

Planning Committee 10th October 2023

APPLICATION NUMBER		23/00535/FUL	
SITE ADDRESS:		Land North of Old Hackney Lane Hackney Matlock	
DESCRIPTION OF DEVELOPMENT		Erection of 27 no. affordable dwellinghouses, open space, landscaping, highway improvements and associated works	
CASE OFFICER	Sarah Arbon	APPLICANT	Bowsall Developments Ltd and EMH Group
PARISH/TOWN	Darley Dale	AGENT	Mrs Beverley Moss - Hourigan Planning
WARD MEMBER(S)	Cllr M Franks Cllr D Burton Cllr R Shelley	DETERMINATION TARGET	22 nd August 2023 (EOT agreed for 10 th October 2023)
REASON FOR DETERMINATION BY COMMITTEE	Major application	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> • Principle of development • Impact on residential amenity • Impact on trees and ecology • Character and appearance • Flood risk and drainage • Highway safety • Developer contributions

RECOMMENDATION
That the application be refused for the reasons set out in section 8.0 of the report.

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application site is a 0.89 hectare field immediately adjoining development at Darley House Estate, Hackney on the north eastern side of Old Hackney Lane. The existing dwellings adjacent to the north western boundary are predominantly bungalows with rooms in the roofspace set at an angle adjacent to the field and stepping up as the land level rises. The existing housing estate extends beyond the north east boundary of this site. A stone wall marks the boundary with the lane and the Whitworth Hospital is adjacent to the south. The site slopes gradually with the land level in the centre of the north eastern boundary being 11.2m higher than the land immediately adjacent to Old Hackney Lane. There are two mature Ash trees on the south eastern and north eastern field boundaries together with sections of hedgerows. Land levels continue to rise gradually to the north east with houses in a linear form along Hackney Road. The land to the south east is open grazing land for horses with a cluster of wooden stables adjacent to the road.



2.0 DETAILS OF THE APPLICATION

- 2.1 The site sits within the defined Settlement Framework boundary for Matlock and in conjunction with the adjacent field to the south east is allocated for residential development under Policy HC2 (i) for 57 dwellings. The allocated site area is for 1.68 hectares and encompasses two parcels of land under two separate land ownerships.
- 2.2 Permission is sought for 27 affordable dwellings on 0.89 hectares, with a net developable area of 0.72 ha. The proposed scheme would result in a density of 37.5 dwellings per hectare (dph) (based on the net developable area) and 34 dph (based on the gross area). The submitted layout indicates an access adjacent to the south eastern boundary with an estate road that dissects the site in a north easterly direction terminating in a turning head with a private drive in the north eastern corner. Informal open space is proposed along the Old Hackney Lane frontage and in the north eastern corner with a Local Area of Play (LAP) on the north eastern side of the access set between plots 24 and 25 and where there is an existing Ash tree on the boundary. The proposed scheme includes a total of circa 1,626 sqm of open space including a LAP of 415 sqm (minimum requirement is 100 sqm). A landscaping buffer is proposed along the north eastern boundary with the open land rising up to Hackney Lane.
- 2.3 The mix of proposed properties are as follows:
- 8 x 1 bedroomed apartments.
 - 12 x 2 bedroomed dwellings which includes 2 no. bungalows.
 - 5 x 3 bedroomed dwellings.
 - 2 x 4 bedroomed dwellings.

- 2.4 All of the units would meet 85% of the Government's Technical Nationally Design Space Standards (NDSS) threshold which is expected for affordable units in order to qualify for Homes England grant funding. Two of the proposed bungalows would be would be M(4) 2 (Building Regulations) compliant. The proposed tenure split is 11 shared ownership dwellings and 16 affordable / social rent flats and dwellings and in a 100% affordable scheme this is required due to viability. The submitted Affordable Housing Statement states that "in the past 6 years the output has been just 22 homes, representing just 17% of total supply".
- 2.5 The dwellings are modern gabled roof properties with gable features, pitched canopies over front doors, gable and flat bay windows and some corbelled eaves. Facing materials are a mix of stone and buff multi brickwork with Russels Grampian concrete interlocking tiles in slate grey and reconstituted stone cills. The housetype 1a / 1b are flats and the building is proposed as a mix of stone and buff brick on the front elevation with two different gable features of different widths and flat roof white and grey porches. The frontage properties would have stone front elevations with brick sides and rear with plots behind these as solely brick.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1. Adopted Derbyshire Dales Local Plan 2017

- S1: Sustainable Development Principles
- S2: Settlement Hierarchy
- S3: Development within Defined Settlement Boundaries
- PD1: Design and Place Making
- PD3: Biodiversity and the Natural Environment
- PD5: Landscape Character
- PD6: Trees, Hedgerows and Woodlands
- PD7: Climate Change
- PD8: Flood Risk Management and Water Quality
- HC1: Location of Housing Development
- HC2: Housing Land Allocations
- HC11: Housing Mix and Type
- HC14: Open Space and Outdoor Recreation Facilities
- HC19: Accessibility and Transport

Darley Dale Neighbourhood Plan 2019

- NP1: Protecting the Landscape Character of Darley Dale
- NP8: Protecting the Landscape Character of Upper Hackney
- NP11: Design Principles for C3 Residential Development
- NP10: Protecting the Setting of the Peak District National Park
- NP18: Design Principles for Residential Development in Upper Hackney

3.2. Other:

- The National Planning Policy Framework (2021)
- National Planning Practice Guide

4.0 RELEVANT PLANNING HISTORY:

20/00942/FUL - Erection of 18no. dwellings with associated access and landscaping, Refused 13th July 2021 for the following reasons:-

1. *The proposal constitutes piecemeal development of an allocated housing site that would prevent the efficient use of land and delivers sub-optimal outcomes in terms of matters such as layout, landscaping, open space and sustainable drainage which need designing*

on a comprehensive basis across the site, contrary to Policy S1 of the Adopted Derbyshire Dales Local Plan (2017).

