

AL1	S18/0067	Target Decision Date:12th March 2018
		Committee Date:29th May 2018

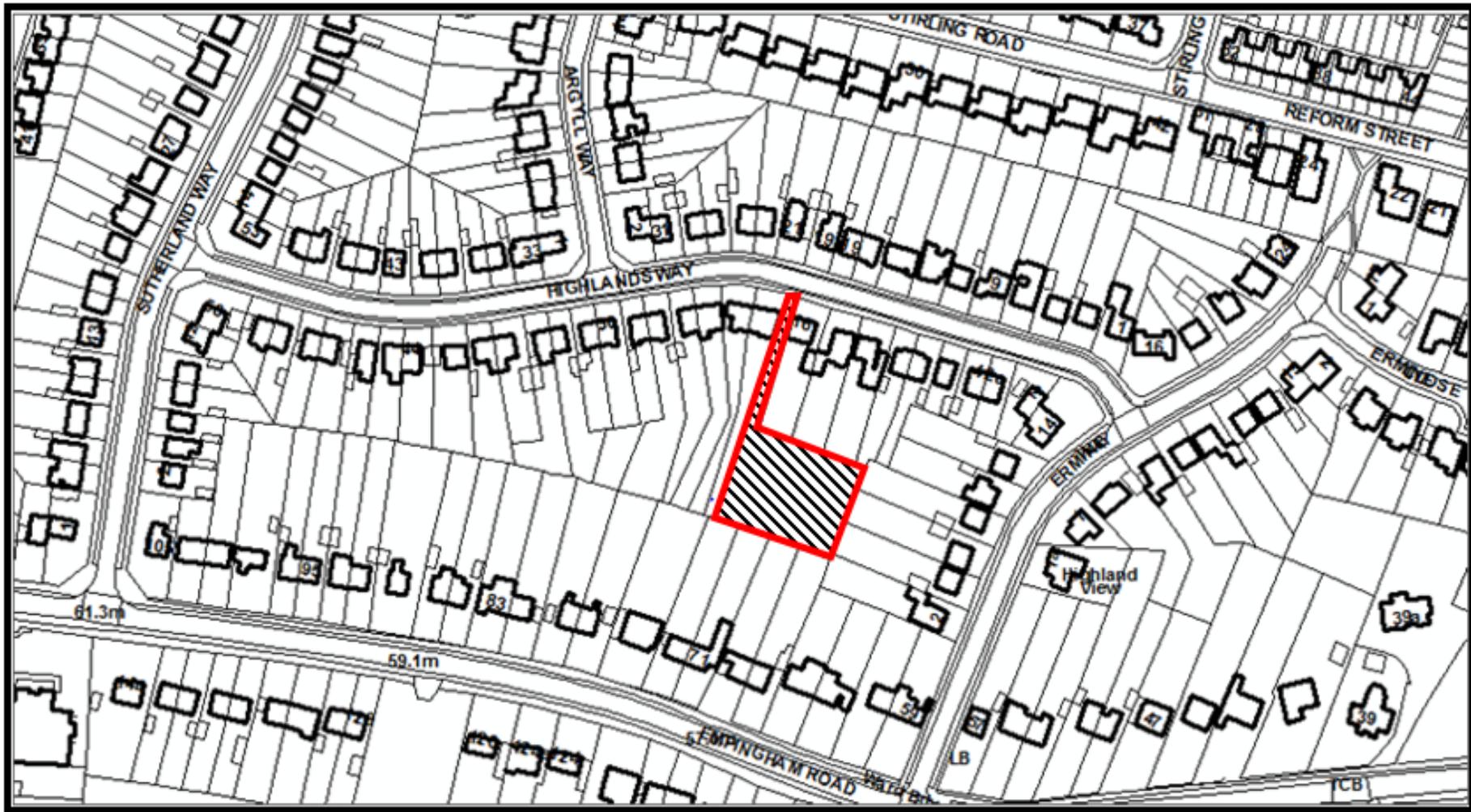
Applicant	Mr & Mrs T Salt 20 Tilia Way Bourne PE10 0QR
Agent	Ms Karen Mellor Mccombe Smith Architects 7 Edmonds Drive Ketton PE9 3TH
Proposal	Erection of a detached bungalow with attic accommodation.
Location	14A Highlands Way Stamford PE9 2XJ
Application Type	Full Planning Permission
Parish(es)	Stamford Town Council
Reason for Referral to Committee	At the request of Cllr Michael Exton for reasons relating to overdevelopment, backland development, loss of privacy and visual impact.
Recommendation	That the application is:- Approved conditionally
Report Author	Abiola Labisi - Area Planning Officer 01476 406080 Ext: 6632 a.labisi@southkesteven.gov.uk
Report Reviewed By	Justin Johnson - Planning Operations Lead 01476 406080 Ext: 6392 j.johnson@southkesteven.gov.uk

