SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 6 September 2017

(Author: Tracey Meachen - Planning Officer)

Purpose: To consider Planning Application H02-0536-17

Application Number:	H02-0536-17	**Date Received:**	6 June 2017
Application Type:	OUTLINE		
Description:	Residential development - two detached houses		
Location:	10 Peterborough Road Crowland Peterborough		
Applicant:	Amelio Homes Ltd	**Agent:**	Colin Smith
Ward:	Crowland and Deeping	**Ward Councillors:**	Cllr B Alcock Cllr J R Astill Cllr Angela Harrison

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H02-0536-17

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Objections received and issues raised which merit Committee consideration.

2.0 PROPOSAL

2.1 This is an outline planning application to erect two detached houses with all matters reserved. Indicative plans have been submitted which includes a suggested house type. The plans show a pair of detached houses of two storey height on land to the rear of number 10 Peterborough Road, Crowland. The design of the dwellings could, however, be changed at Reserved Matters stage. The site is within the defined settlement limit for Crowland.

3.0 SITE DESCRIPTION

3.1 The application site is to the rear of an existing dwelling known as number 10 which is a detached two storey house. There is a bungalow to the south side of number 10, and a two storey detached dwelling to the north known as 8a. The garden is long with conifers along the boundary adjacent the bungalow and along the rear boundary with a fence to the other side of the garden adjacent the two storey dwelling known as 8a. 8a is an 'L' shaped property with side windows from the rear extension facing towards number 10. There are currently no properties to the rear of the application site, however, it has been resolved to grant planning permission (H02-108-15) for 41 dwellings on this land.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 215 of the NPPF should therefore continue to be given substantial weight in the decision making process.

SG1 - General sustainable development
SG2 - Distribution of development
SG3 - Settlement hierarchy
SG11- Sustainable Urban Drainage Systems (SUDS)
SG12 - Sewerage and development
SG13 - Pollution and contamination
SG14 - Design and layout of new development
SG15 - New development: facilities for road users, pedestrians and cyclists
SG17 - Protection of residential amenity
SG18 - Landscaping of new development
HS4 - New housing in Spalding and the Area Centres (non allocated sites)

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), March 2012

Paragraph 14 - The presumption in favour of sustainable development
Paragraph 17 - Core planning principles
Section 6 - delivering a wide choice of high quality homes
Section 7 - requiring good design

4.2 Planning Practice Guidance (PPG), 2014

5.0 RELEVANT PLANNING HISTORY

5.1 None.

6.0 REPRESENTATIONS

6.1 Crowland Parish Council

Object as follows:
'The site is being over developed. The design and access statement refers to H02-0656-12 which we do not believe to be a valid reference.'

6.2 North Level IDB:

Have no objection, but should the percolation test fail, alternatives would need to be discussed.

6.3 Highways / SUDS:

Do not wish to restrict the granting of permission.

6.4 Environment Agency:

No comments.

6.5 Historic Environment Officer:

Confirms no archaeological input is required.

6.6 Environmental Protection:

No comments.

6.7 Public:

An objection has been received from the neighbouring property 8a. The points raised are as follows:
- There would be a loss of privacy and overlooking of the garden from the top rooms of the proposed development, plus a visually overbearing impact;
- the proposed access road will pass close to other properties;
- the proposal would be out of character with the layout of development in the area;
- existing backland development is not built close to boundaries and does not overlook existing gardens; and
- the proposed development would spoil the overall enjoyment of their property, plus have children who's use of the garden would be affected.

7.0 MATERIAL CONSIDERATIONS

7.1 Key issues for consideration regarding this application are:
- Character and appearance, and
- Likely impacts on residential amenity:

7.2 Character and appearance:

7.3 There is a variety of housing in the area with bungalows and houses of differing size and design. The design of the two detached dwellings would therefore appear acceptable. However, all matters are reserved and the suggested design could be changed later. Backland development is a feature within this part of Peterborough Road. Therefore the proposal for backland development at this location appears in keeping with similar developments such as the rear of 4 Peterborough Road (see H02-0657-12), Kennulphs Close and the relationship between 14a and 14 Peterborough Road. The proposal appears to conform to Local Plan Policy SG14 which considers the existing pattern of development.

