

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H18-0709-19	Applicant:	Mr J Langley - Loyd Homes Ltd
Proposal:	Erection of 6 dwellings and associated works - outline approval H18-1167-16 (allowed on appeal)		
Location:	Land East: Chestnut Terrace Sutton Bridge Spalding		
Terminal Date:	13th October 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

RESIDENTS	4	0	0	0
-----------	---	---	---	---

CASE OFFICER ASSESSMENT

Proposal

This is a reserved matters application relating to outline application H18-1167-16 (allowed on appeal) for the erection of 6 dwellings and associated works on land east of Chestnut Terrace, Sutton Bridge.

The proposal is for 6 detached dwellings comprising of a mix of 4 x 3 bed and 2 x 4 bed properties. Three dwelling types are proposed. Plots 1, 3 and 5 would be the same, as would 2 and 6. Plot 4 is proposed to be a chalet bungalow with two bedrooms at first floor level. All dwellings would be set out in good sized plots and provided with 2 on plot vehicle parking spaces.

The dwellings would be accessed off a private drive in a cul-de-sac layout, which would be a continuation of the unadopted road at the north of Chestnut Terrace.

Three types of red facing brick are proposed for the walls and natural slate for the roofs. Stone cills and lintels, contrasting brick below damp proof course and corbelled detailing to chimneys are intended to add visual interest.

Site Description

The site in question is located to the east of Chestnut Terrace and adjoins the rear gardens of semi-detached properties fronting on to this road. Westmere Community Primary School and associated playing field are located to the south and east. There is open countryside to the north. The site itself forms part of a wider field and is currently overgrown. There are tall mature trees on eastern, southern and western boundaries. Access is off Chestnut Terrace via the unadopted stretch of road at the north.

History

H18-0120-19 - Sustainable development of up to 70 dwellings (refused July 2019)

H18-0602-17 - Residential development - erection of 6 detached dwellings (refused October 2017)

H18-1167-16 - Residential development - erection of 6 detached dwellings (allowed on appeal December 2017)

Consultation Responses

Sutton Bridge Parish Council - The Parish Council wish to record its continued objection to this application as detailed in its letter to planners dated 6th December 2016.

SHDC Environmental Protection - Outline approval H18-1167-16 does not have a condition relating to land contamination, however I have reviewed AGS Ground Solutions Ltd report A1816-2 Geo-environmental report Land Adj to Chestnut Terrace, Sutton Bridge, Lincolnshire dated October 2018 and have no comments to make relating land contamination.

South Holland Drainage Board - No objection but highlights that the applicant intends to discharge surface water to a sewer and queries whether this is viable/appropriate for this site.

Public -

- Concern re highway safety and traffic levels in the area and ability to park on Chestnut Terrace
- Impact on services

Planning Considerations

As the principle of development on the site has already been established through the appeal decision, the main issues to be taken into account in respect of this application are whether the proposed scheme is acceptable in terms of the reserved matters imposed by the Inspector, namely appearance, landscaping and scale. Access and layout was determined at outline stage.

Appearance and scale

Three dwelling types are proposed comprising of a mix of 4 x 3 bed and 2 x 4 bed properties. 5 of the 6 dwellings would be two storey with the other being a chalet type. Three types of red facing brick are proposed for the walls and natural slate for the roofs. The submitted Design and Access Statement highlights that such brickwork has been chosen to reflect the red brick character of the original terrace housing on Chestnut Terrace. It also states that the detailed design of the dwellings are designed to reflect the differing character and development along Chestnut Terrace. It is noted that there is a variety of dwelling types and designs along this road, from semi-detached and terraced red bricked dwellings, to detached grey brick properties. The proposed appearance of the dwellings would therefore be acceptable in the context of this. Furthermore, stone cills and lintels, arched soldier course lintels, contrasting brick below damp proof course and corbelled detailing to chimneys are proposed to add visual interest.

The private drive and residents driveways would be constructed of two types of grey permeable block paving. Buff paving slabs are proposed for private patio areas and paths within the curtilage of properties. This would be in keeping with the quality of materials proposed for the dwellings.

The proposed dwellings would cover a similar footprint to existing detached properties on Chestnut Terrace and a good level of external amenity space would be provided. Floor levels of the dwellings would have to be raised generally by around 1m for flood mitigation reasons but the distance from existing properties (approx. 40m) will mean that two storey dwellings would not be overbearing or appear imposing or result in a material loss of light. The lower ridge height of plot 4 would add variation to the height of buildings at the southern end of the site. The proposed scale is therefore acceptable.

Due to the considered positioning of windows and height of boundary treatments (up to 2.4m high) there should be no issues of overlooking.

Landscaping

The proposed landscaping includes a combination of amenity grass, shrubs, ornamental hedging, climbers and trees. A variety of species are proposed. The submitted landscaping details are considered acceptable.

Floor Levels

Finished floor levels are proposed to be 4.5m AOD in accordance with Condition 5 of the outline approval.

Other

The principle of residential development on the site and the use of the private road at the north of Chestnut Terrace was established through the appeal decision. The Highways Authority did not object at outline stage on highway safety grounds.

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.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3, 4 and 36 of the South East Lincolnshire Local Plan (2019), as well as Sections 12 and 14 of the National Planning Policy Framework (2019).