

3/15/1019/REM – Residential development of 26 dwellings – approval of details in respect of landscaping following outline approval of LPA reference 3/10/2040/OP at land off Longmead, Buntingford, SG9 9EF for Matthew Homes

Date of Receipt: 18.05.2015

Type: Reserved Matters – Major

Parish: BUNTINGFORD

Ward: BUNTINGFORD

RECOMMENDATION:

That the Reserved Matters be **APPROVED** subject to the following conditions:

1. Approved Plans (2E10)
2. Tree/hedge retention and protection (4P05)
3. Landscape Implementation (4P13)

Directives:

1. Outline permission relationship (07OP)
(Insert '18th October 2011 3/10/2040/OP').

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies; the grant of outline permission for 26 dwellings in October 2011 (reference 3/10/2040/OP), and approval of reserved matters under reference 3/12/1417/RP, is that the approval of reserved matters in respect of landscaping should be granted.

_____ (101915REM.FM)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It is 1.15 ha in size and is located close to the A10, just to the south of properties in Baldock Road, on the western edge of Buntingford. To the east, the site

is bounded by residential properties; to the north by a mixture of commercial and residential properties; to the west by the A10 and to the south by arable fields.

- 1.2 Outline planning permission, including the detailed matter of access, was granted in October 2011 (ref. 3/10/2040/OP) for the residential development of the site. An application seeking the approval of reserved matters relating to layout, scale and appearance of the development (under ref. 3/12/1417/RP) was allowed on appeal in October 2013. That application proposed the construction of 26 dwellings on the site and those properties are currently under construction, with several houses to the front of the site already occupied.
- 1.3 The current proposal seeks the approval of reserved matters in respect of the landscaping of the site, as required by condition 2 imposed on the original outline planning permission ref. 3/10/2040/OP.

2.0 Site History

2.1 The site history can be summarised as follows:

- 3/10/2040/OP – outline planning permission granted for the residential development of the site – October 2011.
- 3/12/1417/RP – approval of reserved matters in respect of the siting of 26 dwellings on the site. Approved in October 2013 following an appeal against the non-determination of the application.

3.0 Consultation Responses

3.1 The Council's Arboricultural Officer considers the proposed planting scheme to be acceptable and has recommended approval of the application.

4.0 Town Council Representations

4.1 Buntingford Town Council comments that, subject to the approval of the Landscape Officer, they would have no objection.

5.0 Other Representations

5.1 The application has been advertised by way of press notice, site notice

and neighbour notification.

5.2 Two letters of representation have been received. The occupier of number 9 Longmead raises concerns that an area of planting would overshadow their rear garden. A letter of objection has also been received from the developer of the site to the northwest, known as Deacons Place. They express concerns that the proposal has not properly considered landscaping along the boundary of the site adjacent to the development to the north and that the approved dwellings will, as a result, overlook the Deacons Place development.

6.0 Policy

6.1 The relevant 'saved' Local Plan policies in this application include the following:

ENV1 Design and Environmental Quality
ENV2 Landscaping
ENV11 Protection of Existing Hedgerows and Trees

6.2 In addition, national planning policy as set out in the National Planning Policy Framework is a material consideration in the determination of the application.

7.0 Considerations

7.1 The principle of developing the application site for 26 dwellings was established by the grant of consent within the outline planning permission (LPA reference 3/10/2040/OP), as was the detailed matter of access. The reserved matters in respect of layout, scale and appearance (LPA reference 3/12/1417/RP) were considered to be acceptable by the Planning Inspector. This current application seeks permission for the final reserved matter – that of the landscaping of the site.

7.2 The submitted plans show the provision of a mixture of shrub planting and grass to the front of each of the approved new dwellings. On either side of the entrance to the site, it is proposed to plant an area of grass, bounded by hedging. An existing row of mature trees along much of the southern boundary of the site have been retained and it is proposed to locate a number of insect, bat and bird boxes along this southern boundary also. A number of mature trees along the northern and eastern boundaries are also to be retained. Several varieties of shrubs

within amenity areas on the site are also proposed. The plans show that only a small number of trees (six) are to be removed as a result of the development. Grass will be laid in the rear gardens of the approved dwellings.

- 7.3 The details of the proposed landscaping have been carefully considered and it is important to note that the Landscape Officer recommends approval of the application and has commented that the proposed planting plans are acceptable. Officers consider that the proposed landscaping would soften the built form of the development and, together with the existing trees that are to be retained, will provide an appropriate level of landscaping within the site which reflects its edge of settlement location.
- 7.4 The concerns raised by the resident of one of the new dwellings that 6 of the proposed shrubs to be planted would overshadow their garden have been considered by Officers. However, one of the species proposed is a medium sized deciduous shrub and the other is a small tree. Given the size and siting of these species, it is not considered that the proposed landscaping in this area would cause any significant harm to this neighbour's amenity from loss of light, overshadowing or similar.
- 7.5 The concerns from the developer of Deacons Place have also been noted. The approved development abuts Deacons Place to the north; a development of 4 detached dwellings. It is understood that 3 of these dwellings have now been constructed. The agent raises concerns that the development within Longmead overlooks the dwellings within Deacons Place. It is acknowledged that the application site levels are higher than the dwellings sited within the Deacons Place development. However, this relationship was considered acceptable by the Planning Inspector during the consideration of the appeal relating to the siting of the new dwellings (LPA reference 3/12/1417/RP) and the Inspector did not consider that the proposed development would result in any undue harm to the amenity of neighbouring occupiers. The use of landscaping on this boundary would not therefore be expected to mitigate any concerns regarding overlooking and is not considered to be necessary. The new dwellings to the north are sited 'side on' to this boundary such that their principal windows do not face the application site. Officers do not consider therefore that it would be necessary for any additional landscaping to prevent any loss of privacy to those dwellings. Whilst some of the back gardens of the houses on both developments will adjoin on this boundary, it is considered that the boundary fencing in this location, together with individual garden landscaping, will be

sufficient to safeguard the residential amenities of the new dwellings to the north.

8.0 Conclusion

- 8.1 The proposed landscaping scheme has been assessed by the Council's Landscape Officer and is considered to be appropriate for the new development. Whilst the objections to some parts of the scheme have been noted, Officers are satisfied that the planting details proposed would not have any adverse impact on any of the proposed new dwellings. Furthermore, additional landscaping is not considered necessary in order to safeguard the amenities of other nearby properties. Having regard to the above considerations, it is recommended that this reserved matter be approved subject to the conditions at the head of this report.