

Officers Report

Planning Application No: 138576

PROPOSAL: Application for approval of reserved matters for the erection of 2no. dwellings considering access, appearance, landscaping, layout and scale, following outline planning permission 134537 granted 29 July 2016 - resubmission of 138097.

LOCATION: Land adj 25b Church Road Stow Lincoln LN1 2DE
WARD: Stow

WARD MEMBER: Cllr R Shore
APPLICANT NAME: Mr C Lister and Mrs S Kinch

TARGET DECISION DATE: 02/01/2019 Extension of Time agreed until 10/01/2019

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Grant permission

The application is presented to committee as the applicant is from the immediate family of a Councillor.

Description: The application site comprises a parcel of land on the edge of the village of Stow located off Church Road. The site is well kept but does not form part of the garden to 25b Church Road. The site is surrounded by residential dwellings to the south and east and open countryside beyond.

Planning permission (in outline) was granted in 2016, to erect 2no. dwellings. The application is seeks only the approval of the following reserved matters following the grant of planning permission - access, appearance, landscaping, layout and scale.

The application is a re-submission of previously refused Reserved Matters application 138097. This application was considered by the planning committee at its October meeting, and planning permission was subsequently refused for the following reason:

'The scale of the development does not relate well to the site and surroundings and therefore does not achieve a high quality design that contributes positively to local character and is contrary to the provisions of the Central Lincolnshire Local Plan, in particular policy LP26.'

Relevant history:

138097 - Application for approval of reserved matters for the erection of 2no. dwellings considering access, appearance, landscaping, layout and scale,

following outline planning permission 134537 granted 29 July 2016, Refused at Committee 18/10/18.

134537 - Outline planning application to erect 2no. dwellings - all matters reserved, Granted permission, 29/7/16.

Representations:

Chairman/Ward member(s): None received

Stow Parish Council: 'My Council has considered the changes in this application and accept that the houses have been reduced in size so have no objections. However the drainage problems need to be addressed. The Council still considers that an Archaeological survey should be carried out on the site in line with other applications in Stow.'

Local residents:

Comments received from 27 Church Road:

'I notice the resubmitted are now in a different name to the original. However the reduced size of the new proposals are so minimal means that these 2 properties 3 storey dwellings will still have a detrimental effect on the surrounding area. The height of the proposed dwellings will still obscure views of the church and rural landscape when walking into the village along church road from the north. Unless extensive alternative drainage work is carried out effluent and surface water run-off will cause flooding problems on that part of the lane.'

Comments received from 23a Church Road:

'Having just compared these revised plans with the former plans which were recently refused by members of the planning committee on account of the general size, scale, height and proximity between the 2 proposed properties, I struggle to understand how the minimal reduction in scale can make any significant difference. These large 3-storey 5- bedroom executive-style houses will still have the same blocking effect on views of the surrounding countryside and significantly Stow Minster looking South along the lane. Surely the only acceptable style must be a completely new design more appropriate to the location along a single track lane which is a cul-de-sac? There are residents of Stow actively seeking downsized properties suitable for retirement. This location would be ideal for single storey/ dormer bungalows which would blend far better in the surroundings. Such housing would meet the objectives of the Central Lincolnshire Local Plan particularly with respect to LP18, (climate change and low carbon living) by minimising energy and water consumption and LP26, (design & amenity) by contributing positively to local character and landscape. The proposed plans clearly continue to contravene such objectives. I therefore consider this application should be refused for exactly the same reasons as the previous one.'

LCC Highways: No objections, request informatives

Archaeology: None received

Relevant Planning Policies:

Development Plan;

Central Lincolnshire Local Plan 2012-2036 (CLLP);

Policy LP13: Accessibility and Transport

Policy LP14: Managing Water Resources and Flood Risk

Policy LP17: Landscape, Townscape and Views

Policy LP25: The Historic Environment

Policy LP26: Design and Amenity

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Neighbourhood Plan

There is no neighbourhood plan for Stow

Other;

National Planning Policy Framework

<https://www.gov.uk/guidance/national-planning-policy-framework>

Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

Main issues

- Principle
- Appearance, layout and scale
- Impact on residential amenities
- Landscaping
- Access
- Other matters

Assessment:

Principle

The principle of housing has already been established in the granting of outline permission 134537. Planning permission is granted for two dwellings.

This application seeks only the approval of reserved matters which is for the appearance, layout, scale, access and landscaping.

Any other matters raised, that do not directly relate to the reserved matters, are not relevant to the application under consideration.

