

PARISH Shirebrook

APPLICATION Outline application with Access fixed for residential development of up to 22 dwellings (100% affordable) and all other matters to be reserved.
LOCATION Land behind Nicholsons Row 43 To 69 Main Street, The Churches On Church Drive, Off Long Lane Shirebrook
APPLICANT Mr P Farmer 12 Nightingale Court Nightingale Close Rotherham South Yorkshire S60 2AB
APPLICATION NO. 18/00647/OUT **FILE NO.** PP-07472984
CASE OFFICER Mr Steve Phillipson
DATE RECEIVED 24th December 2018

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Cllr Murray-Carr
REASONS: Excessive density, vehicle parking and traffic, bats, heritage impacts.

SITE

The site is 0.49 hectares in area and is close to the centre of Shirebrook Centre. It is an under used backland site which has grass and scrub cover and a few trees, mostly self-set Sycamore none of which are remarkable specimens . Fly tipping is evident.



The site is situated behind other commercial buildings along Main Street, bungalows of Nicholson's Row and church hall buildings of Church Drive. The site is also located behind dwellings along Long Lane where the access to the site is gained.

It should be noted that the application includes part of the existing side and front garden to Hollycroft – a dwelling on Long Lane. The existing beech hedge to the front would be removed to create the visibility splay needed for the site access. The conifer hedge to its eastern boundary would also be removed.

Adjacent to the North West corner of the site is a late 17th century stone barn which has had permission for residential conversion previously (15/00395/OUT) and would have historically formed part of complex of farm buildings known as Hollycroft Farm. The stone farmhouse adjacent is now two dwellings. Further to the North West behind Hollycroft Farm buildings is the Grade II Listed Holy Trinity Church.



A public footpath passes north south through the site from Main Street down to the public open space beyond and residential areas to the south (definitive footpath 19).

Ground levels fall generally from the North West down to the south and east with a maximum level difference of about 4.5m.

PROPOSAL

Outline application for residential development of up to 22 dwellings (100% affordable) with access detail submitted, which is from Long Lane to the south side of the site. All other matters are reserved.

An indicative site layout plan has been provided showing how the site might be laid out. It shows 2 pairs of two storey semi-detached houses fronting and accessed directly from Long Lane, 6 two storey town houses each side of a new street into the site, 2 one bed bungalows (where close to existing bungalows at a lower level on Long Lane); and 4 two storey apartments backing on to Main Street property arranged around a cul-de-sac and courtyard turning head. With the exception of the bungalows all dwellings are shown as being 2 bed.



The application is accompanied by the following reports:-

Design and Access Statement – Concludes the site is highly sustainable and can accommodate the proposed number of dwellings.

Tree Survey – Concludes – there are several trees on site with a small variety of species; all trees are category C or U and so should not pose a constraint to development.

Heritage Asset Statement – Views of the church from Long Lane will be affected. However the site is allocated for residential development and being within an existing built up area, use for residential will preserve the setting and improve the sites appearance by preventing fly tipping, vandalism and antisocial behaviour.

AMENDMENTS

Two further versions of an indicative layout plan have been provided.

HISTORY (if relevant)

Outline planning approval granted on 27/10/16 for residential use with all matters reserved for later approval (including change of use of existing barn for use as a dwelling); there are did no S106 obligations for any aspects of social infrastructure provision attached to this permission (15/00395/OUT).

CONSULTATIONS

DCC Highway Authority

Appropriate visibility can be achieved at the main site access in both directions on to Long Lane within land included in the application site plan.

The parking spaces for some plots are below the recommended standard width and where directly adjacent to walls it is likely that the spaces will not be used.

A footpath diversion order will be required.

However No objections subject to conditions re:-

- Provision of the new access to accord with 18/2143/SK002 Rev D
- Provision of adequate parking and manoeuvring space
- Site compound and wheel cleaning facilities
- Arrangements for future management and maintenance of the proposed street.

DCC Archaeologist

There is potential for medieval 'backplot' archaeology (small scale industry, rubbish pits, cess pits, agricultural buildings rather than for the medieval houses themselves. A condition is recommended involving a written scheme of investigation for archaeological work trial

trenching evaluation followed by targeted excavation of areas of significant archaeological remains.

Conservation Officer

The significant views of the Church are those views from it and of it from along Main Street. The view from the car park at the rear of the Church over the proposed development site is not a significant view. The view of the rear of the Church from Long Lane and the proposed development site has a townscape quality that although not as obvious as that along Main Street has some value in townscape terms.