- 2. The proposed layout poorly addresses Old Hackney Lane, would be dominated by the estate road and fails to reflect the character of the surrounding area due to the largest dwellings being proposed adjacent to the open land without any significant landscaping buffer for mitigation in an area identified as having a high landscape sensitivity, contrary to Policies S3, PD1, PD5 of the Adopted Derbyshire Dales Local Plan (2017) and Policies NP1, NP8 and NP11 of the Darley Dale Neighbourhood Plan Jan 2020.*
- 3. The proposed piecemeal development of a larger housing allocation precludes the proper consideration of affordable housing to meet a mix of needs across the site and over time, contrary to the aims of Policy HC4 of the Adopted Derbyshire Dales Local Plan (2017).*
- 4. Insufficient information has been supplied in order to demonstrate that the proposed site is able to drain and that due consideration has been given to the space required on site for surface water storage to accord with the SUDS hierarchy contrary to Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).*
- 5. Insufficient information has been supplied in terms of whether the proposal has been designed to reduce greenhouse gas emissions, reduce energy consumption and resilience to increased temperatures, contrary to Policy PD7 of the Derbyshire Dales Local Plan (2017).*

5.0 CONSULTATION RESPONSES

Darley Dale Town Council

- 5.1 Councillors acknowledged the time spent by the applicants in engaging with the Town Council and local residents on this development. Whilst both the Town Council and local residents had reservations regarding the development at the start of the process, Hourigan Planning have spent months liaising with resident organisations such as speedwatch, residents, District and County Council together with the Town Council to answer questions and amend plans in order to mitigate/address concerns of local stakeholders. Whilst Councillors still have reservations regarding the development councillors now consider this process to be the standard we hope to expect from all future developers regardless of whether this application is approved or not.

It was resolved to submit the recommendation of no objection with the following conditions:

- i. The applicant implements new traffic calming measures (with agreement of DCC Highways) on Old Hackney Lane at their own expense as promised to TC and local residents.
- ii. The applicant increases the width of the public path (with agreement of DCC Highways) on Old Hackney Lane at their own expense in order to improve pedestrian safety.
- iii. Suitable risk mitigation be in place to ensure attenuation tanks are able to cope with excess surface water run-off.

Although Cllr Farmer had been an integral part of the Town Council's consultation process with Hourigan Planning regarding the development of 27 dwellings off Old Hackney Lane, as we discussed both 23/00535/FUL and 23/00363/FUL applications together, before making separate decisions, Cllr Farmer played no part in the discussions due to his declaration of interests in the 23/00363/FUL development.

Highways Authority

- 5.2 A review of the Highways Officer's comment at the time of the SHLAA for site – SHLAA295 was that it is "Possible to consider developing in conjunction with adjoining SHLAA site (SHLAA172)". This view translates as one means of access is not considered essential as the spacing in terms of the main accesses to both sites is considered safe. What is expressed is that it is possible to develop both sites cooperatively with one main access but not critical and this remains the case.

In terms of traffic impact, the proposal will have a negligible effect on the capacity of the surrounding highway network during busy development periods. Such traffic movements are likely to be minimal and it is considered the proposal is not anticipated to adversely affect the operation of the surrounding highway network subject to several conditions that must be adhered to.

The highway improvements including provision of the access will form part of a Section 278 agreement with the County Council as Highway Authority. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority for the off-site highway works. To conclude there are no objections to the proposal subject to a condition regarding the access details.

Local Lead Flood Authority

- 5.3 Further information is sought in respect of the following:
1. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (as per National Planning Policy Framework 169). A range of sustainable drainage techniques must be considered prior to or in conjunction with the planning layout. Underground attenuation tanks are not considered to be SuDS and do not provide any benefits beyond attenuation. The LLFA would want to see a more rigorous assessment of the use of SuDS on the site including a description of how a sustainable drainage system would integrate with the open space and what multifunctional benefits they will provide as per paragraph 59 of planning practice guidance (Aug 2022).
 2. Additional information is needed to confirm if STW would agree to the proposed surface water discharge.
 3. Basic calculations should be provided for greenfield runoff rates and storage estimate also to demonstrate that the proposed surface water drainage system would function as proposed.
 4. Drawing DR-C-0100 Drainage Strategy shows a filter drain along the entire length of the northern site boundary, please indicate how much area drains to this point and how this system will connect to the proposed surface water drainage system.

Environment Agency

- 5.4 No comment on the submission for the following reason:

- The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site.

There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency. If, however, the proposal subsequently changes such that you feel that it may pose a significant environmental risk then please do not hesitate to contact us and we will be pleased to review our response.

NHS Derby and Derbyshire Integrated Care Board

- 5.5 The development falls under our threshold for requesting a S106 contribution.

Natural England

- 5.6 Natural England has no objection as it considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Trees and Landscaping Officer (DDDC)

- 5.7 The submitted arboricultural Impact Assessment identified 7 individual trees / small tree groups which are located around the perimeter boundary of the site, with no trees further into the site. It was noted that the T5 horse chestnut off-site to the SW corner of the site has been much reduced. All of the existing trees are indicated for retention, though some with pruning works to address safety concerns. It is considered that the proposals would not result in significant tree removals.

The site layout design has positioned public open spaces / large gardens in the vicinity of the retained trees thereby minimizing the potential harm to them resulting from development. The undeveloped areas around the retained trees appear generally to be large enough to wholly contain the canopy spreads and root protection areas of the trees. The exception to this is that there appears to be a play area proposed within part of the root protection area of T1. It is recommended that the design be modified to re-position any surfacing or installations outside of the root protection area and no excavations, construction, ground works or surface level changes should be undertaken within the root protection area. The submitted Arboricultural Method Statement provides details of appropriate tree protection measures and it is recommended that all guidance within this document and the accompanying Tree Protection Plan should be required to be followed completely and exactly as a condition to any grant of planning consent.

Director of Housing (DDDC)

- 5.8 The proposal of 100% affordable scheme is welcomed as it shows that EMH want to invest in the District. The tenure split between shared ownership and affordable rent is considered acceptable and whilst it doesn't meet the 80% affordable rent and 20% shared ownership required by Policy HC4 as the scheme is 100% to be delivered by the Housing Association EHM, it is the provider that carries the risk. In addition recent experience has shown that shared ownership sales have proved very popular on nearby sites. It is noted that the proposal meets the 85% threshold of Nationally Described Standards expected by Homes England to qualify for grant funding and this is considered acceptable. In general terms the dwellings would be a reasonable size and would benefit from solar panels, thermal insulation and energy efficient appliances and lighting which is an improvement to what is on the market currently. The mix of provision and tenure split is considered acceptable.

