

COMMITTEE REPORT

Date: 16 November 2017 **Ward:** Holgate
Team: Major and **Parish:** Holgate Planning Panel
Commercial Team

Reference: 17/02006/OUTM
Application at: Severus SRE Site Lindsey Avenue York
For: Outline application for the erection of 43no. Affordable dwellings
By: Yorkshire Housing
Application Type: Major Outline Application (13 weeks)
Target Date: 20 November 2017
Recommendation: Refuse

1.0 PROPOSAL

1.1 Severus Hills comprises a 1.66 hectare partially wooded site occupying a prominent hill top location to the north west of the City Centre. It was formerly occupied by a partially below ground reservoir associated with the York Water Works Company and retains a large and visually prominent water tower on the directly adjacent site. The site is a notified SINC (Site of Interest for Nature Conservation) on the basis of providing a calcareous grassland habitat. Outline Planning Permission is sought for erection of 43 affordable dwellings on the cleared site incorporating a mix of social rent and discounted sale properties. Landscaping only is reserved. The application has been amended since submission to include a series of photomontages to clarify its impact upon the visual amenity of the wider street scene and the residential amenity of neighbouring properties.

2.0 POLICY CONTEXT

National Planning Policy Framework (NPPF) March 2012.
See section 4 for more detail.

Development Control Local Plan (DCLP) 2005

2.1 City of York Council does not have a formally adopted Local Plan. Nevertheless The City of York Draft Local Plan Incorporating the Fourth Set of Changes Development Control Local Plan (Approved April 2005) was approved for Development Management purposes (the DCLP).

2.2 The 2005 Draft Local Plan (DCLP) does not form part of the statutory development plan for the purposes of S38 of the 1990 Act. Its policies are however considered to be capable of being material considerations in the determination of planning applications, where policies relevant to the application are consistent with those in the NPPF, although it is considered that their weight is limited.

2.3 DCLP policies relevant to the development are:-

CGP15A - Development and Flood Risk
CYGP1 - Design
CYH2A - Affordable Housing
CYH4A - Housing Windfalls
CYNE5A - Local Nature Conservation Sites
CYNE7 - Habitat protection and creation
CYNE1 - Trees, woodlands, hedgerows
CYHE2 - Development in historic locations

Emerging Local Plan

2.3 Consultation on a new pre-publication draft local plan and revised evidence base was completed on 30th October 2017.

2.4 The emerging Local Plan policies can only be afforded weight in accordance with paragraph 216 of the NPPF and at the present early stage in the statutory process such weight will be limited. The evidence base that underpins the proposed emerging policies is however a material consideration in the determination of the planning application.

2.5 The evidence base includes:

- Strategic Housing Land Availability Assessment (SHLAA) (2017)
- Strategic Housing Land Availability Assessment (SHLAA) Annexes (2017) (18.67 MB - PDF)
- Heritage Impact Assessment (2017) (2.36 MB - PDF)
- Heritage Impact Assessment Annexes (2017) (5.61 MB - PDF)
- City of York Biodiversity Audit (2011)
- City of York Biodiversity Action Plan (2013)
- Local Plan Evidence Base Study Open Space and Green Infrastructure (2014)
- Green Corridors Technical Paper (2011).

2.6 The following policies from the emerging Local Plan are relevant:-

- H3 Balancing the Housing Market
- H10 Affordable Housing
- D6 Archaeology
- G11 Green Infrastructure
- G12 Biodiversity and Access to Nature
- G14 Trees and Hedgerows.

3.0 CONSULTATIONS

INTERNAL:-

3.1 Planning and Environmental Management (Archaeology) object to the proposal on the grounds that the application contains insufficient information to assess the impact of the proposal upon known significant deposits of Roman date surviving at the southern edge of the site.

3.2 Planning and Environmental Management (Ecology) object to the proposal on the grounds that the proposal fails to comply with the requirements of Central Government Policy as outlined in paragraph 118 of the NPPF in respect of sites of significant biodiversity importance in that it would result in the total removal of a significant area of recognised and important natural habitat and fails to demonstrate that loss can be adequately compensated for.

