

Application No: 24/1297N

Location: Doddington Estate, Bridgemere Lane, Bridgemere, CW5 7PU

Proposal: Reserved Matters application for 18no dwellings on Site 1 on outline approval 18/2153N (APP/R0660/W/19/3221564): The development proposed is Development of 12 no. sites for residential development for 112 no. dwellings with means of access and layout included, but with all other matters reserved, for a 10 year phased release and delivery period and associated community betterment (parking overspill next to School, enhanced parking next to Church, permissive pedestrian paths, playspace, public access, community orchard, educational contribution and affordable housing)[RE-SUBMISSION of 16/5719N : addition of extra 2.81 ha of land and 10 no. dwellings]

Applicant: Lady Rona Delves-Broughton (The Doddington Estate)

Expiry Date: 06-Dec-2024

SUMMARY

The application site is located within the open countryside as set out in the development plan. The appeal inspector concluded that the proposals met the exception PG 6 (vi) *For development that is essential for the conservation and enhancement of a heritage asset*. The principal of development has already been accepted on this site for 18 dwellings as part of a larger scheme of 112 dwellings around the Doddington Hall estate.

As set out above, outline planning permission was granted on appeal for the Development of 12 no. sites for residential development for 112 no. dwellings with means of access and layout included, but with all other matters reserved, for a 10 year phased release and delivery period and associated community betterment (parking overspill next to School, enhanced parking next to Church, permissive pedestrian paths, play space, public access, community orchard, educational contribution and affordable housing).

The outline application was granted permission as part of a wider 'enabling development' scheme to enable the restoration and conversion of the Grade I Doddington Hall and Grade II stables into a Hotel and Spa. The scheme also includes the restoration of Grade I Delves Tower/Hall and restoration of the Grade II* Star Barn. The permission is subject to a detailed S106 legal agreement which links the outline planning permission 18/2153N to the Doddington Hotel permissions 18/5806N and 18/5903N.

Permission was granted for a detailed outline which included layout and access, with all other matters, appearance, landscaping and scale reserved for a future submission. The outline permission was also subject to a detailed design code for each site which was conditioned.

The application site (Site 1), is located off London Road, Bridgemere. The site is located within the Open countryside. The site has a site area of 2.81ha and includes outline permission for 18 dwellings and a LEAP.

The principle of development has already been accepted on this site for 18no dwellings. Therefore, the main issues of this application are whether the reserved matters of appearance, landscaping, and scale are acceptable. The purpose of this application is to agree the outstanding reserved matters.

The application accords with the outline permission and therefore is considered to be acceptable.

Subject to conditions it is considered that the design, landscape, LEAP provision, ecology impact and surface water drainage scheme are acceptable.

The proposed access/parking and impact on neighbouring and future occupier amenity has been fully considered and is considered to be acceptable.

As set in the assessment section, there are some outstanding issues in relation to the forestry impact however it is considered likely that these can be dealt with by means of an update to committee and condition.

It is therefore considered that subject to conditions, and the submission of the updated AIA and AMS, the proposal is acceptable and in accordance with the outline permission and the relevant policies of the Development Plan and is recommended for approval accordingly.

RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

This level of application would usually be decided under delegated powers however it has been referred to Southern Planning Committee at the request of Cllr Clowes for the following reasons:

'I note the following additional documents that have been up-loaded to the Cheshire East Website since I last submitted comments in July 2024, along with those submitted by the Doddington & District Parish Council.

1. I welcome the changes to the design of the 18 properties. We would ask that the build includes red Cheshire brick, in keeping with the local vernacular.

2. I welcome the inclusion of further detailed surface water drainage (SUDs) solutions. Although I request that the Cheshire East Drainage and Flood Team examine these further to ensure that ground percolation calculations are sufficient as this appears inadequate for the volumes of water that will drain off roofs and other hard surfaces on site. HOWEVER, many of my original concerns have not yet been addressed and are again outlined below for clarity.

This reserved matters application has a complex planning history. This site and its accompanying enabling development sites that collectively comprise the outline application 18/2153N, was eventually passed at appeal in 2020.

The principal of development on 12 disparate sites on open countryside, in light of the Appeal Decision is not disputed. However, it is critical to note that whilst this site is the first to come forward, it is also the trigger for the complex cascade of actions required under the S106 agreement.

THE S106 AGREEMENT

The current application itself may be approved in due course but before construction commences, a significant number of conditions pertaining to the S106 agreement must be included and delivered on an approved and determined schedule. These include:

1. A phased programming and physical extent of construction on each site, including the number of dwellings.

2. The legally binding BONDS must be in place, linked to the RPI from the RLF Budget estimate (Quarter 4, 2015) that was set at £34.45million. The Bonds relate to:

- a) The Heritage Works (Delves Tower, Doddington Hall, Star Barn and listed Parklands)
- b) The Hotel Construction.

3. There must be clear identification of the Open Space Provision on each site and the proposed management scheme to ensure their future maintenance.

4. A definitive timescale (with dates) for the implementation of the car parking schemes at Bridgemere Primary School and at St John's Church, Doddington.

5. A definitive timescale for the delivery of sites 2 and 15, where the affordable housing contribution is allocated. These must not be 'left to the end' of the enabling development schemes,

6. A definitive public access scheme (permissive paths) together with a Public Right of Way programme must be defined and implemented. (This requires PROW status)

7. The Bank Account must be established. This must be in place prior to the commencement of development and operational prior to the sale of any properties / sites that are sold prior to development.

