

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 19 December 2018

(Author: Mark Simmonds - Planning Officer)

Purpose: To consider Planning Application H14-0578-18

Application Number: H14-0578-18

Date Received: 12 June 2018

Application Type: FULL

Description: Demolition of garage block and erection of two-storey dwelling

Location: Land adjacent: 33 Knight Street Pinchbeck Spalding

Applicant: Monograms Rentals Ltd

Agent: Oglesby and Limb Ltd

Ward: Pinchbeck and Surfleet

Ward Councillors: Cllr S A Slade
Cllr J Avery
Cllr E J Sneath

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H14-0578-18>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Design and amenity issues which warrant Committee decision in this case.

2.0 PROPOSAL

2.1 This application seeks to demolish a block of garages and erect a 2 bed dwelling on land at 33 Knight Street, Pinchbeck. The existing front boundary wall to the flats would be demolished, and the drop kerb extended to allow vehicle access and parking on the frontage.

3.0 SITE DESCRIPTION

3.1 The site is within the Development Boundary for Pinchbeck and also within the Pinchbeck Conservation Area. There are some historical buildings and structures in the wider area but also many modern buildings and the townscape is very mixed and not strongly based in any particular era or style with quite a high number of more modern dwellings.

3.2 The application site has a narrow frontage onto Knight Street and currently a block of flat roof garages sits on the rear of the site. The adjacent property to the east is a large pair of semi-detached houses, converted into flats. A public footpath abuts the western boundary, with a chalet bungalow on its other side. To the north, at the rear of the site is the large garden of a detached dwelling.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 215 of the NPPF should therefore continue to be given substantial weight in the decision making process.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy SG1 - General Sustainable Development
Policy SG2 - Distribution of Development
Policy SG3 - Settlement Hierarchy
Policy SG14 - Design and Layout of New Development
Policy SG15 - New Development: Facilities For Road Users, Pedestrians And Cyclists
Policy SG16 - Parking Standards in New Development
Policy SG17 - Protection of Residential Amenity
Policy SG18 - Landscaping of New Development
Policy HS6 - New Housing in Group Centres

- 4.2 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), July 2018

Paragraph 11 - The presumption in favour of sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places
Section 14- Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance (PPG), 2014

5.0 RELEVANT PLANNING HISTORY

- 5.1 H14-0061-14 - Demolition of single storey garage block and erection of new single storey dwelling - Withdrawn 20/2/14

H14-0621-14 - Demolition of single storey garage block and erection of new single storey dwelling- re-submission of H14-0061-14 - Refused 14/1/15 for 3 reasons: cramped form of development; design would not preserve or enhance the historic character and pattern of development which characterises Pinchbeck Conservation Area at this point; likely to increase demand for on-street parking to the detriment of local amenities.

H14-0485-15 - Demolition of single storey garage block and erection of one and a half storey dwelling - Refused 9/9/15 for 2 reasons: its inappropriate scale would result in an incongruous form of development and design would not preserve or enhance the historic character and pattern of development which characterises Pinchbeck Conservation Area at this point.

6.0 REPRESENTATIONS

- 6.1 Pinchbeck Parish Council

Support.

6.2 LCC SUDS (Highways)

No observations/no objection

6.3 Historic Environment Officer LCC

"This office has a number of concerns around the proposed development and its impact on the Pinchbeck Conservation Area in which it is located.

The proposal to demolish the entire wall between 27-33 Knight Street in order to create replacement car parking for the garages that are to be demolished is unacceptable in the conservation area. It would create a void in what has until recently been a continuous boundary treatment. SHDC has previously rejected similar proposals at 28 Knight Street on these grounds, which has been upheld by a planning inspector on appeal.

The proposed new house has taken some inspiration from the character of historic 1930s properties nearby, but does so in such a way as replicate many of the insensitive late 20th century alterations.