Archaeology (DDC)

- 5.9 Previously, they recommended an archaeological geophysical survey to be undertaken on the site as part of the previous application. This work was requested because of the development site's location on the edge of the alluvial floodplain of the River Derwent. The proposed application area lies up-slope, to the north, of a site (EDR5011) which previously identified credible traces of potentially Iron Age activity in a valley side context. It was noted in these investigations that an horizon of colluvium or slopewash was also present on this site. Given the site formation processes in operation downslope, it is likely/possible

that parts of the application area also contain colluvium or slopewash deposits and these may seal buried archaeology not detectable by geophysical survey, though it is noted that features identified and interpreted as palaeo-channels were identified.

On the basis of the results of the geophysical survey it is recommended that further archaeological works will be required, however these could be conditioned into any planning permission in line with para 205 of NPPF. This should be a phased scheme comprising evaluation trenching to confirm the veracity of the geophysical survey followed by targeted area excavation if there are areas of preservation of remains. A written scheme of investigation should be secured by condition.

Leisure (DDDC)

- 5.10 In response to this application, they are proposing to provide a LAP play area within the development.

In terms of contribution, I understand this to be:

- Parks and Gardens = £3944.70
- Children's Play = £4592.70
- Allotments = £1595.70

If they are providing the play equipment within the site, more detail on equipment, surfacing etc is required.

Education (DCC)

- 5.11 The proposed development falls within and directly relates to the normal area of Darley Dale Primary School. The proposed development of 27 (discounting 8 one bed) dwellings would generate the need to provide for an additional 2 infant and 3 junior pupils. Darley Dale Primary School has a net capacity for 210 pupils, with 202 pupils currently on roll. The number of pupils on roll is projected to decrease during the next five years to 172.

An evaluation of recently approved major residential developments within the normal area of Darley Dale Primary School shows new development totalling 23 dwellings, amounting to an additional 2 infant and 3 junior pupils. Analysis of the current and future projected number of pupils on roll, together with the impact of approved planning applications shows that the normal area primary school would have sufficient capacity to accommodate the 2 infant and 3 junior pupils arising from the proposed development.

The proposed development falls within and directly relates to the normal area of Highfields School. The proposed development of 27 (discounting 8 one bed) dwellings would generate the need to provide for an additional 6 secondary including post16 pupils. Highfields School has a net capacity for 1392 pupils with 1303 pupils currently on roll. The number of pupils on roll is projected to increase to 1396 during the next five years. An evaluation of recently approved major residential developments within the normal area of Highfields School shows new development totalling 172 dwellings, amounting to an additional 48 secondary including post16 pupils. Analysis of the current and future projected number of pupils on roll, together with the impact of approved planning applications shows that the normal area secondary school would not have sufficient capacity to accommodate the 6 secondary including post 16 pupils arising from the proposed development.

The above analysis indicates that there would be a need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms.

The County Council therefore requests financial contributions as follows:

£182,656.74 towards the provision of 6 secondary including post 16 places at Highfields School + education facilities.

Derbyshire Wildlife Trust

5.12 The Trust have reviewed the Ecological Appraisal (Rachel Hacking Ecology, March 2023). Whilst the survey work was carried out early in the year, they consider that the assessment is likely accurate and that an update survey visit would be unlikely to alter the classification of the grassland from 'other neutral grassland'. The report recommends eDNA survey of the adjacent pond for great crested newts. This can only be undertaken between 15th March and 30th June. If this has not be done, it would typically delay the application until next year as presence / absence of protected species and likely impacts must be ascertained prior to determination. However, correspondence with the ecologists indicates that permission was not granted to access the offsite pond. A separate planning application is ongoing for the adjacent land, including the pond, and further survey was also recommended to the neighbouring applicant. The LPA may wish to follow this up as the results will be pertinent to both applications. Paragraph 99 of Circular 06/2005 states, "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances".

They have several comments on the biodiversity metric, which should be addressed, as follows:

- The existing onsite scrub does not appear to be included within the habitat baseline.
- Whilst this was not clarified in Metric 3.1, Metric 4.0 confirms that gardens should be inputted as vegetated garden and only trees in public open space should be counted separately. They advise that this approach should be taken.
- When calculating the area using the tree helper tool, post-development trees should be categorised based on their projected diameter at 30 years after planting. See Section 7.11 of the Metric 3.1 User Guide. Table 7.2 lists the diameters. It is highly unlikely that any trees will reach >90 cm (large) after only 30 years. Again, Metric 4.0 clarifies that proposed trees should be categorized as small unless justification is provided.
- Currently, whilst an overall gain is predicted, the trading rules of the metric are not met. This is due to a net loss of medium distinctiveness habitat (other neutral grassland). The trading rules are fundamental to the function of the metric and to ensure real gain is achieved. The BNG Best Practice Guidelines (CIRIA C776a, 2019) state that, "A BNG design should improve the extent or condition of biodiversity affected by a project. It should not result in lost or damaged features being replaced by features of lower biodiversity value. This is regardless of whether a metric shows an increased amount of biodiversity after a project compared with the baseline".

Once amendments have been made to the metric and further clarification has been provided regarding great crested newts, they would be happy to provide further comments.

Derbyshire Swift Conservation Project

5.13 The Ecological Appraisal submitted by Rachel Hacking recommends as enhancement: "Install bird nesting bricks into a wall on five properties (two sparrow boxes, two swift boxes and one starling box" despite best-practice guidance stating that ecological enhancement for declining urban bird species should take the form of Swift bricks integrated into the façade. Integrated nest bricks are preferable to external nest boxes as they become a permanent feature of the building, require zero maintenance, are

aesthetically integrated with the design of the building, are less vulnerable to vandalism and have better thermal regulation with future climate change in mind. Additionally, such bricks are considered a universal nest brick for urban bird species, including red-listed species such as Common Swift, House Sparrow, House Martin, and Starling. A condition is recommended to this affect.

