

**Development Control Committee
12 January 2010**

PJM1 S09/2506/FULL

Target Decision Date: 15-Jan-2010

Applicant	Mr Roger Webster 3, Waltham Lane, Eaton, Grantham, Lincs, NG32 1SH
Agent	Mr T Bale, JED Design The Drawing Room, 27, Knights End Road, Great Bowden, Market Harborough, Leicestershire, LE16 7EY
Proposal	Erection of dwelling
Location	10, Manor Drive, Harlaxton, Grantham, NG321HU
App Type	Full Planning Permission
Parish(es)	Harlaxton

REPORT

Application Category

This is a minor application.

Reason for Referral to Committee

The applicant is related to a member of staff and previous applications on the site were reported to Committee.

The application site and its surroundings

The site is located on the eastern edge of the village on the south side of Manor Drive. It consists of two dwellings currently under construction, set in extensive grounds, located to the south and rear of Nos. 12, 14 and 16 Manor Drive. Access to the dwelling will be gained along a private drive between adjacent to 16, Manor Drive.

The Primary School is located to the south of the application site, and the social club lies to the east. To the west is a large house set in extensive gardens.

The Proposal

This full application involves the erection of a 5-bedroom dwelling on the site and grounds of what was previously 10 Manor Drive. The proposal was originally part of a larger application for the erection of three dwellings (S07/1602) and involved the demolition of the existing dwelling and the use of its access to serve the western most property, with the

creation of a new access through the eastern part of the garden of 16, Manor Drive to serve the other two dwellings.

The amended house type is sited in the same position as the previously approved scheme and includes additional bedroom accommodation in the roof space including the insertion of five roof lights to the rear roof slope, together with solar panels.

Representations Received

Lincolnshire County Highways: No objection.

English Heritage: No objection.

Heritage Lincolnshire: The proposed development does not affect any known archaeological sites.

Arboriculturalist: Requests condition requiring submission of details with regards to the route of services and construction method of driveway.

Harlaxton Parish Council: No objections.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. The consultation period expires on 25 December.

At the time of writing the report the consultation period had not expired and no letters of objection had been received

Should the authority receive any comments which raise material planning objections they will be reported to the committee within a late paper.

Site History

S06/1335/41 – Outline for the erection of three Dwellings at 10-16 Manor Drive, Harlaxton. Permitted 13 February 2007.

S07/1602 – Reserved Matters for the erection of three Dwellings – Approved 19th February 2008.

Policy Considerations

National Policy

PPS 3 – Housing. The development would be in accordance with this national planning guidance, as it would form a suitable brownfield development within a Local Service Centre.

Saved Policies of South Kesteven Local Plan

Policy H7 – Allows for development that (inter alia) does not adversely impact upon the form, character and appearance of the settlement.

Policy EN 1 – Allows for development which reflects the general character of the area through layout, siting, design and materials.

Interim Housing Policy 2005 – Identifies Harlaxton village as a ‘Local Service Centre’ where new residential proposals are acceptable in principle where proposed on a previously developed (brownfield) site.

Key Issues

Highway safety

Impact on the character of the area

Residential amenity

Crime and Disorder Implications

It is considered that the proposed development would not have any significant crime and disorder implications.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

Conclusion

The main issues for consideration in relation to the proposed development are residential amenity and impact on the character of the area.

The proposed development would result in built form to the rear of existing properties fronting Manor Drive and accessed by a private drive. However, it is considered that the separation distances between the first floor north facing opening to the front elevation and the existing properties, coupled with the extent of build to the front of the dwelling which obscures the view, is sufficient to ensure that there is no significant loss of privacy or overlooking to the detriment of the amenity of the neighbouring residents.

The additional roof lights to the rear are at a high level and do not directly overlook residential properties, with the grounds to Harlaxton School being a substantial distance to the south.

With regard to impact on the character of the area it is considered that due to its position to the rear of existing dwellings coupled with existing screening on and around the site, the dwelling will not be readily viewed from the street scene so reducing its overall impact.

The new house has been sited in a linear formation with two other new properties to reflect the existing properties along 12 – 16, Manor Drive. The dwellings have been designed with a varied roofscape incorporating decorative chimneystacks, a distinctive feature to the village of Harlaxton.

Materials have also been selected to assimilate with the wooded surrounds, incorporating cedar boards to gables, cedar fascias and soffits at all levels, oak posts and timber casements. Other traditional materials include cast iron gutters and down pipes and stone plinths.

Final details of materials and drainage will be required to be submitted to the authority for consideration as part of the attached conditions.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies set out in Planning Policy Statement PPS3, Policies H7(i) and EN1 (iii) of the Saved Policies of the South Kesteven Local Plan and the Interim Housing Policy. The issues relating to residential amenity and impact on the character of the area are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to the following condition(s):

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in

writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

3. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

4. Prior to the commencement of any works, details of how the driveway is to be constructed to Plot 3 and how the services are going to be routed into the plot shall be submitted and agreed in writing with the local planning authority.

Reason: To ensure that the protected trees to the eastern boundary, included in the Harlaxton Tree Preservation Order 1963, No. 58 are not compromised.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policy H7 of the Saved Policies of the South Kesteven Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area, and for this reason would wish to control any future development in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.

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Applicant	NCHA 12-14, Pelham Road, Sherwood Rise, Nottingham, NG5 1AP
Agent	Mr Simon Henderson, Nottingham Community Housing Association 12-14, Pelham Road, Sherwood Rise, Nottingham, NG5 1AP
Proposal	Erection of 9 dwellings
Location	The Vicarage, Edinburgh Road, Grantham, Lincolnshire, NG31 9QZ
App Type	Full Planning Permission
Parish(es)	Grantham

REPORT**Application Category**

This application is categorised as a minor application.

