

6. FULL APPLICATION - ERECTION OF LOCAL NEEDS AFFORDABLE DWELLING - LAND AT HEATHCOTE, BIGGIN – (NP/DDD/1118/1070, P11579)

APPLICANT: MR AND MRS MOORCROFT

Site and Surroundings

1. The application site is within an agricultural field within the hamlet of Heathcote, which lies approximately 1.75km east of Hartington and approximately 1km north-west of Biggin.
2. The site is accessed via a field gate within the south-western boundary wall, which opens on to the unnamed road that forms the spine of the hamlet. A single row of trees line this road along the south-western edge of the site. There is a belt of trees running along the north-western boundary of the site, beyond which lies a drystone boundary wall and further road. To the north east and south east of the site lies open field.
3. Surrounding land use is principally agricultural, with the properties comprising Heathcote also including residential properties and holiday cottages. A ruinous barn lies approximately 100m north of the proposed dwelling.
4. The Tissington Trail runs approximately 240 metres to the north-east.
5. The nearest neighbouring properties are Lilac Cottage located to the immediate south-east of the site, sharing its boundary, and Keepers Cottage, facing the application site area on the opposite side of the main road.
6. Heathcote is not a named settlement within the Authority's Development Plan and for the purposes of planning policy the application site is therefore in open countryside.
7. The site is outside of any designated conservation area.

Proposal

8. The erection of a local needs affordable dwelling. This would be a two storey detached house.

RECOMMENDATION

That the application be REFUSED for the following reasons:

1. The provision of new building affordable housing in the open countryside is contrary to Development Plan policy LH1.
2. It has not been demonstrated that the proposed housing would remain affordable to those on low to moderate incomes in perpetuity, contrary to Development Plan policy LH1.
3. The siting of the dwelling would overlook neighbouring properties, harming their amenity contrary to Development Plan policy LC4.
4. The appearance of the dwelling would detract from the character and appearance of the built environment contrary to Development Plan policy LC4.
5. The site would not be served by a safe vehicular access, contrary to Development Plan policy LT18.
6. The application fails to provide sufficient information to enable its impacts on trees to be properly considered, contrary to Development Plan policy LC20.

Key Issues

- Whether the provision of affordable dwellings in the proposed location is acceptable in principle
- Whether there is an identified need for the affordable dwelling proposed, and whether the proposed occupant would meet the local occupancy criteria
- Whether the proposed dwelling is of a size and type that would remain affordable in perpetuity
- The design of the property
- The landscape impacts of the development
- The impacts of the development on the amenity of nearby residential properties
- Impacts of the development on highway safety and amenity
- Impacts of the development on trees

Relevant Planning History

9. 2018 – Planning permission refused for two affordable dwellings on land to the north west of the application site. The reasons for refusal were:
 - The provision of new build affordable housing outside of a named settlement and in the open countryside would be contrary to Development Plan policy LH1.
 - A housing need was not evidenced in support of the proposal, contrary to Development Plan policy LH1.
 - It was not demonstrated that the identified housing need could not be met within the existing housing stock, contrary to Development Plan policy LH1.
 - It was not demonstrated that the proposed housing would remain affordable to those on low to moderate incomes in perpetuity, contrary to Development Plan policy LH1.
 - The isolated location of the dwellings would suburbanise the appearance of the landscape in this location, harming its character, contrary to Development Plan policies L1 and LC4.
 - The design of the properties were contrary to adopted design guidance and would detract from the character and appearance of the built environment, contrary to Development Plan policy LC4.
10. Following refusal of this application the applicant sought pre-application advice from the Authority regarding a potential re-submission for a single affordable dwelling. Officers advised that this would remain contrary to planning policy in principle due to the location being outside of a named settlement.
11. In this knowledge, advice was also sought regarding siting, and Officers advised that a site better related to properties to the south east, and closer to the roadside, would reduce the landscape impacts of the development. It was advised however that this siting could raise amenity concerns and that the applicant would need to make their own assessment of this when developing a revised proposal to see if it could be avoided; it was advised that if not, the proposal would be open to objection for this reason too.
12. Further, it was advised that any proposed loss of trees or proposed works that might impact upon them should be avoided, and that any application with these potential impacts would need to be supported by a tree survey.
13. It was made clear that even if these matters of detail were addressed adequately it would still be very unlikely that an application would be supported due to the conflict with housing policy.