6.0 REPRESENTATIONS RECEIVED

6.1 Eleven letters of representation have been received which the concerns summarised below:-

- a) Old Hackney Lane is narrow, dangerous and unsuitable road for the existing traffic that use it with narrow footpaths.
- b) It is requested that the local plan is reviewed and this green field be taken out of future development as there are very few green fields situated in lower Hackney.
- c) When the A6 is congested because of roadworks, (almost every day for the past three years), Old Hackney Lane takes the brunt of the traffic overflow, with vehicles of all sizes, including articulated lorries, using the route as a cut through.
- d) Significant flood water cascading down the lane has occurred and such a development will only lead to making matters worse.
- e) The planning application 20/00942/FUL was refused, and one reason given was due to the piecemeal development of an allocated housing site.
- f) There is no mention of the community speed watch work, and how much speeding occurs along this road and the fact that the traffic has doubled in a six year period.
- g) The Old Hackney Lane footpath is single sided for most of the length which leads to Matlock and is not a safe walking route due to its reduced width.
- h) There is not a safe pedestrian route to the nearest bus stop as there is no pedestrian crossing on the A6.
- i) The proposals from Stancliffe and Hourigan, would result in 68 new dwellings on Old Hackney Lane amounting to unacceptable over-development.
- j) The application constitutes piecemeal development of an allocated housing site.
- k) On 13 July 2021 the District Council Planning Committee refused planning application 20/00942/FUL and expressed the need for a comprehensive approach to site HC2(i) with this application failing to meet that requirement.
- l) The application includes building on a large area of open farmland which forms an essential separation between the communities of Darley Dale and Hackney recognised in both the Local Plan and the Neighbourhood Plan.
- m) The two application propose separate access and would be in close proximity to one another on an already very busy and narrow Lane and opposite the rear entrance to the Whitworth Hospital are an unacceptable traffic danger.
- n) The Planning Committee discussion regarding application number 20/00942/FUL in July 2021 made clear that Councillors recognise that the Local Plan has allocated too many houses on site HC2(i).
- o) There is an agreement with MP Sarah Dines writing in the Matlock Mercury on 16 March that this year development on brown field sites should be prioritised and the District Council should look again at the Local Plan.
- p) There has been no proper hydrological survey as this hillside has many springs and underground streams, these together with the extra surface water run off from a housing development will pose a serious flooding risk.
- q) The development would erode the already limited green space between Lower and Upper Hackney and would be very intrusive as it progresses up the hill.
- r) Michael Gove housing Minister Quoted in The Guardian newspaper recently:
“ Councils in England have been told they no longer need to deliver a precise target of new buildings laid down in Whitehall irrespective of sound planning or local opinion.”

- s) Travelling out of Matlock towards Darley Dale it's becoming one long corridor, on the right hand side there is one green field left in Darley Dale at the bottom of Greenaway Lane.
- t) We strongly oppose the building on this Green Field Site on a Country lane, the only green field area left in Lower Hackney. This land should be left for future generations to appreciate for themselves, rather than as stories from parents/grandparents.
- u) The division between Matlock and Darley Dale should be kept.
- v) Loss of privacy from being overlooked by the 2 storey properties proposed alongside the Bungalows in Darley House Estate.
- w) Outside this entrance to properties on Hackney Grange, Old Hackney Lane the road is continually sinking with Seven Trent Water have closing the road numerous times to try to address this problem.
- x) There is the issue with the aging and inefficient sewerage system in the Darley Dale Matlock area.
- y) There is a lack of capacity in local schools, GPs, hospitals and dentists for more houses in the area.
- z) The dust, dirt and noise pollution the local residents will have to endure.
- aa) The light pollution this development will cause with street lighting will create disturbance to this extremely quiet and dark sky area for both the local residents and wildlife
- bb) A sustainable development should include design features such as PV panels on every roof, rainwater collection systems, maximum insulation, conservatories to make use of passive solar, no pvc doors or window frames.

7.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Impact on residential amenity
- Impact on trees and ecology
- Character and appearance
- Flood risk and drainage
- Highway safety
- Development contributions

Principle of development

- 7.1 The site is located with the settlement boundary of Matlock and forms part of the housing allocation in Policy HC2 (i). The site selection and assessment process as part of allocating land for inclusion in the Derbyshire Dales Local Plan concluded that the two sites off Old Hackney Lane should be developed on a comprehensive basis as one site. Policy S1 seeks to achieve sustainable development by “ensuring that development proposals do not prejudice the development potential of an adjacent site or larger area in a comprehensive manner”.
- 7.2 Policy S7 seeks to promote the sustainable growth of Darley Dale by providing for the housing needs of the community and supporting the development of new housing on sustainable sites, whilst also seeking to maintain the distinct identity of its settlements, and protecting and where possible, enhancing biodiversity.
- 7.3 The main considerations with regard the principle of this development are as follows:-
 - whether or not the proposed development makes efficient use of land;
 - whether or not the proposed development prejudices the proper planning of the area by not forming part of a comprehensive scheme for the whole of the development area
 - 5 year supply