The density of the proposed development will be in stark contrast to existing residential development on this length of Long Lane. Accommodating cars for the 22 units will result in a multitude of hard surfaces across the site and will look visually harsh. A more spacious design would be appropriate to the wider setting.

As a component of the foreground setting of the Church of the Holy Trinity the proposed scheme would have an adverse impact on the quality of the townscape and as such would harm its wider setting.

Urban Design Officer

The indicative layout submitted in the application has too many houses and too much parking giving a design response that is too repetitive and cluttered responding more to road access than the qualities of the site.

It is unsightly to have rows of cars side by side at the frontages of housing on the west side of the entrance and there is insufficient space allowed for effective planting and opening of car doors against boundaries.

The experience of using the public footpath would not be good and will be marred by parking areas and potentially unattractive fencing.

A scheme arranged around the views of the church and consideration of views into and out of the site needs to be taken into account. The possibility of introducing more incidental amenity space linked to a new character for walkways through to the town centre and the site would be a welcome addition and an appropriate response to the loss of this informal green space. A mix of housing styles is welcome but a reduction in height towards the Long Lane frontage would be beneficial to integrate well with adjoining elderly care and to maintain views of the Church.

Having reviewed the layout it is difficult to make significant townscape changes without reducing the density of this layout.

Peak and Northern Footpath Society

Advises that the footpath should remain segregated from the vehicular highway to ensure pedestrian safety, as this is a short cut through to shops, medical centre, bus stops etc. It should be adequately lit and of a decent width to ensure separation of users and vehicles. The developer should be asked to contribute to improving the surface and signage of the remainder of the footpath for the benefit of existing users as well as the residents of the new

housing.

Ramblers

No objections. The route of the path should be shown on future submissions.

DCC Flood Risk Team

Need to see as part of a proposed drainage strategy how the site is intending to drain to be able to make further comment.

BDC Drainage Engineer

Details of maintenance of any SuDS should be provided.

The developer must ensure any temporary drainage arrangements during construction gives due consideration to the prevention of surface water runoff onto the public highway and neighbouring properties.

Wildlife Trust

The indicative layout is not considered adequate given the presence of an existing bat commuting route across the site. There is no attempt to provide a green corridor to maintain this commuting route. This may comprise open space or a linear run of gardens but we advise that it should be planted with trees and/or hedgerow to strengthen the feature. It could also potentially comprise an avenue of street trees along the access road. Lighting will need to be carefully designed with this commuting route in mind.

Whilst the site in general appears to support habitats of relatively low ecological value e.g. species-poor grassland and tall ruderal, the proposal will result in the loss of numerous trees and several lengths of hedgerow, which should be offset by proposed landscape planting. There is also Japanese knotweed on site which will require removal prior to development.

Housing Strategy Officer

Supports the application for a 100% affordable housing scheme on this site.

If the application is granted, the final mix of house types to be provided will be discussed on the site with the Registered Provider prior to a Reserved Matters application being submitted, taking in to account any particular local needs.

Arts Officer

Seeks commuted sum for public art at a level of 1% of development costs.

DCC Education

Analysis of the current and future projected number of pupils on roll, together with the impact of approved planning applications shows that the shared normal area infant, junior and primary schools and the secondary school would have sufficient capacity to accommodate the 4 primary pupils and 3 secondary pupils arising from the proposed development.

The County Council encourages superfast broadband.

PUBLICITY

Advertised in the press and on site. 53 properties consulted. 6 objections/representations

received on the following grounds:-

Cramped and over intensive development

Long Lane is very narrow – increased traffic too much for road system

Increased on-street parking and parking disputes

Would block access for fire engines and bin lorries and emergency vehicles

Would be blocked in by traffic

Concern that the drive to Hollycroft Farm would be used as a shortcut from Long Lane to Main Street.

Access should be from Long Lane only.

One resident suggests that there should be access from Main Street to even out the traffic flow.

Resident is concerned that affordable housing will increase crime and drugs problems.

Increased traffic pollution.

Overbearing

Loss of privacy

Would prefer bungalows

Space for bin storage

New build out of character with historical barn and churchyard and existing 1930's build.

Should be detached not semi-detached on Long Lane.

A cycle way should be provided

The old barn is not included in the application and it could become a dangerous play area for children; a condition is needed to make it safe.

Proximity to burial grounds.

Heritage impacts.

Impact on bats.

Japanese knotweed on site.

Resident of Hollycroft Farm believes that they have right to continue parking on the land (*this is a private legal matter*).