Consultations

14. Derbyshire County Council - Highways – Recommend that the application is refused. Note that the proposed access is bordered on each side by a stone wall which exceeds 1m in height, most of which is outside of the application site and not indicated as being land controlled by the applicant. Whilst they accept that vehicle flows and speeds are low on the approaches to the site, they advise that exit visibility from the access would be restricted to virtually nil. They also note that the land on both sides of the application site over which visibility would be required also has a number of mature trees which would further restrict visibility.
15. Derbyshire Dales District Council – No response at time of writing.
16. Hartington Nether Quarter Parish Council – Support the application. They advise that Members commented that local people leave the area moving to local towns because of the lack of affordable housing to buy, that the villages/hamlets will not be available for young people to set up homes in the future, and that this could mean an older population and fewer children in the area. They consider that initial concerns have been addressed, with the proposed dwelling being set back from the road and not imposing on property and appearing to be the most sensitive position relative to surrounding properties and the appearance of the area.
17. They also note that local residents attended the parish council meeting and were concerned about the proximity of the new property to Lilac Cottage and the potential to overlook another property. They advise that these residents were encouraged to submit their own comments to the application.
18. PDNPA – Archaeology - The foundations of the house, the driveway/ access route and turning areas, and trenches for services and drainage have the potential to encounter, damage and destroy archaeological remains relating to the use of the site, and which could reveal the function and origins of the visible earthworks. To address this, the response recommends that if permission was to be granted that a condition is attached to the decision notice for a phased scheme of archaeological works to ensure that the archaeological remains, which could be of local/regional significance, are sufficiently characterised by a small scale archaeological evaluation, and then subsequently appropriately investigated and recorded, prior to the development taking place.

Representations

19. 7 letters of representation have been received. 6 object to the proposals whilst 1 supports them.
20. The letter supporting the application does so on the grounds that the applicant's family formerly lived in Heathcote and that his children should be able to choose where they want to live and to live in a new build house.
21. The grounds for objection are:
 - New housing development would be contrary to the Authority's adopted planning policies because Heathcote is not a 'named settlement' in policy terms.
 - Adverse amenity impacts for neighbouring properties due to loss of privacy and due to the proposed dwelling being overbearing and overshadowing them.
 - The development needn't be sited in Heathcote and could as easily be within a 'named settlement'.
 - Adverse highway safety and amenity impacts.
 - Impact on the setting of two nearby listed buildings.
 - Properties outside of the Park would potentially be affordable to the applicants.

- The design and siting of the proposed dwelling would appear out of keeping with the rest of the settlement.
- Disagree with the proposed build costs for the property, considering them to be too low.
- Challenge the comprehensiveness of the search for alternative accommodation, providing examples of properties found by their own online property searches.
- New affordable housing may soon be available in Hartington and at Harpur Hill.
- The proposed property would have a value too high to be considered affordable.
- Approval could set a precedent for further housing development in Heathcote.
- Adverse landscape and built environment impacts arising for the creation of the site access.
- Loss of trees would affect wildlife and birds.

Policies

22. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

23. When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

24. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was revised and republished in July 2018. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.

25. Paragraph 78 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

26. Paragraph 79 advises that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; where the development would involve the subdivision of an existing residential dwelling; or where the building is of exceptional quality or innovative design. This last provision includes the need for the development to significantly enhance its immediate setting and to be sensitive to the defining characteristics of the local area.