Key Issues

1. Impact on the character of the area
2. Impact on neighbours' amenities
3. Highway issues

Technical Documents Submitted with the Application

None



Key



**Application
Boundary**



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1.0 Introduction

- 1.1 This addendum to the report presented to the Committee on the 3rd April 2018 (Appendix 1) has been prepared in order to address the concern relating to fire safety raised by Members. The application is for permission for the erection of a detached dwelling to the rear of No. 14A, Highlands Way, Stamford. Officers had recommended approval subject to conditions but Members were concerned that the 3.1m wide access drive to the proposed dwelling would not be wide enough for a fire fighting vehicle and therefore, the safety of future occupiers of the development in the event of a fire incident would be jeopardised.
- 1.2 The Fire Authority had raised an objection to the development on grounds of inadequate access. However, following receipt of the Fire Authority's objection, officers had further discussions with the Fire Authority and they advised that where access is a problem, the installation of a sprinkler system could be an acceptable alternative.
- 1.3 Members were informed that notwithstanding the objection raised by the Fire Authority, the recommendation was for approval as an alternative firefighting / prevention measure could be provided.
- 1.4 Members decided that as details of such alternative measure had not been presented to them for consideration, the determination of the application be deferred pending receipt of a *'full report from the Fire Officer and the fire protection measures that could be included'*.

2.0 Report from Fire Authority

- 2.1 A detailed report was received from the Fire Authority on 30th April 2018. The report states that:

"As already detailed in our letter responding to the Planning, a turning circle or hammer head is the standard solution to access issues, the provision of a sprinkler system is an alternative solution that, although not improving access, makes the requirement to achieve access quickly much less likely and as such is a suitable alternative solution where access is difficult.

Firefighting has been shown to be much easier where a fire has been controlled or often extinguished by a Sprinkler system, either Domestic or Commercial. Domestic sprinkler systems are a requirement in new homes in some parts of the U.K., namely Wales but not in other parts. As members of BAFSA, Lincolnshire Fire and Rescue actively promotes the use of Sprinkler systems and includes a standard paragraph in all Building Regulations letters recommending their installation and also recommends them as a compensatory feature on premises where features such as access cannot meet standards.

As such, a Domestic sprinkler system, which, as part of the build, may cost less than the price of carpets and will last for many years with minimal maintenance, and may end up saving life in a fire is seen as a sensible addition to any new build property.

A Domestic sprinkler performs two roles, limiting or even extinguishing fire at a very early stage, much sooner than the Fire Service is likely to attend, and alerts the occupier to a fire through activation of the alarm system too. A Domestic sprinkler system requires a much lower water use than Fire Service methods and may also benefit from reduced insurance premiums. Contrary to popular belief, they are extremely reliable and

extremely unlikely to operate accidentally (16,000,000/1) and with modern concealed heads are very unobtrusive in their design.”

3.0 Evaluation and recommendation

- 3.1 As set out within the detailed report from the Fire Authority, a domestic sprinkler system is an acceptable and effective firefighting / prevention measure where access to a site is restricted. It is an appropriate alternative measure which would be satisfactory to the fire authority and would also conform with Building Regulations requirements.
- 3.2 Both the NPPF and the Planning Practice Guidance (PPG) advises that where conditions can be used to make development acceptable in planning terms, they should seek to impose conditions and look upon the application favourably. This would apply in this instance as the requirement for sprinklers as an alternative measure can be controlled by conditions.
- 3.3 Having regard to the foregoing, officer recommendation remains the same as presented to the Committee on the 3rd of April, 2018. In addition to the conditions presented to Committee, the following are also recommended.