These are the main conditions required under the S106 but there may be other conditions under the S106 agreement that officers deem essential to condition at this stage, prior to development. It is essential that Cheshire East Council (as the Local

Planning Authority) appoints an S106 Monitoring Officer to oversee the effective and timely delivery of the S106 conditions. I would ask that both myself (as Ward Councillor) and the Doddington & District Parish Council are advised of this appointment. Thank you.

MATERIAL PLANNING CONCERNS re SITE 1 (24/1297N)

1. **ECOLOGY** - I would ask, in concurrence with the ecology officer's advice, that a wider woodland buffer zone is adopted, in to avoid negative impacts of development on the rich woodland ecology of this area.

2. **FLOOD & DRAINAGE** - I am deeply concerned that there is still no flood and drainage report in relation to this site. It is an ecology-rich site with an important watercourse (Mill Race) that makes up the eastern boundary. This is recognised wildlife corridor that extends across this part of the Wybunbury Ward (as identified by Cheshire Wildlife Trust and published in the Wybunbury United Parishes Neighbourhood Plan. It must not be compromised by this development. It must be noted that as part of the original application, the Environment Agency initially **OBJECTED** to this development (30.05.2018), however, the developer J10 in a letter (06.07.2028) confirmed that the development would be served by a new mains sewer. In light of this commitment, the Environment Agency withdrew its objections and the proposal was accepted. Development must not take place until the mains sewer has been installed as previously agreed.

3. **MILLDALE SCOUT CAMP/ACTIVITY SITE** - This site is a well-established and much used facility that has operated for many years providing important activities and training for young people from across the North-West and beyond. The functions and activities of the Milldale Site must not be compromised, nor the safeguarding of the young people that visit the site be undermined. We request that a suitable, secure boundary treatment is installed that maintains the woodland buffer zone and the security of the Milldale site. Potential future residents should be made aware of the site, its functions (day and night, seven days a week).

4. **DESIGN and LAYOUT** (10.2024: Now in large part addressed).

- The design of the properties proposed is deeply disappointing and are reminiscent of urban regeneration estates.
- The Georgian 'pastiche' of columns and grandiose external features, whilst allegedly an 'homage' to the Georgian façade of Doddington Hall, is inappropriate in the depths of the surrounding countryside.
- I refer officers and developers to the website of the Wybunbury Combined parishes Neighbourhood Plan that provide extensive 'Cheshire' features that do not detract from the size and internal layouts of the dwellings, but which would sit more comfortably in the Cheshire countryside. <https://wybunburynp.co.uk> (Document Library, Appendix R: Historic Buildings and Places of the Wybunbury Combined Parishes).

5. **The LEAP (Local Equipment Area for Play)**

Under the original conditions, this facility is for public use (not only the use of the residents on this site). However, no provision has been made for visitor parking which will be essential if parish residents are to access the LEAP. (This site is car dependent) The current design and layout effectively excludes public use which is not acceptable.

Until these significant material planning matters are resolved, this application must be

REFUSED.

SITE DESCRIPTION

The application relates to the site known as Site 1.

Outline planning permission was granted on appeal for the Development of 12 no. sites for residential development for 112 no. dwellings with means of access and layout included, but with all other matters reserved, for a 10 year phased release and delivery period and associated community betterment (parking overspill next to School, enhanced parking next to Church, permissive pedestrian paths, playspace, public access, community orchard, educational contribution and affordable housing).

The outline permission was granted permission as part of a wider 'enabling development' scheme to enable the restoration and conversion of the Grade I Doddington Hall and Grade II stables into a Hotel and Spa. The scheme also includes the restoration of Grade I Delves Tower/Hall and restoration of the Grade II* Star Barn. The permission is subject to a detailed S106 legal agreement which links the outline planning permission 18/2153N to the Doddington Hotel permissions 18/5806N and 18/5903N. The listed buildings are all on the 'At Risk' register.

Permission was granted for a detailed outline which included layout and access, with all other matters, appearance, landscaping and scale reserved for a future submission. The outline permission was also subject to a detailed design code for each site which was conditioned.

The application site, Site 1, is located off London Road, Bridgemere. The site is located within the Open countryside. The site has a site area of 2.81ha and includes outline permission for 18 dwellings and a LEAP. The site is bound by the A51 London Road to the west, fields to the north and south, and thick tree coverage to the east with the Milldale Scouts site beyond. The site is located around 800m from Doddington Hall.

PROPOSAL

This application seeks permission for the Reserved Matters for 18no dwellings on Site 1 on outline approval 18/2153N.

As set out above matters of Layout and Access have already been approved, this application seeks approval for the outstanding reserved matters of Appearance, Landscaping and Scale only.

RELEVANT HISTORY

Application site – Site 1

21/5722N – HS2 Phase 2a lorry routes relating to Community Area 5 for authorised sites – Approved with conditions 14th February 2022

18/2153N – Outline application for development of 12 sites for residential development for 112 dwellings with means of access and layout included, but with all other matters reserved, for a 10-year phased release and delivery period and associated community betterment (parking overspill next to school, enhanced parking next to church permissive pedestrian paths, play space, public access, community orchard, educational contribution and affordable housing). [Re-submission of 16/5719N: addition of extra 2.81 ha of land and 10 no. dwellings] – Refused 1st August 2018 – Allowed at Appeal 20th October 2020

16/5719N – Outline application for development of 12 no. sites for residential development for up to 102 no. dwellings with means of access and layout included, but with all other matters reserved, for a 15-year phased release and delivery period – Refused 29th September 2017

Other relevant planning history

18/5806N - Variation of conditions on full planning application 14/5654N – approved with conditions 8th February 2019

