
Delegated report Officer: Eleanor Overton

Application ref. DMPA/2019/0893

Approval of reserved matters for layout, scale, appearance and landscaping of spine road through phase 1a and 1b (in part) and approval of reserved matters for layout, scale, appearance and landscaping of the public open space areas for phase 1a and 1b (in part) on LAND AT BROOMY FARM, WOODVILLE ROAD, HARTSHORNE, SWADLINCOTE, DE11 7EY

Valid date: 25/07/2019

Consults expired: 20/09/2019

EIA development?

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

9/2019/0382 Approval of reserved matters for layout, scale, appearance and landscaping relating to phase 2a only for the erection of 70 dwellings, along with layout, scale, appearance and landscaping of public open space areas and layout, scale, appearance and landscaping of the spine road for phase 1b (re-plan) and 2a.under outline permission ref. 9/2016/0882 - Approved – 8 August 2019

9/2019/0355 The erection of a boundary entrance feature – Approved – 27 August 19

9/2019/0291 Approval of reserved matters for layout, scale, appearance and landscaping of outline permission ref. 9/2016/0882 (substitution of housetypes relating to plots 82-87, 93-95, 110 and 113-114) – Approved May 2019

9/2019/0290 Approval of reserved matters for layout, scale, appearance and landscaping of outline permission ref. 9/2016/0882 (substitution of housetype relating to plot 18) – Approved May 2019

9/2019/0289 Approval of reserved matters for layout, scale, appearance and landscaping of outline permission ref. 9/2016/0882 (substitution of housetype relating to plot 3) – Awaiting decision

9/2018/0767 Approval of reserved matters for layout, scale, appearance and landscaping relating to phases 1a and 1b only for the erection of 180 dwellings, along with layout & landscaping of public open space areas for phase 1 only (re-plan) under outline permission ref. 9/2016/0882 – Approved November 2018

9/2017/0730 Approval of reserved matters (in so far as layout & appearance for the spine road for the whole site and layout & landscaping of public open space areas for phase 1 only) - Approved June 2018

9/2016/0882 Variation of conditions of outline application ref. 9/2014/0740 - Approved June 2018

9/2014/0740 Outline application (all matters except for access reserved) for the erection of up to 400 dwellings and provision of new school pick up/drop off area, together with associated highway works, public open space, landscaping, parking and attenuation facilities - Approved July 2016

Responses to consultations and publicity

The County Highway Authority have no further comments on this application, but have advised that comments from the outline planning permission should be incorporated within this application.

The National Forest Company have referred to previous comments, but have nothing further to add on this application.

Peak and Northern Footpaths have commented that it needs to be ensured that that the footpaths across the site is respected and if possible enhanced, and that sufficient new paths are physically and legally created to ensure that residents are able to travel sustainably and have easy access to open countryside and open space for recreation.

Relevant policy, guidance and/or legislation

Development Plan Policies

The relevant policies are:

- 2016 Local Plan Part 1 (LP1): S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), H4 (Land at Broomy Farm, Woodville), SD1 (Amenity and Environmental Quality), BNE1 (Design Excellence), INF2 (Sustainable Transport) and INF8 (The National Forest)
- 2017 Local Plan Part 2 (LP2): BNE7 (Trees, Woodland and Hedgerows)

National Guidance

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Local Guidance

- Design Guide Supplementary Planning Document (SPD)

Planning considerations

The outline permission requires the submission of certain details alongside each reserved matters submission (in so far as relevant to that submission), including:

- “ (a) undeveloped areas of green infrastructure adjacent to the watercourse and on the northern edge of the site, and that any specific works required with the potential to impact upon the watercourse and its banks be informed by an appropriate ecological survey which shall set out any required mitigation;
- (b) except where to the rear of existing dwellings, retained hedgerows and trees shall, as far as practicable, not form boundaries to proposed dwelling houses and be incorporated into public spaces/green infrastructure;
- (c) at least one of the balancing ponds be designed to permanently hold water...;
- (f) a Framework Travel Plan, including Travel Plan targets (relating to each phase or sub-phase where relevant) comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car...;
- (h) detailed design for the provision of bin stores within private land at the highway end of private shared accesses to prevent refuse bins and collection vehicles standing on the residential street for longer than necessary causing an obstruction or inconvenience for other road users...;
- (j) details and specifications of improvements (to an adoptable standard of at least 2 metres width) of the existing footpaths within the site;
- (k) details of subterranean tree and hedgerow root protection/facilitation measures...;
- (m) a landscaping buffer to the rear of existing residential properties on Woodville Road”

Policy H4 also requires:

