

42/13/0072

WEST OF ENGLAND DEVELOPMENT

APPLICATION FOR THE APPROVAL OF RESERVED MATTERS OF APPLICATION 42/12/0013 FOR THE ERECTION OF 30 NO. DWELLINGS ON LAND OFF AMBERD LANE, TRULL

Location: AMBERD LANE, TRULL, TAUNTON, SOMERSET, TA3 7HH

Grid Reference: 321551.121717 Reserved Matters

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

- (A1) DrNo 2029/808 Drainage Strategy Plan
- (A1) DrNo 2029/505 Drainage Strategy Plan
- (A4) Lane Widening Drawing
- (A3) DrNo 13.63.38a Elevations Plot 22 Type B7
- (A3) DrNo 13.63.37a Elevations Plots 11-13 Type H
- (A3) DrNo 13.63.36a Elevations Plots 7-8 Type F
- (A3) DrNo 13.63.35a Elevations Plots 1-5 Types F & G
- (A3) DrNo 13.63.34a Elevations Plot 15 Type E4
- (A3) DrNo 13.63.33a Elevations Plot 29 Type E3
- (A3) DrNo 13.63.32a Elevations Plot 26 Type E2
- (A3) DrNo 13.63.31 Elevations Plot 21 Type E1
- (A3) DrNo 13.63.30a Elevations Plot 18 Type D3
- (A3) DrNo 13.63.29a Elevation Plot 27 Type D2
- (A3) DrNo 13.63.28a Elevations Plot 23 Type D1
- (A3) DrNo 13.63.27a Elevations Plot 17 Type C3
- (A3) DrNo 13.63.26a Elevations Plot 28 Type C
- (A3) DrNo 13.63.25a Elevations Plot 30 Type C1
- (A3) DrNo 13.63.24a Elevations Plot 14 Type B6
- (A3) DrNo 13.63.23a Elevations Plot 25 Type B5
- (A3) DrNo 13.63.22a Elevations Plot 19 Type B4
- (A3) DrNo 13.63.21a Elevations Plot 10 Type B3
- (A3) DrNo 13.63.20a Elevations Plot 9 Type B2
- (A3) DrNo 13.63.19a Plot 6 Type B1
- (A3) DrNo 13.63.18a Elevations Plot 24 Type A3
- (A3) DrNo 13.63.17a Elevations Plot 20 Type A2
- (A3) DrNo 13.63.16a Elevations Plot 16 Type A1
- (A2) DrNo 13.63.15J Dwelling Types Plan

(A1) DrNo 13.63.14B Proposed Siteworks Layout
(A3) DrNo 13.63.12 Site Location Plan
(A3) DrNo 13.63.11a Elevation Fencing and Gates
(A3) DrNo 13.63.10 Site Works Walls
(A3) DrNo 13.63.9a Proposed Garages
(A2) DrNo 13.63.08B - Type H Floor Plans
(A2) DrNo 13.63.07B - Type G Floor Plans
(A2) DrNo 13.63.06B - Type F Floor Plans
(A2) DrNo 13.63.05C - Type E Floor Plans
(A2) DrNo 13.63.04C - Type D Floor Plans
(A2) DrNO 13.63.03C - Type C Floor Plans
(A2) DrNo 13.63.02C - Type B Floor Plans
(A2) DrNo 13.63.01C - Type A Floor Plans
(A1) DrNo SPP.1706.1 Tree Survey
(A1) DrNo 13.63.14A Proposed Siteworks Layout
(A1) DrNo 13.63.13C Proposed Site Layout
(A3) DrNo 13.63.10 Walls Elevation
(A1) DrNo SPP.1706.6 Rev G Landscape Planting Plan
(A1) DrNo SPP.1706.5A Landscape Plan
(A1) DrNo 2029/505 C Drainage Strategy Plan
(A1) DrNo 2029/506 B Attenuation Pond Details
(A4) DrNo 13.63.40B Site Location Plan for Attenuation Pond
(A4) DrNo 13.63.41B Proposed Site Layout Plan for Attenuation Pond

Reason: For the avoidance of doubt and in the interests of proper planning.