18/5903N - Variation of conditions on listed building consent 14/5656N – approved with conditions 7th February 2019

14/5654N – Proposed restoration and conversion of the Grade I Doddington Hall and Grade II Stables to a 5 star Country House Hotel (Class C1) providing 120 letting rooms, restaurant, bars, function rooms involving a series of internal and external alterations, integrating / retaining the 3 no. Cottages and Stables into the scheme and the erection of a new build bedroom accommodation annex wing; with a new build Spa Leisure facility (Class D2); temporary event space and associated parking provision, landscape (garden) restoration of the Grade II Registered Park and Garden; detailed landscaping, and the installation of a new electricity sub-station. Proposed structural restoration, refurbishment and conversion of the Grade I Delves Castle (Delves Tower / Delves Hall): with its use to be defined at a later date outwith of this application. Proposed structural restoration and refurbishment of the Grade II* Star Barn: with its use to be defined at a later date outwith of this application. – approved with conditions 10th February 2016

14/5656N - Listed Building Consent for proposed restoration and conversion of the Grade I Doddington Hall and Grade II Stables to a 5 star Country House Hotel (Class C1) providing 120 letting rooms, restaurant, bars, function rooms involving a series of internal and external alterations, integrating / retaining the 3 no. Cottages and Stables into the scheme and the erection of a new build bedroom accommodation annex wing; with a new build Spa Leisure facility (Class D2); temporary event space and associated parking provision, landscape (garden) restoration of the Grade II Registered Park and Garden; detailed landscaping, and the installation of a new electricity sub-station. Proposed structural restoration, refurbishment and conversion of the Grade I Delves Castle (Delves Tower / Delves Hall): with its use to be defined at a later

date outwith of this application. Proposed structural restoration and refurbishment of the Grade II* Star Barn: with its use to be defined at a later date outwith of this application – Approved with conditions 10th February 2016

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy

MP1 Presumption in favour of Sustainable Development,
PG2 Settlement Hierarchy,
PG6 Open Countryside,
PG7 Spatial Distribution of Development,
SD 1 Sustainable Development in Cheshire East,
SD 2 Sustainable Development Principles,
EG1 Economic Prosperity,
EG2 Rural Economy,
EG4 Tourism,
EG5 Tourism,
SC1 Leisure and Recreation,
SC2 Indoor and Outdoor Sports Facilities,
SC4 Residential Mix,
SC5 Affordable Housing,
SC6 Rural Exceptions Housing for Local Needs,
SE 1 Design,
SE2 Efficient Use of Land,
SE3 Biodiversity and Geodiversity,
SE4 The Landscape,
SE5 Trees, Hedgerows and Woodlands,
SE.6 Green Infrastructure,
SE7 The Historic Environment,
IN1 Infrastructure,
IN2 Development Contributions,
Appendix C

Site Allocations and Development Policies Document (SADPD)

PG9 Settlement Boundaries
GEN 1 Design Principles
ENV1 Ecological network
ENV 2 Ecological implementation
ENV3 Landscape character
ENV5 Landscaping
ENV 6 Trees, hedgerows and woodland implementation
ENV15 new development and existing uses
ENV 15 surface water management and floodrisk
HER 1 Heritage Assets
HER 2 Heritage at risk
HER 5 Registered Park and Gardens
HER 8 Archaeology
HOU 1 Housing mix

HOU 8 Space, accessibility and wheelchair housing standards
HOU12 Amenity
HOU 13 Residential standards
HOU 14 Residential density
HOU15 Residential delivery
HOU 16 Small and medium sized sites
INF 3 Highway Safety and access
INF 9 Utilities
REC 3 Open space implementation

Wybunbury Combined Parishes Neighbourhood Plan

H1 Location of new houses
H2 Housing Mix
H4 Design
E1 Woodland, Trees, Hedgerows and Boundary Treatment
E2 Wildlife Corridors
E3 Biodiversity
E5 Landscape Quality, Countryside and open views
LE5 Enabling Development
TI1 Traffic Management
TI2 Parking
TI4 Drainage

Other Material Considerations

National Planning Policy Framework
National Planning Policy Guidance
Cheshire East Design Guide

CONSULTATIONS

Strategic Housing – No affordable housing required on Site 1 therefore no comments to make

Head of Strategic Infrastructure (HSI) – No objection

Environmental Protection – No objections, details of EVI are acceptable, Noise and Contaminated land conditions from 18/2153N still relevant. Draft CEMP is acceptable. General informatives for construction hours, pile foundations, site specific dust management plan, and floor floating

United Utilities – None received at time of writing this report

Flood Risk – Amended SW drainage scheme is considered to be acceptable subject to condition for its implementation

Georgian Group - As application 24/1297N relates to reserved matters outside of The Georgian Group's Statutory remit (The Direction 2021), we do not wish to offer comment. Not offering comment should *not* be interpreted as either a statement of support or objection to the application. The Group does however

maintain a close interest in the broader enabling development scheme to support repairs and works to Grade I listed Doddington Hall. We emphasise here that we consider Doddington Hall, and other buildings across the wider estate including the Grade II* listed Star Barn, to be high significance Buildings at Risk in need of conservation works.

Cheshire Fire Service – Supply general comments

Environment Agency – No objection to the principle to the proposed development. Will comment on Foul Drainage Strategy when submitted.

Town/Parish Council

Hatherton and Walgherton Parish Council (16th October 2024) - Hatherton and Walgherton Parish Council would like to first echo Doddington Parish Council's comments with regards to:

- Ensuring the S106 conditions are met prior to construction.
- Requiring the mains sewer to be installed prior to development for concerns over Flood and Drainage.
- Requesting a suitable secure boundary to the Milldale Scout Site.
- Parking for the LEAP area.