Loss of property value (*not a material planning consideration*).

Some Residents accept that the area would benefit from development.

The public footpath would benefit from improved safety by surfacing and being lit.

Affordable housing recognised as a benefit.

POLICY

Bolsover District Local Plan (BDLP)

HOU3 – Allocates this site for residential development in the adopted local plan. The policy specifically states that “No open space requirement is necessary for the development of this site, however, the route of public footpath No. 19 which runs through the site should be safeguarded. There are no other S106 requirements set out in the policy allocation.

Policies GEN1 (Minimum Requirements for Development);

GEN2 (Impact of Development on the Environment);

GEN4 (Development on Contaminated Land);

GEN5 (Land Drainage);

GEN6 (Sewerage and Sewage Disposal);

GEN8 (Settlement Frameworks);
HOU2 (Location of Housing Sites);
HOU5 (Outdoor Recreation and Play Space Provision For New Housing Developments);
HOU6 (Affordable Housing);
TRA1 (Location of New Development);
TRA12 (Protection of Existing Footpaths and Bridleways);
TRA13 (Provision for Cyclists);
TRA15 (Design of Roads and Paths to Serve New Development);
CON10 (Development Affecting the Setting of Listed Buildings);
ENV5 (Nature Conservation Interests throughout the District);
ENV8 (Development Affecting Trees and Hedgerows).

Local Plan for Bolsover District – Publication version May 2018

The plan has progressed through examination and so its policies should be given weight depending on the level of object to specific policies.

The site is not specifically allocated in the Publication Version Local Plan, although it is within the development envelope where residential development is acceptable in principle. The site does fall within the Area of Archaeological interest defined in policy SC18.

SC1 Development within the Development Envelope

Normally permitted if design and scale are appropriate and environmental impacts would not be unacceptable.

Policy SS1 Sustainable Development...

- b) Promote the efficient use of land and the reuse of previously developed land in sustainable locations...
- c) Locate development in close proximity to trip generators to reduce the need to travel by non-sustainable modes of transport.
- k) Support the provision of essential public services and infrastructure.

SS2 Scale of development

SS3 Spatial Strategy and Distribution of Development

Directs development towards the towns and larger settlements.

SC2 Sustainable Design and Construction.

SC3 High Quality Development

Will permit development provided they:-

- a) Create good quality places that will integrate into its setting
- b) Respond positively to context and contribute to local identity in terms of height, scale, massing, density, layout and materials
- c) Protect important views
- e) Provide a positive sense of place through well designed streets appropriate to their context.
- j) Address opportunities for biodiversity
- n) Ensure a good standard of amenity in terms of privacy, light avoiding overbearing etc.

SC17 Development affecting Listed Buildings and their Setting

SC18 Scheduled Monuments and Archaeology
Identified as an area of archaeological interest.

ITCR3 Protection of Footpaths and Bridleways
A well-used footpath passes through the site.

ITCR11 Parking Provision

National Planning Policy Framework (The NPPF)

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is a material consideration with a presumption in favour of sustainable development, decisions should secure development which will improve the economic, social and environmental conditions of the area. As the Bolsover District Local Plan was adopted prior to 2004 due weight should be given to its policies according to their degree of consistency with the Framework.

Development should make effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions. Good design is a key aspect of sustainable development. Development should add to the overall quality of the area; be visually attractive; sympathetic to local character and history; establish or maintain a strong sense of place; optimise the potential of the site; and, create places that are safe, inclusive, and accessible, with a high standard of amenity for existing and future users.

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Other (specify)

Successful Places Design Guide

Statutory Duty for planning applications affecting listed buildings:

Section 66 creates a duty with respect to planning applications affecting a Listed Building or its setting in that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

ASSESSMENT

The main issues associated with this proposal are the principle of the development of this site for residential purposes, any benefits that would arise from the proposal, the effects of the development on the character and appearance of the area, impacts on the amenities of neighbouring residents, impact on heritage assets, impact on biodiversity interests and impact on highway safety.

The Principle of Development

Since the site is specifically allocated for residential development in the Adopted Local Plan

(2000) under policy HOU3, and it is within the development envelope as defined by the Publication Version Local Plan 2018 policy SC1, residential development is clearly acceptable in principle. Such development is also considered to be in accordance with The NPPF in principle.

The site is considered to have a very sustainable location close to the town centre and so benefits from the goods and services on offer without the need to rely on the private car. The site is within walking distance of the primary school, local park and employment estate and Shirebrook also has a secondary school and railway station within a reasonable distance.

