

PLANNING APPLICATION REPORT

Case Officer: Wendy Ormsby
Yealmpton

Parish: Newton and Noss **Ward:** Newton and

Application No: 2929/17/VAR

Agent/Applicant:
Mr R Smith
Suite 1
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New Mills Industrial Estate
PL21 0TP

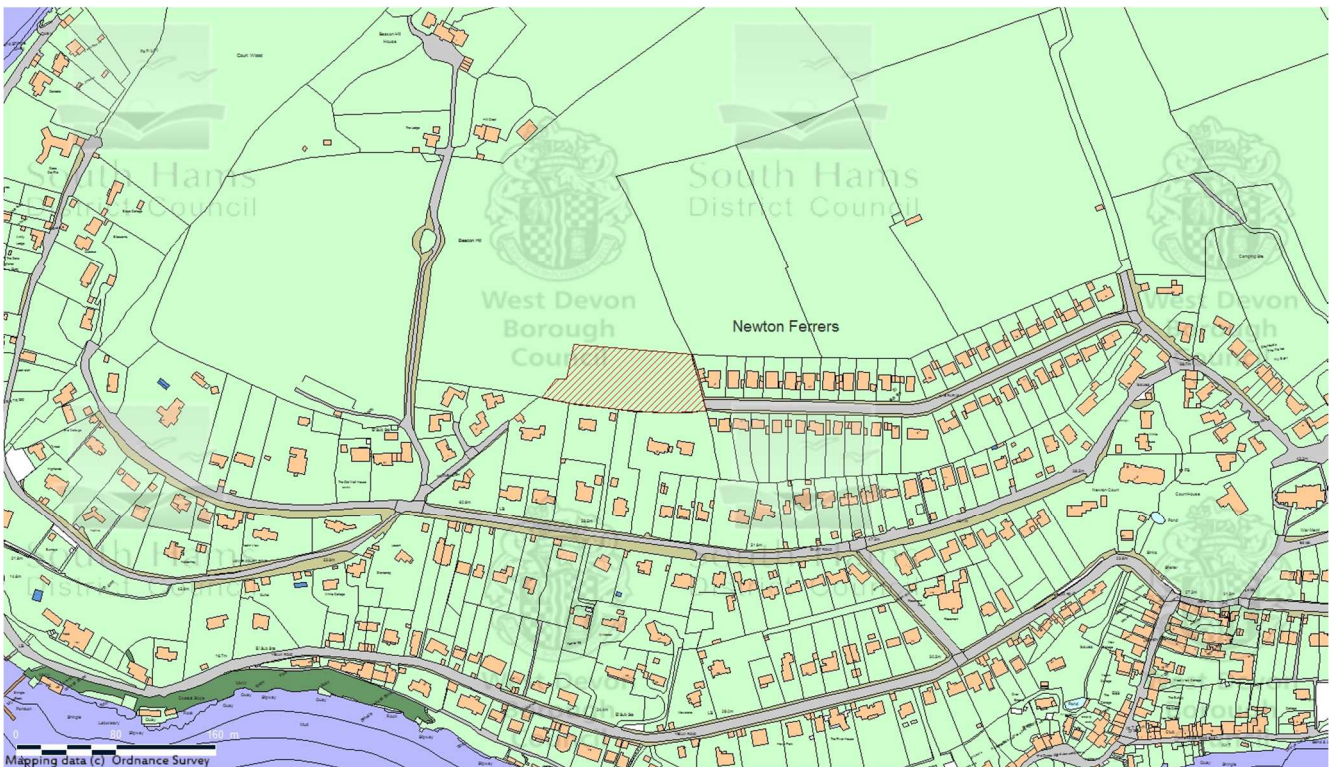
Applicant:
Mr Dean Scantlebury
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Plymouth
PL9 8QX

Site Address: Land At The Fairway, The Fairway, Newton Ferrers, PL8 1DP

Development: Variation of condition number 2 following grant of planning permission 1372/16/FUL to allow for changes to plans of plots 1 and 2

Reason item is being put before Committee: At the request of Cllr Baldry for the following reasons:

- Visual impact
- Increased ridge height
- Inconsistent with the reasons in the original consent
- The proposal for elderly person and disabled person dwellings influenced the original consent.
- Likely increase in road traffic from change of dwelling type.



