

ITEM NO:	<u>Location:</u>	Land Adjacent To Elm Tree Farm, Hambridge Way, Pirton
	<u>Applicant:</u>	Cala Homes
	<u>Proposal:</u>	Reserved matters application for approval of access, appearance, landscaping, layout and scale to serve a residential development of 78 dwellings (31 affordable and 47 private), pursuant to outline planning application 15/01618/1 granted 27.5.16 (as amended).
	<u>Ref. No:</u>	16/02256/ 1
	<u>Officer:</u>	James Gran

Date of expiry of statutory period : 02 January 2017

Reason for Delay

Negotiations seeking amendments to the scheme following the March committee meeting and subsequent public consultation period. Statutory period of the application agreed by applicant to 31st May 2017.

Reason for Referral to Committee

The site area for this application for residential development exceeds 0.5ha and therefore under the Council's scheme of delegation, this application for the approval of reserved matters must be determined by the Council's Planning Control Committee.

1.0 Relevant History

- 1.1 Applications for the development of the northern part of the site for 8 social rented dwellings were refused in January and September 2012 (app nos 11/00413/1 and 12/00694/1).
- 1.2 Subsequent appeals against these decisions were dismissed in 2013 the Inspector concluding that "the proposal would meet rural needs in terms of affordable housing and.....there would be significant associated benefits supported by the Government's support for economic growth and the provisions of housing as expressed in the Framework. On balance, there would be no detriment to highway safety, although there would be some harm to the character and appearance of the area and conflict with the development plan in this respect". Nevertheless he concluded that it was the unmitigated harm to transport and community facilities, which undermined the strategy of policy 51 of the Local Plan, that warranted the dismissal of the appeals.
- 1.3 The field in the northern part of the application site was identified as site 214 in the draft North Hertfordshire Local Plan 2011-2031 Preferred Options paper; and covered an area of 2.4 hectares with a dwelling estimate of 47.
- 1.4 15/01618/1 – Members resolved to grant outline planning permission (all matters reserved) for residential development of up to 82 dwellings with associated infrastructure, public open space and planting (amended description) at the meeting of the Planning Control Committee held on 17 December 2015. Following

the resolution of flood risk issues with the Lead Local Flood Authority and completion of the requisite S106 Obligation, outline planning permission was granted on 27 May 2016.

- 1.5 16/01500/1PRE – Pre-application advice given on a site layout only for 82 dwellings. Concerns raised regarding how this would successfully integrate with this side of the village, concerns with some relationships between dwellings and with apartments design at the frontage of the site. Parking provision would be acceptable if the minimum standards are met of the Council's Parking SPD and affordable housing would need to be provided at 40% as per the Section 106 agreement from the outline planning permission.

2.0 Policies

2.1 North Hertfordshire District Local Plan No.2 with Alterations (Saved Policies)

Policy 6 - Rural Areas beyond the Green Belt.
Policy 26 - Housing proposals.
Policy 29A - Affordable Housing for Urban Housing Needs
Policy 51 - Development Effects and Planning Gain.
Policy 55 - Car Parking Standards.
Policy 57 - Residential Guidelines and Standards.

Supplementary Planning Documents.

Design SPD
Planning Obligations SPD
Vehicle Parking Provision at New Development SPD.

2.2 National Planning Policy Framework

Paragraph 14 'Presumption in Favour of Sustainable Development'
Paragraph 17 'Core Planning Principles'
Section 1 - Building a strong, competitive economy.
Section 3 - Supporting a prosperous rural economy.
Section 4 - Promoting sustainable transport.
Section 6 - Delivering a wide choice of high quality homes.
Section 7 - Requiring good design.
Section 11 - Conserving and enhancing the natural environment.
Section 12 - Conserving and enhancing the historic environment.

2.3 North Hertfordshire District Local Plan 2011-2031 Proposed Submission

Policy SD1 'Presumption in Favour of Sustainable Development'
Policy T1 'Sustainable Transport'
Policy T2 'Parking'
Policy HDS1 'Housing Targets 2011-2031'
Policy HDS2 'Settlement Hierarchy'
Policy HDS3 'Affordable Housing'
Policy D1 'Design and Sustainability'
Policy D3 'Protecting Living Conditions'
Policy NE6 'Reducing Flood Risk'
Policy NE7 'Water Quality and Environment'
Policy NE9 'Contaminated Land'
Policy ID1 'Infrastructure Requirements and Developer Contributions'
Chapter 12 'Part 1': Development for North Hertfordshire's Own Needs' - Pirton

The Proposed Submission Draft Local Plan was considered and approved by the Council's Cabinet in April following public consultation. The Plan is due to be submitted for examination.