Reason for Referral to Committee

The application is before the development control committee at the request of the Lead Professional.

The Proposal

This is a full application for the erection of nine dwellings. A layout has been submitted showing the dwellings laid out in three blocks. Seven new dwellings will front onto Edinburgh Road, with two bungalows creating a mews overlooking the private access way. Plots 8 and 9 are two storey, two bedroom dwellings running east to west. Plot 7, attached to these is a larger three bedroom property.

Turning the corner with Edinburgh Road, the scheme indicates a second block including a further three properties. These are also two storeys, with Plot 6 having three bedrooms and Plots 4 and 5 having two bedrooms.

The third block of properties will have a front facing three bedroom two storey property with a further two bungalows attached behind, set into the site.

Access will be gained between Plot 1 and Plot 4, leading into a courtyard providing on site parking for 11 vehicles.

There will be a further seven parking spaces accessed directly from Edinburgh Road spread around the frontage of the site.

The properties will have private gardens to the rear, accessed to the side and secured by a 1.8m high fence and lockable gate.

The scheme will incorporate 1.5Kwh of photo-voltaic cells for each of the houses within the roof slopes.

The application site and its surroundings

The site is situated approximately 1.5 km to the north east of Grantham Town Centre and immediately west of Harrowby Church, located on Edinburgh Road off Queensway. The land, measuring 0.15 hectares in area, is currently vacant and lies within the curtilage of the church which is sited to the east.

Directly to the north of the site and adjoining is The Parsonage which is also in the ownership of the applicants.

The remainder of Edinburgh Road is characterised by two storey semi detached properties set in a uniformed layout typical of council housing estates of this period.

Vehicles travel clockwise around Edinburgh Road in a one way gyratory system.

Site History

S08/0872 – Erection of 6 houses (Outline) – Approved 12th September 2008.

Representations Received

Highway Authority: No objection. Requests conditions.

Partnership Projects Officer:

The proposal is in line with Fordhams Housing Needs Survey (2006) and local identified needs. These nine housing units will provide affordable housing in a very high demand area and will be nominated to and from the Council's Housing Register.

Local Member:

“Although there may be objections from some people living adjacent to this site, it is actually a good use for this piece of land. For many years it was used as allotments but when the demand fell because of the location, it was allowed to become overgrown and a litter magnet. As one of the local members for Harrowby, I fully support this application. “

Representations as a result of publicity

The application was advertised in accordance with the adopted Statement of Community Involvement with the closing date for representations being 1st January 2010.

One representation had been received at the time of writing the report but the consultation period had not expired. Issues raised included:

1. Existing permission is best use of land.
2. Houses will be crammed in.
3. Will obstruct view to drivers causing risk to highway safety and pedestrians.
4. Not enough parking spaces for nine houses.
5. Plans will destroy neighbourhood.
6. Will be a noise nuisance.
7. Six houses and two bungalows will not make a difference to affordable need.
8. Out of keeping with the area.
9. Eco friendliness an attempt to convince people to accept proposals in order for developers to make money.

Any additional correspondence raising material considerations will be reported to the committee within a late paper.

Policy Considerations

National Policy

PPS 1 –Delivering Sustainable Development

PPS 3 - Housing

PPG 13 – Transport

Saved Policies of South Kesteven Local Plan

Policy H6

In determining proposals for such development, consideration will be given to;
The impact of the proposal on the form, character and setting of the settlement and on the community and its local environment.
The provision of satisfactory access.

Policy EN 1

The visual quality and amenity of the built and countryside environments of the plan area will be conserved and enhanced. Development proposals should (amongst other matters);
iii) In respect of buildings, reflect the general character of the area through layout, siting, design and materials.

vi) Be located where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated or incorporate suitable proposals for all necessary improvements.

Key Issues

Design
Impact on locality
Affordable need
Noise nuisance
Highway safety

Conclusion

Design

As stated this is a full application for the erection of nine dwellings. The application site constitutes a previously developed site as defined by PPS 3 and is located within a sustainable location. The provision of nine dwellings on this 0.174 Ha site represents a density of 52 dwellings per hectare, reflecting the density of the surrounding housing estate and conforming to the density guidelines of national policy PPS 3.

The principle of housing development has already been accepted following a previous outline approval for six dwellings in 2008 (S08/0872). The layout of this latest scheme is consistent with the previous approval, with the majority of the dwellings fronting onto and following the line of Edinburgh Road.

The scale and form of the proposed dwellings reflect that of the existing dwellings in the vicinity. The dwellings will feature timber and tile porches to the front doors, a blue brick band below front windows to the ground floor with a soldier course. The windows also have low sills to allow a view from a sitting position in the lounge, especially for wheelchair users.

A condition has been attached requiring the submission of final materials for local authority approval though the applicant is suggesting the dwellings will be built from red brick with white UPVC windows and plain concrete roof tiles.

Impact on the locality

Having regard to the layout as shown on the submitted drawing it is considered that the siting of the proposed dwellings and the relationship with adjacent development is acceptable and there is unlikely to be any adverse impact on the residential amenities of surrounding properties in terms of overlooking or loss of privacy.

The two dwellings set back into the site and adjacent to the rear boundary of The Parsonage are only single storey and set a suitable distance away.

There is also no overlooking from the two storey dwelling that the bungalows are attached to due to there being no openings in the rear east elevation. There is one window to the first floor north elevation facing The Parsonage but this serves a bathroom window and is obscured glazed.

It is considered that the remaining dwellings being sited in similar positions do not increase the impact on neighbouring residential amenity than that was previously approved in 2008.

Affordable Need

A comment has been received suggesting that this development will not make a difference to the affordable need. After consultation with the Partnership Projects Officer it is the considered opinion of the authority that the proposal is in line with Fordhams Housing Needs Survey (2006) and meets local identified needs providing affordable housing in a very high demand area.