- 7.4 The land to the south east of the application site is part of the housing allocation with a total site area of 1.68 Ha for 57 dwellings. The proposal includes the north western field and proposes a new access to the north west of the existing field gate. The adjacent field has an existing vehicle access in the centre of the road frontage and hardstanding with stable buildings to the south east. The proposed access would be 23m from the south eastern field boundary and would provide a single estate road that dissects through the centre of the site to terminate in a turning head in the centre of the north eastern boundary. In the layout of the previously refused application there was an arrow to indicate the potential for access to the remaining allocated land and at the end of the turning area there was annotation stating 'proposed access to retained land'. This layout has an area of open space with a LAP between two dwellings with a pedestrian footpath along its northern boundary but this does not link to anything within the layout for the adjacent site pending determination 23/00363/FUL, it would be opposite a gable end of a dwelling on Plot 3. No agreement between the two developers have been made in terms of sharing an access or making adjustments to their layouts to take into account the others' layout. The layouts are separate with no linkages.
- 7.6 It is considered that the application site and the adjoining allocated land should be developed in a comprehensive manner due to the size of the allocated site to avoid incompatible development. The proposed development would comprise piecemeal development of a much larger site and would not deliver the efficient use of land. Piecemeal development delivers sub-optimal outcomes in terms of matters such as layout, landscaping and open space which need designing on a comprehensive basis across the site. It is opined that the proposed layout is dominated by the road layout, the two storey frontage dwellings would dominate and appear out of character with the streetscene with the ridge heights between 8.6 to 9m and finished floor levels 1.1 to 2m higher than the road level. Dwellings adjacent to the open land to the north east would have ridge heights of between 8.9m and 9.1m with finished floor levels 8.2m higher than the road level. Furthermore, the proposal does not incorporate exposed more natural surface water drainage features which prejudices the proper planning of the area in this prominent location with land levels rising steeply to the north east.
- 7.7 Policy PD5 – “The District Council will seek to protect, enhance and restore the landscape character of the Plan area recognising its intrinsic beauty and its contribution to the economic, environmental and social well-being of the Plan area... Development will only be permitted if all the following criteria are met: a) The location, materials, scale and use are sympathetic and complement the landscape character. b) Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future. c) Opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened.”
- 7.8 Whilst the landscape strategy has been improved since the refusal of the previous application by the incorporation of a 5.6m landscaping strip adjacent to the road frontage, a gap of POS on the south eastern boundary and a 7.9-5.7m landscape buffer and 17m wide POS area adjacent to the open land to the north east it is not considered to overcome the landscape harm of such an urban development on rising land. It is also acknowledged that existing landscape features are retained, however, both the topography and landscape impacts were identified in the allocation assessment (SHLAA) as constraints to development stating that there was a “significant impact upon landscape character” with the site having “high landscape sensitivity”.
- 7.9 The development has an urban form dominated by the road layout of a 5.5m carriageway with 2m wide footpaths and fails to respond to the character of the area of linear buildings along the road. Properties on the frontage do face the road with a set back of 13 -10m, however, plot 27 would appear prominent with its mainly blank elevation facing south east

and a retaining wall adjacent. The dwellings would have similar land levels as the existing with the dwellings nearest the existing road frontage proposed between 1.1m – 2m higher than the road levels and across the dwellings would be between 1.5 – 4.4m metres higher than the frontage dwellings. The finished floor level of Plot 19 would be 125.1 which would be 8.2m higher than the road level at the proposed access with a ridge height of 8.9m. It is acknowledged that single storey properties are proposed on the highest part of the site in the northern corner, however, two storey properties with the highest ridge heights of the development are proposed in the north eastern corner adjacent to open land.

7.10 Policy HC14 has a requirement for new residential development of 11 dwellings or more to provide or contribute towards public open space facilities as set out in table 6 of this policy. This requirement is to improve the quantity, quality and value of play, sports and other amenity greenspace provision in line with the standards identified in the Derbyshire Dales Built Sports Facilities and Open Space Strategy (January 2018). The Council's Supplementary Planning Document (SPD) on Developer Contributions seeks a requirement of open space for 27 dwellings that would equate to 262.98m² (Parks and Gardens), 43.74m² (Play space) and 106.38m² (Allotments). The proposal would provide 936 sqm informal POS adjacent to the north eastern boundary, 275 sqm informal POS on the site's frontage and 415 sqm in the form of a LAP with a total of 1,626 sqm. This complies the SPD requirements apart from the allotments requirement. It is clear that in terms of the creation of a community that would improve social cohesion, larger areas of public open space that create a focal point for the development and provide meaningful areas of provision are significantly preferable than smaller areas of provision that appear as left over areas unable to be developed.

7.11 In terms of open space provision, the layout proposed includes a LAP and informal open space adjacent to the road boundary and south east and north east boundaries. Having reviewed the existing provision of the three types of public open space required in the vicinity of the site using the information on existing facilities in the Council Open Space Strategy document dated 2018, it appears that the Oddford Lane allotments are the only existing facility within 15 minutes' walk of the application site (1200m). Whilst the on-site provision is met the areas of POS are not fully incorporated into the development in terms of being centrally located and framed by dwellings to create a sense of place and not an add-on to the perimeter. The lack of integrated open space provision within the site highlights that this piecemeal development of only part of the allocation provides sub-optimal outcomes. If the allocation was considered as a whole the benefits to the future residents and wider area would be significantly increased as the layout would have been conceived from an holistic approach incorporating the requirements of public open space centrally.

7.12 It is acknowledged that the Council cannot demonstrate a five year of housing land supply. At the 1st April 2022, the District Council did not have a five year supply, with provision of only 3.96 years. Paragraph 11 d) in the National Planning Policy Framework (2019) advises that where policies which are most important for determining the application are out-of-date, including, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer), planning permission should be granted unless;

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. 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.

7.13 Whilst, it is acknowledged that the whole of the site is allocated for housing development representing 51% of the total allocation where there is a presumption in favour, it does not

represent sustainable development principles as it would prejudice the development of the whole allocation in a comprehensive manner. The housing allocation as a whole was considered to be acceptable due to its sustainable location within a suitable walking distance of existing services and facilities with the constraint identified as harm to landscape character. If the allocation does not come forward as a whole within the Local Plan period then the allocation would be re-assessed as part of the forthcoming review. It is considered that the land would be better utilised and may result in a higher level of housing if designed comprehensively and the public benefits in terms of numbers of dwellings, open space provision, landscaping would be greater together with achieving a development that reflects its context.

- 7.14 Therefore, whilst in principle, residential development is acceptable on this site with substantial weight afforded to increasing the supply of housing, this has to be weighed against the detailed assessment against other policies in the local plan together with the National Design Guide criteria.

Impact on residential amenity

- 7.15 Policy PD1 requires development achieves a satisfactory relationship to adjacent development in relation to visual intrusion, overlooking, shadowing and overbearing impacts.
- 7.16 There are six dormer bungalows adjacent to the north western boundary of the site that are at an angle with the boundary and finished floor levels rise with the slope to the north east. Finished floor levels have been provided for the proposed dwellings and the individual sections submitted illustrate the relationships with existing properties in terms of distances and relative heights. Having assessed these relationships, the proposed dwellings are not considered to adversely affect the residential amenity of neighbouring properties to an extent that a refusal on these grounds would be sustained at appeal. On the basis that the proposed properties are at a distance and angle to reduce impacts of overlooking and overshadowing impact to be within an acceptable tolerance, these relationships are considered in accordance with Policy PD1.