- “ i) A significant green buffer and landscaping on the north east boundary of the site...linking into the surrounding green infrastructure..’
- ii) The provision of a road from the A514 to the A511 through the site, to help mitigate the development's impact on the surrounding road network and contributions towards any other means to mitigate the transport impact of the development. The road link will need to be designed appropriately

to avoid the use of the road as a 'rat-run'; and
iii) High quality pedestrian and cycle links shall be provided within the site and connecting to existing and proposed networks...
vi)... The hedgerow along the watercourse shall be retained where practical and a significant buffer to the southern edge of the site shall be provided to help reduce the housing development landscape and visual amenity impacts from viewpoints to the south... ;

Given the complexity of the site history, a summary of this proposal will be provided. This application has two distinct elements. One element is seeking reserved matters approval for layout, scale, appearance and landscaping of the spine road through phase 1A and 1B (in part). This has arisen as the previous reserved matters submission for the spine road failed to seek approval for matters of scale and landscaping. The second part of the submission is seeking reserved matters consent for the layout, scale, appearance and landscaping of the public open space areas for phase 1A and 1B. Similar to above, the initial reserved matters application for the public open spaces failed to seek approval for matters relating to scale and appearance, which this submission seeks to address.

In effect the current application would supersede application reference 9/2017/0730 and would partially supersede (in so far as public open space and the spine road) application reference 9/2018/0767.

The key changes to the previous reserved matters approvals are as follow:-

- The footpath has been widened from 2m to 3m near Woodville Road adjacent to the boundary of number 202 Woodville Road.
- Footpath surfacing material has been detailed.
- The avenue Tree Species have been amended to Acer Platanoides 'Pacific Sunset'.

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs, and noting that the principle of development established such that matters relating to the impact on local services and facilities, ground conditions, ecology and flood risk have all been previously considered acceptable (subject to conditions and/or obligations); the main issues central to the determination of this application are:

- Layout, scale, appearance and landscaping of the spine road; and
- Layout, scale, appearance and landscaping of the public open space.

Planning assessment

Layout, scale, appearance and landscaping of the spine road

The layout of the spine road has been designed to adhere with the requirements of criterion (ii) of Policy H4 and would provide the identified access. As also required by the outline consent, the road would provide a designated footway to one side and a designated cycle way to the other, with appropriately designed crossing facilities. Along either side of the carriageway, the grass verges would be planted with trees (further discussed below) resulting in a boulevard of greenery; this being a key feature throughout the development.

The layout and appearance of the spine road would accord with the details previously approved under the former reserved matters consent. The amended footway located within close proximity of Woodville Road has been widened, but this would not impact on the overall layout of the spine road and its layout is considered advantageous from a highway safety perspective. In terms of scale, this matter is not of particular relevance to the construction of the spine road, and would only really be applicable to the street trees. The species proposed in this case would have a minimum height of approximately 3m initially and would grow to approximately 17 m. In terms of their scale, the species have been selected, partially on the basis that they would have a maximum impact and would help soften and assimilate the development from the outset. From a landscaping perspective the proposed species are native and so

would be acceptable in the locality, and have also been proven to flourish in more built up areas, such as this.

Within their comments the CHA have referred back to their comments on the outline application. The current submission proposes no change to either of the proposed accesses and there has been no change to the layout of the spine road since the previous reserved matters consents, to which the CHA had no outstanding objection. On this basis the proposal is not considered to raise any further highway related issues.

Overall, the amended spine road details are considered acceptable in terms of their layout, scale, appearance and landscaping.

Layout, scale, appearance and landscaping of the Open Space

The layout and landscaping details of the areas of open space have been approved under the previous reserved matters consent (with specific details conditioned). This scheme continues to illustrate a pedestrian route along the course of the Repton Brook, connected with other footways throughout the development as well as within the local area and would provide for a positive scheme of woodland planting within the green infrastructure. The only amendment proposed by this application relates to a change in surfacing material of the footpaths from predominantly tarmac, to hoggin. This material is more natural in appearance and would be appropriate given the sites National Forest setting. Owing to the plant and tree species selected and their distribution and mix throughout the development, the landscaping would have a natural appearance and would be well suited to the local context. The planting mix incorporates species of various scale which would add further variation and interest.

The previous reserved matters consent, which this application would supersede (in part) was subject to a number of conditions. These conditions have been considered and it would remain necessary to re-impose them here. The conditions relate to vehicle prevention to the footpath links, the design of the footbridge over Repton Brook, lighting of the footpaths, revised landscaping details and landscaping maintenance.

On account of the details provided and the recommended conditions, the layout, scale, appearance and landscaping of the open space is considered acceptable.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	02/10/2019
Report agreed:	23/10/2019
Authorised officer:	Tony Sylvester