3.3 Planning and Environmental Management (Landscape) object to the proposal on the grounds that:-

- “The Water tower is a landmark building that contributes to the diversity of buildings and structures that add to the character of York and provide variety within the city’s sky line. From certain view points it is seen within the same panorama as Holgate windmill and The Minster. The openness around the Water tower, partnered with the topography and vegetation, contributes to its visual setting, as well as cultural context, rendering the site an important component of the cityscape.
- There is currently a comfortable, complementary distance between the water tower and the surrounding residential properties, supplemented by the existing vegetation.
- The proposed loss of vegetation and openness that skirts around the eastern half of the Water tower would have a detrimental impact on the setting of the Water tower – a landmark building - and the landscape quality of the city’s sky line, as viewed from surrounding locations such as the city walls.
- The lack of open space, plus the relatively small garden sizes, and the need to mitigate for the loss of neutral grassland means there is limited scope for tree planting that would reduce the visual impact in the wider landscape.
- The current undeveloped nature of the site, presents significant value (existing and potential) as a green infrastructure ‘stepping stone’ within a relatively dense, residential area; this would be considerably reduced.
- Whilst the scheme aims to provide much needed affordable housing, the quality of the environment would be poor. The proposed housing layout results in extremely little accessible and functional open space. The site sits within

Holgate ward in which there is already an overall deficit of open space, in particular that for children, teenagers, and natural & semi-natural/amenity space. The strips of 'neutral grassland' on the surrounding slopes would be inaccessible, and would not function as open space. Furthermore these areas would be enclosed with six foot, rear garden, fencing, and therefore would not be directly overlooked. The site would result in an area of 'no man's land' on the mounding, which could prove problematic to manage. (It is possible that these areas could quite quickly become dumping grounds for adjacent properties.) “

3.4 Highway Network Management. Object to the proposal on the grounds that the proposed layout would lead to road conditions substantially prejudicial to safe and convenient use of the local highway network. 3.5 Strategic Flood Risk Management raise no objections to the proposal subject to any permission being conditioned to require submission and prior approval of a detailed surface water drainage scheme for the site.

3.5 Education Services raise no objection to the proposal subject to the proposal subject to the payment of a commuted sum of £293,118 in lieu of the provision of educational places at Millthorpe School secured by means of a Section 106 Agreement.

3.6 Public Protection raise no objection to the proposal subject to any permission being conditioned to require the submission and prior approval of a CEMP, remediation of any contaminated land and the provision of electrical charging points for electrically operated vehicles.

3.7 Public Health (Sport and Active Leisure) were consulted with regard to the proposal on 22nd August 2017. Views will be reported orally at the meeting.

3.8 Housing Services were consulted with regard to the proposal on 22nd August 2017. Views will be reported orally at the meeting.

EXTERNAL:-

3.10 Holgate Planning Panel object to the proposal on the grounds that the proposal would result in the loss of a green space of townscape significance, the proposal would give rise to very substantial harm to the residential amenity of adjoining properties and would overload local infrastructure.

3.11 The Yorkshire Wildlife Trust object to the proposal on the grounds of substantial harm to local biodiversity through total loss of a SINC with inadequate compensation or mitigation.

3.12 The Ainsty (2008) Internal Drainage Board raise no objection in principle to the proposal but raise concerns in respect of the detail of the proposed surface water drainage strategy for the site.

3.13 The Environment Agency raises no objection to the proposal.

3.14 Yorkshire Water Services raise no objection in principle to the proposal but express concerns in respect of the proposed means of surface water disposal.

3.15 159 Letters of objection have been received in respect of the proposal together with a 115 signature petition opposing the development. The following is a summary of their contents:-

- Objection to the loss of a green space of significant townscape importance;
- Objection to the substantial harm caused by the development to the setting of York Minster;
- Objection to the substantial harm caused to local biodiversity caused by the loss of a SINC without proper mitigation or compensation;
- Objection to the loss of archaeological deposits of Roman date;
- Objection to the very substantial harm caused to the residential amenity of adjoining properties;
- Objection to the substantial harm caused to the amenities of protective occupiers of the proposed residential units;
- Objection to the significant strain that the development would cause to local transport, drainage and other infrastructure;
- Objection to substantial harm to the visual amenity of the wider street scene;
- Concern in respect of substantial harm to residential amenity of neighbouring properties caused during the construction process;
- Concern in respect of increased flood risk for surrounding properties caused by the development;
- Concern in respect of the manner in which the applicant undertook their pre-application consultation exercise with the local community.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- Design and Layout;
- Impact upon local biodiversity through loss of a SINC;
- Impact upon the residential amenity of neighbouring properties;
- Impact upon the amenities of prospective occupants of the new properties;
- Impact upon archaeological deposits of significance;
- Impact upon the visual amenity of the local street scene;
- Impact upon the local surface water drainage network;
- Highway Layout;

- Provision of Housing;
- Provision of Affordable Housing;
- The Planning Balance.
- Other material considerations.