Recommendation: Conditional Approval subject to a Deed of Variation to the Section 106 agreement pertaining to planning reference 1372/16/FUL to ensure the provision of the following:

- Education Infrastructure - £13,680
- Education Transport - £3,097
- Improvements to open space, sport and recreation facilities at Butts Park, Newton Ferrers. - £19,500
- Management Company to secure implementation of LEMP which will secure hedgerow management.
- Highway drainage schedule of works to be agreed and implemented

Conditions

1. Time
2. Accords with plans
3. Details of levels to be provided and agreed
4. Details of surface water drainage to be submitted to and approved in writing by the LPA
5. Recommendations on Extended Phase 1 Habitat Survey and Ecological Appraisal to be adhered to.
6. No external lighting unless details previously agreed with LPA
7. Requirement for heavy metal soil sampling
8. Unsuspected contamination
9. Pre-commencement - Construction Management Plan
10. East facing dormer windows to be obscure glazed and fixed shut.
11. Materials to be agreed
12. Hard and soft landscaping to be agreed and implemented
13. Tree and hedgerow protection measures during construction to be agreed
14. Details of any retaining walls to be agreed
15. Construction details of estate road, footways, verges etc to be agreed and provided.
16. Removal of PD – roof extensions and means of enclosure
17. Pre-commencement – LEMP
18. Highway, parking and turning to be laid out prior to occupation
19. All off site highway improvement works shall be complete prior to the occupation of the first dwelling
20. No mud, stones, water or debris shall be deposited on the public highway
21. Screening to be provided on eastern site boundary of plot 1.

Key issues for consideration:

The principle of the development has already be accepted in the granting of planning permission 1372/16/FUL

The site is located within the South Devon Area of Outstanding Natural Beauty (AONB) and Heritage Coast. Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in these areas. South Hams Local Development Framework (LDF) Policies CS9 (Landscape and Historic Environment) and DP2 (Landscape Character) also give great weight to the conservation and enhancement of AONB's. This is the leading issue in the consideration of this application.

Financial Implications (Potential New Homes Bonus for major applications):

It is estimated that this development has the potential to attract New Homes Bonus of **£5,900** per annum. The Government is implementing reforms to the New Homes Bonus scheme and the length of NHB payments will be reduced from 6 years to 5 years in 2017/18 and 4 years from 2018-19 onwards. Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The site subject to the original planning consent is the lower south east corner of an agricultural field that adjoins the west end of The Fairway, a residential road of mostly bungalows located on the northern boundary of Newton Ferrers. Access to The Fairway is via Court Road.

The site is a rectangular parcel of land that is 0.47 hectares in size. The site is outside of the Development Boundary but immediately adjoins it. The site is also within the South Devon Area of Outstanding Natural Beauty and the South Devon Heritage Coast.

The southern site boundary adjoins the rear gardens of properties on Court Road and Middle Leigh. This boundary is defined by a mature hedge and some trees. Two trees close to the common boundary, in the garden of 80 Court Road, are subject to Tree Preservation Orders. The eastern boundary with The Fairway is defined by a field gate and a mature hedge. The dwellings on Court Road are set at a lower level than the application site due to the topography of the land which slopes downwards from north to south

There is a second field access gate, this one is on the south site boundary, opening into Middle Leigh.

This application to vary the original approval relates to plots 1 and 2 only which are the plots at the eastern end of the site, closest to The Fairway.

The Proposal:

It is proposed to vary the details of plots 1 and 2 from the approved plans.