The previous version of the draft Local Plan included part of the application site as a proposed allocation site for housing development. Since planning permission

has since been granted for up to 82 dwellings on this site, the Local Plan now considers this development as a commitment. As such, the settlement boundary for Pirton has been revised to include the whole of the application site, with the proposed allocation deleted as this is no longer necessary to include.

Footnote 147 of the draft Local Plan includes the following wording:

“Outline planning permission has been granted for up to 82 new homes at Holwell Turn. The precise number of homes to be built will be determined by a detailed ‘reserved matters’ application. An estimate of 70 homes has been used for the purposes of calculating overall housing numbers in this Plan. This figure is without prejudice to the determination of any future planning applications for this site”.

2.4 Emerging Pirton Neighbourhood Plan

The Pirton Neighbourhood Plan has been prepared in line with the emerging Local Plan. The policies in the submission draft of the neighbourhood plan focus on the design of development and how development will integrate into the village whilst respecting the character, biodiversity and heritage assets of the village.

Planning Practice Guidance makes it clear that an emerging neighbourhood plan may be a material consideration – alongside paragraph 216 of the NPPF. A neighbourhood plan is being prepared for Pirton but is still not at an advanced stage. The Pirton Neighbourhood Plan has been subject to one period of pre-submission consultation (April 2016) and has subsequently been amended to reflect the responses. The Pirton Neighbourhood Plan has been submitted to the local planning authority, has been consulted upon and is awaiting examination.

2.5 National Planning Practice Guidance

3.0 Representations

3.1 New representations received in response to amended plans consultation since deferral at the March committee meeting:

Pirton Parish Council – No comments received at the time of writing. Any comments received to be updated to Members.

3.2 **Holwell Parish Council** – No comments received at the time of writing. Any comments received to be updated to Members.

3.3 **Pirton Neighbourhood Plan Steering Group**

Objection received as follows:

“Having carefully considered the evidenced views of the Pirton community, and taking into account national and local policy, on behalf of the statutory Qualifying Body we developed planning policies to support sustainable development in Pirton Village and Parish. Our considered view is that this particular application does not meet those policies.

Our previous comments made in our letters to you of the 17 November 2016, 28 January 2017 and 26 February 2016 remain valid and we adopt them here.

1. *This particular application does not conform to the Neighbourhood Plan’s proposed Policy PNP 1 “Meeting Local Need” in relation to the mix of housing. It does, however, meet the Policy’s requirements regarding Affordable Housing. We also welcome Cala Homes’ response to the concerns of the Conservation Officer.*

2. *This application fails to conform to proposed Policy PNP 2 “Design and Character.”*

3. *The revised layout and scale of development on the periphery of the village still fails to recognise, respect and reinforce the distinct local and rural character of Pirton and the Parish of Pirton. Although a new grass verge has been proposed at the entrance to the development, it is merely a “swap” for a green space that was within the development. This means that the interior of the development sadly lacks sufficient green space. Moreover, the attempt to soften the entrance to the development by removing the terraces has resulted in over congestion of buildings within the development as they are replaced by pairs of semi detached dwellings. This new “soft edge does not continue across the frontage of the development as it should to meet good practice.*

4. *The proposals conform more closely to the Neighbourhood Plan’s proposed policies on Biodiversity (Policies PNP 4 and PNP 5) although more emphasis should be placed on the use of native trees and shrubs. There was in previous applications insufficient green and open space, and the removal of a green space from inside the development has made matters worse and is contrary to Neighbourhood Plan proposed Policy PNP six. However, no attempt has been made to recognise the importance of Key View 8 in proposed Policy PNP 7 of the Neighbourhood Plan, and to design the development to maintain it.*

5. *Neighbourhood Plan proposed Policy PNP 11 calls for measures to ensure vehicular and pedestrian safety in accessing the development. We are pleased to see a positive response from Cala Homes to concerns about the entrance/exit to the proposed front parking area. However, safety concerns remain about the roundabout, particularly if, as is rumoured (there is no evidence of this) the proposal is now to have a small painted spot roundabout. The Y junction has not been properly designed; the application should be rejected on this ground alone until Cala make a serious effort to design a safe entranceway instead of focussing on how to maintain 78 dwellings within the development boundary.*

6. *NPPF para 66 places an obligation on those developing sites such as this “to work closely with those directly affected by their proposals...”. This has not happened, in contrast to the extent of community consultation that gives rise to the draft Neighbourhood Plan”.*

3.4 **Highway Authority** - Comments on the Y junction access option are as follows:

“At the Planning Committee meeting in March, Members requested that a ‘Y’ junction with grassed centre be explored as to whether this is considered viable option to serve the proposed development off the Holwell Road for 78 [corrected from 82] dwellings. Accordingly, the applicant CALA Homes has submitted the necessary plan (DRG No WIE11697-SA-05-0026-A01) for the ‘Y’ junction with liaison with HCC. It was thereafter subjected to swept path analysis and an independent Stage 1 Road Safety Audit.