27. Paragraph 172 of the NPPF states that *'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic*

beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'

Development Plan policies

28. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
29. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
30. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
31. Policy LH1 permits new build affordable housing on an exceptional basis in or on the edge of named settlements provided that there is a proven need for the dwelling, the need cannot be met within the existing housing stock, the intended occupants meet the requirements of the National Park Authority's local occupancy criteria (policy LH2), and the dwelling will be affordable by size and type to local people on low or moderate incomes and will remain so in perpetuity. It also requires development to meet the requirements of Policy LC4.
32. Policy LH2 exceptionally permits new housing for a person with a proven need in accordance with Policy LH1 provided that the dwelling will be occupied by a person meeting at least one of the following criteria:
 - a person (and his or her dependents) who has a minimum period of 10 years' permanent residence in the parish or an adjoining parish and is currently living in accommodation which is overcrowded or otherwise unsatisfactory;
 - a person (and his or her dependents) who has a minimum period of 10 years permanent residence in the parish or an adjoining parish and is forming a household for the first time;
 - a person not now resident in the parish but with a proven need and a strong local connection with the parish, including a period of residence of 10 years or more within the last 20 years;
 - a person who has an essential need to live close to another person who has a minimum of 10 years' residence in the parish, the essential need arising from age or infirmity;
 - a person who has an essential functional need to live close to his or her work in the parish, or an adjoining parish within the National Park.
33. Policy LC4 of the Local Plan states that where development is acceptable in principle it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area.
34. Policy LC20 requires planning applications to provide sufficient information to enable their impacts on trees, woodlands and other landscape features to be properly considered. It states that where development that involves risk of damage to trees, woodlands or other

landscape features is acceptable, adequate space must be left for their replacement with appropriate species of trees and shrubs or local materials. It also states that appropriate maintenance that respects wildlife interests will be required.

- 35. Policy LT11 requires that the design and number of parking spaces associated with a development respects the valued characteristics of the area.
- 36. Policy LT18 states that the provision of safe access arrangements will be a pre-requisite of any development, and that where the provision of safe access would damage the valued characteristics of the area the Authority will consider refusing planning permission.
- 37. The Authority's adopted design guidance documents 'Design Guide' and 'Building Design Guide' are further material considerations.
- 38. Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, L1
- 39. Relevant Local Plan (LP) policies: LH1, LH2, LC4, LT11, LT18, LC20

Assessment

Principle of providing affordable housing in Heathcote

- 40. Heathcote is not a named settlement in the Development Plan and as such for the purposes of planning policy the proposal represents the construction of a new affordable dwelling in the open countryside. This is contrary to policy LH1 of the Development Plan, which only permits new build affordable housing in or on the edge of named settlements. An approval of a new-build dwelling without an essential agricultural or other occupational need would be a departure from policy.
- 41. The applicant's agent acknowledges this in their supporting statement, but considers that there are exceptional circumstances that justify approving the application.
- 42. The circumstances they detail are that the applicants' daughter – for who the house is proposed – has lived in the area for their entire life, that a new family home in this location would contribute positively towards the vitality and variety of the local community, and that the partner of the daughter works in heritage construction principally within the Park making this a sustainable location for them to live and retaining traditional skills in the region. They also note that there is a decline of young residents within the Park, and that the proposal would contribute to sustainable population growth.
- 43. None of these issues are considered to represent exceptional circumstances, all being addressed by current housing policy. Existing policy already makes provision for new affordable housing for young people with strong local connections setting up home for the first time, and directs this to named settlements where it directly supports the vitality of those settlements, is more sustainably located, and has lower landscape impacts. Support for the provision of housing within the countryside on the basis that the applicant's own land in that location does not represent sustainable development, is easily repeatable, and undermines each of these policy aims. The site is within Hartington Nether Quarter Parish. The Parish includes the named settlement of Biggin. The named settlements of Hartington and Parwich are in neighbouring Parishes and it is to these settlements that new housing should be directed in order to meet identified local housing needs in a sustainable way.
- 44. Further, this same case was made in support of the applicants previous application earlier in 2018 for the provision of two affordable dwellings on an adjacent area of land; that application was recommended for refusal on the grounds (amongst others) that it was contrary to housing policy. That reason for refusal was upheld by Members when determining to refuse

the application. The direct comparison between the circumstances of that case and the recent nature of that decision make it a highly important material consideration in determining the current application.