Additional Conditions

- 1 Prior to the commencement of the development hereby approved, details of a domestic fire fighting/prevention sprinkler system to be installed within the dwelling shall have been submitted to the Local Planning Authority for written approval. The details shall include design, life span and maintenance.

Reason: In order to ensure that the development does not jeopardise the safety of the future occupiers of the dwelling in event of fire incidents.

2. Before the development hereby approved is first occupied, the domestic fire fighting sprinkler system shall have been installed in accordance with the approved details and retained as such thereafter.

Reason: In order to ensure that the development does not jeopardise the safety of the future occupiers of the dwelling in event of fire incidents.

Note to applicant:

1. For more specific details regarding sprinklers, their effectiveness, reliability and design please refer to the BAFSA site at: <https://www.bafsa.org.uk/sprinkler-systems/domestic-residential-sprinklers/> and <https://www.bafsa.org.uk/sprinkler-systems/sprinkler-facts/>

Appendix 1
Officer Report Ref: S18/0067
Original Committee Date 3 April 2018

AL1	S18/0067	Target Decision Date:12th March 2018
		Committee Date:3rd April 2018

Applicant	Mr & Mrs T Salt 20 Tilia Way Bourne PE10 0QR
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Recommendation	That the application is:- Approved conditionally
Report Author	Abiola Labisi - Area Planning Officer 01476 406080 Ext: 6632 a.labisi@southkesteven.gov.uk
Report Reviewed By	Mike Gildersleeves, Principal Planning Officer 01476 406080 Ext: 6383 M.Gildersleeves@southkesteven.gov.uk

Key Issues

- Impact on the character of the area
- Impact on neighbours' amenities
- Highway issues

Technical Documents Submitted with the Application

- None

1.0 Site Location and Description

- 1.1 The site lies to the rear of Nos 10, 12, 14 and 16, Highlands Way, with access via a gap between Nos. 16 and 18. The site is rectangular in shape and is stated to be 1,470 sq. m in area. Adjoining the site on all sides are residential gardens of dwellings on Highlands Way to the north and west, Ermine Way to the east and Empingham Road to the south.
- 1.2 The site was last used as a tennis court and there are some trees along the boundaries of the site.
- 1.3 The proposal relates to the erection of a 4 bedroom bungalow and attic accommodation. The property would be constructed of facing brick and stone cills with concrete interlocking roof tiles over. The bungalow would be approx 6m in height to the ridge and would be sited approx. 6m from the eastern boundary, 7.5m from the western boundary and 11m from the southern site boundary. A distance of 16.5m would be achieved between the attic bedroom windows and southern site boundary.
- 1.4 The site would provide a minimum of 2 parking spaces in the proposed garage and carport. There is sufficient space to allow a car to turn on site. The driveway to the site would be 3.1m in width and approx 45m in length.
- 1.5 The site is enclosed by 2m high timber fence and there are some trees along the boundaries. Some of these trees would be removed as part of the development.
- 1.6 Foul water would discharge into the mains sewer while surface water would discharge into soakaways.

2.0 Relevant History

- 2.1 No relevant planning history

3.0 Policy Considerations

3.1 National Planning Policy Framework (NPPF)

Section 6 - Wide choice of high quality homes
Section 7 - Requiring good design

3.2 South Kesteven District Council Core Strategy

Policy EN1 - Protection and Enhancement
Policy H1 - Residential Development
Policy SP1 - Spatial Strategy

3.3 Site Allocation and Policies Development Plan Document

Policy SAPH1 - Other housing development

4.0 SKDC Corporate Priorities

- 4.1 Support good housing for all

5.0 Representations Received

Parish Council We object subject to the narrow width of the access to the property and the privacy of existing properties due to the overdevelopment of the site.

LCC Highways & SuDS Support No objection

Arboricultural Consultant No objection subject to condition relating to submission of a

tree report detailing how retained trees would be protected and any proposal for replacement trees.