2. There shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason - In the interests of highway safety

3. There shall be an area of hard standing at least 6m in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason - In the interests of highway safety

Notes to Applicant

PROPOSAL

This is a Reserved Matters application seeking approval for the access, appearance, landscaping, layout and scale of 30 houses at Amberd Lane, Trull. The application

follows the grant of Outline Planning Permission 42/12/0013 for residential development.

The submitted plans show access to the site from Amberd Lane in the same central location that was identified at the outline planning application stage. Visibility splays of 2.4 x 43m are shown which require the hedge to the east to be trimmed back and the hedge to the west to be repositioned to the back of the a proposed footway.

A terrace of 5 affordable houses would face onto Amberd Lane and these would form part of the affordable housing provision. The remainder of the site would comprise mainly of large detached dwellings with a short terrace of 3 and a single pair of semi-detached houses (also affordable housing). The cul-de-sac road layout would loop around the site and footpath links would be provided throughout the site and also link onto the public footpath to the west.

The dwellings would all be two storey and follow a traditional design approach that includes a variety of design. All have traditional detailing with some dwellings being more ornate than others.

Materials would include a mixture of brick and render under either natural slate or clay tiles, with some concrete pantiles and double roman tiles.

SITE DESCRIPTION AND HISTORY

The site is located on the northern side of Amberd Lane to the east of Patrick's Way. It comprises a single field that slopes down from west to east with a strong hedgerow boundary that has been recently reduced.. Slightly raised up from the western boundary is a public footpath (T21/72) which links Amberd Lane with Church Road to the north. Some of the houses in Patrick's Way have rear pedestrian access onto the footpath.

To the north of the site are The Bell House and The Bell Cottage. These have quite large grounds that extend along the entire northern boundary of the field and include a tennis court. The northern boundary can therefore be described as domestic rather than agricultural.

The eastern boundary is agricultural and there is a second field, approximately 80 metres wide, and this adjoins the Sherford Stream. This is the field which was offered for public ownership and where the proposed surface water attenuation pond would be located.

The site is almost 2 hectares in size but specifically excludes the north east corner of the field which adjoins The Bell Cottage.

The site is outside of the defined settlement limits contained in the Local Plan and Core Strategy and is also within the Vivary Green Wedge.

Outline planning permission was granted in April 2013 for residential development after successful completion of a section 106 Agreement that secured:

Affordable Housing

- 10 units of affordable housing to be delivered on site in a distributed manner in accordance with the requirements of local housing need.

Community Facilities

- Contributions of £80,640 towards a Neighbourhood Equipped Area for Play (NEAP) to be located on the existing recreation field to the north.
- Contribution of £43,620 towards Active Outdoor Recreation.
- Contribution of £33,340 towards Community Hall Facilities.
- Contribution of £5,820 towards Allotment Provision.

As an alternative to the contribution towards the NEAP, Active Outdoor Recreation and Community Hall Facilities above (totalling £157,600), the provision of:

- Land to the south of the existing playing field (as shown on the deposited plans) to form an extension of that playing field, including the levelling, cultivation and seeding of the field;
- Provision of the NEAP;
- Provision of a Pavilion and Store Building of gross floor area not less than 200 square metres.

Public Art

- A contribution towards the provision of public art and public realm enhancements in accordance with the Council's Public Art Policy.

Landscaping

- The provision and subsequent maintenance of the landscaped belt proposed on the field to the east of the site prior to works commencing on site.

Education

- Contribution of £73,530 towards Primary School Facilities.

