

DOV/18/00242 – Erection of 10no. detached and 6no. terraced dwellings, detached garages, formation of a vehicle access and parking (existing buildings to be demolished), at Summerfield Nursery, Barnsole Road, Barnsole, Staple, CT3 1LD

Reason for the Report

The above application was considered by the Planning Committee at its meeting on 22 November 2018 (agenda item 14) and the report is attached at Appendix 1.

The recommendation of the report at Appendix 1 was for refusal but the Committee resolved to grant permission. Unfortunately the resolution to grant permission was not made subject to any conditions or Section 106 Agreement although there were issues identified in the report that needed to be controlled in the event that permission is granted. The decision notice has, therefore, not been issued and the reason for this report is to correct the oversight and recommend a new resolution that makes the grant of permission subject to conditions and the conclusion of a Section 106 agreement. The applicant has been informed of the necessity to bring the application back to this Committee meeting.

Although the Committee's reasons for resolving to grant permission contrary to the recommendation in the officer's report have been agreed in approving the minutes of the 22 November 2018 meeting it is also necessary for the Committee to confirm that it still wishes to grant permission for those reasons.

Statement of Reasons

The Committee considers that Development Plan Policies CP1, DM1 and DM11 are not consistent with the National Planning Policy Framework and, when combined with the Council's current inability to be able to demonstrate a five year supply of housing land, should be given less weight than that ascribed in the Officer's report. The Committee considers that the application's attributes, in particular: its proximity to local services in both Barnsole and Staple, the provision of 40% affordable housing and the Committee's assessment that any visual impact of the scheme would be very localised and sufficiently mitigated by the proposed replacement indigenous hedgerow planting are material considerations that justify a departure from the Development Plan.

Recommendation

I Should the Committee re-affirm that it wishes to grant permission in accordance with the Statement of Reasons set out in this report:

PLANNING PERMISSION BE GRANTED subject to conditions and completion of a S106 legal agreement to deal with the following matters:

- Standard time condition
- Approved plans
- Provision of accesses
- Provision of visibility splays

- Provision of passing place
- Provision of turning and parking area
- Provision of final hard surfacing of roads and footpaths
- Provision of cycle parking
- Construction management plan
- Full details of foul drainage
- Full details of surface water drainage
- No infiltration other than for those areas which are approved
- Submission of samples of materials
- Submission of full landscaping plan (including timetable for its provision and maintenance programme)
- Protection of existing hedges which are to be retained
- Remove PD rights for roof extensions, outbuildings and means of enclosure to northern, southern, south western and western boundaries of site
- Archaeological watching brief
- Provision of refuse storage
- Provision of ecological enhancements
- Investigation and remediation of any contamination on site
- Secure 40% on-site affordable housing
- Library contribution
- Provision and maintenance of Turtle Dove area shown on plans
- SAC/SPA mitigation payment

II Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by Planning Committee.

Appendix 1 – Report considered by Planning Committee at its meeting on 22 November 2018 (agenda item 14).