6.0 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 18 letters of representation have been received. The points raised can be summarised as follows:

1. Loss of privacy
2. Overbearing impact
3. Loss of trees
4. Inadequate access
5. Design not being in keeping with the character of the area
6. Potential flooding
7. Noise

7.0 Evaluation

7.1 Principle of development

7.1.1 Core Strategy Policy SP1 (Spatial Strategy) sets out a framework guiding the location of new development within the district and provides that:

'The majority of all new development should be focused upon Grantham to support and strengthen its role as a Sub-Regional Centre. New development which helps to maintain and support the role of the three market towns of Stamford, Bourne and the Deepings, will also be allowed.'

7.1.2 With regard to housing development, Core Strategy Policy H1 (Residential Development) provides that:

'Any additional housing growth proposed for the District throughout the plan period should be distributed in a similar manner following the framework set out below:

'Development rates in Stamford and the Deepings should be maintained at a modest level to meet the needs of these market towns, and to support the provision of additional community infrastructure, in accordance with Circular 05/05 and Policy SP4.'

7.1.3 In addition, SAP DPD Policy SAP H1 (Other Housing Development) states that:

'In accordance with Policy SP1 of the Core Strategy new housing development will also be provided in Bourne, Stamford, Market Deeping, Deeping St James and the 16 Local Service Centres through the development of suitable brownfield redevelopment sites and small infill sites within the built up parts of these settlements.'

7.1.4 Further on housing development, para. 50 of the National Planning Policy Framework (NPPF) states that:

'To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes).'

7.1.5 The proposed modest scale development within the built up part of Stamford, a sustainable location for new development, would widen opportunities for home ownership in the town and be

in accordance with the above local and national policies. The proposal would therefore be acceptable in principle.

7.2 Impact on the character of the area

7.2.1 With regard to impact of new development on the character of an area, Core Strategy Policy EN1 (Protection and enhancement of the character of the district) states that:

'Development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.'

7.2.2 Similarly, para 58 of the NPPF requires that Planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

7.2.3 The general area is characterised by predominantly residential use with majority of the dwellings being two storey in height. The site is adjoined on all sides by residential gardens with no restrictions relating to the erection of outbuildings.

7.2.4 The proposed dwelling would be single storey in height and would be constructed of materials similar to those of neighbouring properties. In terms of scale and materials, it is considered that the development would be in keeping with surrounding properties. In addition, it is considered that the plot size is adequate for a development of this scale without leading to cramped pattern of development.

7.2.5 The proposed dwelling would be sited to the rear of existing dwellings. It is noted that there are few backland dwellings in the general area. However, taking into account the fact that the occupiers of adjoining dwellings could erect outbuildings within their rear gardens, in close proximity to the proposed dwelling without the need for planning permission, it is considered that the erection of a bungalow on the site would not lead to a significant adverse impact on the character of the area.

7.3 Impact on occupiers of neighbouring properties

7.3.1 Having regard to the separation distance between the proposed dwelling and neighbouring dwellings, as well as its overall height, it is considered that the proposal would not lead to a significant overbearing or overshadowing impacts.

7.3.2 The proposed dwelling would have four dormer windows facing south and one facing east. Whilst these windows would face adjoining rear gardens, it is considered that the distance of at least 40m between these windows and opposing windows would minimise and potential overlooking impacts.

7.3.3 Access to the site would be via a 3.1m wide drive between Nos. 16 and 18. In order to minimise any potential noise impact, a condition requiring that the driveway be constructed of materials that would minimise noise impact should be attached to any grant of permission.

7.4 Highway issues

7.4.1 The site would be accessed via an existing access point and there would be adequate parking and turning facilities on site. Accordingly, it is considered that the development would not lead to any severe detrimental highway issues. Importantly, the Highway Authority has raised no objection to the proposal.