Highways

- The design and construction of a footpath/cycletrack within the site and the widening and surfacing of the existing footpath between the northern end of the site and the south western corner of the existing recreation field to 2.5m.
- The design and construction of a new traffic island at the junction of Amberd Lane and Honiton Road.
- A minimum sum of £10,000 for Travel Planning requirements, including travel vouchers upon first occupation and production of information leaflets. This 'minimum' should be considered against the provision of a full Travel Plan Statement, and any additional elements arising from the Statement.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

TRULL PARISH COUNCIL – supports

Trull Parish Council supports this application for approval of the reserved matters regarding 30 dwellings off Amberd Lane.

DRAINAGE ENGINEER – comments:

I note Wessex Water concerns outlined in their letter dated 14th January requesting that if they are to adopt the surface water drainage system the attenuation pond will have to be 'off line'.

Has this detail been agreed if so can a revised drawing be provided. If the pond is to be off line and Wessex Water do not adopt it, full details of how the pod will be maintained for the life time of the development needs to be forwarded for approval.

LANDSCAPE – Has negotiated amended landscape plans direct with the Landscape Architect

HERITAGE – No apparent impact on any designated heritage assets

HOUSING ENABLING – comment

The proposed site layout, drawing number 13.63.13b shows 33% of the total dwellings as affordable housing which is in accordance with the Section 106 agreement relating to the development of land at Amberd Lane, Trull, Taunton, dated 11 April 2013.

In terms of layout, following discussions with the housing association that will own and manage plots P1-P5 for rent the size and location of these units are acceptable. Although plots P7 and P8 are located in the same area of the site, the access points to the homes are different with the gardens offering a division which will detach the two low cost houses from the affordable housing to the front of the scheme. Alternative locations were discussed with the applicant and a suitable alternative could not be agreed without the potential to increase the open market value of the low cost housing further. P11,12 and 13 are an acceptable in terms of location.

Housing Enabling do have concerns with regards to the affordability of the 3 bed homes for discounted open market sale with the introduction of Help to Buy having an impact on applicants for discounted open market units. There is currently only one mortgage lender for this type of housing and the mortgage lenders requirement is for a 20% deposit. It would be preferable if the intermediate housing could be for shared ownership.

All affordable housing units must meet the Homes and Communities Agency Design and Quality Standards 2007, including at least Code for Sustainable Homes Level 3

SCC - TRANSPORT DEVELOPMENT GROUP –

In terms of traffic impact the outline application was accompanied by a Transport Assessment, which assessed its impact on the local highway network. The Highway Authority was satisfied that this proposal would not have a detrimental impact on the highway network. Furthermore as part of the S106 agreement mitigation measures have been proposed to try and improve the existing junction with Honiton Road.

The Highway Authority is in receipt of drawings 13.63.13/B and 13.63.14/A, which provide design detail of the internal site arrangements. This has been subject to an Estate Roads audit [*detailed comment on layout given*].

Therefore subject to the minor amendments to the internal layout, which can be taken up during the S38 process, the Highway Authority has no objection to this proposal and if the Local Planning Authority were minded to grant planning permission I would require the conditions to be attached.

SCC - RIGHTS OF WAY – comment

Further to my comments on 28/8/12 in relation to 42/12/0013 it is still not clear as to how the extra width of footpath will be legally created and how rights for cyclists will be achieved.

Some of this may be able to be addressed through the s38 agreement but there would need to be a Cycle Tracks Act Order to create the right for cyclists to use the footpath for the length on land outside of the developers control. The costs associated with that will need to be defrayed by the developer.

Generic comments made on 19/4/12 in relation to 42/12/0013 still apply.

BIODIVERSITY – Will comment in detail on receipt of the wildlife strategy

Further comments on submitted strategy – I have seen and agreed the strategy.

NATURAL ENGLAND –

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species - We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by

development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

Local wildlife sites - If the proposal site is on or adjacent to a local wildlife site, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application.