The Council commented that they feel the new designs are much more in keeping and are pleased with the revisions

Doddington and District Parish Council (*summarised – full version available to view online*)

(18th November 2024)

- Together with the Ward Councillor, we have noted the additional documents up-loaded to the planning portal. These do not address the concerns raised and that are still out-standing as referenced in our submissions of 14.10.24 and 12.07.2024
- Surface water run-off: Concerns raised that the SW strategy is not sufficient and potential impact it could have on the Milldale Campsite which is located on a lower level
- There is still no provision for the delivery of a foul drainage scheme.
- The planning conditions related to the restoration and refurbishment of Badger's Bank Farmhouse and Outbuildings (Hunsterson Road, Hunsterson) have still not been articulated.
- Finally, the Parish Council ask that all unresolved matters raised in our two previous submissions (14.10.24 and 12.07.2024) are taken into consideration prior to any determination being made.

(14th October 2024) – *Summarised version – full version largely replicates the Ward Councillors reason for call in and can be viewed online.*

The Doddington & District Parish Council have met with the Ward Councillor and residents and have the following material concerns regarding this

application.

- Our main concern is that it is still incomplete and important elements of this reserved matters application are simply missing.
- We note that the designs of the houses have been altered and are more in keeping with the locality. Please ensure that Red Cheshire Brick is used in this context to better reflect local design and historic materials
- We note that a SUDs report has been submitted for the surface water run-off drainage. We are somewhat surprised that it appears that a ground percolation-only solution is proposed. We ask that the CE Drainage and Flood Team check the adequacy of this in terms of rainfall on roofs and hard surfaces.
- None of the S106 pre-commencement conditions have yet been initiated or a timetable set for their commencement submitted.
- As stated in our previous comments, this site has a complex planning history together (with it's accompanying enabling development sites that collectively comprise the outline application 18/2153N), that was eventually passed at appeal in 2020.
- The principal of development on 12 disparate sites on open countryside, in light of the Appeal Decision is not disputed. However, it is critical to note that whilst this site is the first to come forward, it is also the trigger for the complex cascade of actions required under the S106 agreement.

THE S106 AGREEMENT

The current application itself may be approved in due course but before construction commences, a significant number of conditions pertaining to the S106 agreement must be included and delivered on an approved and determined schedule. It is essential that Cheshire East Council (as the Local Planning Authority) appoints an S106 Monitoring Officer to oversee the effective and timely delivery of the S106 conditions.

Material planning concerns regarding Site 1 (24/1297N)

1. Ecology – in concurrence with the ecology officer's advice, that a wider woodland buffer zone is adopted, in to avoid negative impacts of development on the rich woodland ecology of this area.
2. Flood Risk and Drainage - concerned that there is still no flood and drainage report in relation to this site. It is an ecology-rich site with an important watercourse (Mill Race) that makes up the eastern boundary. This is recognised wildlife corridor that extends across this part of the Wybunbury Ward (as identified by Cheshire Wildlife Trust and published in the Wybunbury United Parishes Neighbourhood Plan. It must not be compromised by this development.
3. Milldale Scout Camp – It is request that a suitable, secure boundary treatment is installed between the camp and the housing that maintains the woodland buffer zone and the security of the Milldale site. Potential future residents should be made aware of the site, its functions (day and night, seven days a week).
4. Design and Layout - The design of the properties proposed is deeply disappointing and are reminiscent of urban regeneration estates. The Georgian 'pastiche' of columns

and grandiose external features, whilst allegedly an 'homage' to the Georgian façade of Doddington Hall, is inappropriate in the depths of the surrounding countryside. Should review Design guidance.

Concerns raised about the use of street lighting in this location bearing in mind it is highly rural and we value our 'dark skies' and nocturnal wildlife. Low level solar lights would be a more appropriate solution. Regular streetlights in this location are contrary to Policy ENV 14 (SADPD)

5. The LEAP (Local Equipment Area for Play) - Under the original conditions, this facility is for public use (not only the use of the residents on this site). However, no provision has been made for visitor parking which will be essential if parish residents are to access the LEAP. (This site is car dependent).

The current design and layout effectively exclude public use which is not acceptable.

As stated in July, until these significant material planning matters are resolved, this application must be REFUSED.

REPRESENTATIONS

Letters of representation have been received from 9no local residents. The main issues raised are;

- Object to the principle of 112 dwellings on the site / in the surrounding area/ new estate should be proposed
- Concerns over the safety of access on to A51, traffic increase in the area
- The school is not large enough to accommodate the additional children
- Lack of space in local doctors
- Impact on Milldale Scout camp by means of overlooking and lack of boundary treatment
- Does not accord with the neighbourhood plan
- Impact on wildlife and protected species
- Inappropriate design of the dwellings proposed which are out of character with the local vernacular
- Increase in pollution from development/occupants
- Lack of social housing proposed – all large dwellings
- Lack of renewable energy sources proposed
- No plan shown for the 'slow release' of dwellings across the sites

OFFICER APPRAISAL

Principle of Development

The application site is located within the open countryside as set out in the development plan. The appeal inspector concluded that the proposals met the exception PG 6 (vi) *For development that is essential for the conservation and enhancement of a heritage asset*'. The principal of development has already been accepted on this site for 18 dwellings as part of a larger scheme of 112 dwellings around the Doddington Hall estate.