PLANNING POLICY AND LEGISLATIVE CONTEXT:-

4.2 IMPACT UPON LOCAL BIODIVERSITY:- Paragraph 118 of the National Planning Policy Framework indicates that if significant harm to biodiversity arising from a development can not be avoided through locating to an alternative site with less harmful impacts, adequately mitigated or as a last resort compensated for then planning permission should be refused.

4.3 IMPACT UPON RESIDENTIAL AMENITY:- Paragraph 17 of the National Planning Policy Framework "Core Planning Principles" indicates that Local Planning Authorities should give significant weight to the maintenance and provision of a good standard of amenity to all new and existing occupants of land and buildings.

4.4 HOUSING PROVISION AND THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT:- Paragraph 49 of the National Planning Policy Framework indicates that planning applications for housing should be considered in the light of the formal presumption in favour of sustainable development and that relevant policies for the provision of housing should not be considered up to date if the Local Planning Authority could not demonstrate a five year supply of land for housing. Paragraph 14 of the NPPF further indicates that where relevant local policies are considered out of date then planning permission should be granted unless the impacts of doing so would specifically and demonstrably outweigh the benefits or specific policies contained within the NPPF indicate that development should be restricted. However, in this case specific policies in the NPPF apply which seek to restrict development – namely paragraph 118 relating to ecology and therefore the “tilted balance” in favour of granting permission does not apply.

4.5 IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE:- Paragraph 61 of the National Planning Policy Framework urges Local Planning Authorities to give substantial weight to the means on integration of new development into the existing pattern of built development and natural environment.

DESIGN AND LAYOUT:-

4.6 Central Government Planning Policy as outlined in paragraph 64 of the National Planning Policy Framework indicates that Local Planning Authorities should refuse planning permission for developments which fail to take opportunities to improve the character and quality of an area and the way it functions. Fundamental elements of good design, specifically of residential development lie in its layout, its relationship

with its surroundings, its contribution to local distinctiveness and opportunities to enhance local amenity and the quality of landscape. The submitted proposal envisages a very dense pattern of development with a simple uniform built form that would be visually prominent in all views from outside of the site other than to the north west. The pattern of density is such that in two locations the minimum acceptable separation distances from adjacent development may not be achieved. At the same time little thought has been given to the provision of amenity open space within the development other than on the surrounding embankment which the developer also indicates would serve as the mitigation area for the loss of the SINC (Site of Interest for Nature Conservation). Whilst it is acknowledged that details of landscaping are reserved for future consideration, inadequate space has been allowed within the development for an appropriate landscaping scheme that would promote local distinctiveness and effectively integrate the development into its wider surroundings. Indeed the submitted details indicate that the existing landscaping which defines the existing character of the site would be almost completely removed. It is therefore felt that the design quality of the development falls significantly below an acceptable standard.

IMPACT UPON LOCAL BIODIVERSITY:-

4.7 The application site is notified as a SINC (Site of Interest for Nature Conservation) as a good example of a calcareous grassland habitat. The eastern and southern fringes of the site are also thickly wooded. It furthermore provides an important function as a green corridor of semi natural habitat linking the densely developed inner urban area with sub-urban development and the rural area beyond as well as linking the undeveloped Ouse corridor with Hob Moor to the south west. It is identified as being of high biodiversity value with habitat for a range of butterflies, moths and hedgehogs together with bats which are formally protected under Section 41 of the 2006 Natural Environment and Rural Communities Act. The proposal envisages the almost complete removal of the vegetation supporting the habitat giving rise to substantial harm without appropriate mitigation being put in place.