Biodiversity enhancements - This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

Landscape enhancements - This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

ENVIRONMENT AGENCY – Comments of associated application for drainage pond:

Our original response to this proposal mentioned that the surface water discharge rate should be limited to the 1 in 2 year Greenfield rate and provide long term storage to deal with the additional volume of water generated by the development. If this cannot be achieved and infiltration is not a valid option, the surface water discharge rate would need to be limited to be 2 l/s/ha

The Greenfield runoff rate allowed to discharge from the pond should be calculated based on the impermeable area on the site after construction, unless the applicant can prove that the green area also drains to the pond via the drainage network.

For this site it means that Greenfield runoff rate from the pond after development should be 4.74 l/s (calculation based on impermeable area of 0.804 ha) with the provision of long term storage. Or the discharge from the pond should be 1.6 l/s.

The pond is designed to discharge at 10 l/s. The applicant states it is a 1 in 1 year discharge rate, however we believe this is the 1 in 30 year Greenfield discharge rate for an impermeable area of 0.804 ha.

However, it is understood that the drainage rates have been agreed with the Local Planning Authority's Drainage Engineer. Therefore, I can confirm that the Environment Agency would have no objection to this proposal, subject to agreement from the LPA's Drainage Engineer.

SOMERSET WILDLIFE TRUST – In the absence of a wildlife strategy we would object to this application.

COMMUNITY LEISURE – A signed Section 106 Agreement is in place for this development. I therefore have no further comments to make.

PLANNING POLICY – no comments to make on this application

PARKS – no observations

POLICE ARCHITECTURAL LIAISON OFFICER – Having reviewed the documentation submitted in support of the application, I would make the following comments:-

- I note the comments made in paragraph 4.3 of the Design & Access Statement in response to my original observations regarding the outline application and would make the following additional comments:-
- Bullet Points 1 & 2 - I agree with the comments made concerning the entrance road approach and orientation of dwellings.
- Bullet Point 3 - in view of the fact that the field to the north of the development is to be used as a private paddock area as opposed to a communal recreational area, I accept that it is not necessary to re-orientate dwellings to overlook this private area. The proposed rear boundary treatments for Plots 19-23 also appear appropriate for the crime risk.
- Bullet Point 4 – I agree with this comment.
- Bullet Points 5 & 6 – proposed parking for the detached dwellings and some affordable units is excellent. However, parking spaces for the affordable Plots 1-5 have been moved from the front of these dwellings, where they were well overlooked by owners, to a parking court at the rear where they are subject to more limited surveillance from owners' homes. Rear parking

courts are discouraged as they introduce access to the vulnerable rear elevations of dwellings where the majority of burglaries occur. However, I note that the parking court will incorporate a change of road surface, brick piers at the entrance and privacy signage to define it as a private parking area and deter unauthorised access.

- I have nothing further to add to my original email dated 14 May 2012.

SCC - CHIEF EDUCATION OFFICER – no comment received

WESTERN POWER DISTRIBUTION – no comment received

WESSEX WATER – comment

Our development engineer has considered the drainage drawing submitted with the application (2029/505 December 2013) and notes the following:

- The Sewer diversion will require upsizing to 225mm to support proposed development.
- Sewer diversion will be subject to application and agreement, alternative diversion options should be considered which may shorten the diversion length. Arrangements to be discussed
- Sewer adoption to be in accordance with SFA7
- The outfall surface water sewer is not adoptable in current design. Adoption will be subject to making the pond offline and providing vehicular access to the flow control chamber. Details to be agreed.
- The pond appears to be too close to the existing 225mm public foul water sewer. There must be a 3m clearance from top of bank.

TAUNTON & DISTRICT CIVIC SOCIETY - no comment received

Representations

23 Letters of OBJECTION which raise the following issues:

Principle

- The development is in the green wedge
- The local surgery and school are at capacity.
- The application is premature to the Trull Neighbourhood Plan
- Combined impacts with other development proposals in the area.

Design and Layout

- The affordable houses are not distributed around the site
- There is not a good mix of properties - they are either affordable houses or large detached dwellings. There should be more 3 and 4 bed semi-detached

properties.