The Design & Access Statement makes no mention of the proposed development's impacts on heritage assets of archaeological interest. It is therefore recommended that the developer should be required to commission an Archaeological Scheme of Works. Initially envisage that this would involve monitoring of all groundwork's, with the ability to stop and fully record archaeological features."

6.4 SHDC Environmental Protection

Comment that in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health.

6.5 Public

Objections received on the following grounds:

Knight Street is already very busy and by removing parking for the flats more cars will be parked on the road. Even more heavy traffic will choose Rotten Row as an alternativeit's like living on a motorway!

Following the latest set of amended plans consultation has been carried out from 18 October 2018 - 28th October 2018, with the following additional comments being received;

Lack of parking in Knight Street and the proposed work will make it have even less parking and when the children are at school and the lorries come through the street they go on to the path and a child will get hurt one day" - it is noted that this objector has an address not within South Holland.

7.0 **MATERIAL CONSIDERATIONS**

7.1 The main issues relating to this application are:

- Principle/Policy
- The impact upon the Conservation Area;
- Residential Amenity;
- Highways and parking;
- Flood risk;

7.2 Principle/Policy

7.3 The site is located within the defined settlement limits of Pinchbeck as outlined in the South Holland Local Plan, 2006, and part of the application site is within the development boundary.

In this instance, the relevant policy context is Policy HS6- New Housing in the Group Centres.

This states that:

Residential development will be permitted on suitable sites within the Group Centres, where the following criteria are satisfied:

- 1) The site is within the defined settlement limits, as shown on the proposals map; and
- 2) The site constitutes brownfield land, unless it can be demonstrated that no suitable brownfield sites are genuinely available.
- 3) The site constitutes infill.

7.4 It should also be noted that currently SHDC cannot demonstrate a 5 Year supply of housing land and the guidance in the NPPF is clear that the presumption is in favour of sustainable development, which this is considered to be.

7.5 Impact upon Conservation Area

7.6 The site is also within the Pinchbeck Conservation Area and the HER Officer at LCC raises some concerns. These concerns have been considered but are not felt to outweigh the benefits of sustainable residential development in an urban area.

7.7 The proposal is for a two-storey dwelling in a modern design - the design respects the character of the conservation area in terms of scale and massing although modern materials are utilised. The design has been informed by the character, scale, and proportions of not only the neighbouring buildings but also the large scale and mixed era and styles of the modern buildings around the Conservation Area, this larger context helps to assimilate the modern design with its historic context.

7.8 Residential Amenity

7.9 A previous amended plan was submitted (Amendment 1) following discussions regarding overlooking:

"West elevation windows removed & alternative window added to North elevation - Dwg. nos. A1062-11 Rev B & A1062-12 Rev B".

7.10 Concerns were raised around the siting and position of the proposed dwelling on the site.

Amended plans have now been submitted which seek to address those concerns and to present a more appropriate siting of the new dwelling following discussions with the case officer. (Amendment 2).

The Amended Plans (Amendment 2) relocate the dwelling to give a more generous garden area, which seeks to overcome the previous concerns.

7.11 The house would now be closer to 33 Knight Street, but the relationship, in an urban area, would be acceptable.

7.12 Highways and Parking

7.13 Highways do not object and the parking and access are acceptable. The site is highly sustainable being in close proximity to the Centre of Pinchbeck.

7.14 Flood Risk

7.15 The majority of Pinchbeck is within Flood Zone 3 on the Environment Agency's Flood Maps, with this site being within an area zoned at 0.25 - 0.5 Depth Levels - the second lowest zone. Although the guidance is that development should be steered to the lowest zone the application must be considered in the context of the lack of a 5 year housing land supply and that the need to bring forward sustainable housing is the greater consideration. It must be the case that not

enough housing is coming forward in low risk areas as the 5YHLS is falling short.