The ground floor footprint of the building will remain the same, but both will change to reverse living with living accommodation on the first floor. The location of windows and doors at ground level are changed. The first floor footprint will extend further to the rear (north). As the land is sloping the first floor will open onto the garden level at the rear

When this variation application was originally submitted the most significant change was to the roof. The approved dwellings were dormer bungalows. The buildings were approved with fully hipped roofs with pitched roof dormers to the front and rear and flat roof dormers to the sides. The dormers were relatively modest in scale. The front (south) facing dormer included a balcony inset into the roof with a pair of full height glazed doors opening onto the balcony.

The proposed changes originally included the following changes:

Widening the inset window with doors on the front elevation to more than double the amount of approved glazing.

Adding a much larger side flat roofed 'dormer' on the east elevation that appeared more as a small tower on the side extending beyond the main part of the dwelling and reaching down to ground level, this would be clad in standing seam grey metal and would contain a large window.

The dormer on the west side is extended out further, almost reaching the eaves of the roof. This is retained as flat roofed.

Following objections on landscape grounds from SHDC Officers and the AONB Unit the application was amended. The scheme now includes the following changes:

A wider expanse of window and wider balcony at the front – glazing has been reduced from the original submission by substituting solid panels on either side.

There is no 'tower' feature anymore. Instead both side facing dormers remain at the same height as the approved scheme however are longer, extending further out along the roof slope. They will be timber clad rather than metal clad. Whilst they will appear as dormers from the front these are not actually dormers, they form part of a flat roof addition to the entire back part of the roof.

The first floor will extend further to the rear (north) than previously approved (within the roof extension mentioned above) and will introduce side facing windows further back into the plot. The side facing window on plot 1 is to be obscure glazed. The first floor will open out onto a terrace on the garden which is at first floor level at the rear.

The ridge height of the dwellings will be 500mm higher than the approved scheme. The dwelling will be of same footprint width and have the same width of eaves, it will be some 4.5m deeper, cut into the slope of the land at the rear.

Consultations:

- County Highways Authority: Standing advice
- AONB Unit: No objection to revised plans
- Parish Council: Objection

Whilst acknowledging that the principle of development outside the development boundary was established 1372/16/FUL contrary to public evidence and N3P-1, this application is:

- Inconsistent with the undertakings of the original consent when GREAT WEIGHT was given to the fact that the buildings with just one room on the roof were particularly suitable for the elderly and disabled.
- Bearing in mind there are 5 properties on this site, allowing any variations to ANY one of the buildings for which permission has already been granted will exacerbate the effect on the AONB and Coastal Preservation Area
- An increase in accommodation/family size will inevitably produce more parking and traffic
- Visual impact – increase in height on the skyline and effect on adjacent properties

- The proposed changes are out of context with the original buildings proposed under 1372/16/FUL and the established bungalows along The Fairway.

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The original plans agreed for this site should stand

Representations:

Approx.6 letters of objection have been received which include the following reasons:

- Inconsistent with undertakings of the original consent
- Contrary to neighbourhood plan
- Outside of development boundary
- Not an identified site in JLP
- Adverse impact on AONB and Coastal Preservation Area
- Contrary to AONB Management Plan
- Highly visible in the landscape
- Increase in traffic – adverse impact on highway safety
- Adverse impact on Yealm Estuary SSSI
- Adverse impact on ecology including bats
- Driveway size with increase run off and risk of flooding.

Approx. 13 letters of support have been received, one of which contains approx. 25 signatures. Reasons for support include the following:

- Site already has planning consent
- No greater impact than consented scheme
- Buyers are young families with different needs to consented homes
- Will be occupied by local families – accords with aims of Neighbourhood Plan.
- Design and scale is appropriate
- Sustainable form of construction
- Acceptable impact on neighbours
- Site is well screened

Relevant Planning History

1372/16/FUL- Construction of 5 no DDA complaint dwellings and change of use of land
Conditional Approved subject to Section 106

ANALYSIS

Principle of Development/Sustainability:

Planning permission 1372/16/FUL established the principle of residential development on this site. The planning balance was influenced by the fact that the LPA did not have a 5 year housing land supply that it could yet reply upon and therefore the presumption in favour of

sustainable development, as set out in Paragraphs 49 and 14 of the NPPF, applied. This situation has not changed.