- The terrace of 5 affordable homes would overlook existing properties opposite.
- The terrace of 5 affordable homes would be an incongruous intrusion in the street scene – they should be staggered.
- The properties should have chimneys.
- Some of the houses are very high
- Properties are too symmetrical
- The affordable houses on plots 11-13 should not have doors to the side and the design of this building should be reconsidered.
- Bathrooms should have windows
- This will add to the urban sprawl of Trull
- There should be no street lighting

Landscaping

- The proposal to widen to footpath cannot be achieved without felling a mature tree.
- The hedges facing Amberd Lane should be maintained in perpetuity.

Drainage

- The south west corner of the field has been flooded twice in the last 12 months
- The proposal would result in flooding downstream (of the Sherford Stream)
- The attenuation pond is not within the development site.
- How will the pond be managed?
- There should be safety fencing around the pond.
- The pond should have a dual use for wildlife and should not be allowed to empty.
- Amberd Lane has flooded a number of times already this year.
- The blocked drains in Amberd Lane should be cleared before work starts

Highway safety

- There has been an accident on Honiton Road at the junction of Amberd lane.
- Increased traffic using this junction.
- Local roads can not take any more traffic
- The pavement should be extended to the east of the site access
- Extra traffic should require a roundabout to be built at the junction of Honiton Road
- It is not safe to walk between Spearcey Lane and Honiton Road as there are no footpaths

Sustainable development

- With 56 parking spaces, how can the development be described as sustainable.
- The dwellings should have solar panels.

Other

- Disruption during construction.
- Will development occur in the north eastern corner of the field?
- Loss of good agricultural land.
- It is contrary to the 2005 Trull Parish Plan.
- Works to the hedgerows should take place outside of the nesting season.

PLANNING POLICIES

S7 - TDBCLP - Outside Settlement,
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 DM2 - TD CORE STRATEGY - DEV,
 SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
 CP8 - TD CORE STRATEGY- ENVIRONMENT,

LOCAL FINANCE CONSIDERATIONS

As Outline Planning Consent has already been granted, this development would not be liable for CIL

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£35,172
Somerset County Council (Upper Tier Authority)	£8,793

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£211,032
Somerset County Council (Upper Tier Authority)	£52,758

DETERMINING ISSUES AND CONSIDERATIONS

The principle of development was agreed when outline planning permission was granted for residential development on the site. This is a reserved matters application for the access, appearance, landscaping, layout and scale.

Highways/Access

The access point at the centre of the site provides adequate visibility in both directions in addition to some road widening along Amberd lane. A footway between the new access and the existing public footpath opposite Spearcey Lane would be provided which would also deliver the necessary visibility splay.

Off-site works to the junction between Amberd Lane and Honiton Road were secured as part of the Section 106 for the outline planning permission and can not be considered as part of this application.

The highways authority have made detailed comment on the internal layout and suggest that any minor amendments to the internal layout which may be required can be taken up during the Section 38 process.

With regard to the comments from the County Council Rights of Way team, It is not suggested that the existing public footpath has to be changed to accommodate cyclists, but the outline consent did require the site to have pedestrian/cycle links throughout which then linked in to the existing public footpath network. It was also required to increase the width of the existing off-site public footpath running northwards from the site to the playing fields. It was not required that this footpath to be formally designated as a shared public/cycle path. If this could be legally and safely secured, then it would clearly be a benefit to all users, however the development is acceptable without this designation.

The County Highways authority have suggested a number of conditions which either do not relate to the reserved matters (such as surveys of the condition of the local road network and construction management plans) or are considered unnecessary in terms of the site detail. It is not considered necessary to require all access gradients to be less than 1 in 10 of a site that gently slopes. Only those conditions which relate to this application and are necessary are included in the recommendation

Design/Layout

The affordable housing layout has changed from that shown on the indicative layout plan submitted with the outline application. That plan showed all of the affordable housing in the south west corner of the site and accessed off a separate car parking court. The proposed layout shows the terrace of 5 properties in the same part of the site and fronting onto Amberd Lane. It is appropriate that the dwellings in this location face the street and have dedicated parking to the rear. A pair of semi-detached affordable houses remain in the south western part of the site, but share their access point with 3 of the open market houses. This helps integrate them into the development. The remaining terrace of 3 affordable houses are in the centre of the site and have been designed to appear as a single large property at the focal point for the entrance.

