

## PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 2<sup>nd</sup> December 2020

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
20/00383/REMAJ	Lyndsey Hayes	3	57-78

### Additional representations

In relation to paragraph 7.1 of the committee report, since the preparation of the report a further letter of objection has been received expressing concern against (construction) work starting at 6am and finishing at 8pm working with flood lights, and that normal working hours of 7:30am till 4:30pm should be used to allow residents to live a normal family life.

*Officer response: As mentioned in paragraph 9.7 of the committee report the requirement for a Construction Management Plan (CMP) to be agreed and implemented would help address the concerns of objectors however this condition was imposed on the outline permission and so is not necessary to repeat.*

Paragraph 7.2 of the committee report sets out the objections of Inskip C of E School Board of Governors. Since the preparation of the report a further letter of objection has been received from the Board of Governors stating that the amended plans do not deal with any of the issues they previously raised over the privacy and security of children at the school in particular from the two storey houses proposed adjacent to the school that would have an unobstructed view into not only the school's outside grounds, but also into the school building itself including the classroom's; and during construction.

*Officer response: Separate specific safeguarding and child protection legislation exists for the safety and welfare of children although all local authorities are to make arrangements to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children. In discharging this duty regard is to be had to any guidance given to them for the purpose by the Secretary of State. The NPPG provides guidance on promoting healthy and safe communities as referred to in section 8 of the NPPF including designing out crime and disorder having regard to Section 17 of the Crime and Disorder Act 1998 (as amended). However where public safety is concerned with the privacy and security of children there is no specific guidance, for example designing residential development adjacent to schools. Indeed it is not uncommon for houses to be built in close proximity to school buildings/grounds or on primary walking routes to schools. Indeed for many years it has been good planning practice to ensure that play areas for children within developments are overlooked for the very purpose of assisting in preventing harm. No specific risks have been identified. Nonetheless public concern about threats to public safety can itself be a material planning consideration. The concerns by the school are not objectively justified and this issue is not otherwise considered to be of*

*such weight as to justify refusal of this application. It is also not considered that there would be a breach of convention rights to privacy in the circumstances of this case if approval were to be granted. As set out in the main committee report LCC Highways do not consider the development would be unsafe in highway terms in close proximity to the school both during construction and once the dwellings are occupied. Overall it is not considered that the development would increase significantly the public safety risk caused to the nearby school to render it unacceptable.*

### **Minor layout changes**

Paragraph 9.8 of the committee report specifically relates to matters of waste storage and collection, stating there are outstanding concerns about collection issues with the suggestion that some presentation points may need to be introduced at the mouth of private driveways. As such condition 11 was proposed which required this detail to be agreed. Since the preparation of the committee report, the applicant has submitted a revised Waste Management Plan together with minor changes to the internal road layout at the turning head between plots 25 - 26 to address the concerns. Two bin collection points are also shown on the plan adjacent to plot 26 and near to the main site entrance. The Council's Waste Management Officer has advised that these waste collection areas along with the highway layout changes would be acceptable and overcome previous concerns. Therefore condition 11 is to be amended to ensure the proposal is carried out in accordance with the agreed Waste Management Plan.

The following minor changes have also been made to the internal layout at the request of Officers since the preparation of the main report to provide scheme improvements:

- Side parking for plots 18 and 19 instead of parking at the front to reduce the extent of frontage parking. This change has resulted in plots 18-23 being shifted south and the parking for plot 24 being moved adjacent to plot 25
- To turn the access road in to an access way i.e. with grassed service verges along both sides of the road instead of footpaths. As there is a rumble strip at the site entrance the internal road beyond this can be a shared surface, which is considered a visual improvement as presents a more semi-rural feel. LCC Highways confirm this layout is suitable for adoption
- Provision of hedgerow to the east of plots 21-24.

The plan revisions to achieve the waste management requirements have resulted in some minor changes to the separation distances between dwellings 24 and 25. The rear of plot 24 is now marginally below 13m (measured distance is 12.6m) to the side of plot 25. The amended plans show a hedgerow to be planted to the rear of the garden of plot 24, and therefore occupiers of this plot would not look straight out onto the side of plot 25. Overall it is considered that the benefits of the internal alterations made far outweigh the impact of a 40cm shortfall in the separation distance between plots 24 and 25, particular as this would be the only shortfall in separation distance on the whole application site. Furthermore, many plots on the site achieve well over the separation distances required.

## **Housing Land Supply update**

Since the publication of the agenda the Planning Inspectorate (PINS) has responded to the submission of the council's Annual Position Statement (APS). An update on the council's five year housing supply is set out below:

The council received confirmation from PINS that it could no longer confirm its 5 year housing land supply by using an Annual Position Statement (APS). This assessment was undertaken on the basis of a 10% buffer and the Inspector's Report.