The auditors made a number of recommendations on issues such as street lighting, drainage, reflective/illuminating bollards, signage, change in speed limit and pedestrian crossing points. These were all agreed by the developer as part of their Designer’s response to the audit. Further liaison took place between HCC and the Designer on the following issues, which were raised in the audit and subsequently agreed:

Street Lighting: - It was acknowledged the need to make the junction conspicuous.

The scale and type of street lighting is to be reviewed through the s278 process and stage 2 RSA. Reflective Illuminated Bollards: To be considered on the central refuge island to aid visibility of the junction form subject to the overall street lighting design and reviewed at the Stage 2 RSA. Change in speed limit to moved 50m (minimum) north of the proposed access: – The Designer’s response confirms that this will be in accordance to HCC Speed Management Strategy. Advanced warning signs and markings will be reviewed, and the speed limit (30mph) sign can be moved a minimum of 50m in advance of the access with appropriate road markings, in accordance to HCC Speed Management Strategy and any feedback from the TRO process. Alternative solutions may also be appropriate to achieve speed reductions.

In view of the above, the ‘Y’ junction design prepared (DRG No WIE11697-SA-05-0026-A01) is acceptable in principle. This is an alternative to the initial roundabout design, which also raised no objection from the Highway Authority. Therefore, the Highway Authority would accept either of the junction designs to serve the proposed development. Although there will be no changes required to the previously recommended planning conditions under the granted outline application, it is however suggested that appropriate condition/s would have to be amended to clarify the selected junction design by the planning committee".

The single recommended condition is as follows:

"Before commencement of any part of the development, the works identified on the ‘in principle’ site Drawing number WIE11697-SA-05-0026-A01, a detailed ‘Y’ junction access layout shall be submitted to and approved in writing by the Local Planning Authority and the Highway Authority, which shows all geometries associated with the proposed access arrangements including kerb radii, lane widths, visibility splays etc. The ultimate design being technically approved in writing by the Highway Authority (in conjunction with the Local Planning Authority) prior to commencement of any works on site.

Reason: In the interests of maintaining highway safety".

3.5 **Herts Fire and Rescue Service** - Development must accord with the Building Regulations for fire service vehicles access and fire hydrant provision.

3.6 **Local residents** – In response to the consultation on the amended plans, objections received include the following:

- There are no 2 bedroom bungalows being provided, and there is a documented need for this type of housing.
- Traffic should exit and enter off the A600 trunk road which goes through Holwell. No traffic should go through Pirton’s smaller village roads.
- The roundabout is not in keeping and Highways originally stated that a T junction would be equally acceptable.
- The density of the development is still too high and the houses are still too tall and do not reflect the nature of the existing dwellings in the village.
- Prefer the Y-junction option to the roundabout.
- Cala homes have made some effort to address the concerns of the village but they have not gone far enough.
- the removal of separate access for the parking for the adjacent existing terrace is welcomed.
- The rearrangement of the previously proposed terrace to semi detached houses at the entrance gives the appearance of increasing density.
- The changes are not sufficient to make the proposals acceptable in terms of density at this location, i.e. at the edge of the built area, and where it fits with its neighbours in terms of existing density and height of buildings and the character of Pirton, which is that densities at the edges of the built areas should be much lower

than average.

- The proposals conflict with the NHDC Local Plan 2011-31 policy HDS4 which states that “*Development on the periphery of settlements should generally be at a lower density to mark the transition to the rural area beyond.*”
- The proposed access by roundabout remains out of character and too urbanising for the rural setting and the applicant has done insufficient work on the alternatives of a ‘T’ or ‘Y’ junction to allow proper consideration in planning terms.
- The average density for the whole of Pirton is 17 dph, which is measured excluding all open spaces and scheduled monuments. The density of this new development in its current form is 17.7dph including all the green and open spaces in the development. The new development density excluding the green and open spaces would be 20dph. This is striking difference from Pirton as a whole, and significantly different from the immediately adjacent area at the current edge of Pirton, where the density is 12dph.
- Many front gardens appear too small for the rural setting, and increasing these could positively impact on the density of the area.
- Building fewer of the largest 5 bedroom houses, and more of the smaller 2, 3 and 4 bedroom homes could address this problem.
- CALA state in their documents that the “benefit of providing larger houses on suitably sized plots is that this helps prevent people purchasing a smaller house and then extending in a less controlled way”. I suggest that CALA have no evidence that this will occur in this development, particularly if the planning committee can allow for this in their reports and conditions of development.
- The slow, organic changes to areas of housing over time are much preferable to initial over-building, and allow an area’s character to develop at its own pace in concord with the residents’ wishes.
- All the buildings in the proposed development have roof heights greater than 7.3m, and many up to 8.8m. These are considerably higher than the majority of Pirton roof heights, and will adversely affect the appearance of the village as a whole.