The remainder of the site comprises 20 large detached dwellings with in-curtilage parking in double or triple garages. Chimneys have been added to some of the properties in response to the consultation responses. The design is characterised by traditional detailing on large properties with steep roof pitches.

The comments about overlooking from the terrace of properties to existing dormer bungalows in Amberd Lane are noted, however the window to window distance would be approximately 22.5 metres and across a public highway. This is normally considered to be sufficient distance to limit any demonstrable harm from loss of privacy. The ridge height of the proposed terrace has been reduced by 1m by slackening the pitch in response to some of the consultation comments.

The development does not contain any 3 bedroom open market properties which has been raised in one of the consultation responses. Due to the location of the development it is likely that house values will be high, resulting in the smaller houses being made available solely through the discounted open market tenure. This has

been agreed with the Housing Enabling Lead who would have concerns that if the larger properties were offered at a discounted price, they would still remain outside the affordability of many people in housing need. It is therefore considered that the mix of size and tenures is appropriate for this site.

Drainage/Flooding

It is proposed that the surface water from the site would be drained to the north east of the development and into the Sherford Stream. An attenuation pond is proposed which would hold any additional surface water and release it at a controlled rate of 10 litres per second. The submitted calculations show that the existing Greenfield runoff rate is also 10 litres per second. The scheme has been designed in accordance with SuDS design guidance and complies with runoff rates set out in condition 5 of the outline planning consent:

No development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted and approved by the Local Planning Authority, all as set out in the submitted Flood Risk Assessment by Three Counties dated 30 March 2012.

The scheme shall include full details of proposed on site storage where runoff rates have been limited to those from a 1 in 1 year storm on the green field site. Calculations are to be provided showing this attenuation provided for all storms up to and including the 1 in 100 year plus climate change event. The details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. Details of exceedance flow paths and depths of flow shall be mapped and shown to be safe.

As the pond is outside of the original application site and in the field to the east of the development, a separate planning application has been submitted which is being considered alongside this application. The following agenda item deals with that application.

It is noted from some of the consultation responses that Amberd Lane has suffered from some flooding in the previous two years and evidence has been submitted to show this. The flooding of the road appears to be from surface water runoff gathering at a low point rather than the Sherford Stream 'overtopping'. This may have been exacerbated by blocked highway drains in Amberd Lane which were seen to be overflowing by the case officer on one of his site visits.

Provided that this development drains into the newly proposed drainage network and attenuation pond as shown on the submitted plans, it is considered that the proposal would not add to that existing problem. The discharge of surface water from the site would occur downstream from Amberd Lane at a controlled rate agreed with the drainage engineer and Environment Agency. This is considered to be acceptable.

Wildlife

The outline planning permission required the submission of a wildlife strategy prior to development commencing on site. A strategy has been submitted in response to the Biodiversity Officers initial comments on this reserved matters application.

Hedgerow clearance/reduction took place earlier this year under the supervision of an ecologist and without the need for planning consent. The Biodiversity Officer is satisfied with the proposed strategy.

Conclusion

The development already has the benefit of outline planning permission and in terms of the submitted detail, the layout and design is considered to be appropriate. The highways authority have made detailed comment on the proposed access and layout and have not raised any objection. With regard to drainage, an associated planning application for the attenuation pond has been submitted and is being considered alongside this application. It is concluded that the attenuation pond will provide the required attenuation that has previously been agreed by the Environment Agency and Council Drainage Engineer. It is therefore recommended that Reserved Matters Consent be issued.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr B Kitching Tel: 01823 358695