Impact on trees and ecology

- 7.17 Policy PD6 states that trees, hedgerows, orchards or woodlands of value should be retained and integrated within development wherever possible. The submitted Tree Survey is considered adequate in terms of its identification of trees to be removed and retained and their relative health and retention categories. All of the existing trees are indicated for retention and therefore it is considered that the proposals would not result in significant tree removals. There is a concern regarding the existing Ash tree in proximity to the play area and any works proposed within its RPA. A condition to ensure works are as per the submitted Arboricultural Method Statement and Tree Protection Plan is recommended. On this basis, the trees to be retained are integrated on the boundaries of the development, the proposal accords with Policy PD6.
- 7.18 Policy PD3 seeks to protect, manage and where possible enhance the biodiversity by ensuring development proposals do not result in harm to biodiversity. The Trust concur with the classification of the grassland from 'other neutral grassland'. The report recommends eDNA survey of the adjacent pond for great crested newts which can only be undertaken between 15th March and 30th June. Paragraph 99 of Circular 06/2005 states, "*it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances*". The applicant has not

been given access to survey the pond on the adjacent site and is addressing the matter through the District Level Licencing (DLL) route with Natural England and this has been submitted. The applicant's Ecologist has stated in a letter dated the 11th September 2023 that this means that the need for eDNA or other field survey work is no longer necessary.

- 7.19 The Trust considers that the biodiversity metric is not sufficient and whilst an overall gain is predicted, the trading rules of the metric are not met. The applicant's Ecologist letter (referred to above) has clarified the classification of grassland and has confirmed the net gain to be 8.2% stating that this is compliant with the NPPF (2021), requiring a measurable, rather than a 10% net gain. Derbyshire Wildlife Trust have yet to comment on the additional information submitted and thus comments will be reported either in late representations or at committee.

Character and appearance

- 7.20 Policy PD1 requires all developments to be of high quality design that respects the character, identity and context of the Derbyshire Dales townscapes and landscapes. New development must be designed to offer flexibility for future needs and uses taking into account demographic and other changes; and ensuring development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features. Policy S3 sets out that within defined Settlement Development Boundaries planning permission will be granted where the proposed development is of scale, density, layout and design that is compatible with the character, appearance and amenity of that part of the settlement in which it would be located and that the access would be safe and the highway network can satisfactorily accommodate the traffic generated by the development or can be improved as part of the development.
- 7.21 The Darley Dale Neighbourhood Plan was 'made' by the District Council on 19th February 2020 and as such it forms of the development plan for the area. The Plan sets out a number of policies that principally seek to ensure that the design and layout of proposals are in keeping with the local distinctiveness of the characteristics of key areas and that any development does not have any adverse impacts upon the local landscapes. The Plan sets out in 'Policy NP1: Protecting the landscape of Darley Dale' the development will be supported for proposals that demonstrate a high quality design that protects and contributes to the distinctive landscape character of the Parish; and a scale that reflects the settlement to which it adjoins and the rural nature of the Parish and that a sense of openness has been maintained between settlements and that the location is on the least visually sensitive parts of the valley.
- 7.22 Policy NP8 'Protecting the landscape character of Upper Hackney' sets out that planning permission will be supported for development in Upper Hackney where the proposal can demonstrate a layout that maintains far views across the valley to the Peak District National Park that is reflective of the local landscape and topography with frontage development on Greenway Lane, Hackney Road and Ameycroft Lane to reinforce the linear settlement pattern.
- 7.23 'Policy NP 11: Design Principles for C3 Residential Development' sets out that planning permission will be supported for residential development within the Plan area where the proposal demonstrates a high design quality that will contribute to the character of the parish; and a layout that maximises opportunities, where possible, to integrate development into the existing settlements through creating new connections and improving existing ones and which allows for easy, direct movement for people of all ages particularly to access local amenities; and the use of materials, scale and massing that reinforces the existing character; and regard for the content of the Darley Dale Place Analysis. The Policy sets out that well-designed buildings should be appropriate to their location and

context - this may include innovative and contemporary design solutions provided these add to the overall quality of the area, enhance character and local distinctiveness. The Policy states that for major development the use of national design guidance (BFL12 or equivalent) should be used in developing design concepts, testing the final designs for quality and demonstrating how local distinctiveness has been reinforced.

- 7.24 Policy NP 17: Design Principles for C3 Residential Development in Upper Hackney sets out that planning permission will be supported for residential development in Upper Hackney where the proposal is of a high design quality that will positively contribute to the character of its setting and may demonstrate: inspiration taken from local materials (mostly local stone, with some render and slate roof tiles) to ensure a narrow range of colours reflecting the hues of local materials; simple design detailing like banding and stone window headers to reinforce local distinctiveness; a scale and mass that does not obstruct views to the wider landscape; and the use of boundary treatments (low stone walls or hedging) that are hard against the footpath to help enclose the street with greenery in front plots.
- 7.25 The site proposed was suggested for housing development in the most recent SHELAA update review in April 2022. The site was assessed by Derbyshire County Council landscape Officer who advised that *'the development of the site will have a major impact upon landscape sensitivity. Visually prominent land owing to sloping nature of the land visible from Hackney Lane, Hackney Road, and nearby residential areas. Potential adverse impact on key landscape characteristics including the coalescence of existing settlement areas along the Derwent Valley'*. Furthermore, consultants commissioned on behalf of the District Council also concluded that *'the potential for visual impacts of any development on distant views are lessened by the site only occupying the lower field and the site being behind existing adjacent development and tree cover for views from the west. Development would potentially have a significant adverse effect on visual amenity for local residents and users of Old Hackney Lane. There would be some erosion of the green space that provides separation between existing settlements which would become significant in conjunction with potential development of other nearby sites under consideration as allocations'*.
- 7.26 It is opined that the dwellings would dominate the streetscene due to their scale, design and higher land level than the road frontage with the road dominating the south eastern corner. The land is grassed land sloping to the north east enclosed by low level stone walling on the Old Hackney Lane frontage and along the north western boundary. The existing hipped roof dormer bungalows are visible from the road frontage stepping up gradually with the existing land levels. The majority of the site would be dwellings and gardens with perimeter landscaping along the road frontage and on the north eastern boundary. The area of landscaping adjacent to the road appears to be dictated by the drainage solution of an engineered attenuation tank which means dwellings are set back from the road. Comprehensive development has the potential to allow for drainage to be incorporated within areas of open space. The introduction of seven two storey properties with two dual aspect dwellings are proposed along the Old Hackney Lane frontage. The finished floor levels would be approximately 1.1m - 2m higher than the road level which would sit above the stone boundary wall. A section of the south eastern part of the wall would be removed in order to provide the required visibility splay and to the north west it would be realigned to facilitate the visibility splay.
- 7.27 The density is higher than the Darley House estate to the north west with the layout very much dictated by the road with an urban form which would not have been the case if the whole allocation was being considered. The two storey dwellings are all proposed adjacent to the open land forming part of the allocation and the pending application for this land proposes a layout that conflicts with this one. These dwellings would dominate the surrounding open landscape without any meaningful open space to assimilate it which could be secured if developed with the adjoining land.