7.4 Likely impacts on residential amenity:

7.5 The minimum distance between 8a and the proposed development on the indicative drawings would be approximately 26 metres, which is considered a sufficient distance to protect privacy to both existing and proposed dwellings. Parts of the neighbour's garden would be less private, but not all. The applicant has stated in the design and access statement that side windows would be obscure glazed which would lessen the impact on residential amenity. The front and back windows of the proposed properties would be no more overlooking than the existing windows of number 10. It must be remembered that the National Planning Policy Framework has a presumption in favour of development, unless material considerations indicate otherwise. In this case, a landscaping condition could be used to create more privacy along the boundary for the neighbouring property while still enabling development.

7.6 The proposed access drive would continue the existing driveway to the rear of the existing dwelling. Number 8a also access their garage to the rear of their property, so this is not a new feature of existing properties. The side of number 8a is approximately 1.9 metres from the joint boundary. This is comparative to numbers 2C and 4 Peterborough Road which are located either side of Kennulphs Close which also serves 2 backland properties. However, the arrangements for parking and turning may change.

7.7 Examples of properties erected close to boundaries to the rear of other properties include 4a,

4b and number 14. The proposed dwellings would be erected at least 1 metre from the joint boundary which is considered an acceptable distance for this type of development.

7.8 There appears to be an unrealistic expectation for the whole garden to be private within what is a residential estate. However, privacy could be maintained through a planning condition relating to boundary treatments. A tall hedge or landscaping could be proposed. All side wall windows would be obscure glazed and conditioned to remain as such, so some parts of the garden would remain private even after development.

7.9 Conclusion:

7.10 It is accepted that the proposed development would impact on residential amenity for the occupants of number 8a if approval is granted. However, when taking into account similar patterns of development in the locality, it is not regarded as unusual development or so unacceptable as to warrant refusal. The National Planning Policy Framework does have a presumption towards sustainable development, and it is considered with the right conditions on the decision notice, the application would be acceptable to nearby residential amenity with regard to overlooking, overbearing or overshadowing, and so would be compliant with Local Plan Policy SG17.

7.11 It is further considered that, on balance, the benefits from the provision of two 3 bed homes in Crowland would outweigh the harm caused by development.

8.0 RECOMMENDATIONS

8.1 Grant Permission subject to those Conditions listed at Section 9.0 of this report.

9.0 CONDITIONS

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

   Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   TK1/01, TK1/02 and TK1/03, and Flood Risk Assessment (prepared by CJS Planning and Building Services).

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:
   i) the layout, scale and external appearance of building(s), including a schedule of external materials to be used;
   ii) the means of access to the site;
   iii) the landscaping of the site;
   iv) the means of sewage and surface water disposal;
   v) the existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

   Reason: The application was submitted in outline only and the above details are required to enable the Local Planning Authority to assess the detailed design, appearance and layout of the development as well as ensure that appropriate access and services are provided to serve the development.
   This Condition is imposed in accordance with Policies SG12, SG13, SG14 and SG18 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

4. When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

   Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

   Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
   This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan, 2006.

5. Prior to its installation, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

   Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
   This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.

6. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by CJS Planning and Building Services) forming part of this planning application before the property is first occupied.

   Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
   This Condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

7. Before the development is commenced beyond oversite, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the Local Planning Authority. Should the percolation test results be considered unacceptable by the Local Planning Authority details of an alternative means of providing for surface water drainage shall be submitted for consideration. The approved means of surface water drainage shall be implemented in full before the development hereby permitted is first brought into use.

   Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
   This Condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out.

i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
iii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity, levels of residential amenity and the visual amenity and character of the area within which it is set. This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006.