Noise and disturbance

It is considered that the noise generated from the site would not exceed that usually expected from a residential development. The majority of car parking spaces are set to the rear of the site and screened from the road and neighbouring properties by the proposed built form. This layout will reduce the noise generated by vehicles emanating out into the surrounding housing development.

A condition has been attached requiring final details to be submitted for the landscaping and boundary treatments. It is considered that these elements of the scheme will also mitigate against noise nuisance.

Impacts of traffic, access and parking

Concern has been raised regarding the levels of parking proposed together with the adverse impact on highway safety.

The Local Highway Authority has been consulted about the proposed development and raised no objection with regards to the location and number of individual access points or the numbers of parking spaces. It is considered that the proposed development will not be detrimental to highway safety.

Crime and Disorder Implications

It is considered that the proposed development will not have any detrimental crime and disorder implications.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the application is in accordance with national and local policies as set out in Planning Policy Statement PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPG 13 (Transport) and the Saved Policies H6 (criteria i, ii, iii) and EN1 (criteria iii and vi) of the South Kesteven Local Plan. The issues relating to the need, development being out of character, overdevelopment, loss of privacy, noise nuisance and impact on highway safety are material planning considerations but are not sufficient to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s):

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

3. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied, or in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with approved details.

Reason: To provide a satisfactory appearance and in the interests of the privacy and amenity of the occupants of the proposed dwellings.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall

include hard surfacing materials, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species and proposed numbers/densities where appropriate and implementation programme.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area, and for this reason would wish to control any future development in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Saved Policies H6 and H7 of the adopted South Kesteven Local Plan.

8. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a (nominal 2m width) footway together with arrangements for street lighting and the disposal of surface water run-off at the frontage of the site. The agreed works shall be fully implemented before any of the dwellings are occupied, or in accordance with an agreed phasing arrangement with the local planning authority.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety.

9. Before the dwellings are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing no. 2018/P03 and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety.

10. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include i) the arrangements to ensure that

such provision is affordable for both initial and subsequent occupiers of the affordable housing; and ii) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that the housing provision is affordable for both initial and subsequent occupiers in accordance with PPS3.

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Applicant	Jo Short, Assets and Facilities South Kesteven District Council, Council Offices, St. Peters Hill, Grantham, NG31 6PZ
Agent	
Proposal	Conversion of 16no. bedsits into 8no. self contained flats
Location	52-82, Manners Street, Grantham, NG31 8AR
App Type	Full Planning Permission
Parish(es)	Grantham

REPORT**Application Category**

This application is categorised as a minor application.

Reason for Referral to Committee

The application is before the development control committee due to it being a Local Authority application

The Proposal

This is a full application for the conversion of 16 no. bedsits to 8 no. self contained flats at 52 – 82 Manners Street.

The existing bedsits provide the occupants with a living area, bedroom and toilet. Residents currently have to use communal bathing areas.

The proposal will involve internal alterations only, removing and erecting various partition walls in order to provide each flat with a living room, kitchen, shower room and bedroom.

There will be no external changes to the building. Eight car parking spaces currently exist and will be retained for future occupants.

The application site and its surroundings

The site is situated in proximity to Grantham Town Centre to the northern end of Manners Street. The site, measuring approximately 0.22 hectares in area, has the Kings School Playing field to the north, The Kings Hotel to the west and Gregory House to the east.

The remainder of Manners Street is characterised by single storey properties set in a uniformed layout forming accommodation for the elderly

Access to Manners Street can be gained from North Parade.

Site History

There have been no previous planning applications on the site.

Representations Received

Highway Authority: No objections

Environmental Health: No objections but request condition relating to submitted sound report.

Representations as a result of publicity

The application was advertised in accordance with the adopted Statement of Community Involvement with the closing date for representations being 22nd December.

No representations had been received at the time of writing the report and the consultation period had not expired. All correspondence raising material considerations will be reported to the committee.

Policy Considerations

National Policy

PPS 1 –Delivering Sustainable Development

PPS 3 - Housing

Saved Policies of South Kesteven Local Plan

Policy H6

In determining proposals for such development, consideration will be given to;
The impact of the proposal on the form, character and setting of the settlement and on the community and its local environment.
The provision of satisfactory access.

Policy EN 1

The visual quality and amenity of the built and countryside environments of the plan area will be conserved and enhanced. Development proposals should (amongst other matters);
iii) In respect of buildings, reflect the general character of the area through layout, siting, design and materials.

vi) Be located where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated or incorporate suitable proposals for all necessary improvements.

Key Issues

Use
Impact on residential amenity
Highway safety

Conclusion

The application site constitutes a previously developed site as defined by PPS 3 and is located within a sustainable location. The proposal for the provision of flats conforms with the existing use and those that surround the site.

Having regards to the internal layout as shown on the submitted drawings it is considered that the proposed flats due to there being no external changes and not increasing the amount of openings that there is unlikely to be any adverse impact on the residential amenities of surrounding properties in terms of overlooking, loss of privacy and noise and disturbance.

Impacts of traffic, access and parking

The Local Highway Authority has been consulted about the proposed development and raise no objections.

Crime and Disorder Implications

It is considered that the proposed development will not have any detrimental crime and disorder implications.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposal is a conforming use, having no adverse impacts in terms of visual amenity, loss of privacy and impact on traffic movements and accordingly

conforms with national and local policies as set out in Planning Policy Statement PPS1 (Delivering Sustainable Development), PPS3 (Housing) and Policies H6 (i & iii) and EN1 (iii and vi) of the Saved Policies of the South Kesteven Local Plan.

RECOMMENDATION: That the development be Approved subject to condition(s):

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The flats hereby approved shall not be occupied until the noise insulation set out in the report submitted by ENS dated 26 August 2009 updated by their report dated 2 November 2009 has been fully implemented.