Appearance, layout and scale

The application is a re-submission of previously refused application 138097. This application was due to '*The scale of the development does not relate well to the site and surroundings and therefore does not achieve a high quality design that contributes positively to local character...*'

The new application sees the overall scale of the dwellings reduced:

Plot 1: Ridge height 9.54m

Width of dwelling 13.7m

Length of dwelling 7m
(excluding 2 storey rear protrusion)

Plot 2: Ridge height 9.58m
Width of dwelling 12.8m
Length of dwelling 7m
(excluding two storey rear protrusion)

Previously refused measurements:

Plot 1: Ridge height 10.08m
Width of dwelling 14.6m
Length of dwelling 7.7m

Plot 2: Ridge height 10.03m
Width of dwelling 13m
Length of dwelling 7.5m

Policy LP26 states that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

The 2 dwellings are to be 5 bedrooled, two storey detached dwellings (with accommodation in the roofspace) with detached double garage to the front along with off road parking.

The dwellings would have a footprint measuring approximately 118 square metres and 151 square metres. By way of comparison, footprints at nearby properties are approximately 130 square metres.

Whilst the dwellings have been perceived as “large” – they are not out of scale with surroundings. The most recent Strategic Housing Market Assessment (July 2015) had concluded that “*The analysis of housing need by size suggests that there is a need for property of all sizes in Central Lincolnshire*” (paragraph 9.67).

The proposed materials have not been specified. However these can be secured via a condition. Although the dwellings are large the plots are equally large and leave adequate amenity space to the front and rear.

Policy LP17 states that to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally be permitted if the overriding benefits

of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.

All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible.

Concerns have been raised with regards to the impact the proposal will have on Stow Minster and the rural landscape. Stow Minster is grade I listed and is located over 250m to the south of the site with various other properties between the application site and church. Therefore given the separation distance and existing built form the application can be supported. It is considered that the proposal will preserve the setting of Stow Minister.

When entering the village along Church Road the new dwellings will be set against the back drop of the village and adjacent dwellings and would not have a significant detrimental effect on the surrounding countryside.

The application site is not within a Conservation Area. The area immediately surrounding the site is characterised by a mix of modern detached dwellings and bungalows with a gothic style period property to the south of the site, just beyond no's 25a and 25b and The Granary, a converted barn. The proposal responds positively to the immediate and wider area with its complimentary design.

The proposal is therefore deemed to be in accordance with policies LP17, LP25 and LP26.

Residential amenity

Policy LP26 states that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

There are no concerns with overlooking of the neighbouring properties, no's 25a and 25b Church Road.

There is more than adequate separation to the surrounding dwellings.

The development is deemed to accord with LP26 in this regard.

Landscaping

The existing hedge along the front boundary is to be removed along with a number of self-set trees. The proposed landscaping includes a new hawthorn hedge set further back from Church Road to allow for adequate visibility displays, along with the retention of a small group of trees in the south east corner. The new hedge (when established) and existing trees will help to soften the impact of the development on the streetscene. The rear gardens are to be laid to lawn with the existing trees at the rear of plot 1 being retained.

The placement of the hedge and retention of some trees is deemed appropriate in accordance with LP17 and LP26.

Access

The site is to be accessed via Church Road. Concerns have been raised by neighbouring properties with regards to the increase in traffic and highway safety. However, planning permission is already granted for 2no. dwellings and the principle of taking access off Church Road is already established. This application considers only the specific details of the proposed access itself.

The Local Highways Authority have raised no objections to the proposal. Highway safety is not expected to be compromised and would be compliant with policy LP13.

Conclusion

The proposal has been considered in light of relevant development plan policies namely policies LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP25: The Historic Environment and LP26: Design and Amenity of the Central Lincolnshire Local Plan as well as the National Planning Policy Framework and Planning Practice Guidance.

For the reasons set out above, the appearance, landscaping, layout, scale and access of the proposal are considered to be acceptable and in accordance with policy. Therefore it is recommended that the application should be approved, subject to the following conditions.

Recommended conditions:

Conditions which apply or require matters to be agreed before the development commenced:

1. No development shall take place until details of the external finishing materials of the buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To secure good design in accordance with policy LP26 of the Central Lincolnshire Local Plan.

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with drawings ARQ/1140/03 Rev A, ARQ/1140/04 Rev A, ARQ/1140/05 Rev A, ARQ/1140/06 Rev A, ARQ/1140/07 Rev A and ARQ/1140/08 Rev A dated 5 June 2018. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policies LP1, LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

3. The root protection measures shown on drawing number ARQ/1140/03 dated 5 June 2018 shall be implemented in accordance with these details and permanently secured before development commences and retained at all times until construction work has been completed.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

4. The boundary treatments shall be in accordance with drawing: ARQ/1140/03 dated 5 June 2018 and retained as such thereafter.

Reason: In the interest of preserving amenity and the character of the area in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

5. All planting and turfing approved in the scheme of landscaping shown on drawing ARQ/1140/03 dated 5 June 2018 shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or hedging which within a period of 5 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 Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure that soft landscaping is provided within the site to soften the appearance of the dwellings to accord with the National Planning Policy Framework and policies LP17 and LP26 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

None

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.