In addition to the favourable policy position, the site also benefits from an existing outline planning permission. That permission lasts until 27/10/19. This is a material consideration in that the Council should be consistent in its decision making unless there has been a material change in circumstances since the previous decision that indicates that permission ought not to be granted.

The main change in circumstances since the previous approval are firstly, that permission is now sought for a specific number of dwellings (22); secondly, unlike the previous application this application does not include the conversion of the Hollycroft Farm stone barn (The barn area is now outside but adjacent to the current application site); and thirdly the application site now includes part of the front garden to Hollycroft House to achieve required visibility splays. The significance of these changes is considered below.

Benefits of the Proposal

The proposal would further contribute to the housing supply, although it is not needed as such to achieve a five year supply since this has already been identified.

Although there is no policy requirement to provide affordable housing in this case, the proposal could contribute towards meeting the identified need for affordable housing in the district. However it should be noted that there is no S106 obligation completed to ensure that the housing proposed will actually be affordable and so the weight given to this benefit is limited. The Applicant has said that they would consider signing up to a S106 if absolutely necessary to secure an approval. If Committee Members feel that the decision is balanced and the securing of this benefit by S106 would be a reason to approve planning permission, then the application could be deferred pending the agreement of terms and completion of a S106 requiring the housing to be affordable and of a type needed for the District.

The site is currently unmaintained and as a result is overgrown and untidy in appearance. It has been the subject of fly tipping and antisocial behaviour. The development should help to address these issues and improve the character of the area and safety for footpath users.

Highway Safety

It is noted that concerns have been raised in representations about increased traffic generated and the capacity of the local highway system, the narrow width of Long Lane, amount of on-street parking, junction visibility etc. However since this site is allocated for residential development and the extant planning permission requires the use of Long Lane as the access point, the Council must expect there to be some level of increased traffic accessing this site.

Therefore the issues to consider can only relate to the density of development proposed. If so many dwellings are squeezed on to the site that the development would significantly and severely affect the road network or if it becomes impossible to provide an appropriate amount of car parking space, then it might not be appropriate to grant consent.

Although the density proposed (44 dwellings/ha) is higher than average, with regard to increased traffic on the local highway system, it is considered that the additional vehicle trips that could be attributed to the higher density development as oppose to an average density (35 dwellings/ha) would not be significant and so would not be a defensible reason to refuse planning permission. An average density would mean about 17 or 18 dwellings on this site instead of 22. i.e. not materially different in terms of traffic impact.

With regard to parking provision, the layouts provided with this outline application are indicative only. The indicative layout plans appear to generally meet the Council's guideline requirement in terms of the number of off-street parking spaces shown. However this is not without compromise to design and the appearance of the street scene. This issue is discussed later in this report.

Since the Applicant has demonstrated that adequate off-street car parking can be provided for 22 dwellings on this site the proposal should not result in an unacceptable degree of on-street parking and it should not materially affect highway safety.

The proposal complies with policy in this regard.

Design

Access Detail:

The access junction position proposed on Long Lane for the estate road is to be considered for approval at this stage. It requires the loss of a section of the side garden and existing hedgerow boundary to Hollycroft and the re-alignment of the route of footpath 19 along the west side footway of the new road. The new road and footpath would then immediately abut the new side boundary to Hollycroft leaving no room within the red line application site to control an appropriate design of boundary treatment by normal planning condition.

The Applicant states that the road junction cannot be moved further east because of the presence of a gas apparatus box. The Applicant proposes a new boundary fence. However at such a prominent location at the entrance to the site and adjacent to a definitive footpath a timber fence is not considered to be an acceptable boundary treatment.

Whilst a Grampian type condition (pre-development) could be used it is considered that it might be unreasonable because it would require a wall or hedge to be provided which would intrude further into the remaining curtilage of Hollycroft (property currently for sale). This might result in third party owners being persuaded to accept an alteration to their boundary to bring it impractically too close to the house.

Unfortunately this means that the Council cannot control the boundary treatment at the west

side of the entrance to the site and what is proposed is considered to be unacceptable.

Reserved Matters and the Number of Dwellings:

This is an outline application with only access detail submitted for approval at this time. So details of layout, appearance, scale and landscaping are 'reserved' for approval at a later stage. Ordinarily therefore it would not be appropriate to give a lot of weight to indicative layout plans, since they are just that, indicative.