4.8 Paragraph 118 of the NPPF indicates that where determining planning applications Local Planning Authorities should place substantial weight on the need to preserve and enhance local biodiversity and where substantial harm may not be avoided or adequately mitigated for then planning permission should be refused. At the same time paragraph 9 of the NPPF indicates that sustainable development should ensure positive improvements in terms of biodiversity. The submitted tree retention plan however clearly indicates that all the existing vegetation would be removed from the site although the submitted photomontages show a degree of tree retention. Whilst some form of mitigation is proposed for the calcareous grassland habitat for which the site has been notified as a SINC, no mitigation has been put forward in respect of the loss of the tree cover which forms a significant element of the character of the existing site. The mitigation strategy itself for the loss of calcareous grassland is not specific as to its long term management and it is unclear as to what extent it would be successful bearing in mind the degree of public use of

areas of retained open space and the inability to control use and development of adjacent private gardens. The grassing of private gardens is also identified as an important element of the landscape strategy within the submitted site plan. The methodology of implementation is also similarly unclear.

4.9 Reference is made to areas of ecological enhancement which implies additional biodiversity benefits without substantiating what they might be and the site layout indicates a significant risk of the tipping of garden waste in areas adjacent to the domestic gardens of the properties to be constructed as well as a significant and harmful degree of public use of the remaining areas of open space. Harm to the SINC and its biodiversity value from the development would be substantial and the requirements of paragraph 118 of the NPPF are not capable of being complied with. Furthermore the site has previously been considered on several occasions as a potential site for residential development in the SHMA and SHLA and discounted on the grounds of the substantial harm it would cause to local biodiversity.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:-

4.10 The application site lies surrounded by residential development some of which are bungalows with a number of properties approaching close to the site boundary. Differences in levels between the proposed development area and the adjacent properties notably to the south east are substantial and in the order of 16 metres at their greatest extent. The nearest residential property in Howe Hill Close is some 22 metres to the south east. However the steeply sloping nature of the site combined with the total removal of the existing vegetation would greatly increase a sense of proximity between the south eastern section of the development and residential properties in Howe Hill Close. With a level site and surroundings separation distances with properties to the south and south east would be at the minimum generally accepted, however with the unusually sharp change in level both across the site and in respect of the surrounding areas the impact of the development upon adjoining properties notably in Howe Hill Close would be overbearing. A sun path diagram has been submitted which demonstrates some modest loss of sunlight to adjoining gardens however the nature of the relationship is such as to be oppressive to the adjoining properties with substantial harm being caused to their residential amenity. A series of photomontages have been submitted to illustrate the relationship although an assumption of some tree retention is made which is directly contradicted by the tree retention plan. Even allowing for a degree of retention an oppressive and unacceptable relationship between the proposed properties and existing properties in Howe Hill Close to the south east is clearly demonstrated. The requirement of paragraph 17 the NPPF in terms of maintaining and providing a good standard of amenity for all new and existing occupants of land and buildings can not therefore be fulfilled.

IMPACT UPON THE AMENITIES OF PROSPECTIVE OCCUPANTS OF THE NEW PROPERTIES:-

4.11 The application site comprises a former reservoir with associated water tower operated by the former York Water Works Company. The Water Tower, which forms one of the most prominent landmarks on the City skyline, is retained in the ownership of Yorkshire Water Services Limited on the directly adjacent site. The submitted site layout envisages the construction of five plots (Nos 34-38) in close proximity to the foot of the Tower which is approximately 40 metres high. The closest property (plot 35) is some 13 metres from its foot. The resulting relationship would be oppressive and overbearing and would give rise to an unacceptable standard of amenity for the occupants of the plots affected. Once again the requirements of paragraph 17 of the NPPF in respect of the provision of an acceptable standard of residential amenity may not be complied with.

IMPACT UPON ARCHAEOLOGICAL DEPOSITS OF SIGNIFICANCE:-

4.12 Large elements of the southern and eastern sections of the site have remained historically undeveloped and there is an association with the site and the Roman occupation of the City. An archaeological Desk Based Assessment has been submitted with the proposal which confirms the possibility of significant Roman material in the form of a road together with associated road side activity. This would particularly impact upon the site of the access road together with the six plots directly adjacent. No evaluation has however been submitted in order to establish the nature of any impact and associated mitigation required despite one being requested. It is not therefore possible to make a meaningful assessment of the impact of the proposal upon archaeological deposits of importance and the scheme as it stands is unacceptable on archaeological grounds.

IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE:-

4.13 The application site with its sylvan surroundings with adjacent water tower forms a prominent point of definition within the local skyline particularly in views from the east and south east notably from the East Coast Mainline and from the area of Poppleton Road School. Its well treed semi-natural nature gives it an important defining role within the wider City skyline along with the Terry's Clock Tower and the racecourse grandstand. The proposed development would completely erode its character replacing its existing naturalistic well treed character with a heavily engineered densely developed pattern of urban development. A Landscape and Visual Assessment has been submitted with the proposal, however it assumes the retention of a significant degree of the existing tree cover when the submitted application plan indicates that none will be retained at the same time the chosen landscape views have been from locations where the site is not as visually prominent. The LVIA further appears to assume a greater retention of existing and proposed planting to screen the development than is in reality expected in the ecological mitigation plan. The analysis of the landscape value of the site – both in the immediate and wider context, is to an extent thin; and the assessment of the scheme's relationship with the existing landscape character by way of its suburban

nature, is a rather too simplistic. Paragraph 61 of the NPPF indicates that new development should clearly integrate into the surrounding built and natural environment and that Local Planning Authorities should give significant weight to achieving that objective. It is felt that the proposal singularly fails to respect the existing character of the site or knit successfully with the grain of built development surrounding. As a consequence it is felt that the requirements of paragraph 61 of the NPPF are not complied with and substantial harm would be caused to the visual amenity of the wider street scene by the development.

HIGHWAY LAYOUT:-

4.14 The highly dense and regimented nature of the development has resulted in a physically constrained highway layout. It has not been demonstrated that the proposed turning areas are capable of accommodating large vehicles such as refuse collection vehicles and removal vans. At the same time a number of access roads and drive ways are unusually narrow creating difficulties for accommodating vans and larger cars. More fundamentally visitor parking spaces block the driveways to 7 of the 43 plots creating conditions prejudicial to the safety and convenience of highway users.

IMPACT UPON THE LOCAL SURFACE WATER DRAINAGE NETWORK:-

4.15 Some concerns have been expressed in respect of the impact of the proposal on the local surface water drainage network. However, an outline drainage scheme has been submitted with the proposal which envisages the treatment of surface water via a scheme of attenuation before passage into the public surface water sewer to the south west. This is felt to be acceptable in principle as means of draining the site subject to any permission being conditioned to secure the details. That does not however detract from the serious concerns in respect of other aspects of the development.

PROVISION OF HOUSING:-

4.16 Whilst paragraph 49 of the NPPF clearly indicates that housing applications should be clearly considered in the context of the presumption in favour of sustainable development, in this case such presumption does not apply due to the more restrictive policies concerning heritage and biodiversity. Para 49 also states that where a Local Planning Authority can not demonstrate a five year supply of deliverable housing sites then relevant policies for the delivery of housing should not be considered up to date. At the present time the Authority is not able to fully demonstrate a deliverable five year housing land supply and as such the delivery of the number of housing units proposed should be given significant weight in the planning balance. However, it is also material consideration that the site has been considered as potential site for the number of units currently offered through the production of the housing evidence base on several occasions and it has been

specifically discounted as a consequence of the serious harm that would be caused to local biodiversity.

PROVISION OF AFFORDABLE HOUSING:-

4.17 The proposal envisages the erection of 43 affordable dwellings with a mix of 30 affordable and 13 discounted sale properties. Paragraph 50 of the NPPF indicates that Local Planning Authorities should work to deliver a wide mix of tenures, sizes and types of housing to reflect the range of economic and social circumstances in the locality in order to build sustainable and socially inclusive communities. The proposed development together with other sites in the locality would make a significant contribution towards the requirement for the delivery of affordable housing in the medium to long term in the locality. However, the level of harm in terms of the impact of the proposal on local biodiversity, residential amenity and the visual amenity of the wider street scene is such that any positive benefit in terms of the provision of the required affordable housing would be outweighed by a range of substantial harms.

THE PLANNING BALANCE:-

4.18 The proposal envisages the provision of 43 affordable homes with a mix of affordable rent and discounted sale which are important positive considerations which merit substantial weight in the planning balance as the Local Planning Authority cannot demonstrate a NPPF compliant 5 year supply of housing at this time. However due to substantial harm to biodiversity, the “tilted balance” in favour of sustainable development at paragraph 14 to the NPPF does not apply in this case.

4. 19The proposed scheme would give rise to an unacceptable standard of amenity to prospective occupants of Plots 34-38. It would lead to significant erosion of the residential amenity of Nos. 25-29 Howe Hill lie directly adjacent to the development. Its design and layout fails to properly address the provision of external amenity space or landscaping to appropriately integrate it with its surroundings. It would seriously erode the character of a site of substantial significance in terms of the wider City skyline and most importantly it would result in the total loss of a site identified as of substantial biodiversity value. It is felt that cumulatively the substantial harms identified more than outweigh the positive benefits identified and that the development is not therefore acceptable.