As set out above, outline planning permission was granted on appeal for the Development of 12 no. sites for residential development for 112 no. dwellings

with means of access and layout included, but with all other matters reserved, for a 10 year phased release and delivery period and associated community betterment (parking overspill next to School, enhanced parking next to Church, permissive pedestrian paths, play space, public access, community orchard, educational contribution and affordable housing).

The outline application was granted permission as part of a wider 'enabling development' scheme to enable the restoration and conversion of the Grade I Doddington Hall and Grade II stables into a Hotel and Spa. The scheme also includes the restoration of Grade I Delves Tower/Hall and restoration of the Grade II* Star Barn. The permission is subject to a detailed S106 legal agreement which links the outline planning permission 18/2153N to the Doddington Hotel permissions 18/5806N and 18/5903N.

Permission was granted for this site as part of an outline application which included layout and access (with appearance, landscaping and scale) reserved for a future submission. The outline permission was also subject to a detailed design code for each site which was conditioned.

The application site, Site 1, is located off London Road, Bridgemere. The site is located within the Open countryside. The site has a site area of 2.81ha and includes outline permission for 18 dwellings and a LEAP.

Therefore, the principle of development has already been accepted on this site for 18no dwellings. Therefore, the main issues of this application are whether the reserved matters of appearance, landscaping, and scale are acceptable, and these are discussed further below.

Impact of the Design on the Character of the area

Policy SE1 of the CELPS sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings.

As set out above, the layout of the site has already been agreed as part of the outline planning permission. The outline permission was also subject to a Design Code for each site which was conditioned. The layout proposed is largely in accordance with that approved at outline stage, with a few minor tweaks to the location or orientation of buildings for practical purposes.

The design of the dwellings originally did not accord with those shown in the Design Code for this site. However, subject to discussion with the Design Team the house type designs have significantly improved from those originally submitted, and more closely accord with the design cues provided within the approved Design Code.

The Design Officer notes that careful control of materials and detail will be necessary to ensure the rural vernacular advocated by the code is maintained. Materials and finishes will need to be sympathetic to the rural vernacular and uPVC will not be acceptable for doors, windows, fascias or

rainwater goods. The Design officer considered that front door details should also be controlled, as the design could be improved, and a little more variety created. Garage doors should also be in timber as specified on the submitted drawings. Conditions are proposed for the control of these elements.

The Design Officer notes that the street is to be surfaced in tarmacadam, which is acceptable in itself, but the drainage strategy layout drawing indicates this as being infiltration paving. This needs to be secured, to ensure that the drainage strategy is not undermined. It is not clear whether kerbing is proposed to edge the street, if necessary it should be low key and conservation kerbing should also be used.

Furthermore, the Design Officer notes that whilst the infiltration-based approach to sustainable drainage is welcomed, it would have been positive to include some on plot, attractive bioretention features such as raingardens within the landscape. This would have added to the quality and distinctiveness of the scheme and would offer further short-term storage capacity during extreme peak events, over and above that already designed into the scheme.

Overall, the Design Officer notes that the design has improved markedly from that originally submitted and generally meets the requirements of the design code for this site and is therefore supported in design terms.

Heritage

This site lies outside of the curtilage and parkland to Doddington Hall, on the east side of Bridgemere Lane. It is however part of the wider setting and is the first submission relating to 12 sites to be developed, a number of which are within much closer proximity to the hall and Registered Park and Gardens (RPG). The submission has been amended to address concerns relating to the design approach, so that the dwellings reflect their rural context and to accord with the approved Design Code for the development. Whilst the approach is an improvement upon the original submission, with reference to local materials and vernacular character, The Heritage Officer raising concerns that it still lacks architectural detail and refinement; and should not form the template for the other sites in closer proximity to the hall and the RPG.

There are no objections to this application on a heritage basis.

Residential Amenity

The Design Guide and SADPD set out the generally acceptable spacing standards between windows in residential dwellings. A separation distance of around 18m between front elevations, increasing the 21m for rear elevations is acceptable, and 14m between principal and secondary windows/blank gables is acceptable.

The layout of the site was assessed as part of the outline permission, where it was considered the location and siting of the development was acceptable.

Internally all the dwellings all meet the required separation standards between principal windows, and all have sufficient private amenity space for each plot. The scheme comprises of 18no 4- and 5-bedroom houses, which was agreed at outline stage in terms of housing mix. All the dwellings meet the NDSS in terms of bedroom space and overall floor space.

There are no immediately adjacent neighbouring dwellings to the application site. The nearest dwelling to the site is over 100m away to the north. Therefore, the proposed development will have no impact in neighbouring dwellings by means of overlooking, overshadowing or overbearing impact.

To the northeast of the site is the Milldale Scout Campsite. There is a large area of tree coverage between the site and the campsite, and the proposed plans also include an ecological area between the built development on the site and the camp site. There are a number of dwellings which face towards the camp site land, however there is substantial tree coverage and separation distance in excess of 30 m between the dwellings and the brook. There is one dwelling which looks towards the camp area however again there is substantial tree coverage between, a proposed 1.8m boundary fence, 50m separation distance and an ecological zone and therefore it is considered to be sufficient distance to not cause any significant harm on the amenity of the campsite users.

Environmental Protection have been consulted in terms of amenity impact and have raised no objections with the proposal. The Officers have highlighted that condition 32 in terms of noise attenuation mitigation is still relevant. The plans show a 2m high boundary fence behind the hedgerow to the frontage of the A51 to ensure the future occupiers of the dwellings are safeguarded from the noise associated with the A road. Also, the comments highlight that the conditions relating to contaminated land are still relevant, and that the draft CEMP which has been submitted appears to be acceptable but a condition should be attached for formal submission and approval prior to commencement of development on the site.