One of the benefits of the scheme which weighed in the planning balance of social sustainability was that the application proposed houses which were suitable for the elderly. Plots 1 and 2 being bungalows with just one room in the roof were particularly suitable for the elderly.

The variations proposed for plots 1 and 2 change the dwellings from modest mostly single level 3 bedroom dwellings to larger 3 bed properties on two floors accessed conventionally using stairs. These are more likely to be used as family homes and indeed the application identifies that two local families would like these plots if permitted.

The Newton and Noss Neighbourhood Plan is at a relatively advanced stage having been submitted for examination.

The neighbourhood plan identifies the need for smaller 1, 2 and 3 bed properties to balance out the trend of large, very expensive homes that exist within the Parish and for which there is a continued pressure to build but which are not affordable to many locals within the Parish.

Policy N3P-11 from the neighbourhood plan states the following:

Where residential development is permitted by this plan:

- a) In order to balance housing stock across the parish the development of smaller homes will be encouraged.*
- b) Applications for new dwellings and replacement dwellings of more than 3 bedrooms will be required to provide evidence of need.*
- c) In new developments of 4 or more homes, developers will be encouraged to have at least 75% smaller units of no more than 3 bedrooms.*
- d) Affordable Homes and financial contributions towards their provision will be required in line with the Joint Local Plan and national policies.*
- e) Proposals for small scale affordable housing schemes on rural exception sites will be supported where:
 - i. they meet the requirements of national and local strategic policies and the other policies of this plan.*
 - ii. they are brought forward by a local community group such as a Community Land Trust and have the clear support of the local community.*
 - iii. they are well managed and viable over the long term and the benefits will be retained for the local community in perpetuity.**
- f) Proposals for self-build, small family homes will be supported.*

The proposed changes to plots 1 and 2 provide 3 bed family homes rather than the smaller 3 bed dormer bungalows previously approved. Whilst bigger the houses are not unusually large and do not offer much more space than may be found in a conventional estate type development. It is considered that the proposed development is in accordance with Policy N3P-11 despite the fact the bungalows are no longer proposed.

The principle of the development is considered to be acceptable subject to all other material planning considerations.

Design/Landscape:

The site is located within the AONB where great weight must be given to conserving its scenic beauty. The key potential viewpoints of this development are from the south.

In considering the approved scheme weight was given to the fact that the proposed dwellings were dormer bungalows and therefore with low ridge lines, set towards to bottom of the field and set behind existing mature hedgerow and trees. On this basis it was concluded that the landscape impact would be minimal.

Viewed from the south the key changes to the development will be an increase in the height of the ridge line by 500mm, wider dormers/roof extension adding to the bulk of the roof and additional glazing within the gable.

The scheme has been assessed by the Council's landscape specialist and the AONB Unit who have concluded that the proposed changes will not materially change the landscape impact of the development.

The design as amended will sit comfortably within the street scene.

The design and landscape impact are considered to be acceptable.

Neighbour Amenity:

It is proposed that the east facing first floor window in Plot 1 be obscure glazed to prevent overlooking of the existing neighbour. It is also proposed to add a planning condition requiring a privacy screen to be provided on the eastern boundary of the rear patio of plot 1 where there is also the potential for overlooking, unless it can be demonstrated that overlooking will not occur.

Subject to the above, impact on neighbour amenity is considered to be acceptable.

Highways/Access:

There is no significant change to access and parking arrangements and no objection is raised by the Highway Authority.