45. The supporting statement also refers to a local needs affordable dwelling that was approved by the Authority in 2016 at Aldwark, which is not a named settlement. That application was initially recommended for refusal, and presented to Members of the Planning Committee in October 2015. Members were minded to approve the application and it was deferred for Officers to consider the implications of such a decision and to report back to the following meeting. The minutes of the meeting summarise that Members were supportive of the proposal because, although it was not a named settlement with regard to policy, it was on an infill site within the village and would have a positive impact. The application was subsequently re-considered at a later committee meeting and was approved.
46. This was a single decision and was made contrary to the housing policies of the Development Plan, but Members made a site specific assessment based on the circumstances before them and concluded that other material matters outweighed the policy position. The circumstances of the applicants and the specifics of the application site are of course different in each case, and the starting point for decision making remains the policies of the Development Plan. Very limited weight is therefore given to this single decision, particularly given the fact that there are many other decisions (including on appeal) which support the very clear policy position.
47. In summary, it is not considered that the application presents any evidence that there are sound planning reasons to provide a new dwelling in a countryside location where it would be a departure from key strategic policies of the Development Plan and directly contrary to Government policy in the recently published National Planning Policy Framework.

Local qualification and housing need

48. As noted above, the dwelling is proposed for the daughter of the applicants. The applicants live in the adjoining parish of Parwich with their daughter, with the daughter having lived there for most of their life. The daughter, now in their twenties, is seeking to move out of the family home to set up their own. The new dwelling is proposed to facilitate this. On this basis the applicants' daughter would meet the local occupancy criteria for affordable dwellings as detailed by policy LH2 by virtue of their longstanding residence in an adjacent parish and the fact that they are seeking to establish a household for the first time.
49. The application also states that the daughter is unable to afford to buy properties in the locality, with their maximum budget being £150,000 (or £500pcm rental), and their property searches finding the lowest priced property being almost £250,000. On this basis it is considered that the applicants' daughter could not afford to purchase a property on the open market. As such the application has demonstrated that the applicants' daughter is in housing need as required by policy LH1.
50. Policy LH1 also requires demonstration that the housing need cannot be met within the existing housing stock. The application also states that the daughters are unable to afford to buy properties in the locality, with their maximum budget being £150,000 (or £500pcm), and their property searches finding the lowest priced property being almost £250,000. This search has been carried out twice; in January of this year and again in October.
51. The findings have been challenged by objectors, with one citing findings from their own searches returning properties within the applicants' daughters budget at Sterndale Moor, seven miles from Heathcote, and in Ashbourne, seven miles from Parwich – where the applicants' daughter currently lives. All of these properties are outside of the Park however. The Authority's policies regarding affordable housing are not designed to drive young people to move out of the Park – quite the opposite, they are designed to facilitate housing for them

in appropriate locations where a need exists in order to maintain sustainable and thriving communities. The availability of housing outside of the Park that would meet their needs is therefore not considered grounds on which to refuse to provide appropriately located affordable housing inside of the Park.

52. Another objector points to affordable housing that may become available in the locality in the near future. However, there are no assurances as to when that may come forward and it is not currently available to meet the present need of the applicants' daughter.
53. On this basis it is accepted that the application includes a sufficient review of available housing that could meet the identified housing need. It is therefore concluded that the applicants' daughter's housing need could not be met within the existing housing stock, complying with policy LH1.