OTHER ISSUES:-

4.20 Education Services indicate a requirement for a commuted sum payment of £293,118 in lieu of the provision of school places at Millthorpe School. The payment would be secured by means of a Section 106 Agreement and is found to be compliant with the “pooling requirements” of the 2010 CIL Regulations and to be compliant with the Regulations in all other respects.

5.0 CONCLUSION

5.1 Severus Hills comprises a 1.66 hectare partially wooded site occupying a prominent hill top location to the north-west of the City Centre. It was formerly occupied by a partially below ground reservoir associated with the York Water Works Company and retains a large and visually prominent water tower on the directly adjacent site. The site is a notified SINC (Site of Interest for Nature Conservation) on the basis of providing a calcareous grassland habitat. Outline Planning Permission is sought for erection of 43 affordable dwellings on the cleared site incorporating a mix of social rent and discounted sale properties. Landscaping only is reserved. The application has been amended since submission to include a series of photomontages to clarify its impact upon the visual amenity of the wider street scene and the residential amenity of neighbouring properties.

5.2 It is felt that the proposal by virtue of its overbearing nature would give rise to substantial harm to the residential amenity of adjacent properties within Howe Hill Close contrary to paragraph 17 of the NPPF. The clear adverse relationship between the retained water storage tower to the north west and the adjacent plots within the development would give rise to conditions prejudicial to the amenities of prospective occupants of the properties contrary to paragraph 17 of the NPPF.

5.3 The total removal of the notified SINC (Site of Interest for Nature Conservation) with associated woodland habitat without adequate mitigation as required by paragraph 118 of the NPPF would give rise to substantial harm to local biodiversity.

5.4 The heavily regimented and over-engineered pattern of development combined with the total removal of the surrounding landscaping would give rise to clearly demonstrable harm to the wider landscape setting of the Historic City contrary to paragraph 61 of the NPPF. At the same time insufficient information has been forthcoming to enable an informed assessment of the impact of the proposals upon important archaeological deposits of Roman date known to be present on the site together with any necessary mitigation measures. Notwithstanding the positive benefits in terms of provision of affordable housing the proposals are therefore felt to be inappropriate in planning terms and refusal is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The development by virtue of its design and location would give rise to conditions substantially prejudicial to the residential amenity of Nos 25- 29 Howe Hill Close by virtue of overbearing impact and loss of privacy contrary to Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework, "Core Planning Principles".

2 The development by virtue of its proximity to the retained water storage tower on adjacent land to the north west would result in conditions substantially prejudicial to the residential amenity of prospective occupants of Plots 34 -38 by virtue of overbearing impact contrary to Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles".

3 The proposed development by virtue of the total removal of a notified SINC (Site of Interest for Nature Conservation) with associated woodland habitat without clear and robust mitigation measures would give rise to very substantial harm to local biodiversity contrary to Central Government Planning Policy as outlined in paragraph 118 of the National Planning Policy Framework.

4 The development would give rise to a substandard highway layout to the prejudice of the safety and convenience of highway users with the driveways serving plots 8, 10, 20-23, 31 and 32 incapable of reasonable vehicular use by their occupiers.

5 The development by virtue of its visual prominence combined with its engineered, regimented character and total loss of surrounding landscaping would give rise to substantial harm to the wider landscape setting of the City contrary to Central Government Planning Policy as outlined in paragraph 61 of the National Planning Policy Framework.

6 The development by virtue of its overly-dense, physically constrained nature, erosion of the existing landscaped character of the site, lack of opportunity to provide additional landscaping and amenity space and failure to address acceptable amenity separation distances fails to achieve an acceptable quality of design contrary to Central Government Planning Policy as outlined in paragraph 64 of the National Planning Policy Framework.

7 Insufficient information has been submitted with the proposal to enable an informed assessment of the impact of the proposal upon known significant archaeological deposits of Roman date known to be present within the site together with any necessary mitigation measures.

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in an attempt to achieve a positive outcome:

- i) Sought revisions to the scheme to reduce its density and extent to address the clear concerns in terms of its impact upon residential amenity;
- ii) Sought submission of detailed and robust mitigation proposals to compensate for the harm caused to habitat and biodiversity.

Notwithstanding the above, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

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