However this application specifically includes a maximum number of dwellings to be provided on site; up to 22. So if planning permission is to be granted the Council must be satisfied that it is physically possible to fit 22 dwellings on this site in a manner that would be acceptable having regard to planning policy, design guidelines, environmental impacts and all other material considerations. The Applicant has attempted to demonstrate this by means of an indicative layout plan. However planning officers, the Urban Design Officer and the Conservation Officer are of the view that despite the three different versions of the indicative layout plan submitted, the Applicant has not been able to illustrate a layout that would be acceptable.

Of particular concern, all three versions of the indicative layout rely heavily on unsightly rows of frontage parking and potentially unattractive fencing with little space for any planting in the street scene. Attempts to break up the banks of parking with narrow grass strips would not be effective visually and do not work because there is insufficient space allowed for opening of car doors against boundary fences. Hence the street scene would be poor and the experience of using the well-used public footpath through this site would also be poor, and the wider setting of the grade 2 listed Holy Trinity Church, as viewed from Long Lane, would be harmed.

The NPPF encourages good design at para's 124-132. It states that:

24. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities....

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents....

It is recognised in the Council's design guide (Successful Places – a guide to sustainable housing layout and design) at 3.8.3 that "*well designed places integrate car parking without becoming over-dominant.*" And that parking occupying whole frontages dominates the street scene and detracts from its appearance.

It states at 3.3.8 that:

"Banks of unrelieved parking, with a lack of front boundary treatments/open frontages, poorly considered landscape, prominent internal garages or extensive areas of driveway undermine the character and appearance of schemes. This can be an indication that the density of

development is too high, if this is the only way that parking is able to be provided.”

The Applicant has been made aware of these concerns and advised by the Planning Officer to withdraw reference to the number of dwellings from this outline application (which is otherwise considered to be relatively straightforward). Unfortunately the Applicant has refused to withdraw the number of dwellings (22) from the application. As a result the recommendation is to refuse outline planning permission for this scheme because it is not possible to consider an acceptable scheme could be achieved with this amount of dwellings.

Heritage Impacts

As referred to above, the Applicant has not yet been able to demonstrate by means of an illustrative layout that a high density scheme would not have some adverse effect on the wider setting of the grade 2 listed Holy Trinity Church, as viewed from Long Lane. However the harm to setting would be less than NPPF “substantial harm” and so should be weighed against the public benefits of the proposal.

Hollycroft Farm House and stone barn is not listed but should be considered a non-designated heritage asset. At reserved matters stage it will be necessary to have regard to these buildings in terms of layout, design and materials. Unfortunately the barn is now outside of the application site boundary which means that it is not possible to control the redevelopment of this area as part of the same planning permission or to control the appearance of the broken down buildings and fencing beyond the application site boundary. It is unclear how this matter can be addressed.

It is considered that any archaeological interest on site should be investigated and recorded. This could be achieved by means of an appropriate planning condition.

Residential Amenity at Existing Dwellings

Concerns have been raised in representations about impacts on amenity at existing dwellings including privacy, overbearing impact, noise etc. However, the indicative layouts provided show that it is likely that a scheme can be designed for 22 dwellings where any amenity impacts would not be so significant as to fail to comply with the Council guidelines. Furthermore, since this is an outline application with only access detail submitted for consideration we do not yet know what the precise impacts will be. They would be considered more fully at reserved matters stage.

Residential Amenity at Proposed Dwellings

Revised iterations of the indicative layout have shown that it is possible to design a layout for 22 dwellings which generally complies with the Council’s guidelines in terms of private garden sizes, privacy distances between dwellings and daylighting etc.

Biodiversity

The Wildlife Trust advise that the site in general appears to support habitats of relatively low ecological value.

Although the site contains a number of trees these are mainly multi-stemmed self-set sycamore, none of which are particularly good specimens worthy of a tree preservation order.

The existing vegetation nevertheless has some biodiversity value and so its loss needs to be off-set by new planting and landscaping in order to comply with policy and the NPPF. The Wildlife Trust also seek the provision/maintenance of a green corridor for use as a commuting route by bats. Given the high density scheme sought for 22 dwellings we cannot be sure that there would be no net loss of biodiversity since opportunities to provide replacement planting is limited with the space remaining. There is certainly no green corridor through the site on any of the versions of the indicative layout plans. But given that bats are not actually roosting on site, rather flying over it, if impact on bats were the only issue then it is unlikely that it would constitute a reason for refusal. However uncertainties over the ability of a high density 22 dwelling scheme to achieve “no net loss of biodiversity” is a further reason why it is not considered appropriate to commit to this intensity of development.

