DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1218-18**	**Applicant:**	**Minster Property Group Ltd**
Proposal:	Residential Development of 20 Dwellings - approved under H16-0283-17. Modification of Condition 2 to allow amendments to previously approved plans and Conditions 13 and 14 relating to commencement/occupation of dwellings in conjunction with roads and footpaths		
Location:	Willow Walk Spalding		
Terminal Date:	7th March 2019		

Planning Policies

Local Plan July 2006:

SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG6	Community Infrastructure and Impact Assessment
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
SG16	Parking Standards in New Development
SG17	Protection of Residential Amenity
SG18	Landscaping of New Development
HS4	New Housing in Spalding and the Area Centres (Other Towns and Donington)(Non-Allocated Sites)
HS8	Affordable Housing
HS11	Open Space in New Residential Developments

National Guidance

National Planning Policy Framework 2019

NPPF 2019

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 8 Promoting healthy and safe communities
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	1	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	5	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Residential Development of 20 Dwellings - approved under H16-0283-17. Modification of Condition 2 to allow design amendments to previously approved plans and Conditions 13 and 14 relating to commencement/occupation of dwellings in conjunction with roads and footpaths.

Original consent granted permission for six 1-bed, two 2-bed and twelve 3-bed homes, served by 32 parking spaces. In conjunction with colleagues in Housing Strategy the viability of the scheme was independently tested. This has resulted in 2 affordable dwellings (9%) being deliverable to be secured via a s106 legal agreement.

This development does not alter this dwelling mix and shall now be delivered as entirely affordable housing for Waterloo RSL.

Specific design changes proposed as follows:

Amendments - Plots 1-5

1. Steps replaced with ramps to accommodate level change at rear.

Proposed Amendments - Plots 10-14

1. Removal of dormers and rooflights;
2. Amendments to internal layout, retaining angled primary windows and obscure-glazed secondary windows to rear elevation first floor as per extant consent;
3. Kitchen windows added to rear elevation at ground floor level, obscure-glazed to 1.7m with privacy screen extended accordingly;
4. Steps replaced with ramps to accommodate level change at rear.

Proposed Amendments - Plots 17-20

1. Removal of dormers and rooflights;
2. Amendments to internal layout;
3. Kitchen windows added to rear elevation at ground floor level;
4. Sill height lowered on former bathroom windows on rear elevation at first floor level;
5. Removal of obscure glazing from first floor windows;
6. Steps replaced with ramps to accommodate level change at rear.

Alteration to conditions proposed as follows:

Condition 13
No dwellings shall be **occupied** before the first 50 metres of estate road from its junction with the public highway, including visibility splays, has been completed **up to binder course**.

Condition 14
Before any dwelling is **occupied**, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the local planning authority.

Site Description

The site area is 0.46 ha, amounting to a density of 43 dwellings to the hectare. The site is brownfield in nature and surrounded on all sides by existing properties at Willow Walk, High Street, Osier Road and Rutland Close. There is a single adopted access road from Willow Walk.

The site is located in Flood Zone 3.

History

H16-0283-17. Residential development of 20 dwellings. Approved 30 July 2018.

Consultation Responses

LCC Highways. Following discussions, the Highway Officer raises no objection to the amended wording.

SHDC Building Control - Comments regarding adoption of roads and carrying distances.

SHDC Cllr D Ashby - The box windows on an angle stick out and should not be on this development.

Spalding & District Civic Society - Comments - regret the generally dull designs - some cosmetic improvements might include: a greater
overhang of eaves, some decorative brickwork (cf. recent 22B Priory Road, or one or two chimneys.

Residents

Resident objections

- distance of pump station to existing fences
- odour and noise of pump station
- overlooking and privacy, especially as the height of the dwellings will exceed existing dwellings
- does this application constitute minor changes? Disagree that the changes are minor in nature
- why change design and inclusion of roof lights?
- additional overlooking from additional windows
- windows may be replaced at a later date and lead to overlooking
- steps replaced with ramps would lead to bverlooking
- unhappy about 3 bedroom property being proposed
- the rooms created in the new development would be gloomy with poor light standards
- obscure glazing and privacy screens would cause a loss of light to the residents and would be removed
-originally bungalows were to be provided and this has been ignored
- siting of walls and fencing
- Tenure of 100% affordable is not acceptable
- As the houses are being built by a housing association is there any stipulation that the houses should be prioritised for key workers such as teachers, nurses and police etc?

Considerations

Principle

The concerns of the objectors have been considered and officers conclude that the scheme constitutes changes that can be dealt with via a Section 73 modification application rather than a further full planning application.

It is not the purpose of this application to revisit the principle of the development of this site, and there is an extant permission on the site.

The Council is in the process of finalising a new Local Plan (the South East Lincolnshire Local Plan). The new Local Plan has been through its formal Examination process and the final report from the Planning Inspectorate has now been received. However, the new Local Plan has yet to be formally adopted. The saved policies in the 2006 Adopted South Holland Local Plan therefore remain material. However, the new Local Plan is now considered to carry significant weight in the decision-making process.

Tenure of development

It is the Council's policy to encourage the provision of affordable housing in the District, and this type of location, within the established town is ideal for such homes. It is not considered that the provision of affordable housing is unacceptable on this or any other site in the town of Spalding.

The housing will be allocated and occupied in accordance with the RSLs policies and the requirements of the S106. It is currently not the policy at present to prioritise allocations for key workers such as teachers, nurses and police etc.

Layout and design

The layout of the development and dwelling mix has not changed. The design changes being proposed are to remove bedrooms from second floor roof spaces, as the RSL has a management and tenant preference for dwellings with accommodation over 2 floors rather than 3.

The alterations to windows and other features are cosmetic and do not impact on the overall scheme. The separation distances to adjoining residents are not altered.

The other design changes such as steps replaced with ramps would lead to an ease of use of the buildings that would assist the residents and hopefully enable better access to garden areas.

Impact on surrounding amenity

With regard to the changes proposed, there would be no change in impact on residential amenity, overlooking, the perception of overlooking or loss of daylight or sunlight to adjoining residents in comparison to the extant permission on the site.

The site is perceived to be a sensitive location, and it is surrounded by established residential development, however the separation distances are comparable to distances usually approved across the District. In the absence of design standards setting separation distances and garden size, it is considered that this development could not be refused permission on the basis of loss of privacy or undue impact on residential amenity.

Highway matters

Following discussions with LCC Highways, as no objection is raised it is considered that the revised wording to conditions 13 and 14 are acceptable.

Conclusion

Approve, subject to a Deed of Variation to the S106 to deliver the Affordable Housing.