Highways Implications

The Strategic Highways Officer has considered the reserved matters application and notes that the access and layout have already been approved and this submission is in line with the development layout submitted at outline.

The development is a mix of 4 and 5 bed units and each plot has adequate off-street parking space to meet car parking standards. As there is only 18 units in total, the access road is suitable as shared surface. There are no objections raised in terms of highway safety.

Furthermore, three additional visitor spaces have now been added to the plans which allow for parking in close proximity to the LEAP for occupiers of the other development sites and existing residents, a condition will be added to secure this parking as visitor parking provision.

Flood Risk and Drainage

The LLFA have confirmed that the proposed surface water drainage scheme as required by conditions 20 and 21 of the outline permission is acceptable.

Furthermore, it is noted that the Ward Councillor and Parish Councils have raised concerns regarding the lack of foul drainage scheme with the application. However, the outline permission does not require the submission of a foul drainage scheme as part of the reserved matters application and can be dealt with by means of discharge of condition. The applicant has confirmed that foul drainage scheme is under review and confirm that a pre-commencement condition could be attached to any decision for the details to be submitted.

Landscape

The Landscape Officer has assessed the proposed scheme, including the requirement for a noise attenuation fence along the frontage boundary and welcomes the additional tree planting and details plans which have been supplied as part of the revised scheme.

The Landscape Officer notes that should the application be approved it is requested that conditions be attached for further detailed landscape drawings and the landscape management and maintenance documents to be agreed in writing prior to commencement of development, in relation to other smaller amendments/updates sought as set out above and below.

Forestry

The latest drainage plans reflect a different layout to that appraised in the supporting Arboricultural Impact Assessment.

The detailed plans show the woodland edge could be affected by levels changes, and construction of retaining walls. Retaining walls are proposed on the edge of the Root Protection Areas (RPAs) of retained tree T4 and group of trees G1. Retaining walls are also proposed within what is believed to be the construction exclusion zone of the tree cover bordering the northern boundary of the site. There are concerns regarding the impact of the development given that this element has not been appraised in the existing AIA and AMS.

The Forestry Officer notes that contours of the site and associated impacts on trees still present concerns and have not been considered in a revised arboricultural report and for the avoidance of doubt an updated AIA and tree constraints plan should be submitted which shows this updated layout, drainage routes and any areas where changes of existing levels will occur (existing and finished spot levels). This would in turn inform an AMS and revised tree protection plan, which can be conditioned.

This information should be submitted prior to determination to confirm impacts and demonstrate the technical feasibility of this layout. This has been requested and further information will be provided as part of an update report.

Ecology

The Councils ecologist has considered the details of the reserved matters application and notes the following;

Condition 10 - each reserved matters shall include proposals for advanced landscaping planting, to strengthen/gap up hedgerows, additional hedgerows trees where appropriate and to the eastern end of sites 3 and 15 include details of where proposed tree planting will be undertaken.

The updated site plan shows the areas proposed for advanced planting around the edges of the site. This will be detailed further in an updated landscape plan to be submitted by condition.

Condition 17 - Each reserved matters application shall include a full scheme of any external lighting proposed.

The Ecologist advises that there are no significant ecological concerns relating to the lighting scheme as submitted. The lighting scheme however reflects the previously proposed layout and so needs to be updated to reflect the current proposals.

The applicant has confirmed that an updated plan will be submitted prior to the determination of the application.

Condition 18 - Each Reserved Matters application shall include a landscape management plan.

The submitted management plan (Barnes Walker dated October 2024) is acceptable for an Ecology perspective.

Condition 22 - Each reserved matters application shall include an updated protected species assessment and mitigation strategy

An updated protected species assessment has also been submitted as required by this condition.

It is confirmed that the Ecology Zone for Reserved Matters Site 1 is shown on the submitted landscape layout plan as required by this condition. Recommendations for the management of this area are included in the submitted protected species report as required by this condition.

The previously identified other protected species habitats were found to be inactive during the updated survey visit. The report however includes precautionary measures in respect of this species.

The Councils ecologist confirms that the submitted report is acceptable and fulfils this condition requirement.

Woodland Buffers

The woodland located to the north-eastern boundary of this site appears upon the national Inventory of priority habitats. Habitats of this type are a material consideration for planning. Developments located adjacent to woodlands have the potential to have a number of adverse impacts on the nature conservation value of woodland habitats.

An undeveloped buffer is proposed landscape plan adjacent to the woodland. The buffer as proposed reflects that shown on the illustrative plans submitted with the outline application. The current buffer is acceptable; however it is recommended that the woodland buffer be as wide as possible within the site layout.

Hedgerows

The proposed layout will result in the loss of a section of hedgerow to facilitate the site access. Native hedgerows are a priority habitat and so a material consideration. The loss of hedgerow to the proposed layout is considered unavoidable, and therefore the Ecologists advises that sufficient compensatory hedgerows planting is proposed as part of the proposed landscaping scheme to compensate for that lost.

Nesting Birds

If planning consent is granted a condition is required to safeguard nesting birds.

Open Space Provision

The Councils Greenspaces officer has been in discussions with the applicant's team in relation to the design and specific equipment proposed on the site. The Officer confirms that the LEAP play submission is acceptable and will be a good community asset for the area, this is subject to some small amendments as follows;

- One additional bench with specification of at least one having arm rests and a back
- Play Area signage giving details of maintenance company, no litter, dogs etc with pictograms
- Play area gates to open outwards

The Greenspaces officer has raised a concern with the proposal to plant two Oaks either side of the LEAP area, due to the on – going maintenance that this will cause. The Landscape Management Schedule and Plan for the play facility need to be updated in line with the LEAP provision proposed.