- 7.28 The dwellings would be a mix of
 8 x 1 bed roomed apartments.
 12 x 2 bed roomed dwellings which includes 2 no. bungalows.
 5 x 3 bed roomed dwellings.
 2 x 4 bed roomed dwellings.

7.29 Policy HC11: Housing Mix and Type requires all new residential development to contribute towards the creation of sustainable, balanced and inclusive communities by meeting identified local and District housing needs in terms of housing mix, size and tenure. The final mix on any site will be informed by the location, nature and size of the development site, character of the area, evidence of local housing need, turnover of properties at the local level and local housing market conditions. The required mix of Policy HC11 and the mix applied to the proposed development is presented in the table below:

	1 bed	Proposal	2 bed	Proposal	3 bed	Proposal	4 + bed	Proposal
Market	5%	0	40%	0%	50%	0%	5%	0%
Affordable	40%	30%	35%	44%	20%	18.5%	5%	7.5%
All Dwellings	15%	30%	40%	44%	40%	18.5%	5%	7.5%

7.30

Policy HC11 sets out that where proposals do not meet the prescribed housing mix, the applicant will be required to demonstrate how the development contributes to meeting the long-term housing needs of the district particularly in regard to the housing needs of young people, families and the elderly. The Derbyshire Dales Housing Needs Assessment (September 2021) produced by Icenl on behalf of the District Council, takes into account current housing stock and expected demographic trends, including the expectation that some older households will downsize if the right properties are available. The report points towards a need for different sizes of homes in the market and affordable sectors and demonstrates that generally a mix of smaller dwellings are still needed within the District. The submitted Affordable Housing Statement is considered to be sufficient evidence to demonstrate the proposal meets the housing needs in accordance with Policy HC11.

- 7.31 It is considered that this proposal does not overcome the fundamental flaws in the proposal due to the constraint of the way the site is proposed to be developed in a piecemeal manner. This could only be achieved by the development of the allocation as a whole and as such the proposal is contrary to Policies S1, PD1 and the criteria outlined in

Flood Risk and Drainage

- 7.32 Policy PD8: Flood Risk Management & Water Quality sets out that new development shall incorporate Sustainable Drainage Measures (SuDs) in accordance with National Standards for Sustainable Drainage Systems. This should be informed by specific catchment and ground characteristics and will require the early consideration of a wide range of issues relating to the management, long term adoption and maintenance of SuDs.
- 7.33 The Lead Local Flood Authority (LLFA) require further information on whether sustainable drainage techniques have been considered as required by national guidance. Underground attenuation tanks are not considered to be SuDS and do not provide any benefits beyond attenuation. Confirmation is required of the calculations of surface water discharge and that STW would agree to the discharge.
- 7.34 The proposal as submitted includes a drainage scheme with a large attenuation tank adjacent to the road frontage with the layout failing to incorporate natural drainage features such as swales. There is a requirement to indicate that a range of SUDS features have been explored and ruled out prior to proposing such an engineered structure and this has been requested by the LLFA. The agents have submitted a letter from their Drainage

Engineer. Any further response from the LLFA will be provided at the meeting. As submitted the proposal fails to accord with Policy PD8, National Planning Policy Framework 169 and paragraph 59 of Planning Policy Guidance.

Highway Safety

- 7.35 Policy S3 requires development to have appropriate access and parking provision and Policy HC19 seeks to ensure that development can be safely accessed in a sustainable manner and adequate parking is provided. The site location is within reasonable walking distance to local services and facilities.

The Highways Authority have reviewed the comments made in the SHLAA assessment and consider that whilst one access for the allocated land was preferred it is not essential as the spacing in terms of the main accesses to both application site's are considered safe. They consider that terms of traffic impact, the proposal would have a negligible effect on the capacity of the surrounding highway network during busy development periods. Such traffic movements are likely to be minimal and it is considered the proposal is not anticipated to adversely affect the operation of the surrounding highway network subject to several conditions that must be adhered to. On this basis, there are no highway objections to the scheme and it is considered to accord with Policies S3 and HC19.

Developer Contributions

- 7.36 Policy S10: Local Infrastructure Provision and Developer Contributions sets out that the release of land for development will be informed by capacity in the existing local infrastructure to meet the additional requirements arising from new development. New development should only be permitted where the infrastructure necessary to serve it is either available, or where suitable arrangements are in place to provide it within an agreed timeframe.
- 7.37 The Education Authority have identified a requirement for £182,656.74 towards additional education facilities at Highfields School for 6 secondary phase (with post 16) pupils. The applicant's have questioned the rise in this figure since pre-application was undertaken and have submitted an Education Infrastructure Assessment to Derbyshire County Council and the Council on the 10th August 2023 in response to this request and the comments of the Education Authority are awaited and shall be reported either within late representations or at committee.
- 7.38 Policy HC4: affordable housing requires all residential developments of 11 dwellings or more or with a combined floorspace of more than 1000 m² should provide at least 30% of net dwellings proposed as affordable housing. This scheme would provide 27 affordable homes equating to 100% and as such exceeds the policy requirement of 30%. Policy HC4 sets out that affordable housing provision should be in the form of 80:20 split between rented and intermediate accommodation. The applicant proposes a 60:40 split on site of affordable rented and intermediate homes and acknowledges that whilst this does not meet the requirements of Policy HC4, *'The mix of homes responds to the nature of the site as well as to the profile of need and to the viability of the development as a whole'* as set out in the accompanying affordable housing statement. The applicant states that *'Rented Homes require more grant to deliver rented homes and the provision of an 80:20 scheme may require so much grant that it ceases to represent sufficiently good value for money to include it in the programme. In that sense, the delivery of a higher proportion of intermediate homes may be necessary to ensure that the scheme happens at all'*.
- 7.39 The District Council commissioned Icenl to provide an updated Housing Needs Assessment, published September 2021. The affordable housing need summary in (page. 98) sets out