7.5 Other matters

- 7.5.1 The dwelling would be more than 50m from the public road and the driveway may not be adequate for a fire fighting vehicle. Comments have not been received from the Fire Authority at the time of writing the report. However, Building Control Officers have advised that in circumstances where it is difficult for fire fighting vehicles to access a building, alternative arrangements such as the installation of sprinklers are usually considered. They have advised further that this matter would be considered in more detail prior to building control approvals being granted.
- 7.6 Response to issues raised in letters of objection.
- 7.6.1 Issues relating to overlooking and overdevelopment of the site have been addressed earlier in the report.
- 7.6.2 With regard to loss of trees, it is noted that the trees on site are not very prominent within the landscape and are considered to be of minimal visual amenity value. However, the provision of replacement trees would help soften any potential visual impact of the proposed development and accordingly, it is recommended that a condition be attached to any grant of permission requiring details of replacement trees to be provided to make up for the trees to be removed.
- 7.6.3 With regard to design of the dwelling not being in keeping with that of other dwellings in the area, it is considered that the design has been influenced by the configuration of the plot. Whilst most dwellings in the area sit on long narrow plots, the application site is much wider and capable of accommodating a dwelling with a much larger width than most of the dwellings in the area. Furthermore, its location away from public view would minimise any potential visual impact.
- 7.6.4 Any noise impact during the construction phase would be temporary and there is other legislation that addresses noise nuisance. In relation to flooding, the applicant has stated that surface water would discharge into soakaways and Building Control officers have confirmed that such arrangement is acceptable in principle at the location.
- 7.6.5 It was also mentioned that an existing lamp post at the vehicular entrance would restrict access. This is not considered to be a material issue in that the lamp post can be relocated.

8.0 Section 106 Heads of Terms

- 8.1 Not applicable.

9.0 Crime and Disorder

- 9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

10.0 Human Rights Implications

- 10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

- 10.2 It is considered that no relevant Article of that act will be breached.

11.0 Conclusion

- 11.1 Having regard to its scale, design and the pattern of development in the general area, it is considered that the proposed development would not lead to a significant adverse impact on the character of the area and would not lead to a significant adverse impact on the amenities of occupiers of neighbouring properties. The proposal would therefore be in accordance with relevant provisions of Core Strategy Policy EN1 and Sections 6 and 7 of the National Planning Policy Framework. Accordingly, it is recommended that permission be granted, subject to conditions.

12.0 RECOMMENDATION: that the development is Approved/Allowed subject to the following conditions

Time Limit

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved plans

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

- i. Drawing No. 775/17/4C (Elevations, Floor Plans, Site Plan and Section) received 08/02/2018

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Pre-commencement

- 3 Before the development hereby permitted is commenced, plans showing the existing proposed land levels of the site including [site sections, spot heights, contours and the finished floor levels of the building] with reference to an off site datum point shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 4 Before the development hereby permitted is commenced, all existing trees shown on the approved plan to be retained shall have been fenced off to the limit of their branch spread in accordance with BS 5837. No works including:

- i. removal of earth,
 - ii. storage of materials,
 - iii. vehicular movements or
 - iv. siting of temporary buildings

shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and ensure that the development is adequately screened in order to protect visual amenities of neighbouring properties, in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 5 Before the development hereby permitted is commenced, details relating to a proposal for the planting of replacement trees shall be submitted to the Local Planning Authority for written approval. The details shall include:

- i. site plan showing location of any proposed replacement tree;
 - ii. planting plans;
 - iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate/maintenance schedule;

Reason: In order to soften the visual impact of the proposed development in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6 Before the development hereby permitted is commenced, details of hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- i. plans showing vehicle turning areas within the site;
- ii. hard surfacing materials for the driveway and turning area;

Reason: In order to ensure that materials used in the formation of the hard surfaces are not such that would lead to significant noise levels when such surfaces are in use by vehicles in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

During Construction

7 Before construction of the building hereby permitted is commenced, the land on which that building is situated shall have been graded in accordance with the approved land levels details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Prior to occupation

8 Before any part of the development hereby permitted is occupied/brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details.