Affordability of the proposed housing

54. Build costs have been identified as being £78,300. These are lower than would be typical, but a family member works as a builder and the applicants anticipate 80% of the labouring would be undertaken at no cost by the family.
55. The property would have floorspace of less than the 87m² that the Authority's adopted guidance document stipulates as the upper limit for affordable housing.
56. Valuations for the dwelling has not been provided however, with the Design and Access statement advising that a valuation of the proposed dwelling is being carried out and will be forwarded to the local planning authority once ready. This has not been provided at time of writing. In cases within settlements experience has shown that the combination of modest design, a restricted floor area and curtilage, and the imposition of an occupancy restriction (as would be necessary to ensure the long term occupation of the building by those meeting the local occupancy criteria, were the application to be approved) serves to retain property values at the more affordable levels. In this case however it is not possible to establish what impact the private and countryside location would have on the value of the property. It has the potential to inflate it considerably. The application therefore fails to demonstrate the housing would be of a type that would remain more affordable to those on a low or moderate income in perpetuity, as required by policy LH1.

Design

57. The detailed design of the dwelling is not appropriate for such a modest property. Whilst openings have been kept small to the front elevation – as is traditional – the full stone surrounds are overly ornate and not in keeping with the relatively simple and robust local building tradition. Furthermore, the storm porch is not a traditional detail and also appears squashed in between the windows, cluttering the elevation. Proportionally, the building is also too square, appearing at odds with the more traditional rectangular form of buildings in the immediate vicinity.
58. To the rear, the large glazed opening is at odds with the otherwise small openings, and undermines the building's solid to void ratio.
59. Timber post and rail fencing is proposed around the properties curtilage. This would be out of keeping with the drystone field boundaries traditional to the area and bounding the front and south eastern sides of the site itself.
60. Overall, the design of the property fails to conserve the appearance of the built environment contrary to policy LC4.

Siting and landscape impacts

61. The dwelling would occupy a plot adjacent to the neighbouring house to the south-east, and would be constructed broadly in line with it. This would prevent the property from appearing isolated.
62. The pattern of development within the settlement is generally irregular, with differing spacing between properties and differing setbacks from the roadside. The two properties to the immediate south east are roughly in line however, and it is not considered that a further property adjacent to these would result in a suburbanising effect or have a significant adverse impact on the settlement form.
63. Whilst the design of the building would be harmful to the character of the locality as set out above, the siting of the building gives rise to no wider landscape objections.

Amenity

64. The proposed dwelling would be located in close proximity to Keepers Cottage to the south west and Lilac Cottage to the south east.
65. The property would face Keepers Cottage at a distance of 12 metres, with principal windows in each facing the other. It is considered that this relationship would result in harm to the amenity of the occupiers of this neighbouring dwelling. Whilst the Authority does not have adopted guidance for spacing of new properties from existing ones, the Authority's adopted guidance for extensions advocates a minimum separation distance of 22m between facing main elevations. The proposed separation of 12 metres is therefore significantly substandard to this guidance.
66. The presence of the highway between the two properties does nothing to prevent direct overlooking of Keepers Cottage from the proposed dwelling, and any existing overlooking of that property from the highway would be infrequent and fleeting in comparison to that proposed.
67. Existing trees would provide only limited screening from windows when in leaf and at other times of year they would provide little additional privacy for occupiers of either building. Further, some trees may be lost as a result of the development, further reducing any screening benefits they may provide – although the extent of required tree removal or harm is unclear, as discussed further below. The development would therefore significantly reduce the privacy of the occupiers of this existing dwelling, resulting in harm to amenity, and would be contrary to policy LC4.
68. The development would also impinge on the amenity of the neighbour of Lilac Cottage. Overlooking of this neighbour from windows of the proposed building would be low, due to orientation of windows and the line of the curtilage boundary relative to the houses. The amenity concern arises from the provision of a rear garden though.
69. The current boundary between Lilac Cottage and the adjacent field is a low stone wall, which is in keeping with the appearance of the area. The new property's garden would immediately abut that of Lilac Cottage, providing direct views in to their garden. The submission does not include any proposals to mitigate these views. Whilst views in to part of the garden of Lilac Cottage are currently possible from the highway, overlooking of this garden is currently much more passive and less frequent than would be the case if there was a garden next to it.
70. In some cases a tall timber fence could be erected to overcome this issue. In this setting such a barrier would appear incongruous, and would be open to view from the roadside, harming the traditional character of the settlement. It would therefore not be an acceptable

means of mitigation. A two metre tall wall would also appear out of keeping, and would also be oppressive for occupiers of the properties.