It is considered that this can be dealt with by condition as part of an updated landscape plan and maintenance and management scheme as required by the landscape officer.

Furthermore, as noted above three additional visitor spaces have now been added to the plans which allow for parking in close proximity to the LEAP for occupiers of the other development sites and existing residents, a condition will be added to secure this parking as visitor parking provision.

Conditions

The outline permission was subject to 35 conditions, not all the conditions relate to this application site and some will remain outstanding. Below are the relevant conditions in relation to this site.

Condition 1 (Details of reserved matters), Condition 2 (Reserved matters – timeframe) requires the first reserved matters to be submitted within 5 years of the permission; Condition 3 (development timeframe) requires development to be implemented within 15 years of the outline permission or within 5 years of the final approved reserved matters; Condition 4 (approved plans) lists the approved plans; and Condition 5 (Design Code) requires all reserved matters application to accord with the Design code. The first 5 conditions of the permission are standard compliance conditions.

Condition 6 (Dwelling height) is a compliance condition requiring all dwellings to be no taller than two storeys. The dwellings are all two storey or two and half storey which is in compliance with the condition.

Condition 8 (Levels details) submitted with the application and are considered to be acceptable, subject to Forestry concerns being dealt with.

Condition 9 (Landscaping scheme), 10 (advanced landscaping scheme) Condition 18 (Landscape Management Plan) – details have been submitted and are generally acceptable as set out in the Landscape section of the report above, further conditions specific to Site 1 for a landscaping and management/maintenance scheme to be submitted is suggested below.

Condition 12 (EVI) the plans show the location of EVI and are considered to be acceptable.

Condition 17 (External lighting plan) required as part of reserved matters. The general principle of the scheme is acceptable, however updated plans needed.

Condition 19 (AIA and Tree Protection/MS) details have been submitted but an updated version is required in line with the revised plans and forestry comments above.

Condition 20 and 21 (Surface water drainage scheme) has been submitted and LLFA have raised no objections.

Condition 22 (Ecological assessment and strategy) details have been submitted and as noted above are acceptable.

Condition 23 (CEMP) a draft version has been submitted which appears to be acceptable. A condition will be added to the permission for a final version to be submitted and approved prior to commencement of development.

Condition 32 (Noise Mitigation) – must be adhered to. Plans show mitigation.

Condition 7 (Removal of PD rights), Condition 11 (replacement planting), Condition 14 (unexpected contamination), Condition 15 (Soil Importation), Condition 16 (Submission of Phasing Plan), Condition 28 (Piling Foundations), Condition 30 (archaeological report), Condition 31 (Residents travel information), Condition 35 (Foul and surface water scheme) these conditions remain relevant, and must be adhered to/details submitted prior to commencement of development.

Condition 13, 24, 25, 27, 29, 33, 34 are not relevant to Site 1.

Section 106 requirements

The outline permission is subject to a detailed Section 106 Agreement which ties the outline permission 18/2153N with the planning and LBC permission for Doddington Hall (18/5806N and 18/5903N).

It is noted that the Ward Council and Parish council raised concerns that the S106 triggers are not being met and have also requested a Monitoring Team to be set up.

The S106 Agreement includes a number of trigger points for various parts of the scheme to be dealt with. The relevant S106 triggers in relation to this application are;

- Provide an open space scheme (includes LEAP for site 1)

As set out above the Open Space provision provided is largely acceptable and this criterion has been met.

All other requirements of the S106 relate to either prior to the commencement of development or any heritage works being carried out; specific to the heritage works; or specific to the separate site. There are a number of triggers which will need to be met, prior to any physical development being carried out or any money is raised from financing or selling the development sites. A Monitoring Team is intended to be set up which will include the S106 monitoring officer.

SUMMARY/CONCLUSION

The application site is located within the open countryside as set out in the development plan. The appeal inspector concluded that the proposals met the exception PG 6 (vi) *For development that is essential for the conservation and enhancement of a heritage asset*. The principal of development has already been accepted on this site for 18 dwellings as part of a larger scheme of 112 dwellings around the Doddington Hall estate.

As set out above, outline planning permission was granted on appeal for the Development of 12 no. sites for residential development for 112 no. dwellings with means of access and layout included, but with all other matters reserved, for a 10 year phased release and delivery period and associated community betterment (parking overspill next to School, enhanced parking next to Church, permissive pedestrian paths, play space, public access, community orchard, educational contribution and affordable housing).

The outline application was granted permission as part of a wider 'enabling development' scheme to enable the restoration and conversion of the Grade I Doddington Hall and Grade II stables into a Hotel and Spa. The scheme also includes the restoration of Grade I Delves Tower/Hall and restoration of the Grade II* Star Barn. The permission is subject to a detailed S106 legal agreement which links the outline planning permission 18/2153N to the Doddington Hotel permissions 18/5806N and 18/5903N.

Permission was granted for a detailed outline which included layout and access, with all other matters, appearance, landscaping and scale reserved for a future submission. The outline permission was also subject to a detailed design code for each site which was conditioned.

The application site (Site 1) is located off London Road, Bridgemere. The site is located within the Open countryside. The site has a site area of 2.81ha and includes outline permission for 18 dwellings and a LEAP.

The principle of development has already been accepted on this site for 18no dwellings. Therefore, the main issues of this application are whether the reserved matters of appearance, landscaping, and scale are acceptable. The purpose of this application is to agree the outstanding reserved matters.

The application accords with the outline permission and therefore is considered to be acceptable.