Reason: In order to ensure that materials used in the formation of the hard surfaces are not such that would lead to significant noise levels when such surfaces are in use by vehicles in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

9 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

10 Before the dwelling hereby permitted is occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Ongoing

11 The development shall be implemented and retained in accordance with the approved replacement tree proposal.

Reason: In order to soften the visual impact of the proposed development in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

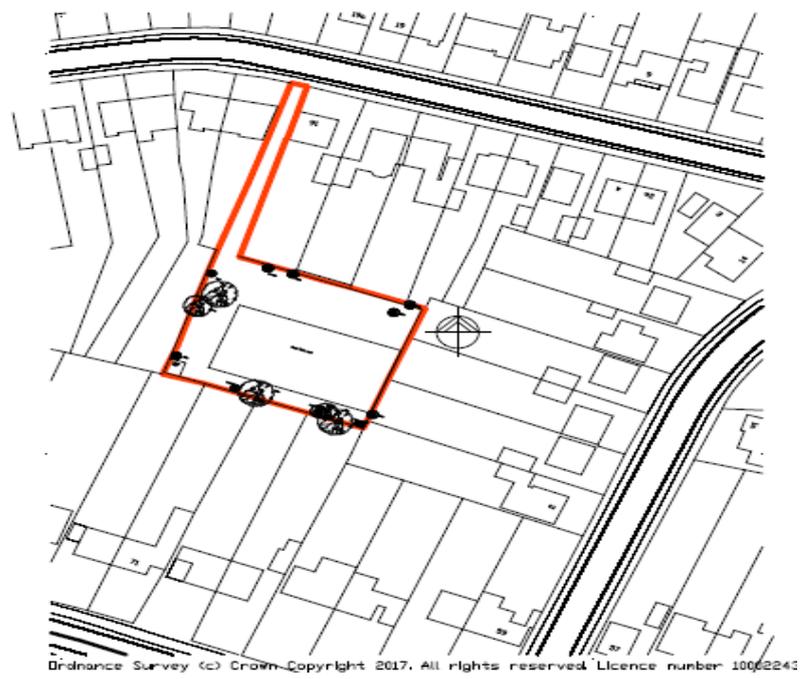
Standard Note(s) to Applicant:

1 Prior to the submission of details for any access works within the public highway you must contact the Head of Highways - on 01522 782070 for application, specification and construction information.

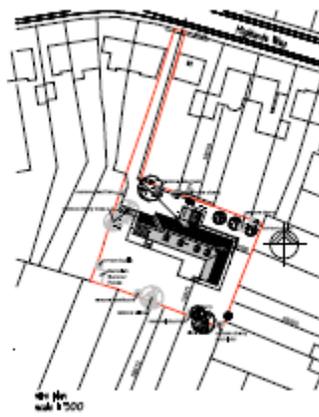
2 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 186 - 187 of the National Planning Policy Framework.

- 3 This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
- 4 The attached planning permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that, if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance, you are advised to obtain permission from the owner of such land for such access before work is commenced.
- 5 Please note that this grant of planning permission does not override any civil legal matters relating to the Party Wall Act or legal covenants, issues on which you should seek independent legal advice.
- 6 Please note that in relation to the materials to be used for the access drive, the Planning Authority would prefer the use of hard bound materials.

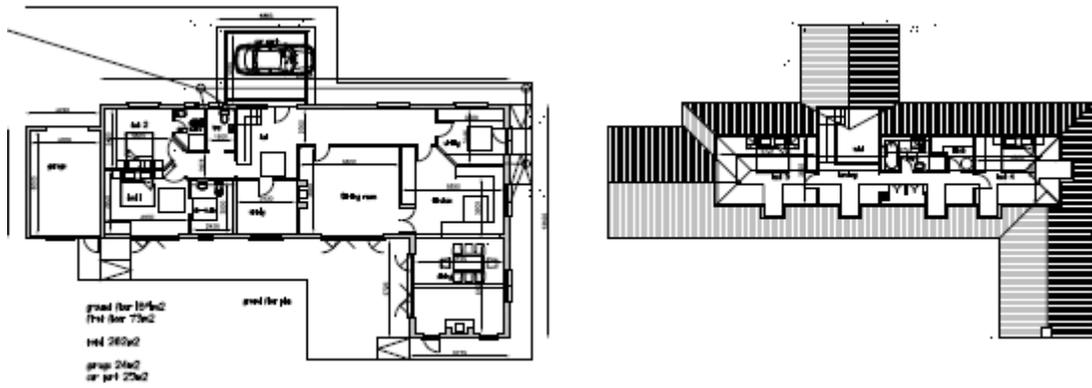
Site Location Plan



Block Plan



Floor Plans



Elevations



Section