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site is located to the east of Royal Oak Lane, south of Holwell Road and north of Hambridge Way. It has a frontage onto Holwell Road of approximately 65 metres and approximately 140 metres along Hambridge Way. The depth of the site is approximately 400 metres. The area of the site totals approximately 4.4 hectares and consists of an open field area for the majority of the northern part of the site bounded by landscaping along its eastern boundary and an area of agricultural buildings to the south of the site with a paddock area to the rear of these buildings. Part of the western boundary of the site is located adjacent to the Pirton Conservation Area. Three new detached properties are now located adjacent the site, to the rear of 40 Royal Oak Lane.

4.2 Proposal

- 4.2.1 This application seeks approval of reserved matters consisting of access, appearance, landscaping, layout and scale pursuant to outline planning permission no. 15/01618/1 for 78 dwellings with associated infrastructure, public open space, childrens play area and planting. Following outline planning permission for this site for up to 82 dwellings. Following deferral of the application at the 16th March Planning Committee, the applicant has sought to address the principle concerns raised by Members at the meeting and in the reason for deferral. These primary concerns related to the following:

- The potential urbanising effect of the proposed roundabout
- The perceived massing of the proposed terrace of six houses fronting the

development

Amended plans were received and the changes comprise the following:

- The option of a Y junction access point into the development from Holwell Road, with a grassed triangular centre. This is proposed as an alternative to the originally proposed roundabout. Members are therefore given the choice of access option, as both are considered to be viable by the Highway Authority.
- The frontage of the site changed to 2 pairs of two storey semi-detached houses fronting the development (plots 2-5) and a third pair of semi-detached houses at plots 6 and 7.

- A green space to the actual front of the development between the proposed access option and these semi-detached houses, with a pedestrian footpath
- A proposed 1 bedroom single storey bungalow set between the existing terrace and the green space with set back houses. This replaces the previous flat over garage dwelling with four bay car port and one bedroom flat above.
- Access to the parking court for the semi-detached houses and the 10 spaces provided for the existing Apostle terrace dwellings, is proposed to be located within the development now, instead of minor access road from Holwell Road as previously proposed
- House type E (five plots) has been reduced in ridge height from 9.3 to 8.19 metres, with all house types now below 9 metres in ridge height, maximum as 8.97 metres.

4.2.2 The overall dwelling mix remains as previously proposed, as follows:

13 x 1 bed flats
12 x 2 bed houses
10 x 3 bed houses
15 x 4 bed houses
28 x 5 bed houses
78 units total

Affordable

40% of the dwellings would be affordable units with the following provided:

13 x 1 bed flats
12 x 2 bed houses
6 x 3 bed houses
31 units total

Private

4 x 3 bed houses
15 x 4 bed houses
28 x 5 bed houses
47 units total

Consultation was carried on the amended plans with residents, the Parish Councils of Pirton and Holwell and the Highway Authority.

For Members information, the report from the March planning committee meeting is appended to this report. The Minutes from the March committee meeting were approved at the April committee meeting.

4.3 Key Issues

4.3.1 I have appended the **previous report for this application as appendix 1**, which was presented to the meeting of the Planning Control Committee held on 20 March 2017. Following negotiations with the applicant and the submission of amended plans I now consider the key issues in this case to be the following:

Access and highway matters
Layout
Scale
Design and appearance
Car and cycle parking provision
Landscaping

4.3.2 These issues are addressed in turn as follows. The issues of archaeology, biodiversity, construction management plan (including route for construction vehicles), flood risk and drainage, internal highway matters and waste management plan, are all subject to separate approval of details reserved by condition, from the outline planning permission. They are not 'reserved matters' and are not to be considered as part of this planning application.

4.3.3 **Access and highway matters**

Access was originally proposed as a mini roundabout on Holwell Road, as the single vehicular access for the main development. This would be located on the turn of Holwell Road and would be visible from both directions. As set out above, Members deferred the item at the March committee meeting partly for this reason of the roundabout having a potentially urbanising effect and they wished for the viability of a Y junction with grassed centre to be explored between the applicant and the Highway Authority (**see appendix 2 the agreed minutes of 20 March Planning Control Committee**).

4.3.4 The Highway Authority have responded to the Y junction details submitted to them and their response is of no objection to the Y junction option, subject to condition for detailed layout drawings to be submitted.