An informative note can be used to advise the Applicant to eradicate and dispose of any Japanese Knotweed in an appropriate manner.

Public Art

It is noted that the Arts Officer has requested a contribution to public art. A scheme of works could be required by condition.

Other Matters

There are no other technical matters that would materially affect the decision subject to conditions as necessary to deal with any ground contamination and the drainage solution.

Listed Building: See above

Conservation Area: N/A

Crime and Disorder: See above – potential benefits re anti-social behaviour and fly-tipping and improved surveillance of a footpath route.

Equalities: No significant issues

Access for Disabled: No significant issues

SSSI Impacts: No significant issues

Biodiversity: See above

Human Rights: No significant issues

CONCLUSION

The site is allocated for residential development in the Adopted Local Plan (2000) and it is within the development envelope as defined by the Publication Version Local Plan 2018 and so residential development is clearly acceptable in principle.

The site is considered to have a very sustainable location and benefits from an existing outline planning permission.

The development would contribute to the supply of housing and might deliver much needed affordable housing (although there is no planning obligation to secure this benefit). The site is overgrown and untidy in appearance. It has been the subject of fly tipping and antisocial behaviour and the development should help to address these issues and improve safety for footpath users.

However planning permission is sought for 22 dwellings and it has not been demonstrated

that it is physically possible to fit 22 dwellings on this site in a manner that would be acceptable having regard to planning policy and design guidelines. In particular all three versions of the indicative layout provided rely heavily on unsightly rows of frontage parking occupying whole frontages dominating the street scene and detracting from its appearance. Prominent potentially unattractive fencing at the entrance to the site and little space for any planting in the street scene further compounds these concerns.

A 22 dwelling permission could therefore result in a poor street scene and the experience of using the well-used public footpath through this site would also be poor and the wider setting of the grade 2 listed Holy Trinity Church, as viewed from Long Lane, would be harmed.

Accounting for the likely extent of tree, hedgerow, and vegetation removal as illustrated in the indicative plans and the limited remaining space available for replacement planting in a high density scheme, it has not been demonstrated that a 22 dwelling scheme could result in no net loss to biodiversity contrary to local and national planning policy.

In the most straightforward of terms, the withdrawal of the specific number of dwellings would address officers' concerns because a lesser number of dwellings would not only be acceptable in principle on this site, but a policy-compliant scheme could also be achieved at reserved matters stage. However, the applicant requires the application to be determined 'as submitted'. Therefore, officers recommend that this application be refused.

RECOMMENDATION

The application be REFUSED for the following reasons:

Outline permission is being sought for up to 22 dwellings but each of the submitted illustrative layouts fail to demonstrate that this amount of dwellings could be accommodated on the site in accordance with the Council's adopted policies and guidance, emerging policies in the Publication Version of the Bolsover District Local Plan, and national planning policy in the Framework.

In design terms, the potentially unsightly rows of frontage parking occupying whole frontages dominating the street scene, potentially unattractive fencing prominent at the entrance to the site, and the absence of space for amenity planting would not produce a high quality development creating a sense of place contrary to the objectives of saved Local Plan policy GEN2, emerging Local Plan policy SC3 and national planning policies in the Framework.

In amenity terms, the individual criticisms of the scheme when taken together would mean the external appearance of the proposed scheme would detract from the existing street scene, inappropriately reduce the amenity of the public footpath through the site, and harm the wider setting of the grade 2 listed Holy Trinity Church, as viewed from Long Lane, contrary to saved Local Plan policies GEN2 and CON10, emerging Local Plan policies SC3 and SC17 and national planning policies in the Framework.

In biodiversity terms, taking into account the likely extent of tree, hedgerow, and vegetation removal as illustrated in the indicative plans and the limited remaining space available for replacement planting in a high density scheme, it has not been demonstrated that a 22

dwelling scheme would not result in a net loss to biodiversity contrary to saved Local Plan policy ENV3, emerging Local Plan policies SC9 and SC10 and national planning policies of the Framework.

In this case, it is not considered that these issues can be adequately dealt with at the reserved matters stage because the site cannot be shown to be able to adequately accommodate 22 dwellings. Therefore, when assessed against local and national policies and when also taking into account the absence of a s.106 legal agreement (securing the proposed housing as affordable housing that would meet the needs of the local area); the adverse impacts of granting outline permission for 22 houses on this site would significantly and demonstrably outweigh the benefits of doing so.

Site Location Plan