Therefore in accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §73, the council will now need to be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's APS submission for 2020 which demonstrates a deliverable housing land supply position of 5.9 years. The council's 5 years housing land supply position has recently been considered by an Inspector and even if the Inspector's conclusions were accepted in full there would be a housing land supply position of a minimum 5.2 years (including a 5% buffer). There is therefore full confidence that the council is able to demonstrate a deliverable 5 year housing land supply.

The updated position does not affect the assessment of the development as this is a reserved matters application as such it is not necessary or appropriate to revisit the principle. However approval of this application could assist the council in demonstrating a 5 year housing land supply.

## **CONDITIONS**

The amended plans mentioned above has resulted in the following amendments to the plan reference numbers set out in conditions 2, 3, 4, 8, 9, 10 and 11. In addition amended house type plans have been provided to show the dwellings with grey roofing.

### **Condition 2 – amendments shown in bold italics**

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 05.05.2020 including the following plans/documents:

- ***Drawing No. 100 Rev D (Location Plan)***
- ***Drawing No. 104 Rev L (Site Plan proposed 1\_500)***
- Drawing No. 105 Rev L (Site Plan Proposed)
- ***Drawing No. 106 Rev G (Site Plan Proposed (Clear))***
- Drawing No. 116 (Single Garage Plan and Elevations)
- Drawing No. 117 (Double Garage Plan and Elevations)
- Drawing No. ***116*** Rev A - 3B6P House Plans and Elevations (Bradshaw Type 2)

- Drawing No. 125 - 2B4P House Plans and Elevations (Artle Type 1)
- Drawing No **127** Rev A - 3-Bed House Plans and Elevations (Eagley Type 2 - **BR+r - Mid-Terrace**)
- Drawing No. **128** Rev A - 3-Bed House Plans and Elevations (Eagley Type 2 - **BR+r**)
- Drawing No. 130 Rev 1 - 2B4P Bungalow Plans and Elevations (Mearley Type 1 -BR+r) received 6.11.2020
- Drawing No. 135 Rev A - 4B7P House Plans and Elevations (Pendle Type 1)
- Drawing No. 146 Rev A - 3B5P Bungalow Plans and Elevations (Grizedale Type 3)
- Drawing No. 150 Rev A - 4B6P House Plans and Elevations (Sabden Type 2)
- **Drawing No. 154 Rev A - 3B5P House Plans and Elevations (Irwell Type 2)**
- Drawing No. **177** Rev A - 4B7P House Plans and Elevations (Pendle Type 2)
- Drawing No. **192** - 5-Bed House Plans and Elevations (Whitewell Type 1-BR) received 26.11.2020
- Drawing No. 001704 JPL ZZ XX DR D 2001 Rev **P11** Proposed Access Road and General Arrangement received 26.11.2020
- **Drawing No. 001704 JPL ZZ XX DR D 4801 Rev C01 Swept Path Analysis received 26.11.2020**
- **Drawing No. 115 Rev C Site Levels Drawing**

Condition 3 (Materials) – amendments shown in bold italics

3. The development shall be carried out strictly using those materials specified on the approved document titled 'Materials Tracker by btp Architects, Project Name Preston Road Inskip, Job No. 3548', **received 26.11.2020**, unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

For the avoidance of doubt all walls and roofing to garages, and boundary walls, shall be constructed of materials to match those used on the associated host dwelling to which the garages and boundary treatments serve.

Condition 4 (Boundary Treatments) - amendments shown in bold italics

4. The boundary treatments shown on plan No. 109 **Rev G** (Boundary Plan and Details) **received 26.11.2020** shall be installed before the associated dwelling(s) hereby approved are first occupied and shall thereafter be retained and maintained.

Condition 8 (Retention of driveways) - amendments shown in bold italics

8. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

(i) no works shall take place that would preclude the use of the driveways hereby approved for the parking of cars; and

(ii) no hard boundary treatments (fences, walls, pillars, gates, or railings) shall be erected forward of a property elevation facing a road other than those shown on submitted plan No. 109 Rev **G** (Boundary Plan and Details) **received 26.11.2020**; and

(iii) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without planning permission being granted by the local planning authority.

Condition 9 (Parking to be provided) - amendments shown in bold italics

9. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved plan Drawing No. 105 **Rev L received 26.11.2020** has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

Condition 10 (Landscaping) - amendments shown in bold italics

10. The proposed hard and soft landscaping works shall be carried out in accordance with the approved details as shown on drawing No.s 101 Rev **I** (Landscape Layout), and 201 Rev **H** (Planting Plan), and the document titled 'Materials Tracker by btp Architects, Project Name Preston Road Inskip, Job No. 3548' **all received 26.11.2020**, prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Condition 11 (Waste Management) - amendments shown in bold italics

11. ***The waste storage and waste collection points as details on drawing No. 112 Rev D received 30.11.2020 shall be installed for each associated dwelling to which they serve prior to first occupation of that dwelling. The waste storage and waste collection points shall thereafter be retained for the lifetime of the development.***