4.3.5 As confirmed in the previous report, the Highway Authority have no objection to the previously proposed roundabout and it is considered that this would create a safer situation than the existing turn on Holwell Road and indeed was considered to be safer than the initially considered T junction into the site. Therefore, Members have the choice of either the roundabout or the Y junction. Given that it is acceptable in highway safety terms, that it is more rural in character with grassed centre and, that this feature already exists in the village, I consider the Y junction to be the most suitable overall option for access to the development.

4.3.6 **Layout**

The layout of the development has been amended to the frontage elements as set out above. I consider the green space as the initial frontage to the site is an improvement. So too is the removal of the minor access road to the proposed parking court to serve the now proposed semi-detached houses and the existing adjacent terrace. The siting of the semi-detached houses, together with a single storey bungalow dwelling adjacent, would present a more sympathetic and more open feel to the appearance of the development from Holwell Road. With the dwelling number remaining the same at 78, this does however result in a more dense feel to the development as one travels through from the initial entrance. This is due to the previously proposed open space behind the previous terrace and coach house building, now being replaced by two of the displaced terrace houses as a semi-detached pair. That said, I consider the benefit of the more open and set back houses to the frontage, to be the better of the two scheme iterations. Footpaths across the open space frontage would provide access for occupiers and visitors of the front semi-detached dwellings, and the car parking court, with a separate footpath to link with Holwell Road. Any continuation of footpath across the frontage of the existing terrace would be subject to Highway Authority request and requirements, as part of a separate Section 278 agreement between the

Highway Authority and the applicant. The proposed bungalow would have a side garden between it and the existing terraces on Holwell Road and, being of single storey form and in combination with the open space frontage adjacent to it, would result in an attractive gateway to the development and views into it from Holwell Road.

- 4.3.7 With regard to amenity space of the changes to the development, rear garden sizes are of a good standard and are proportionate to the size of dwelling it serves. The new semi-detached dwellings and the bungalow dwelling would all have acceptable garden sizes in my view. Overall, the layout of the proposed development, including the amended front section of the site layout, would result in an attractive development, providing a range in size of modern homes, with ample living spaces and good internal layouts with storage areas included.
- 4.3.8 The density has not materially changed from the original proposal as the dwelling number remains at 78. The previous open space created through previous amended plans is lost for a pair of semi-detached dwellings but a larger area of open space is provided to the front of the site. The further objection comments on density are noted, with the development not being equal to or lower in density than the part of the village it would adjoin to. As stated in the previous report, I understand the average density of the village to be approximately 17 dwellings per hectare (dph) and the highest density area of the village is 22dph. The proposed density for the site is 17.7 dph. The density along the current eastern boundary of the village (to which the development would lie adjacent to), is approximately 11dph, which is considerably lower density than the average for the village as a whole. I also note that a proposed policy of the Pirton Neighbourhood Plan is for a maximum of 30 dwellings on any one development site (Policy PNP 1.2).
- 4.3.9 The proposed development is contrary to the general policies of the proposed Pirton Neighbourhood Plan (i.e. the policy which seeks to restrict developments to no more than 30 dwellings on each site). However, the Pirton Neighbourhood Plan is still not at an advanced stage in terms of becoming adopted planning policy, pertaining to this site. The Neighbourhood Plan therefore carries very limited weight at the current time and the overarching planning policy is the National Planning Policy Framework (NPPF) and the current District Local Plan.
- 4.3.10 The NPPF states at Paragraph 14 that:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;***
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:***
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or***
- specific policies in this Framework indicate development should be restricted.***

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and***
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:***
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework***

taken as a whole; or

- specific policies in this Framework indicate development should be restricted”.

4.3.11 Since the decision of Full Council on 11 April 2017 to submit the Local Plan to the Secretary of State for examination the Council does claim to be able to demonstrate a five year land supply of deliverable housing sites, at 5.5 years, as set out in the Housing and Green Belt Background Paper. However, this position has yet to be tested at Examination in Public (EiP) and therefore I adopt a precautionary approach in my analysis of this application at this stage and would not seek to rely on a confident five year land supply position at present. Paradoxically to refuse reserved matters approval for this development scheme would further weaken the Council's case to be able to demonstrate a five year land supply at EiP in any event. However, adopting a precautionary approach in line with guidance set out in paragraph 49 of the NPPF any policies contained in adopted Local Plan which seek to restrict the supply of housing are considered out-of-date (paragraph 49 of NPPF) and there is therefore a balanced judgement to be made between the harm incurred for the character of the village and the wider countryside, against the benefits of the development. Any harm identified must significantly and demonstrably outweigh the benefits of delivering new homes in order to refuse planning permission or in this case refuse to approve reserved matters.

4.3.12 The density is only marginally higher than the average for the village and I consider this to be a positive for the judgement of harm. There are clear benefits of providing a higher amount of much needed homes on this site, with the facilities and amenities of the village more likely to continue and even grow in number or expand, with a higher number of dwellings for the village, compared to a far lower dwelling number.

