

**Land south of Cotefield Business Park Phase 2
adjacent to Blossom Field Road, Bodicote**

19/00050/DISC

Case Officer: Bob Neville

Recommendation: Approval

Applicant: Crest Nicholson Midlands

Proposal: Discharge of Conditions 6 (levels) and 11 (landscaping) of
18/01309/REM

Expiry Date: 20.03.2019

1. Site Description:

1.1. The site comprises some 4.5ha of agricultural land which forms the southern part of a larger field, to the south of Bodicote village. Cotefield Nurseries and Cotefield Business Park lie to the east of the site, between the site and the A4260. Cotefield House, a former country house now subdivided into flats, also lies to the east. There is a single shared point of access off the A4260. The field is part of a shallow valley, with the land rising to the north and south. There is a single Oak tree and a single Sycamore tree in the centre of the application site. A recent new residential development lies adjacent to the north of the field, with fields to the south and west. A mature (approximately 25 metre wide) tree belt screens the site along the southern and western boundaries of the field.

2. Application Publicity:

2.1. No publicity required

3. Details of Consent:

3.1. Consent was originally granted under 14/02156/OUT, for outline permission for 95 No. homes on land South of Cotefield Business Park adjacent to Blossom Field Road Bodicote was approved subject to conditions on the 03.10.2016. Reserved matters applications 18/00193/REM (28.08.2018) and 18/01309/REM (05.11.2018) have also been subsequently approved, again subject to schedules of conditions.

4. Planning Considerations:

4.1. Condition 6 of 18/01309/REM requires the submission of details of existing and proposed ground and finished floor levels (FFLs). Drawing "5692:P02 H" has been submitted in this regard.

4.2. Officers have consistently expressed strong dissatisfaction with the proposed levels, particularly in relation to Plots 47-53 and Plots 57-62.

4.3. Officers have assessed the proposed FFLs for these plots in the context of the overall development rather than in isolation, and it is acknowledged that the site presents challenging gradients for any developer.

4.4. Nevertheless, it is considered that the proposed FFLs would result in a very poor and substandard living environment for future residents.

4.5. Plots 47 to 53 are set too low – they are dug down into the ground and it is not clear why. Plot 47, for instance, is proposed at a FFL 0.45m below Plot 46 despite being set on higher ground. Conversely plots 57 to 62 are set out of the ground and it is not clear why.

4.6. Officers recognise and acknowledge all that the applicant and its engineering consultants (MJA) have said in response but – although the constraints faced are

readily acknowledged, in particular the requirements of Building Regulations – none of what has been said satisfactorily addresses the amenity impacts of the proposed FFLs. In short, an engineering solution has been chosen over one which respects the amenity of future residents.

- 4.7. Notwithstanding, there is extant permission for 95 dwellings on the site, and the layout has now been fixed through the reserved matters consent (REM), which has been granted. Officers acknowledge the constraints imposed by the need to plan for satisfactory road gradients and to comply with Building Regulations requirements in relation to access to dwellings.
- 4.8. In addition, a scheme of semi-mature planting has been proposed (as set out in the drawings referenced later in this report and submitted pursuant to the requirements of Condition 11 of the REM), and officers acknowledge that buyers of the new dwellings would do so aware of the layout plan and the finished floor levels of the dwelling.
- 4.9. Unfortunately, given their experience thus far, it is unlikely that officers will be able to secure any betterment over that submitted. The Council therefore has to decide whether to approve or refuse the application on the basis of the current submission.
- 4.10. With reluctance, and very much on balance, officers therefore consider the submitted levels details to have met the requirements of the condition. It is reiterated that the proposals will not allow for a satisfactory living environment for future residents, in particular plots 46-53 and plots 67-71.
- 4.11. There is a lesson for planning officers and developers alike involved in planning future developments, that matters relating to layout – and therefore overall numbers – and indeed drainage (cf. the officer's report for the reserved matters application ref. 18/01309/REM and 18/00298/DISC) – need to have due regard to the gradients/contours within a site i.e. need to be planned in 3D at the outset, rather than later in the process after permissions have already been given.
- 4.12. Condition 11 requires the submission of a landscaping scheme for the development. As a result of protracted discussion between officers and applicant a revised landscaping scheme has been submitted, and drawings "1908 14 E", "1908 15 J", "1908 16 I", "1908 17 E" and "1908 18 F" refer. The submitted details are considered acceptable.

5. RECOMMENDATION

The Local Planning Authority considered that the details submitted latterly pursuant to Conditions 6 and 11 of planning permission 18/01309/REM are acceptable, and as such it is recommended that the said conditions are discharged.

Case Officer: Bob Neville

DATE:

Checked By: Nathanael Stock

DATE: 08.10.2019
