

**Section 106 Agreement – Deed of Variation  
Dysart Road, Grantham – Residential Development, Substitution of house type**

**PJM S11/3064/MJRF**

Target Decision Date: 06-Apr-2012

|                 |   |
|-----------------|---|
| Applicant       | <b>Barratt East Midlands C/o Agent</b>  |
| Agent           | Miss Helen Bareford, Antony Aspbury Associates Limited, 20 Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW |
| <b>Proposal</b> | <b>Erection of 38 Dwellings</b>   |
| <b>Location</b> | <b>Plots 66-81 and 85-106, Neales Crescent, Grantham, NG31 7GD</b>  |
| App Type        | Major Full (Residential)  |
| Parish(es)      | Grantham  |

**REPORT**

**The Proposal**

The proposal for the erection of 38 no. dwellings replaces the previously approved scheme for 41 no. plots on the current application sites. The application sites under consideration form part of an overall larger scheme for what were originally 166 dwellings. The application proposes the re-plan of Plot numbers 66-81 and 85-106 inclusive, which were previously approved as part of the wider redevelopment of the site under references S04/1610 (Outline) and S05/1156 (Reserved Matters). The revised scheme removes a number of 1 bed flats and 4 bed dwellings to be replaced with 2 and 3 bed roomed detached properties of a standard two- two and a half storey design.

The proposed dwellings on the remainder of the site will continue to follow the same layout as that which has previously been approved with only minor changes.

**The application site and its surroundings**

The application site is located immediately to the west of Grantham town centre and had been previously used for industrial purposes. And partly as an unused open space.

The current application site forms part of the previous redevelopment proposals for the site, which involved the accommodation of 98 no. plots. Parts of the original scheme have been built and occupied.

The site covers an overall area of approximately 3.58 ha, whilst the current application site incorporates 0.71 ha of land.

Access to the site is directly off Dysart Road, which passes through an industrial area after which the site opens up to an overgrown, grassed area to the north.

To the north and north west of the site are residential properties on Campbell Close, Ely Way and Chelmsford Drive. Immediately to the east of the site is a dismantled railway line, which adjoins smaller industrial units contained within Henry Bell Industrial Estate. To the east and south east of the site is industrial land and an area of unused open space.

## **Key Issues**

### Highway safety

The highway authority have not objected to the scheme in terms of the suitability of the access or the creation of additional vehicular traffic so leaving the planning authority to conclude that the proposal will not impact adversely on highway safety.

### Visual Impact

The locality consists of a mix of house types ranging from detached to semi-detached properties. It is considered that the proposed dwellings assimilate with their surroundings in terms of mass and form whilst continuing the wide ranging design types that are prevalent in the area.

.A condition is recommended that will request samples of these materials for final approval in order that they match those of nearby developments.

Due to the dwellings being sited a considerable distance off Dysart Road which is the main access road to the site, it is considered that the proposals will not have an adverse visual impact on the street scene.

### Impact on neighbouring private residential amenity

Impacts on neighbouring residential amenity were considered during the approval of the previous applications. It is considered that with the heights of the proposed dwellings being consistent with those already constructed on the site that the potential for overlooking and loss of privacy has not increased. The revised house types are in similar positions to those proposed on the approved layout, still maintaining a sufficient distance of separation from dwellings on Chelmsford Drive, Ely Way and Campbell Close, thus eliminating any potential adverse impacts in terms of the creation of a dominant and oppressive environment.

## **Section 106 Agreement**

There is an existing Section 106 Agreement on the site from the 2005 approval which required the provision of Open Space and a £20,000 contribution to the Highway Department for road improvements.

The £20,000 Highway contribution on the original agreement has already been paid.

The large area of Public Open Space (POS) to be provided on site remains at the entrance to the development, to create a welcoming green gateway to the scheme.  
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The Open Space Officer has no objection requesting that a LEAP (Locally Equipped Area of Play) be provided within the scheme. It is considered that the proposed open space shown on the submitted layout plan is large enough to accommodate a LEAP.

A Draft Deed of Variation has been submitted with the application which allows the obligations contained within the existing Section 106 Agreement to be applied to any new consent issued in respect of this new application.

At the time of writing the report the Legal Agreement had not been completed and signed.

### **Conclusion**

The development will not be contrary with the requirements of national and local policy, with the proposed dwellings being sited on a brownfield site in a sustainable location, conforming to the residential uses that exist in the vicinity.

The designs of the dwellings are considered to assimilate with their surroundings and not impact adversely on the character of the area.

Due to the design and siting of the dwellings and the careful positioning of fenestration it is not considered that an unacceptable level of overlooking or loss of privacy will be created as a result of the development.

The suitable mass and form of the dwellings coupled with satisfactory levels of separation will not lead to the creation of a dominant or oppressive environment or loss of light to neighbouring properties.

The Environment Agency is satisfied with the information submitted regarding flood risk and suitable conditions have been attached.

No objection has been received from the highway department leading the authority to conclude that the proposals will not impact adversely on highway safety.

A Legal Agreement has been formulated ensuring the provision of suitable open space.

It is considered therefore that the proposals comply with National and Local Planning Policy and it is recommended therefore that planning permission be granted.

**Recommendation:** That the deed of variation of this Section 106 Agreement is supported to enable the planning permission to be issued.

**Pat Reid**  
**Development Management – Service Manager**