Concern has been raised that these large 3 bed houses will generate more traffic than the smaller 3 bed bungalows. Officers consider that this is un an unreasonable assumption, but if there were a greater number of traffic movements the impact would be insignificant and acceptable.

Planning Balance

Whilst the proposed dwellings will be larger than originally approved they remain 3 bedroom and whilst spacious remain reasonably modest in size. As such they do not conflict with the aims of the Neighbourhood Plan in terms of house type and scale.

Having regard to the status of the District's 5 year housing land supply the NPPF advises that sustainable housing development should be approved. The proposed development represents sustainable development and as such it is recommended that conditional planning permission be granted.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

National Planning Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

CS10 Nature Conservation

CS11 Climate Change

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

DP4 Sustainable Construction

DP5 Conservation and Wildlife

DP7 Transport, Access & Parking

DP15 Development in the Countryside

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)

SPT1 Delivering sustainable development

TTV29 Site allocations in the Smaller Towns and Key Villages

TTV30 Empowering local residents to create strong and sustainable communities

TTV31 Development in the Countryside

DEV1 Protecting amenity and the environment

DEV2 Air, water, soil, noise and land

DEV3 Sport and recreation

DEV4 Playing pitches

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV9 Accessible housing

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV24 Landscape character

DEV27 Nationally protected landscapes

DEV28 Protecting and enhancing biodiversity and geological conservation

DEV29 Green and play spaces (including Strategic Green Spaces, Local Green Spaces and undesignated green spaces)

DEV30 Trees, woodlands and hedgerows

DEV31 Specific provisions relating to transport

DEV34 Delivering low carbon development

DEV35 Renewable and low carbon energy (including heat)

DEV37 Managing flood risk and Water Quality Impacts

South Devon AONB Management Plan

Newton and Noss Neighbourhood Plan – post Reg 16, submitted for inspection.

N3P-1: The Village Settlement Boundaries

N3P-4: Development and Construction

N3P- 5: Movement and Parking

N3P-9: Protecting the Landscape

N3P-11: New Housing

N3P-12: Second Homes and Principal Residence Requirement

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed Conditions in Full

1. The development to which this permission relates must be begun not later than 3 April 2020, which is the date of expiration of planning permission 1372/16/FUL which this application varies.

Reason: To comply with Section 73 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers:

GJ/PA/00
GG/PA/02A
GG/PA/03A
S2855/20
S2855/10
S2855/25
SK10 A
SH00 A
SK01 D
SK03 D
SK05 C
SK04 C
SK02 D
SK06 D
SK07 C

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

4. The dwellings/buildings hereby approved shall not be occupied until the parking, servicing, garaging areas relating to/it them (and shown on the submitted drawings) (and in accordance with drawings that shall have been previously submitted to and approved by the Local Planning Authority) have been properly consolidated, surfaced, laid out and constructed. The

parking, servicing and garaging areas shall be kept permanently available for the parking and manoeuvring of motor vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and satisfactory provision is made for the garaging and parking of vehicles clear of all carriageways in the interests of road safety and amenity.

5. No development above slab level shall continue until a detailed hard and soft landscaping scheme has been submitted to and approved by the Local Planning Authority, which shall include details of the boundary treatment of the proposed plots/development. The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

6. The recommendations, mitigation and enhancement measures of the Extended Phase 1 Habitat Survey and Ecological Appraisal by The Magnificent Science Company dated 8 September 2016, submitted in support of application reference 1372/16/FUL shall be fully implemented prior to the commencement of the development hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species

7. Prior to their installation details and samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In the interests of visual amenity.

8. Notwithstanding the details provided, there shall be no external lighting unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the countryside from intrusive development

9. The first floor east facing window in plot 1 shall be obscure glazed, non-opening and permanently retained as such

Reason: In the interests of the residential amenities of the adjoining occupiers.

10. Prior to the commencement of development details of finished floor levels, ridge heights and cross sections through each dwelling to show the relative level of gardens, dwellings, parking areas and the new road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is set at a level that ensures it is assimilated into the landscape to minimise the visual impact on the AONB in which it is set.