Subject to conditions it is considered that the design, landscape, LEAP provision, ecology impact and surface water drainage scheme are acceptable.

The proposed access/parking and impact on neighbouring and future occupier amenity has been fully considered and is considered to be acceptable.

As set in the assessment section, there are some outstanding issues in relation to the forestry impact however it is considered likely that these can be dealt with by means of an update to committee and condition.

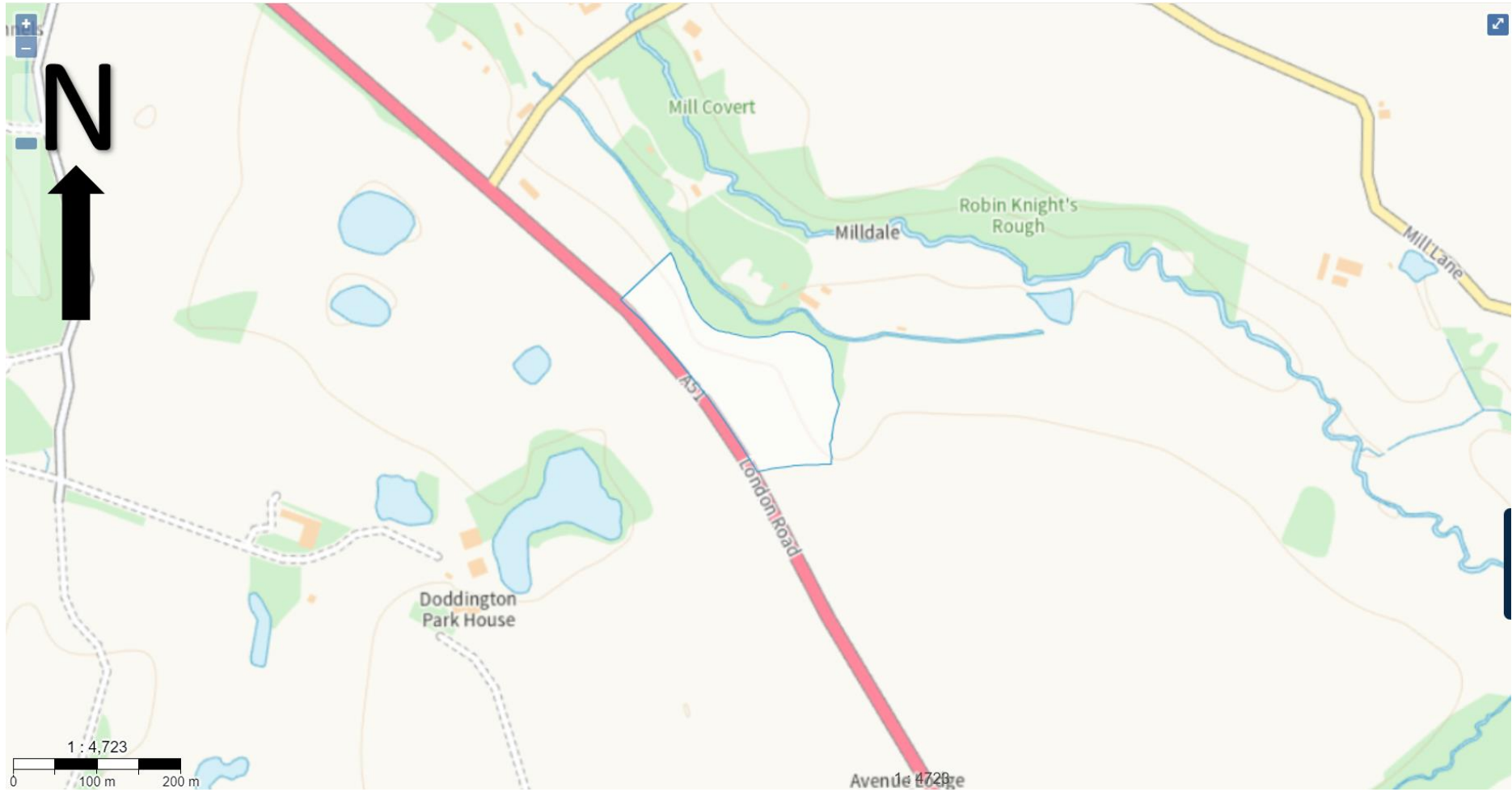
It is therefore considered that subject to conditions, and the submission of the updated AIA and AMS, the proposal is acceptable and in accordance with the outline permission and the relevant policies of the Development Plan and is recommended for approval accordingly.

RECOMMENDATION

APPROVE with the following conditions:

- 1. Standard Reserved matters**
- 2. Approved plans**
- 3. Updated Landscape scheme – to include full details of advanced planting**
- 4. Updated Boundary Treatment scheme – including plots 15 and 16**
- 5. Updated Landscape Management Plan**
- 6. Hard surfacing materials**
- 7. LEAP Management Plan**
- 8. All facing and roofing material samples to be submitted, including for lintels and sills. Sample panel to be provided on site and retained for the duration of development**
- 9. Full details of doors and windows and fascia's**
- 10. Full details of Rainwater goods**
- 11. Detail of setts and kerbs to be submitted with hard landscape plans**
- 12. Updated CEMP**
- 13. Foul Drainage scheme – not to impact on root protection area or ecological areas**
- 14. Surface water drainage scheme to be implemented**
- 15. Safeguarding nesting birds**
- 16. Visitor parking to be made available for use prior to first use of the LEAP and retained**
- 17. Updated lighting plan**
- 18. Updated AIA and AMS**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in their absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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