DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H01-0237-19**	**Applicant:**	**Mr F Pearson**
Proposal:	Proposed erection of one house and garage		
Location:	Land Adjacent: Waverley Villa 2 Drain Bank South Cowbit		
Terminal Date:	29th April 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of one house and garage on land adjacent to Waverley Villa 2 Drain Bank South, Cowbit.

The proposal is for a 2-storey 4-bed dwelling in a traditional design with a detached triple garage.

A new vehicular access off Barrier Bank would be created.

An application for 2 dwellings on the site was previously refused in December 2018 (H01-1112-18).

Site Description

The site is greenfield in nature and forms part of a wider agricultural field that extends eastwards. The site abuts a property known as 'Waverley Villa' to the west and 'Acre Lodge' to the north. There are trees on 3 sides of the site.

The above mentioned properties are part of a small cluster of dwellings located off Drain Bank South. The area surrounding these properties has a countryside character and there is a clear sense of physical detachment from the main built-up area of Cowbit in terms of how the site relates to existing development.

The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (2019) and is therefore classed as being in the countryside in planning policy terms.

Representations

Cowbit Parish Council - No comments.

LCC Historic Environment Officer - No archaeological impact.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Public -
- Previous refusal reasons have not changed
- Loss of light
- Boundary fence/wall should be erected between Waverley Villa and the site before development commences
- Object to any trees or structures being erected behind garage of Waverley Villa as access needed to maintain property
- Impact on views

Material Considerations

- Principle
- Flood risk
- Impact upon character and appearance of the area
- Residential amenity

Principle

An application for 2 dwellings on the site was previously refused in December 2018 on the basis of the harm that the proposal would cause in terms of its environmental effects when considered in line with Paragraphs 7 and 8 of the National Planning Policy Framework (2019).

Since the previous application was determined, the South East Lincolnshire Local Plan (2019) (SELLP) has been adopted. However, this does not materially change the policy status of the site as it remains outside of any settlement boundary and is therefore still classed as being in the countryside. Policy 1 of the SELLP states that development in the countryside will only be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

However, the Council does not currently have a published 5-year supply of deliverable housing sites (4 years as at 31st March 2018). Consequently, in accordance with Paragraph 11 of the National Planning Policy Framework, 2019 (NPPF), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies outlined in the NPPF as a whole; or specific policies in the NPPF indicate that development should be restricted. Sustainable development is defined in paragraphs 7 and 8 of the NPPF as having three dimensions: economic, social and environmental.

The site is not within a protected area or an asset of particular importance as defined by Paragraph 11 of the NPPF.

Economic - The development may support the local economy through employment opportunities associated with construction and future occupants may work locally and support local services.

Social - The proposal would make a contribution, albeit small, towards housing supply in the district (Section 5). In terms of access to services and facilities, there is a footpath adjacent to the site that leads into the village (which is a relatively short walk away) where there is a village shop, primary school, church and village hall. The site is opposite a bus stop on the Spalding to Peterborough route with 11 services per day (weekdays). Given this, it is considered that some services and facilities are reasonably accessible by sustainable modes of transport (such as walking, cycling and buses) and future occupants would likely be no more reliant on the private car than residents living within the built up area of Cowbit.

Environmental - The site is situated on the edge of a small cluster of dwellings located off the southern end of Drain Bank South where it meets Barrier Bank. Beyond this small cluster of dwellings are agricultural fields and the area surrounding these properties has an open countryside character due to the flat fenland landscape. This is noticeable when you leave Cowbit along Barrier Bank in a westerly direction. There is a clear sense of physical detachment from the built-up area of Cowbit in terms of how the site relates to existing development. The proposed development, if permitted, would further intensify existing development in this location, which would be contrary to Paragraph 127 of the NPPF which states that planning decisions should ensure that developments are sympathetic to local character, including landscape setting. It would also set a harmful precedent by encouraging further applications of a similar nature along Barrier Bank between the site and the main built-up area of Cowbit. It would encourage further ribbon development along this section of road, thereby eroding the open countryside character of this area. This would cumulatively harm the aims and objectives of both the Framework and SELLP to ensure that new development is sustainable and protects the character and appearance of the area and countryside.

Flood risk

The site is located within Environment Agency Flood Zone 1 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies the site as not being affected by flood hazard or flood depth. The site is therefore in a sequentially preferable area in terms of flood risk, in accordance with Section 14 of the NPPF.

Impact upon the character and appearance of the area

As stated above, the proposed development would further intensify an existing cluster of residential dwellings in a countryside location where there is a clear physical separation between these properties and the main built-up area of the village. This would have an adverse impact on the character of the area and would set a harmful precedent for further development along Barrier Bank in a ribbon form between the site and the main built-up area of Cowbit. This would have a cumulative material adverse impact by eroding the countryside character of this area. It would therefore be contrary to Policies 2 and 3 of the Local Plan which seek, amongst other things, to ensure that new development does not have a material adverse impact upon the character and appearance of the locality.

Residential amenity

An objection has been received on the basis that the proposed development would result in a loss of light. However, the proposed dwelling would be in excess of 30 metres away from Waverley Villa and Acre Lodge and so it is not considered that there would be a material adverse impact in respect of loss of light to these properties, or from them being overbearing in nature. There should also be

no issues in terms of overlooking because of this separation distance.

Loss of views is a consideration, however it carries very limited weight in the planning balance.

The proposal would therefore not conflict with Policy 3 of the Local Plan which seeks to protect residential amenity.

Other

There is already fencing in place along the western boundary and so it is not considered necessary that the proposed fencing be installed prior to construction commencing.

In respect of structures being erected behind the garage of Waverley Villa, permitted development rights allow certain structures to be erected provided that they comply with the relevant criteria - and permitted development rights should only be removed where it is justifiable, which it is not considered to be in this instance.

Conclusion

Overall, it is not considered that the previous refusal reasons have been satisfactorily overcome. Taking into account the above, the site is not considered to be a suitable site for housing with particular regards to the principles of sustainable development and the protection of the countryside character of the area. It is therefore contrary to Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (2019) as well as Paragraphs 7, 8 and 127 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated refusal.