71. The development would therefore significantly reduce the privacy of the occupiers of this neighbouring dwelling, resulting in harm to amenity, and would be contrary to policy LC4.

Highway Considerations

72. The Highway Authority objects to the proposal on the grounds of insufficient exit visibility from the proposed site access.
73. Walls to each side of this exceed one metre in height and would therefore prevent views along the carriageway when leaving the site in a vehicle. Part of this walling – that to the north west – is understood to be in the applicants control. Much of that to the south east form the boundary of Lilac Cottage however and is not in the applicants control, meaning they would be unable to bring it below a metre in height as would be necessary to achieve satisfactory exit visibility from the site. Whilst they could alter the walling to the other side of the access, this is a historic wall and, unusually for a drystone field wall, is topped with half-round coping stones along its full length. It's height and length also mean that it plays an important role in enclosing the street at this location, and to the character of the locality. Reducing the height of this wall along its full length would harm the sense of enclosure and the character of the area, contrary to policy LC4.
74. Furthermore, the existing trees lining the field edge would be within exit visibility splays from the site access. Where they not objecting to a proposal the highway authority would commonly require all obstructions within 2m of the highway to be removed (indeed, they recommended this on the previously refused application for two dwellings) and this would require the removal of all the trees planted along this boundary. These are mature native trees that contribute to the biodiversity and character of the area.
75. It is therefore concluded that safe access to the site could not be achieved in an acceptable manner, making the development contrary to policy LT18.

Tree impacts

76. The application proposes the removal of one of the trees lining the roadside edge of the field to facilitate access in to the site. It is not clear which tree would be removed, and no tree survey has been submitted to establish its quality or landscape value. There is also a concern that the construction of a driveway – which would be within the tree protection areas of remaining trees – could result in root damage leading to the loss of further trees in the longer term. No assessment or mitigation has been provided in relation to this. This is contrary to policy LC20.

Archaeology

77. The Authority's Senior Archaeologist advises that there are a number of extant earthwork bank or terraces that run across the area in a south-easterly to north-westerly direction, and that these may be of archaeological origin, relating to medieval agricultural activity.
78. They therefore advise that the archaeological remains are sufficiently characterised by a small scale archaeological evaluation, and then subsequently appropriately investigated and recorded. This could be secured by planning condition if the application was to be approved.

Other matters

79. The listed buildings of Hilltop Farmhouse and Hilltop Barn are located approximately 35 and 40 metres from the application site respectively. Given this separation and the juxtaposition

of the buildings it is considered that the proposed development would have a less than significant impact on their setting.

Conclusion

80. The provision of new build affordable housing without an essential agricultural or occupational need in Heathcote is unacceptable in principle, conflicting with the Authority's housing policies, and the application also fails to demonstrate the proposed dwelling would remain affordable to those on low or moderate incomes.
81. Furthermore, the siting and design of the development would have adverse impacts on the character and appearance of the built environment and on the amenity of neighbouring properties.
82. The development would also result in highway safety concerns, and a loss of trees without assessment or mitigation.
83. Based on the above assessment the application is found to conflict with policies L1, LC4, LC20, LH1, and LT18 of the Development Plan. Having also taken all other material considerations in to account, the application is accordingly recommended for refusal. Members should note that approval of this application would be a departure from adopted policies.

Human Rights

84. None arising.

List of Background Papers (not previously published)

85. None

Report Author and Job Title

86. Mark Nuttall, Senior Planner