings are consistent with guidance contained within the Sustainable Design SPD, while overall provision of amenity space is acceptable. Space standards are sufficiently met and exceeded, with no significant overlooking issues resulting.

A number of neighbour representations have raised concerns relating to the impact upon their private amenity space, in particular along Eddies Lane to the north and The Beck to the west. Whilst taken into consideration, it is considered that the positioning of the proposed dwellings allows sufficient spacing to alleviate any significant detrimental impact upon nearby properties.

As part of the drainage strategy, an attenuation pond is located in the north-western section of the site, which will also enhance the central area of accessible open space. Matters relating to flood risk, archaeology, lighting, flood risk and land contamination have been considered at outline stage and are conditioned as necessary. Therefore it is not necessary to revisit these matters.

It is therefore considered that the proposed development would provide an appropriate level of amenity for future occupants of the development, while no adverse impacts on the amenity of existing residents would arise. The development is therefore compliant with Core Policy 3 and BE.1 of the Local Plan Strategy, the Sustainable Design SPD and guidance within the NPPF.

Impact on Highway Safety

Policy BE1 of the Local Plan Strategy states that new development should be located in areas which have good safe access to public transport to reduce the need to travel by private car. Policy ST2 requires appropriate provision to be made for off street parking. The LPA has parking standards of 1 space 1 and 2 bed dwellings, 2 spaces for 3 and 4 bed dwellings, and 3 spaces for 5+ bed dwellings. In addition cycle parking should be provided.

The proposals provide a suitable level of off street parking which is facilitated through a mixture of driveway parking and garaging.

Site access has been previously approved under the outline planning permission and vehicle parking provision is acceptable and in accordance with the above standards. The main highways considerations in this instance therefore are whether the proposed layout is acceptable from a highway safety perspective and whether an appropriate level of off street parking would be provided to serve the development. The SCC Highways Team have been consulted and have had no objections from the outset, subject to a number of conditions. Matters which relate to issues on the wider highway network have previously been considered under the outline planning application. It is therefore considered that the proposed development is compliant with the Development Plan and the NPPF with regard to Highway Safety.

Other Matters

A number of neighbour comments relate to concerns about a detrimental impact upon the amenity of neighbouring properties. The development is considered to provide acceptable separation with properties set well within the perimeter of the site, and the majority having gardens backing on to the site edges. It is therefore considered that the proposals will not result in any significant detriment to existing surrounding residents through loss of privacy or amenity. The development is considered to also provide an adequate level of amenity to its future occupiers and does not impact significantly upon the amenity of neighbouring dwellings.

Elford Parish Council have raised concerns relating to whether the Environment Agency have been properly consulted. The team provided comments on 29th May 2019 confirming that the EA have no comments to make regarding the Reserved Matters application.

The details of other matters such as drainage, biodiversity enhancement and archaeological investigation will be secured via conditions attached to the outline permission.

A neighbour representation made reference to the retention of the public right of way that traverses the site. The layout clearly shows a public right of way, and will continue to provide a legible pedestrian route through the site, for both residents and other members of the public. The footpath also provides a link through the central area of open space as well as the attenuation pond to the north-west. As such, the proposal is considered to comply with relevant policies within the Local Plan Strategy as well as guidance contained within the Sustainable Design SPD and the National Planning Policy Framework.

**CONCLUSION**

The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental. The NPPF continues to advise that at the heart of the Framework is a presumption in favour of sustainable development.

With reference to this scheme, environmentally, the principle of developing this site has been established by the grant of Outline Consent. With regard to the specifics of design and layout, the application provides a scheme, which will integrate successfully with the surrounding existing built form. Economically, the development will aid in the promotion of a building project, bringing additional residents into the District, supporting local businesses, whilst also providing employment opportunities, during the construction of the development. Lastly, socially the development will not adversely impact upon the amenity of existing or future residents and will form part of a wider project to provide additional housing to serve the needs of existing and future generations. The scheme also proposes to deliver affordable dwellings.

Therefore, it is recommended that this application be approved, subject to the identified conditions.

### HUMAN RIGHTS

The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with neighbours rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report and on balance is justified and proportionate in relation to the provisions of the policies of the Development Plan and National Policy in the NPPF.

**Report prepared and recommendation made by :** SHERRH