4.3.13 The density of the site has been well mitigated in my view in terms of actual harm upon the open countryside setting (being rural area beyond the green belt) and of views of the development from both Hambridge Way and Holwell Road. The revised layout to the entrance of the development is such that it would provide a more spacious and open feel than the initially proposed layout, with a larger area of green open space to the middle of the development ('village green'), and the open area and character of the south-east corner of the site providing the SUDs balancing pond and childrens play space. There are also only two dwellings close to the Hambridge Way boundary of the site, thereby retaining a more open feel to the edge of the site here and within the site. In conclusion on this aspect of design, mathematical density comparisons are not of themselves justifiable reasons to refuse planning permission. To refuse permission (on this case to refuse reserved matters approval) it is necessary to explain how any higher density demonstrably and significantly harms the character and appearance of locality. I find no such harm in this layout as revised.

4.3.14 The views from the open field side of the site from the east has been well mitigated by utilising the existing 6.5 metre hedgerow of trees to the eastern boundary. These would be retained as shown on plan and would provide excellent screening of the development, just as they screen this side of the village as existing. In addition to this naturally screened boundary, the development is designed in such a way as to provide only 6 houses along this edge of the site, with many large gaps between the roofscapes. This is through placement of these dwellings side on to the boundary in order that the majority of the edge is of garden areas rather than a continuous row of dwellings to this site edge.

4.3.15 Policy 57 - Residential Guidelines and Standards of the current Local Plan states

“..new residential areas adjacent to open agricultural land require careful consideration to ensure that the layout and design minimise any potential

urban fringe problems and lessen any detrimental effects on adjacent open countryside and its land uses”.

I consider the layout has minimised the impact of the density of the development. I note all the comments made on this issue and do agree that a degree of harm is inevitable from development of this site for housing. This degree would be lessened with the fewer the number of dwellings but, as stated above, a balanced judgement of harm must be made. In my opinion, through the mitigation of harm from the use of natural screening (which can be conditioned to be retained and maintained at the current height), together with the low density eastern and southern edges of the site, the density of the development from the 78 dwellings proposed is acceptable as this harm is outweighed by the benefits of providing a higher number of homes as part of this Category A village, as defined in the proposed new Local Plan.

4.3.16 Overall, I consider the design and layout of the proposal to be of a high standard in accordance with the guidelines of Policy 57 and provisions of Section 7 – Requiring good design of the NPPF.

4.3.17 **Scale**

The amended plans have reduced the overall scale of the development by way of the proposed bungalow to the site frontage being of 5.55 metres ridge height compared to the former coach house dwelling with garaging underneath which had a ridge height of 7.8 metres. In addition, the dwellings remain as all two storey with maximum ridge heights of two units at 8.97 metres. This is from house type E (5 dwellings) being reduced from 9.3 to 8.19 metres.

4.3.18 I note the further objection comments made to the scale of the development and the density when considering the visual impact of the development. The amended plans prior to the March committee meeting reduced ridge heights across the scheme whilst retaining an attractive design and variety of roofscapes of appropriate pitch. I consider the further reductions in scale of the development to be acceptable and would integrate well with the scale of existing buildings of the village, having no material harm upon the setting of the village, and in the context of the wider Chilterns AONB. There would be an inevitable degree of harm from the development of the site for housing. This has been accepted with the grant of outline planning permission. I consider the scale reduction of the scheme and the mitigation of visual impact through the proposed layout, has reduced this harm to an acceptable degree.

4.3.19 **Design and appearance**

With regard to the design and appearance of the development, Section 7 – Requiring Good Design of the NPPF states the following:

“Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.

Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;***
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and***

other public space as part of developments) and support local facilities and transport networks;

- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and

- are visually attractive as a result of good architecture and appropriate landscaping”.

4.3.20 The changes made to the scheme do not alter the previous conclusion on design and appearance as being acceptable in my view. I consider the amendments enhance the previous scheme by creating a more open and set back frontage to the development. The design of the semi-detached houses is very similar to the house type of the six terraced dwellings previously proposed. The single storey bungalow at 5.5 metres would have a reduced form and barn style design to the site frontage. As prescribed by the NPPF section above, I consider the new scheme would function well and add to the overall quality of the area. It would optimise the site's potential to accommodate development and would provide an appropriate mix of green open space and play space and, would support the facilities of the village. The development does respond positively to local character, as much as a modern and larger housing development can do, but I note the comments that the scale of the dwellings is still not generally reflective of the village. I consider the high quality and variety of local vernacular materials proposed, does respond well to local character of the village. Subject to submission of full details of materials and samples via condition, I consider the design and appearance of the development to be acceptable.

