DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H18-0692-19**	**Applicant:**	**Mr J Langley - Loyd Homes Ltd**
Proposal:	Residential Development - Comprising 2 detached dwellings and 8 semi-detached dwellings (Outline Approval H18-1168-16)		
Location:	Land North Of Withington Street Sutton Bridge Spalding		
Terminal Date:	15th October 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 11, 12, 14 and 15

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY	0	0	0	3

BODIES				
RESIDENTS	4	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The site has outline planning permission for residential development - comprising 2 detached dwellings and 8 semi-detached dwellings (ref. H18-1168-16). Reserved matters approval is now sought for the following:

2 No 3 bedroom chalet style semi-detached dormer bungalows - 130 sqm each
2 No 3 bedroom detached 2 storey dwellings - 134.1 sqm each
6 No 2 bedroom semi-detached 2 storey dwellings - 78 sqm each

The combined gross floorspace is 996.2 sqm.

Amended plans have been submitted that include a footway link on the eastern side of Withington Street between the site and the existing footway.

Site Description

The application site (some 0.49ha) is currently fallow agricultural land that abuts the northern boundary of the settlement at the end of Withington Street. It forms a square shaped infill between properties located on Granville Terrace to the west and Chestnut Terrace to the east. A recently constructed detached dwelling is located immediately adjacent the southern boundary of the application site.

Policies/Constraints

The site is outside Sutton Bridge Settlement Limit as defined in the South East Lincolnshire Local Plan, 2019.

Recent Planning History

H18-1168-16 - O/A - Residential Development - Comprising 2 detached dwellings and 8 semi-detached dwellings - Granted 12 May 2017.

Condition 4 - The development hereby permitted in outline is limited to no more than 10 dwellings, and a maximum combined gross floorspace of no more than 1000sqm.
Reason: In the interests of the character of the area and as the application is approved without a planning obligation relating to affordable housing. A development of greater than 10 dwellings or 1000sqm floorspace would be expected to make such a contribution, or demonstrate why it would not be viable, in accordance with national advice contained in the Planning Practice Guidance.

Consultation Responses

Sutton Bridge Parish Council - No comment.

LCC Highways/SUDS - Request conditions. All roads within the development hereby permitted must be constructed to an engineering standard equivalent to that of adoptable highways. Linking footway should be provided.

Anglian Water - The foul drainage from this development is in the catchment of Sutton Bridge Water Recycling Centre that will have available capacity for these flows.

SHDC Environmental Protection - Other than some localised fly tipping, the site has a low potential for contamination, and as such request that a note be applied relating to previously un-identified contamination.

Lincolnshire Police - No objections in principle.

Public - Resident objections received:
- Withington St unsuitable in width for additional development, especially because everyone parks on the road;
- Have issues of rubbish/recycling not being collected because cannot access the street;
- Overlooking/lack of privacy;
- Noise/disturbance/vibration, especially during the construction stage;
- Presently floods at end of street next to site after heavy rainfall;
- Blockage of views;
- Inadequate amenities (eg, school, doctors, etc)

Material Considerations

The main issue in this case is whether the proposal satisfactorily complies with the "reserved matters".

Principle

The principle of residential development upon the site has been established by virtue of the outline planning permission (ref: H18-1168-16).

Character/Appearance

The existing built form along Withington Street is mainly 2 storey terraced housing constructed in red brickwork with arched soldier course features above windows and doors. Some properties have been adapted through the years and the housing now provides a range of render, brick and stone cladding with a range of window styles. Existing development along Granville Terrace to the west and Chestnut Terrace to the east is generally mixed and of varying styles and materials.

The Design and Access Statement accompanying the application indicates that the dwellings would be constructed in red facing brickwork to reflect the red brick character of the original terraced housing along Withington Street. It indicates that "detailing such as contrasting brickwork below damp proof course, arched soldier course lintels, brick cills and corbelled detailing to chimneys (where shown) would add visual interest to the development."

The dwellings would be constructed in Ibstock Ravenhead Red Smooth bricks with a Mini-Stonewold Slate Grey roof. Plots 3 and 4 would have a natural slate roof. It is considered that the proposed development would not materially harm the character of the area or visual amenities of the locality.

Amenity

Finished floor levels would be raised 1 metre above existing ground level to address flood risk. However, the garden areas are relatively deep and 1.8 metre high closeboarded fencing with 600mm trellis panels above is proposed along the site's boundaries to alleviate overlooking of neighbouring property at ground level. The 2 storey dwelling on plot 10 has a small bathroom window only on its southern elevation. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overbearing effect, overshadowing, noise and disturbance, etc.

It is accepted that there would be some noise/disturbance during the construction phase. However, this would be temporary. A Construction Management condition was imposed at the outline stage. This is not a reserved matter and will be the subject of a separate condition compliance application.

Highway Safety and Parking

Concerns have been raised on highway safety grounds, including additional traffic along Withington Street. In response, the principle of 10 properties upon the site has already been established. The

roadway serving the site should be constructed to adoptable standards in accordance with condition 8 of the outline planning permission. Details of its construction do not form part of this reserved matters application and a further condition compliance application will need to be submitted to address thi smatter.

The proposal includes a new turning head. A footway link has also been provided between the site and the existing footway along the southern side of Withington Street. This would include the provision of additional drainage, so addressing surface water issues at this point.

Appendix 6 of the Local Plan sets out parking standards for proposed developments. It states that 2 vehicle parking spaces should be provided for dwellings with up to 3 bedrooms. Each of the proposed dwellings would be provided with at least two parking spaces in accordance with these standards.

LCC Highways has raised no objections subject to conditions, including construction of the new footway.

Flood Risk

In accordance with the terms of the outline planning permission, finished floor levels would be set 1 metre above finished floor levels to address flood risk.

Drainage

Anglian Water has indicated that the foul drainage from the development is in the catchment area of Sutton Bridge Water Recycling Centre and that there will be available capacity for these flows. They have reviewed the applicant's submitted foul drainage strategy and consider the impacts on the public sewerage network to be acceptable at this stage.

The outline application was accompanied by a Surface Water Strategy Statement. The South Holland Internal Drainage Board advised that they have a Board's watercourse to the north of the site within land controlled by the applicant. A condition was imposed requiring further details. This matter will be addressed by means of a separate condition compliance application.

Contamination

SHDC Environmental Protection has indicated that the site has a low potential for contamination, but have requested an unexpected contamination condition/note as a safeguard.

Other Matters

Lincolnshire Police have raised no objections in principle and have made suggestions ot reduce the opportunity for crime. This can be attached as a note.

Conclusion

The proposal satisfactorily complies with the reserved matters. The concerns of residents have been taken into consideration but do not outweigh other factors in favour of the scheme. The scheme has outline permission and would provide additional housing within the district.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.