

DEVELOPMENT MANAGEMENT COMMITTEE

11 December 2018

Additional Information Report

PJ1 – S18/0937

Proposal: Reserved matters application for 174 dwellings and associated infrastructure pursuant to SK94/0125/12

Site Address: Elsea Park - Zone 9, Land East Of A151, Raymond Mays Ways, Bourne

Summary of Information Received:

Updated landscaping plans showing a minor amendment and the finished surfaces plan with a minor detail corrected.

A further representation has been received on the grounds that if the application is approved, the resident will make a formal complaint to the Local Government Ombudsman. The reasons given for the complaint are:

- the issues residents raised about surface water flooding would not have been taken into account if they had not been brought to the attention of the Council
- no site notices were put up in Harvey Close
- houses which have flood water in their gardens were not notified of the application
- land at the Manor Lane sub-station was not surveyed due to dense undergrowth which may be part of the flooding issue
- officer from SKDC have not made contact with the residents, asked for local knowledge or to walk the route of the dyke with residents
- question over surface water drainage in the 2001 plan
- they have suggested an alternative solution involving diverting surface water across a vacant piece of land then into the Bourne Eau
- they cannot get a meeting with the developer as they will not meet the residents of Harvey Close
- they are not against ponds but want a residents meeting to speak with the developer and the Council to listen to their views
- they cannot speak at the 11 December 2018 Development Management meeting

The resident requested that the email be circulated to all members of the Committee before the meeting.

Officer comments:

Plans available on the website and detail will be reported verbally to Members at the Committee meeting on 11th December 2018.

At their meeting on 13 November 2018, the Committee noted the concerns of local residents regarding drainage issues and wanted to ensure that drainage arrangements would be sufficient to accommodate this phase of the development together with those zones for which applications were yet to be received. Officers have obtained further information from the applicant and received comments from the Environment Agency and Welland and Deepings IDB, as set out in the Committee Agenda. For this reason, it is clear that the Committee were aware of the concerns of local residents in relation to surface water flooding

and considered them to be of sufficient importance to warrant the deferral of the application until that information had been obtained.

The Council has a three stage complaints procedure and if a customer remains dissatisfied then they have recourse to the Local Government Ombudsman. It is the Ombudsman's normal practice not to investigate a complaint until it has first been investigated by the Council through its own formal complaints procedure. The resident has not made a complaint via the Council's complaints procedure to date.

Neither the possibility of a potential complaint nor the matters raised in the recent representation, which does not raise any new issues that have not been submitted previously, would affect the Committee's ability to determine the application.

Recommendation:

To grant planning permission, subject to the conditions in the original report with the approved plans condition amended as follows:

The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- i. Site Location Plan Drawing No. APP206-04 received 27 September 2018
- ii. Planning Layout Drawing No. APP206-01 Rev E received 22 November 2018
- iii. Materials Dispersion Layout Drawing No. APP206-07 Rev C received 22 November 2018
- iv. Residential landscaping details Drawing Nos. 18-017-03 Rev C, 18-017-04 Rev C, 18-017-05 Rev C received 6 December 2018
- v. Pond landscaping details Drawing Nos. 18-017-10 and 18-017-11 received 23 October 2018
- vi. Tree Survey and Constraints Plan Drawing Nos. 18-017-02 received 27th September 2018 and 18-017-12, 18-017-13 received 23rd October 2018
- vii. Proposed Finished Floor Levels Drawing No. E3714/600 Rev B received 22 November 2018
- viii. Vehicle Access for Fire Appliances Drawing No. APP206-42 Rev C received 22 November 2018
- ix. Refuse Collection Plan Drawing No. APP206-06 Rev C received 22 November 2018
- x. Proposed Surface Finishes Plan Drawing No. E3714/770 Rev E received 6 December 2018
- xi. Drainage Strategy Plan - Sheet 1 Drawing No. E3714/510 Rev B received 22 November 2018
- xii. Drainage Strategy Plan - Sheet 2 Drawing No. E3714/511 Rev B received 22 November 2018
- xiii. Floor and elevations plans Drawing Nos: 1906/Z9/PL.1, D1906/Z9/PL.6, NB51/Z9/PL.1, NB51/Z9/PL.2, NB51/Z9/PL.3, PT43/Z9/PL.1, PT43/Z9/PL.5, ND43/Z9/PL.1, ND43/Z9/PL.2, ND43/Z9/PL.3, PD49/Z9/PL.1, PD49/Z9/PL.2, PD49/Z9/PL.3, PD49/Z9/PL.4, PT42/Z9/PL.1, PT42/Z9/PL.5, PA44/Z9/PL.1, PA44/Z9/PL.2, PA44/Z9/PL.2.5, PA44/Z9/PL.3, PA44/Z9/PL.4, PB33-G/Z9/PL.1, PB33-G/Z9/PL.2, PB33-G/Z9/PL.4, PA34/Z9/PL.1, PA34/Z9/PL.2, PA34/Z9/PL.4, AA43/Z9/PL.1, AA43/Z9/PL.2, AA31/Z9/PL.1, AA31/Z9/PL.2, AA23/Z9/PL.1 and AA23/Z9/PL.2 received 22 November 2018