4.3.21 **Car and cycle parking provision**

With regard to car parking, one space for one bedroom dwellings and at least two spaces provided for all two or more bedroom dwellings, together with visitor parking, is proposed. All spaces are of the required dimensions of 2.4 x 4.8 metres. The total number of visitor spaces is labelled on the Parking Allocation Plan and this is a total of 20 spaces. Many plots have their provision for visitor parking on plot, by providing more than two spaces via driveways, with up to 4 spaces, including the garages, which are of internal dimensions of 3 x 7 metres to allow for vehicle parking and storage / cycle spaces. Taking these plots out of the calculation as they provide their own visitor parking on plot, the number of dwellings requiring unallocated visitor parking is 38. With 20 spaces provided on the development, this exceeds the 0.25 space per dwelling requirement (10 in this case) of the SPD and is therefore acceptable in this case. The amended plans still provide 10 spaces for the existing Apostle terrace dwellings at one space each and for the proposed semi-detached dwellings, all at two spaces each, with visitor bays adjacent.

4.3.22 Cycle parking would be provided by way of garaging for those plots that have them, as part of the larger internal dimensions of garaging to conform to the Parking SPD. For those houses without garages, the semi-detached and terrace units, cycle sheds are proposed to the rear gardens for cycle parking. Dedicated cycle stores are proposed for the apartments providing one cycle space per dwelling. In my opinion, the proposed scheme satisfies the parking and cycle space requirements set out in the Supplementary Planning Document.

4.3.23 **Landscaping**

A full landscaping plan has been submitted with the application and has been altered to reflect the amendments to the overall scheme. The proposed landscaping within the site would be designed into character areas of:

- Avenue planting including hedgerows and columnar street tree planting
- Natural open space designed to The Green, attenuation feature and Locally Equipped Area for Play (LEAP)
- Decorative shrub and tree planting associated with private front gardens to housing.

Please see the previous report for the main details of the overall scheme for the landscaping masterplan. The new layout proposed would comprise a large grassed open area to the front of the site with several trees and the meandering footpath from Holwell Road into the development. As before, the tall existing hedge is to be retained to the eastern boundary and would be conditioned to be retained and maintained between 6 and 8 metres in height. I consider the overall masterplan details are acceptable and the additional tree planting to the site frontage will aid in integrating the built form of the development into the village and wider countryside. Landscaping details are required via condition from the outline planning permission, so the amended layout for landscaping would be later submitted as part of that condition's details.

4.4 Conclusion

- 4.4.1 The Council's assertion of a five year land supply has yet to be examined at EiP. On that basis and the fact that paragraph 49 requires all applications for housing to be considered on the basis of the presumption in favour of sustainable development. The presumption must therefore in my view be applied to this application. The presumption in favour of sustainable development as explained in paragraph 14 of the NPPF states that planning permission should be granted for housing development unless identified harm significantly and demonstrably outweighs the benefits of delivering new homes.
- 4.4.2 I have identified that limited harm would result from the development in the general sense of there being residential development on currently an open field and at the density and scale of the proposal. This harm has been reduced as part of the application process and would be well mitigated with retention of high level natural screening to the eastern edge, the lower density of built form closest to this edge, with good areas of open space, giving a hierarchy of green areas through the development. Harm to the setting of the Conservation Area would be less than substantial, of which has been reduced in the application process by the split of the long ridge apartment block into two, allowing open aspect through the buildings from the perspective of the Conservation Area. In accordance with paragraph 134 of the NPPF, this less than substantial harm must be balanced against the public benefits of the proposal.
- 4.4.3 From the amendments made following the decision of deferral by Members, the scale of the development has been reduced by lowered ridge heights for the five plots that exceeded 9 metres previously, the layout has been improved with a more open and set back siting of the frontage buildings, with area of open space fronting Holwell Road. The access option of the Y junction instead of a roundabout is a viable option and as such could be approved by Members if they prefer this proposal to the roundabout. Either option can be secured by condition and the approved plan numbers as appropriate.
- 4.4.4 The primary benefits of providing these homes include the following, which have predominantly been secured via Section 106 agreement through the outline planning permission process:
- Delivery of 40% affordable housing
 - Public open spaces in the form of the village green and other green spaces

- throughout the development
- Provision of a local equipped area of play (LEAP), located at the development edge to be accessible for the whole community, not just the occupiers of the development
- Financial contributions towards local community services and facilities including education, libraries, youth provision, sustainable transport and Pirton Recreation Ground pavilion and play space equipment
- The provision of ten parking spaces for the existing terrace dwellings on Holwell Road who currently have no off street parking
- The wider benefit of providing this number of dwellings towards the District's housing need figure.