Reason: To prevent disturbance to the amenities of residents living in the flats.

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Applicant	Mrs Helen Broadhurst, David Wilson Homes North Midlands Wilson House, 2, Orchard Place, Nottingham Business Park, Nottingham, Notts, NG8 6PX
Agent	
Proposal	Re-plan of residential development (42 dwellings)
Location	Land Off Bridge End, Former Colsterworth Industrial Estate, Colsterworth
App Type	Major RM (Residential)
<u>Parish(es)</u>	Colsterworth

REPORT**Application Category**

Major Reserved Matters

Reasons for Referral to Committee

This is a Major Application which also requires a deed of variation to the Section 106 associated with Outline Planning Permission S05/1358.

The Proposal

The proposed development relates to a re-plan of part of a larger residential development. There is no increase in the overall number of dwellings as there are 42 dwellings within this part of the site as approved by reserved matters application S07/0194.

The applicants have indicated that the mix of dwellings and layout have been amended to provide a more saleable range of dwelling types.

There is no major change to the overall road layout except alterations to private drives to the western part of the site. The proposal would result in the loss of an area of open space that was secured by an earlier Section 106 agreement.

The application site and its surroundings

The application site is located midway between Colsterworth and Woolsthorpe and is accessed from High Street/Bridge End towards the northern end of Colsterworth. A long avenue of trees border the access road to the site. The site, previously an industrial estate, is currently being developed and dwellings are under construction.

The application site is bounded by a playing field to the west, a number of dwellings served off School Lane to the south, and open countryside to the north.

Whilst the site is well screened when viewed from most directions, the existing buildings on the site are clearly visible from Old Post Lane to the west.

Representations Received

Local Highway Authority: Requests that any permission given by the local planning authority shall include conditions relating to access and turning space and method of disposal of surface water disposal.

Planning Policy:

In principal there are no policy objections to the amended scheme, however the loss of public open space has been noted. The local planning authority should therefore ensure that the revised development complies with Policy REC3 of the saved South Kesteven Local Plan and that any legal implications in relation to the revised open space provisions are properly addressed.

Community Leisure Officer:

I have no issue with the change of open space provision on planning application S09/2244. the removal of the green space will not affect the major provision of a LEAP (Locally Equipped Area of Play) and the proposed redesign will continue to provide a 'green route' from one side of the development to the other.

Colsterworth Parish Council: The Parish Council do not propose to enter any representations with regard to the application.

Lincolnshire Police Crime Prevention Design Advisor:

I have studied the said plan and have no observations to make regarding this application.

National Trust: A summary of their concerns are listed below.

The National Trust remains concerned that the development of the site has not paid proper attention to the wider impacts upon the setting of Woolsthorpe Manor. In particular the detailed planning of the development, including the location, scale and form of the proposed dwellings and landscape treatment has not received adequate consideration.

From a well screened and unobtrusive site occupied by a range of employment uses a short while ago, the site has transformed into a prominent suburban residential enclave that is at odds with its rural and historically important surroundings.

The current proposals exacerbate the impacts of the development upon its environs, including:

- the introduction of significantly taller house types at the critical edges of the site e.g. a ridge height of 9.15 metres on plot 34 and 8.6 metres on plots 44 and 45
- the movement of units much closer to the periphery of the site
- restricting the ability to achieve suitable screen planting
- lack of details of foundations and impact on the integrity of the northern boundary of the site
- inadequate attention to detail to the boundary treatment of the site both in terms of a form of boundary treatment appropriate to a rural setting, and the achievement of new and replacement planting following the felling of a large number of mature trees on the northern boundary of the site.
- particular concern relate to plots 33-36, 40 and 44 and 45 and the impact of the site on the rural surroundings and the setting of Woolsthorpe Manor.
- the application is considered contrary to adopted development plan polices, in particular:

RSS polices 1g, 26 and 27 in respect of historic assets

RSS Policy 31 in respect of the landscape character of this rural area

RSS Policy 2 in respect of Design Quality

Saved Policy H7 in respect of impact of residential proposals on the form and character and setting of settlements and on the community and its local environment

Saved Policy EN1 in respect of the conservation and enhancement of the visual qualities of rural areas.

Saved Policy EN5 in respect of not allowing adverse affects upon the open character of land between Colsterworth and Woolsthorpe

Saved Policy C9 in respect of the impact on character of the Woolsthorpe by Colsterworth conservation area.

Conclusion

It is considered that the proposals currently submitted for determination have failed to have proper regard to the relevant Development Plan policies and in particular, as a result of the increase in the height of dwellings at the periphery of the development, the reduction in the space between buildings and the boundary of the site and the inadequacies of the boundary treatments would adversely impact upon the rural character of the surrounding area and setting of Woolsthorpe Manor and the wider Conservation Area.

Accordingly it is requested that planning permission be refused.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement two letters have been received. A summary of their main comments are listed below:

1. I refute the proposal to reduce the land designated as green area. The designated area does not simply apply to future residents but would apply to every resident and visitor to the village. It is imperative that all designated green areas agreed on the original approval is maintained regardless of the saleability of the proposed dwellings.
2. Although we have no objection to the planning application we are wishing to explore the possibility of securing an area of land to form an extension to our curtilage.

Applicants Supporting Information

Consideration of the character of the locality

During the Outline Planning application and previously submitted reserved matters careful consideration was given to the principle of residential development on this previously developed site and the detailed nature of the proposed scheme, including the layout, scale architectural detailing, massing and materials to be utilised to ensure that the development was sympathetic to its surroundings and reflected the character of the built and natural environment in the locality.

The current reserved matters submission does not deviate from the established principles that were set and agreed through the earlier applications. We do not consider that the current proposal has any greater impact or detrimental effects upon the character and the locality of the previously approved scheme.