DEVELOPMENT MANAGEMENT COMMITTEE

11 December 2018

Additional Information Report

PJ2 – S18/1752

Proposal: Erection of a 4-bedroom dwelling and garage

Site Address: 23 Main Road, Dyke, PE10 0AF

Summary of Information Received:

The agent for the application has submitted the following additional information:

- Drawing No. 183208 received 6 December 2018 showing driveway to be 4.1m
- Additional statement received 7 December 2018 showing agent's interpretation of the 'village envelope' and justification for the site being considered as 'brownfield'
- Drawing SSP01 received 7 December 2018 with annotations in relation to above
- Drawing SSP02 received 7 December 2018 showing street scene of Main Road pre and post development S10/0357

Officer comments:

Site access

The agent has submitted a plan showing the driveway to be 4.1m in width as requested by the Highway Authority. Although this has not been measured on-site to verify if this is achievable as the drive passes 23 Main Road, this would alleviate any concerns raised in relation to access.

Regardless of whether the width of the drive at the narrowest point is 3m as previously specified or 4.1m as now proposed, this would not be considered as a reason to refuse planning permission. The access is an existing access to 23 Main Road and its continued use for an additional dwelling would be unlikely to result in any unacceptable highway impacts. Building Regulations require an access width of 3.7m for a fire tender vehicle to access a site, however, if this cannot be provided a condition requiring the installation of a sprinkler system would be an appropriate alternative solution.

Information relating to nature of land previous residential development in Dyke

The National Planning Policy Framework definition of 'brownfield' or previously developed land is as follows:

“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that

was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

It is accepted that there are various remaining outbuildings within the curtilage of 23 Main Road. The agent has submitted a statement that suggests these buildings were previously used for non-domestic purposes as part of an agricultural repairs business. There is no planning history to support this previous use of the site, however, the Local Planning Authority also has no information to dispute this. The land forming the planning application site is considered to be previously developed land that was used in association with the agricultural repairs business.

The agent has submitted additional information regarding their interpretation of the extent of the village. Land to the north and west is a caravan site used in connection with the neighbouring public house, however, there are no permanent structures within the site. Land to the east is domestic garden land. Further, the dwelling as proposed would extend a significant distance further to the north than development permitted by S10/0357 which relates to another site in the village and comprises the redevelopment of Holme Farm.

The NPPF at paragraph 78, encourages housing in rural areas where it will enhance or maintain the vitality of rural communities.

This application is finely balanced, but taking account of all the various issues in the round; the benefit of one additional dwelling would not outweigh the harmful impact of allowing new development in a smaller village where development is not allowed under Core Strategy Policies SP1 and H1 together with its impact on the character and historic pattern of development in the village.

Recommendation:

For clarity the reasons for refusal have been updated as follows:

1. The proposed development by virtue of its scale, appearance and siting, would result in the unacceptable introduction of built form to the north of the existing linear pattern of development along Main Road which is contrary to the established spatial characteristics of the area. In consequence the development, would result in harm to the character and historic pattern of development in the area which is contrary to Core Strategy Policy EN1 and the NPPF Section 12.
2. The proposal does not fall under any of the categories of development described in Core Strategy Policy SP1 that would be considered acceptable in a location such as Dyke. The proposal would therefore result in unjustified additional residential development in a village which is not considered suitable for new dwellings. As such the proposals are considered contrary to the requirements of Core Strategy Policies SP1 and H1 and the principles of sustainable development as advocated by the National Planning Policy Framework (NPPF).