7.16 Conclusion

7.17 On balance, the proposals are considered to be acceptable and it is recommended that permission be granted.

8.0 **RECOMMENDATIONS**

8.1 **Grant permission subject to those Conditions listed at Section 9.0 of this report.**

9.0 **CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

A1062-01

A1062-03 Rev A

A1062-12C

A1062-11C

A1063-13A

Design and Access Statement by Oglesby and Limb submitted with the application.
Flood Risk Assessment submitted with the application.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Before the commencement of the development hereby permitted a written schedule and samples of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the schedule and samples so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006 and national guidance contained in the National Planning Policy Framework, 2018.

4. Unless otherwise agreed in writing the brickwork to the development hereby permitted shall be constructed in English Garden Wall bond at a ratio of 3 courses of stretchers to every course of headers.

Reason: In the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

5. A one metre square freestanding panel of brickwork showing the type of brick to be used in the construction of the development hereby permitted shall be constructed on site and approved by the Local Planning Authority before the commencement of the development hereby permitted. All new brickwork shall match that of the approved panel in terms of the type of bricks used, the method of bonding, mortar colour and pointing style. The brickwork panel so constructed shall be retained on the site until the development hereby approved has been completed.

Note: The applicant is advised that a buff coloured mortar (using yellow/orange sand and white Portland cement or similar) with a flush, 'bagged' finish to reveal the aggregate in the mix would be appropriate.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

6. The guttering to the development hereby permitted shall be of metal construction painted black, fixed to the external walls by means of gutter spikes/rise and fall brackets and no fascia boarding shall be used.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

7. All new window frames, glazing bars, doors and external door frames shall be of timber construction with a painted finish and thereafter so maintained.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006 and national guidance contained in the National Planning Policy Framework, 2018.

8. Notwithstanding the approved drawings, large scale details (at a scale of at least 1:10) of the following features shall be submitted to and be approved in writing by the Local Planning Authority and no work shall commence in advance of that approval. These details shall provide for a cross sectional detailed drawing at 1:10 scale for each feature and the development shall be constructed in accordance with the details so approved:

- Door and window-head gauged brick arch, lintol and cill detail;
- Front door surround;
- Gable chimney stacks, to be taller and deeper than indicated so as to relate better to the proportions of the house.

Note: The applicant is advised that the use of a pre-formed gauged brick arch and non-traditional lintol design may be necessary in order to meet the requirements of Condition 8.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

9. Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted and there shall be no variation from the details so approved without the prior written consent of the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out without the prior written approval of the Local Planning Authority:
- i) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
 - ii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows;
 - iii) alterations to the existing front boundary picket and close boarded fences, or the erection of replacement or additional fences which are taller than or in different positions to those existing fences.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity, levels of residential amenity and the visual amenity and character of this part of the Conservation Area within which it is set.

This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

11. Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Reason: To ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development.

This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan 2006.

12. None of the existing trees on the site shall be cut down, up-rooted, destroyed, topped, lopped or pruned without the prior written consent of the Local Planning Authority.

Reason: To ensure the protection of existing trees on the site, in the interests of the visual amenity of the locality, the applicant having failed to identify which trees would be affected by the development.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006, national guidance contained in the National Planning Policy Framework, 2018.

13. Where trees are to be retained on site they shall be protected during construction work as follows:

- i) chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority;
- ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;
- iii) no services shall be routed under the spread of the crowns of the trees to be retained without the prior written consent of the Local Planning Authority;
- iv) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped without the prior written consent of the Local Planning Authority and if any tree which is to be retained dies within five years beginning with the date on which the development is commenced it shall be replaced with a tree of such size and species as may be specified in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006 and national guidance contained in the National Planning Policy Framework, 2018.

14. The Local Planning Authority has acted positively and proactively in determining this application by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission within as timely a manner as possible in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx

15. Note(s):

16. Where a Condition requires the approval of a sample (for example a brick, tile or surfacing material) you should arrange for the sample to be delivered to the application site for inspection and approval by the case officer. We are unable to accept samples delivered to the Council's offices.

Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title