Scale of proposed dwellings

Greater impact upon the surrounding area. This is not the case. Plot 34, has a house type with a ridge height of 9.15 metres, the previously approved scheme has a R400 house type in a similar location at plot 38. This dwelling has a ridge height of 9.7 metres therefore the current proposal actually offers a reduction in dwelling height.

Plots 44 and 45 have a ridge height of 8.60 metres. The previously approved scheme has a ridge height of 9.15 metres. Again the current scheme offers a reduction in dwelling height.

Location of proposed dwellings

It is acknowledged that proposed plot 34 is closer to the boundary than previously proposed plot 38. However, due to the reduced ridge height and the distance between the site and Woolsthorpe Manor it is contended that the re-plan will have no greater impact upon the setting of this historic building than the previously approved scheme.

Along the northern boundary of the site the proposed plots (31-33, 35 and 36 are in fact further away from the boundary than the previously approved plot numbers 34-37. The only structure that is closer to the boundary is the garage block to plot 33 which is single storey and will not be seen from Woolsthorpe Manor or the curtilage thereto.

Our engineers and surveyors have not expressed any concern regarding there being an appropriate foundation solution. Foundation drawings have not been submitted as these are not a planning requirement.

Boundary Treatments and Landscaping

These matters have been previously approved by a submission of details in relation to conditions. It is anticipated that these will be updated by a suitably worded condition.

We believe there is no conflict with the saved policies of the Local Plan or with Regional or National Policy or Guidance and therefore we trust that a positive recommendation in respect of the Reserved Matters can be given.

Site History

There have been a number of planning applications on the site. The following are considered relevant to the determination of this application.

S05/1358 – Outline planning permission was granted for mixed use development (residential, offices, retail, nursery and workshops) on 5 October 2006. This permission was the subject of a Section 106 agreement requiring affordable housing, open space and highway improvements.

S07/0194 – Reserved Matters application for residential development for 94 dwellings was granted on 6th September 2007.

S07/1310 – An application for approval of reserved matters (substitution of house type for plots 90, 91 and 92) was granted on 12th November 2007.

Policy Considerations

National Policy

PPS1 – Delivering Sustainable Development

PPS3 - Housing

Regional Planning Policy

East Midlands Regional Plan

Policy 1 – Regional Core Objectives

Policy 3 – Distribution of New Development

Policy 13a – Regional Housing Provision

Saved Policies of South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment

Policy H7 – Residential Development

Policy REC3 – Public Open Space and New Housing Development

Supplementary Planning Guidance

Lincolnshire Design Guide for Residential Areas

Landscape Character Assessment

Key Issues

This proposal must be viewed in the context of the planning history of the site. The grant of outline planning permission (S05/1358) establishes the principle of residential development on the site. It would be unreasonable to revisit the acceptability or otherwise of the principle of residential development of the site.

The subsequent approval of reserved matters established the detail of the development (S07/0194). The issues that need to be assessed as part of this application are whether or not the re-plan is significantly different than the previously approved scheme to an extent that would have a detrimental impact on visual amenity, residential amenity or highway safety.

Visual Amenity

There is no increase in the number of units on the site. It cannot therefore be reasonably argued that there is over development of the site or that the overall density is too high. The amendments to the house types are not considered significant when viewed in the context of an overall residential development for 94 dwellings. The changes are relatively minor. The approved scheme included a mix of differing house styles including two storey, two storey with rooms in the roof, terraced, semi, and detached properties. The re-plan re-orientate and relocates some properties, changes house types and introduces private drives off Hawking Close.

It is considered that the re-plan would improve the layout by replacing the previously approved larger detached properties which were somewhat at odds with the overall layout with smaller detached properties.

As can be seen from the applicant's submission the amendments result in a lower ridge height in some cases.

The only part of the re-plan which would result in built form significantly closer to the boundary of the site would be the garage to plot 33. This is single storey and the submitted plan indicates landscaping adjacent to help assimilate the development with its surroundings.

With regard to impact on the setting of Woolsthorpe Manor it is considered that residential development of the site does not have any more significant impact than the various commercial and employment buildings that occupied the site previously. It is considered that there is sufficient separation between the application site and the listed building to have no adverse impact on its setting.

In the light of the above comments it is considered that the re-plan or change in dwelling type would not significantly increase the overall impact of the scheme as a whole in relation to the settlement and surrounding area.

It is however considered appropriate to seek landscaping around the amended areas of the layout to aid assimilation of the development. Boundary landscaping would also help soften the appearance of the proposed boundary treatments.

Loss of Open Space

The re-plan would also result in the loss of a triangular portion of open space. This would be replaced by a private drive (Faraday Walk) to serve properties on the western end of the site. The open space element of the development has been designed to form a link through the site to the children's play area on the western edge of the development. The proposed re-plan would still facilitate access to the play area albeit the final link adjacent to Faraday Walk would be a footpath only. It is not considered that this amendment would be contrary to the established principles of the approved outline and reserved matters approvals.

It is considered that the location of the triangular portion of open space adjacent to the private drive as per the approved scheme would not be readily usable as an active play area. The fact that the remainder of the open space provision would be unaffected, and informal wooded areas would remain on the site coupled with the large playing field immediately adjacent to the site would ensure that there would be sufficient open space provision for future occupiers of the development. This view is supported by the comments of the Community Leisure Officer.

Residential Amenity

The proposed re-plan would not have any significant impact on the residential amenity of neighbouring occupiers. There is sufficient separation between the proposed dwellings and neighbouring properties to ensure that there would not be any significant overlooking, loss of privacy or overshadowing.

Highway Safety

The re-plan has been assessed by the local highway authority. They have not raised any objection to the scheme subject to appropriate conditions regarding parking, turning and surface water drainage. As the re-plan does not result in any increase in the overall number of dwellings on the site it is considered that there would not be any adverse impact on highway safety within the site or on the wider highway network.