that recent 'evidence points to a total affordable housing need of 191 affordable homes per annum of which 40% is for rented affordable housing and 60% for affordable home ownership products including shared ownership/discounted market sale housing'. In addition Table 11.1 of the Icen study shows that the need up to 2040 for affordable and social rented dwellings in the Matlock & Wirksworth sub area is 21 dwellings per annum and affordable home ownership in the sub area is 44 dwellings per annum. Of the total affordable need this represents the following:

Table 1: Total Affordable Housing Need – District Total Net Need (p.a.)

	Net Need (pa)
Social and Affordable Rented	77
% of Total	40%
Affordable Home Ownership	115
% of Total	60%
Total Affordable Housing	191

(Table 11.1 of Icen Study, September 2021)

- 7.40 This current evidence of housing need shows that there is a reduced need for affordable rented accommodation and a higher need for affordable home ownership in the District. Whilst it is acknowledged that there is a requirement for First Homes, based on the scheme would provide 100% affordable homes provision and the justification of housing need provided it is not considered appropriate to seek to secure First Homes as part of this scheme.
- 7.41 The Council's Head of Housing welcomes a 100% affordable scheme in the District by a Housing Association that wants to invest in the Derbyshire Dales. The quality of the homes proposed is high and the type of housing and tenure split between shared ownership and affordable rent is considered appropriate in accordance with Policy HC4.
- 7.42 Energy efficiency should be secured through building design in accordance with Policy PD7: Climate Change. The Council consider that this should be central to the design of dwellings and has an SPD on Climate Change with a matrix to assess application submissions. The submitted Energy and Sustainable Statement confirms that the following measures would be incorporated into the provision of housing:- local sourcing of construction materials; improved thermal insulation; low air permeability; photovoltaics, tree planting; green spaces; restore and new hedgerows; reducing carbon emissions through design, code of sustainable homes level 4; solar gain through orientation and window positioning; solar lighting; traffic calming measures; electric vehicle charge points. panels, thermal insulation. This complies with Policy PD7.
- 7.43 In terms of the allocated part of the site it is considered that the proposal fails to make effective and efficient use of land which prejudices the proper planning of the area by not forming part of a comprehensive scheme for the whole of the allocation. Whilst it is acknowledged that the whole of the site is allocated for housing development representing 51% of the total allocation where there is a presumption in favour, it does not represent sustainable development principles as it would prejudice the development of the whole allocation in a comprehensive manner.
- 7.54 It is clear from the consideration of the main issues that the development should be refused as, there are significant adverse impacts and technical reasons that would significantly and demonstrably outweigh the benefits arising from the provision of 27 affordable houses.
- 7.55 The proposal amounts to piecemeal development of an allocation which fails to provide a suitable layout that is in character with the area which is dominated by the road layout in an area of high landscape sensitivity. Insufficient information submitted on drainage and ecology. It is on this basis that notwithstanding the current shortfall in the 5 year housing

land supply and the tilted balance that has to be applied the adverse impacts of the proposals identified are considered to significantly and demonstrably outweigh the benefits of the provision of 27 dwellings within the District.

8.0 RECOMMENDATION

That planning permission be refused for the following reasons:

1. The proposal constitutes piecemeal development of an allocated housing site that would prevent the efficient use of land and delivers sub-optimal outcomes in terms of matters such as layout, design, landscaping, open space and sustainable drainage which need designing on a comprehensive basis across the site, contrary to Policy S1 of the Adopted Derbyshire Dales Local Plan (2017).
2. The proposed scale and appearance and land level of the dwellings would dominate the streetscene of Old Hackney Road and the layout is dominated by the estate road, both of which fail to reflect the character of the surrounding area identified as having a high landscape sensitivity, contrary to Policies S3, PD1, PD5 of the Adopted Derbyshire Dales Local Plan (2017) and Policies NP1, NP8 and NP11 of the Darley Dale Neighbourhood Plan Jan 2020.
3. Insufficient information has been supplied in order to demonstrate that the proposed site is able to drain and that due consideration has been given to the space required on site for surface water storage to accord with the SUDS hierarchy contrary to Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).
4. Insufficient information has been provided to assess the impact on protected species with further survey work required together with a complete biodiversity metric, contrary to Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

The Local Planning Authority prior to the submission of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of a scheme that overcame initial concerns relating to dormer addition.

The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.

This decision relates solely to the application

Plan no's 2202-P-01D, 02M, 03F, 04B, 05, 06A, 07A, 27 and 28

Housetype plan no's 2202-P-10B, 11A, 12A, 13A, 14A, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A and 26A

Plan No's 23012-DR-0100 P3, 0600 P5 and 0601 P5

Tree Constraints Plan 01

Access Plan no's P23010-001 and 002

Landscape plan no's PP01.00 P1, 01 P1 and 02 P1.

Topographical Plan 38518NGLS-01

Design and Access Statement

Planning Statement

Affordable Housing Statement by Bailey Venning Associates dated March 2023
Phase 1 Geoenvironmental Site Assessment
Phase II Site Appraisal
Landscape and Visual Appraisal
Ecological Appraisal and letter dated 11th September 2023
Old Hackney Lane BNG Calculations
Energy and Sustainable Statement
Transport Statement
Archaeological Desk Based Assessment
Statement of Community Involvement
Drainage Strategy and Percolation Testing Report
Education Infrastructure Assessment
Agents emails dated 6th July, 4th September from STW, 18th September and 19th September 2023
Technical Note to address LLFA comments dated 30th June 2023