11. PRE COMMENCEMENT: No development approved by this permission shall be commenced until full details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- (a) details of the drainage during the construction phase;
- (b) details of the final drainage scheme, including testing and calculations;
- (c) provision for exceedance pathways and overland flow routes;
- (d) a timetable for construction;
- (e) a construction quality control procedure;
- (f) a plan for the future maintenance and management of the system. The sustainable drainage scheme is to be designed for a 1:200 year event plus 40% for climate change and infiltration drainage must be supported with testing to BRE digest 365. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the results of the percolation tests or the discharge rate is too high then a mitigating drainage alternative shall be agreed with the Local Planning Authority and thereafter installed, maintained and retained in accordance with the agreed details for the life of the development.

Development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

12. Development shall take place in accordance with the details and recommendations set out in details submitted and approved pursuant to condition 12 of planning permission 1372/16/FUL regarding arsenic and heavy metal contamination.

Reason: To manage the potential risks arising from such contamination.

13. PRE COMMENCEMENT: No development hereby permitted shall be commenced until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) confirmation (by means of a site location plan) of the route(s) to and from the site to be used by delivery and construction traffic, together with a details of temporary AA Road Signing Strategy;
- (d) any road closure;
- (e) hours during which delivery and construction traffic will travel to and from the site;
- (f) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (g) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (h) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

- (i) provision of wheel wash facilities, dust suppression and noise limitation measures;
- (j) hours during which no construction traffic will be present at the site;
- (k) the means of enclosure of the site during construction works;
- (l) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site; (m) site management arrangements, including the site office and developer contact number in the event of any construction/demolition related problems, and site security information; and
- (n) a road condition survey using photographic evidence near to each proposed entrance to the site.

This approved CMP shall be strictly adhered to during the construction of the development hereby permitted, unless variation is approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, public convenience and highway safety, and preventing inconvenient obstruction and delays to public transport and service vehicles and to emergency vehicles.

14. Development shall take place in accordance with details submitted and agreed pursuant to condition 14 of planning permission 1372/16/FUL regarding tree and hedgerow protection during the course of construction

Reason: In the interests of visual and residential amenity

15. Details of all retaining walls to be built as part of the approved development shall be submitted to and approved in writing by the Local Planning Authority prior to their construction.

Reason: In the interests of visual amenity.

16. The proposed estate road, cycleways, footways, footpaths, verges, junctions, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved in writing by the Local Planning Authority before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To enable the Local Planning Authority to obtain adequate information for consideration of the ultimate proposal in the interests of highway safety and convenience.

17. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

- (a) Part 1, Class A (extensions and alterations);
- (b) Part 1, Class C (roof addition or alteration);
- (c) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse.
- (e) Part 2, Class A (means of enclosure).

Reason: To enable the Local Planning Authority to exercise control over development which

could materially harm the character and visual amenities of the development within the locality and to safeguard residential amenity.

18. The Landscape and Ecological Management Plan submitted to and approved in writing by the Local Planning Authority pursuant to condition 18 of planning permission 1372/16/FUL shall be fully implemented and adhered to at all times.

Reason: In the interests of ecological interest and to secure long term management of existing and new hedgerows.

19. All off site highway improvement works shall be complete prior to the occupation of the first dwelling.

Reason: In the interests of highway safety.

20. No mud, stones, water or debris shall be deposited on the public highway at any time.

Reason: In the interests of highway safety

21. Prior to the occupation of Plot One privacy screening at the rear of the property (plot 1) on the eastern site boundary shall be provided in accordance with details to have previously been agreed in writing with the Local Planning Authority, unless it has been demonstrated to the Local Planning Authority that there is no potential for overlooking into the neighbouring property to the east. The approved privacy screening shall be retained and maintained in perpetuity.

Reason: In the interest of residential amenity