Conclusion

The proposal is considered to be an appropriate re-plan of an extant planning permission. It is considered that there would be no significant increase in the overall impact of the development on the adjacent settlement, surrounding area and adjacent historical assets. There would be no significant impact on the residential amenity of neighbouring occupiers as there is sufficient separation to ensure levels of privacy are maintained and there would be no significant overshadowing.

It is not considered that the proposal would have any adverse impact on highway safety either within the site or on the surrounding highway network. This is supported by the comments of the highway authority.

Whilst the re-plan would result in the loss of a small area of open space (in comparison to the approved scheme), it is not considered significant to justify refusal of planning permission. The area that would be lost is a small detached area that would not lend itself to active recreation. It is considered there is sufficient open space within the development site as a whole especially as the site is located immediately adjacent to a playing field to serve the future occupiers and would not have any detrimental impact on the wider facilities in the village.

Crime and Disorder Implications

It is not considered that the proposed development raises any significant crime and disorder issues.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal relates to a re-plan of 42 dwellings within a larger scheme of 94 dwellings. The revised layout is not considered to result in any significant increase in the visual impact of the development beyond the scheme that was previously approved as there is no increase in overall number of units or significant increase in built form.

The revised layout would ensure that there would be no significant impact on the residential amenity of neighbouring occupiers as there is sufficient separation between the proposed units and existing properties to ensure levels of privacy are maintained and there would be no significant overshadowing.

The proposal would not result in any increase in the overall number of units on the site, and

satisfactory parking turning and manoeuvring within the site can be achieved. As such the proposal would not be detrimental to highway safety.

Whilst it is accepted that the scheme would result in the loss of an area of open space it is considered that the open space would not have been suitable for active play and sufficient usable open space and a formal play area remain.

In the light of the above comments the proposed development is considered to accord with the thrust of current national guidance contained in PPS1 and PPS3, East Midlands Regional Plan Policy 1, 3, 13a and the objectives of the saved South Kesteven Local Plan Policies EN1 (i) and (vi), H7 of the South Kesteven Landscape Character Assessment. Whilst concerns have been raised regarding the impact of the proposed development on visual amenity, the character and appearance of the area, the setting of Woolsthorpe Manor and the loss of open space these are not considered to outweigh the policies referred to above or indicate that a decision should be taken otherwise.

RECOMMENDATION: That the application be deferred to the Chairman and Vice Chairman for approval subject to the completion of the deed of variation, and to a Section 106 agreement and subject to the following condition(s):

1. Notwithstanding the submitted details precise details of the proposed landscaping shall be submitted to and approved in writing by the local planning authority prior to the dwellings hereby approved being constructed.

Such details shall include the number, species and heights of planting and positions of all trees on the boundary of the application site adjacent to the areas affected by the re-plan hereby approved.

Any such scheme as may be agreed shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the district planning authority gives written consent to any variation.

Reason: To ensure a satisfactory form of development and aid assimilation of the development with the surrounding area in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

2. Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number H2212/01R01 dated 23 September 2009, and retained for that use thereafter.

Reason: In the interests of highway safety and to allow vehicles to enter and leave the highway in a forward gear in accordance with policy EN1 of the Saved Policies of the South Kesteven Local Plan.

3. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory form of surface and foul drainage for the site in accordance with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

4. The development shall be undertaken in accordance with the submitted plans unless otherwise agreed in writing by the local planning authority.

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

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Applicant	Mr Richard Lett Southwold, 5, Nettlecroft Lane, Frieston, Grantham, Lincolnshire, NG32 3BE
Agent	Martin Kelby, Riverside Design 88, Belton Grove, Grantham, NG31 9HH
Proposal	Erection of dwelling and garage
Location	Southwold, 5, Nettlecroft Lane, Frieston, Grantham, NG32 3BE
App Type	Full Planning Permission
Parish(es)	Caythorpe

REPORT**Application Category**

This application is categorised as a minor application.

Reason for Referral to Committee

The application has been referred to the Development Control Committee as there has been significant local interest.

The Proposal

This is a full application for the erection of one detached four bedroomed dwelling with a detached garage.

The application site and its surroundings

The application site currently forms the side garden to 'Southwold', a detached house on the north side of Nettlecroft Lane, a private drive to the west side of Lincoln Road, to the south of the village centre of Frieston. The site is currently grass with a mature conifer hedge to the southern boundary with further hedging to the Lincoln Road frontage. Within the site there are a number of mature trees. The site and surroundings are level.

To the south of the application site are two detached dwelling houses also accessed off Nettlecroft Lane which both face the site.

Site History

There is no relevant planning history.

Representations Received

Caythorpe and Frieston Parish Council:

a. Although no tree survey was attached to the application, the development would almost certainly involve the removal of one or more mature trees which form part of the visual approach to the village. The trees are approximately 50-60 years old and although there are currently no TPOs attached to them, their removal would detrimentally alter the pleasant visual approach to Frieston and Caythorpe.

b. The new-build would be an over development of the site as it is situated close to the main A607. The owner of the private driveway (Nettlecroft Lane) has indicated that he would not give permission for the driveway to be used for access to this site, thus access to the plot would have to be from the A607. It is considered that another access straight onto the A607 at this point would be detrimental to highway safety. South Kesteven District Council should seek guidance from LCC Highways regarding the issue of access to the site.

c. It is believed that a high-pressure sewer runs across or adjacent to the site. As Caythorpe and Frieston already have considerable main sewer difficulties, a further development at this point would merely add to the existing problem.

Local Highway Authority: Request that any permission shall include conditions relating to provision of visibility splays, turning areas and surface water drainage.