From the mix of housing proposed in this scheme, the total figures that this equate to in financial contributions is as follows (officer approximate calculations, not final and are subject to being index linked as per SPD on Planning Obligations):

Libraries	£ 15,097
Primary education Primary school only)	£ 236,464 (towards expansion of Pirton
Secondary education Hitchin Priory School only)	£ 255,661(towards the expansion of
Sustainable transport	£ 10,000
Youth	£ 4784
Waste and recycling	£ 4998
Towards new pavilion / play space	£120,222 (Pirton Parish Council scheme)

Total: £647,226

4.4.5 To conclude, I consider that the harm identified from the proposed development, would not significantly and demonstrably outweigh the clear benefits of delivering much needed new homes on this site. The amendments have further improved the scheme and are considered to have adequately addressed the primary concerns of Members from the March committee meeting. On this basis in compliance with the requirements of paragraph 14 of the NPPF, I conclude that approval of reserved matters should be granted.

4.4.6 **Clarification of Matters Raised at the Planning Control Committee 20 March 2017**

To advise Members on matters that are relevant to this reserved matters application following presentations that were made at the meeting of the Planning Control Committee held on 20 March 2017 I offer the following advice:

4.4.7 **Site area and dwelling estimate for site allocation PT2 in Preferred Options Local Plan (December 2014):** The dwelling estimate for this site allocation was 47 dwellings a point raised by Cllr Strong as Member advocate. However, site PT2 did not include all the site proposed in this application for the approval of reserved matters or indeed the site area for the associated outline planning permission no. 15/01618/1. The submission Local Plan (2011-2031) proposes to incorporate the entirety of this application site into a revised and expanded village boundary and which has a site area of 4.4ha as it incorporates the whole Elm Tree Farm complex as well as the earlier PT2 site allocation. By comparison the total site area for PT2 was 2.34 ha with a dwelling estimate of 47 dwellings based on 20 dwellings per hectare calculation, a higher density than the proposals set out in this application. On this basis there is no direct comparison between the number of dwellings proposed in this application at 78 compared with the 47 set out in the preferred options Local Plan (December 2014) as the site associated with this application is nearly double the area of site PT2.

- 4.4.8 **Appeal Decision 12/00694/1:** Again Cllr Strong quoted from this appeal decision stating the Inspector's observations on highway safety of the access onto Holwell Road. For absolute clarity whilst the Inspector raised some concerns about highway safety the appeal was not dismissed on the basis of highway safety as is reported above. It was dismissed on the basis that the application did not contain a valid S106 Obligation.
- 4.4.9 **Meeting Identified Housing Need:** A point raised by the Parish Council in their presentation to Committee was that the reserved matters application did not meet identified housing needs set out in Neighbourhood Plan or any specific Parish Housing needs survey. This was then raised by Cllr Tyler as a suggested reason for refusal of permission. For absolute clarity I remind Members that housing need and meeting need is not a matter that can be considered at the reserved matters stage. If the Council had been minded to restrict any grant of planning permission for housing on this site for anything other than general housing needs this legally can only be specified and controlled in the outline planning permission. Since the associated outline planning permission does not specify or control housing type to meet specific local needs other than within the S106 Obligation for general affordable housing which has already been agreed and indeed complied within this reserved matters application, there can be no further controls added or indeed justifiable reason for refusal on this basis. The issue of housing mix is only relevant to the determination of this application so far as it relates to specific 'reserved matters' such as design and appearance.

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 Recommendation

- 6.1 That Reserved Matters approval be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

2. **Details and samples of materials to be used on all external elevations, the roofs and hardsurfaced areas of the development hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, before the development is commenced and the approved details shall be implemented on site.**

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

3. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; 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 during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

4. None of the trees or hedgerows to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

5. The existing hedgerow to be retained to the eastern boundary of the application site, shall be maintained at a height of between 6 and 8 metres, as measured from natural ground level, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

6. **Before commencement of any part of the development, detailed plans shall be submitted to and approved in writing by the Local Planning Authority and Highway Authority which show all geometries associated with the proposed access arrangements including: kerb radii, lane widths, roundabout diameter(s), visibility splays, etc.**

Reason: In the interests of maintaining highway safety.

7. Before the development hereby approved is first occupied, all on site vehicular areas shall be accessible and surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

8. A Car Parking Management Plan is required for the 10 car parking spaces to ensure that they will be used only for the cottages along Holwell Road. Prior to first occupation of the development, a Car Parking Management Plan shall be submitted to and approved in writing by the local planning authority, in consultation with the highway authority. It shall include the following as a minimum:
 - Details of car parking allocation for the cottages 2 - 24 Holwell Road;
 - Methods to minimise on-street car parking along Holwell Road; and,
 - Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the local planning authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the local planning authority, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.