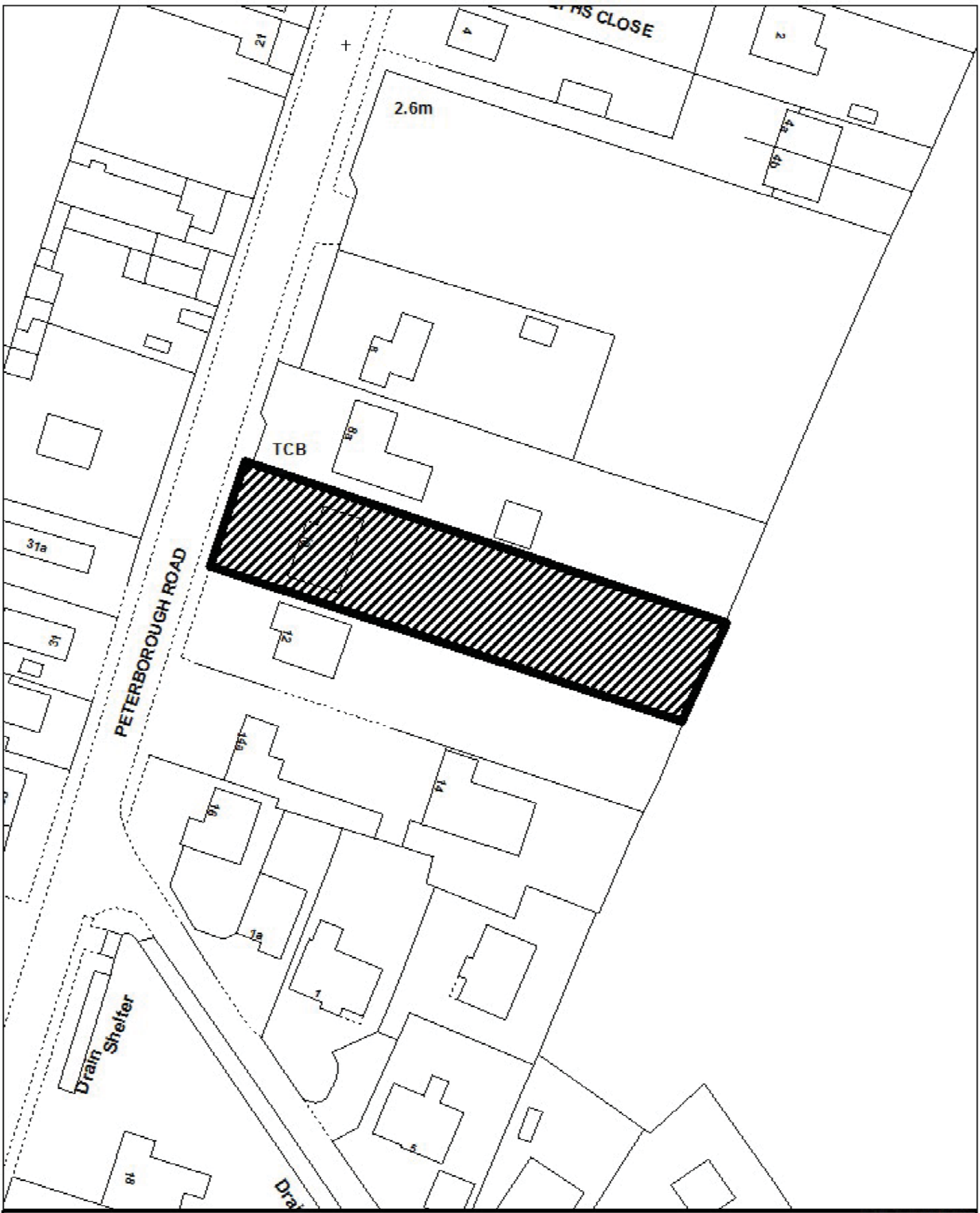
Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report:

Appendix A	Plan A



Scale: 1:750

August 2017

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Council Offices, Priory Road, Spalding, Lincolnshire
PE11 2XE