Arboriculturalist: Advises that on the amended plan, (Drawing No. 01 Rev.A) the repositioning of the drive is not going to affect any of the trees to be retained. This plan also shows the position of the surface water drains. The one located beneath the retained Ash tree will have to be amended to avoid damaging tree roots. All the trees to be retained will have to be protected to prevent any accidental damage during construction. The driveway should also be constructed prior to development commencing to protect the retained trees.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement and a total of six letters have been received from three properties on both the original and amended drawings and the points raised can be summarised as follows:

1. No objection in principle subject to no trees being removed as they soften and frame the entrance to the village.
2. The development should only be a bungalow.
3. Consider that the trees on site should be considered for a Tree Preservation Order.

4. The application states that there are 'no overlooking problems'. This statement is completely false. Every window on the front aspect will overlook and severely breach privacy on key rooms and the front and side gardens to our property.
5. All new buildings on Nettlecroft have been restricted in height to 4 metres to eaves imposed by SKDC.
6. There is a mains pressurized sewer running through the proposed development site.
7. As sole owner of Nettlecroft Lane I have received no request for permission to use this as an access road for a further property.
8. I am not prepared to allow another property access off Nettlecroft Drive, as there is a boundary with the A607 this should be used.
9. The development would be contrary to five restrictive covenants and liable to one positive covenant.
10. The height of the property should be reduced in accordance with the 4 metre eave restriction.
11. Property should be in line with Southwold and have the same type of windows.

Planning Considerations

National Policy

Planning Policy Statement 1: Delivering Sustainable Development.

PPS 3 – Housing.

East Midlands Regional Plan (adopted March 2009)

Saved Policies of South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment.

The visual quality and amenity of the built and countryside environments of the plan area will be conserved and enhanced. Development proposals should (amongst other matters);

iii) In respect of buildings, reflect the general character of the area through layout, siting, design and materials.

Policy H6 – Residential Development.

In determining proposals for such development, consideration will be given to;

ii) The impact of the proposal on the form, character and setting of the settlement and on the community and its local environment.

iv) The provision of satisfactory access.

The adopted South Kesteven Interim Housing Policy

Key Issues

The key issues to be considered as part of the determination of this application relate to the following:

Access,

Impact on site and surroundings.

Impact on trees.

Crime and Disorder Implications

It is considered that the proposed development will not have any significant or detrimental crime and disorder implications.

Human Rights Implications

Articles 6 (Right 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.

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

Officer Evaluation

This is a full application for the erection of one dwelling with a detached garage. As a proposal involving the redevelopment of a brownfield site within the confines of an existing settlement (considered as sustainable within the terms of the Councils adopted Interim Housing Policy), the proposal is in conformity with strategic and local criteria within the policies set out above.

It is considered that given the proposed site layout, orientation and positioning of fenestration together with the separation distances between existing and the proposed dwelling, the new house will not have any significant impact on the amenities of neighbouring properties. Due to the location of the new dwelling on the north side of Nettlecroft Lane there will be no loss of light to the properties to the south.

Having regard to the size of dwelling proposed together with the associated curtilage the proposal will not result in overdevelopment of the plot either singularly or taken with the dwelling at Southwold.

Regarding any impact on trees within the application site, the main ash tree together with other trees and hedging are to be retained which will still maintain the visual appearance into the village and restrict the views of the property from adjacent sites. The Council's Arboriculturalist is satisfied with the revised drawings subject to suitable conditions.

The Local Highway Authority has been consulted about the proposed development and has raised no objection to the proposal subject to conditions relating to access and turning, surface water drainage and visibility. It is considered that the proposed development will not be detrimental to highway safety.

Regarding issues raised by representations, there is not a pressurized sewer crossing the site, the previous height restriction related only to dwellings on the south side of Nettlecroft Lane and restrictive covenants are private legal issues between the parties involved and are not matters for the Council.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies as set out in Planning Policy Statement PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and Policies H6 (i) and (iii) and EN1 (iii) and (vi) of the Saved Policies of the South Kesteven Local Plan. The issues relating to impacts on residential and visual amenity and highway safety are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s):

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development shall be built in accordance with the materials detailed on the submitted application forms unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual amenities of the locality and to ensure a satisfactory development in accordance with Saved Policies EN1 and H6 of the South Kesteven Local Plan.

3. Before development is commenced on site all trees shown to be retained on the approved plan shall be fenced off to the limit of their branch spread. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to the retained trees.

4. The driveway shall be constructed prior to development commencing on the dwelling hereby approved.

Reason: To prevent unnecessary damage to the retained trees.

5. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and

approved in writing by the local planning authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the local planning authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

6. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 01 Rev. A dated 24 November 2009, and retained for that use thereafter.

Reason: To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety, and in accordance with Polciy EN1 of the Saved Policies of the South Kesteven Local Plan.

7. This permission relates to the application as amended by drawing number M/08/07 received on 24 November 2009.

Reason: For the avoidance of doubt.

8. Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land as indicated on drawing number 01 Rev A dated 24 November 2009 to create the required visibility splays and thereafter the visibility splays shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of the safety of the users of the public highway and the safety of the users of the site.

Note(s) to Applicant

1. This site is within 50m of a Land Contamination Concern. Please contact Environmental Protection Services on 01476 406300 for further information.
2. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.

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NB1 **S09/2720/HS**

Target Decision Date: 15-Jan-2010

Applicant	Polebrook Limited 18, Rutland Terrace, Stamford, PE9 2QD
Agent	
Proposal	Erection of single storey side and rear extension to dwelling; thatch part of the roof. Erection of detached garage and creation of new access
Location	Walland House, Main Street, Braceborough, Stamford, Lincolnshire, PE9 4NT
App Type	Householder Development
Parish(es)	Braceborough & Wilsthorpe

REPORT

Application Category

This application is categorised as an other application.

Reason for Referral to Committee

The application is to be determined by the Development Control Committee at the request of the local Councillor. The application is also considered to be locally controversial.

The Proposal

The proposal is to erect a single storey side and rear extension to the property. A new access would be created to Main Street with the existing access closed off. A detached garage would also be erected along with alterations to the existing house, including thatching the roof.

The application site and its surroundings

This is an attractive brick built property with detailing in the gable ends at eaves height. The property is set within a large plot and is one of the first dwellings when entering Braceborough from the south. The application site falls within the Conservation Area. Hedgerows, typically 1.6m tall, primarily delineate the property curtilage.

Site History

The following planning applications are of relevance to the application.

Application S00/1308 for 'extensions to cottage'. Thatched replacement roof, erection of outbuildings and creation of two accesses onto classified road' was granted permission on the 19 February 2001. The application was for a similar scale of alteration and extension to that currently under consideration; however, part of the proposal was to be two-storey whilst the garage and outbuildings were larger. The application was not implemented and the permission consequently lapsed.

Application S04/1627 for 'extension to dwelling and erection of detached garage' was granted permission on 08 December 2004. The application was for extensions to the dwelling but smaller in scale than that under consideration in this application.

Application S05/0036 was granted for the 'extension to cottage, replace thatch roof, erect outbuilding & create accesses (renewal)'. This was a renewal of permission S00/1308 and was granted on 08 March 2005, the permission is valid for 5 years (i.e. it remains capable of being implemented).

An outline planning application (ref; S05/0398) for the erection of a dwelling within the property curtilage was refused permission on 11 May 2005.

Representations Received

Community Archaeologist: Raises no objection to the application.

Local Highway Authority: Does not object to the application subject to appropriate conditions.

The Parish Council's comments are reproduced below:

"At the Parish Council meeting on Monday 7 December 2009 it was agreed that the councillors proposed the following representations:

1. The application is sent to committee:
2. There is a site visit by members of the committee:
3. That the proposed extension is out of proportion to the existing dwelling:
4. The councillors would welcome a smaller footprint as the present plans are incongruous and out of scale with neighbouring dwellings:
5. Number of smaller properties within the village has decreased:
6. It is in a dominant position as you enter the village and will overshadow the thatch cottage opposite.

The Parish Council has asked District Councillor, Miss E Channell to request that this application goes to the planning committee with a site visit".

Representations as a result of publicity

The application has been advertised in accordance with the Councils adopted statement of Community Involvement, the closing date for representations being the 30 December 2009.

No responses have been received at the time of preparing this report.

Policy Considerations

National Planning Policy Guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG15: Planning and the Historic Environment

East Midlands Regional Plan

Policies 1, 2 & 27

Saved policies of the South Kesteven Local Plan (1995)

Policies EN1, H7

Key Issues

Impact on character of the host property and wider Conservation Area.
Furthermore, consideration of residential amenity and highway safety issues.

Officer Evaluation

A key material planning consideration for the application is the fallback position of implementing permission S05/0036, an application which could be implemented up until March 2010.

Broadly, pertinent planning policy would require the application to ensure that the proposal respects the character of the host property and wider area. With the application site being within a Conservation Area there would also be a need to ensure that the proposal 'preserves or enhances' the character of the Conservation Area.

In terms of design the extensions are considered to respect the character and design of the host property. The original cottage would remain the dominant feature with the extensions all single-storey and there being a clear break/distinction between the cottage and extension. Fenestration detail and scale of the original cottage would also be respected.

Whilst it is noted that the scale of extensions are large, in that the floor area is significantly larger than the existing cottage, there is a need to have due consideration to the fall back position of implementing planning permission S05/0036. The scale of extension proposed as part of this application is smaller than those that currently have permission. Furthermore, part of the extensions which already have the benefit of a planning

permission would be two-storey. It is also the case that the garage proposed in this application is smaller than that which currently has permission. Therefore, whilst it may appear that the extensions are disproportionately large compared to the original dwelling the scale of extensions is smaller than those which currently benefit from an extant planning permission.

Having regard to the siting and scale of the proposed garage it is not considered that the proposal would result in an overbearing impact that would be detrimental to the amenity of neighbouring properties. The Highway Authority raises no objection to the proposal, subject to appropriate conditions.

There are no overlooking issues that would be generated from the proposal. Thatching the roof is also likely to enhance the appearance of the original property.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right 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.

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

SUMMARY OF REASON(S) FOR APPROVAL

The design of the extensions are considered to respect the character of the host property and wider Conservation Area in that the original property would remain dominant. The scale of extensions are considered to be large having regard to the size of the host property. However, having regard to the fallback position of implementing permission S05/0036 this is considered acceptable. The proposal, subject to appropriate conditions, would also not be detrimental to highway safety or residential amenity. The proposal is therefore deemed to comply with guidance contained in PPG15: Planning and the Historic Environment along with Policies EN1 and H7 of the Saved Policies of the South Kesteven Local Plan; with no other material planning considerations to indicate that the application should be determined otherwise.

RECOMMENDATION: That the development be Approved subject to condition(s):

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Within seven days of the new access being brought into use, the existing access onto Main Street shall be permanently closed in accordance with a scheme to be first agreed in writing with the local planning authority.

Reason: To reduce to a minimum the number of individual access points to the site, in the interests of road safety and to comply with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

3. Before the garage is first brought into use, the access and turning space shall be completed in accordance with the approved plan drawing number F dated 20 November 2009 and retained for that use thereafter.

Reason: To ensure safe access to the site and garage in the interests of highway safety and to comply with Policy EN1 of the Saved Policies of the South Kesteven Local Plan.

4. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Saved Policy EN1 of the South Kesteven Local Plan.

5. No works shall take place until full details of all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted the condition is imposed to ensure the satisfactory appearance and preservation of the building.

6. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

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