

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H01-0926-19 **Applicant:** Mr R Hurry
Proposal: Erection of 4 bed dwelling
Location: Vicarage Close Cowbit
Terminal Date: 14th November 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

RESIDENTS	4	0	0	0
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Route for determination of application	Delegated	X	Committee	
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CASE OFFICER ASSESSMENT

Proposal

This is a full application for the erection of a 4 bed dwelling at Vicarage Close, Cowbit. The proposal seeks to provide a single garage, utility, water closet, lounge and kitchen / dining area at ground floor level. At first floor level, three bedrooms and a bathroom will be sited with an additional bedroom and an en-suite in the roofspace. Finished floor level will be set at 300mm above existing ground level. Proposed materials are Forterra Village Harvest Multi Brick with Marley Modern Smooth Grey Tiles. Windows will be cream UPVC.

Site Description

The site is a previously undeveloped plot of extant approval, with dwellings of a similar age and various designs in all directions.

History

H01-0240-95

Outline - Residential development - Approved - 20 June 1995

H01-0548-98

Outline - Residential development renewal of H01-0240-95 - Approved - 06 August 1998.

H01-0368-99

Reserved Matters - Proposed residential development - Approved - 10 November 1999

NOTE - A four bedroom dwelling was approved on this site under Plot 42.

Consultation Responses

Environment Agency

No comment as not in their remit.

South Holland Internal Drainage Board

Consent required due to works within 9 metres of a watercourse.

County Highways & SUDS Officer

No objections.

Members of the public - 4 objections

- Overlooking
- Overshadowing
- Sewage connection
- Location of fire hydrant
- Raised height of 300mm due to flood risk

- Proposed tiling not in keeping
- Parking provision
- Manoeuvrability
- Highway safety due to increased vehicular movements
- Dispersal of surface water to adjacent properties
- Concerns about works within 3 metres of foundations
- Concerns about disturbance during works (Carries minimal planning weight)

Planning Considerations

- Principle of development
- Overlooking
- Overshadowing
- Sewage connection and drainage strategy
- Location of fire hydrant
- Raised height of 300mm due to flood risk
- Proposed tiling not in keeping
- Parking provision
- Manoeuvrability
- Highway safety due to increased vehicular movements
- Dispersal of surface water to adjacent properties
- Concerns about works within 3 metres of foundations

Principle of development

The site constitutes frontage development in defined settlement limits. There is an extant reserved matters application on this site for a four bedroom dwelling approved under reference H01-0368-99.

Overlooking

There are no side elevation windows or doors and the proposed fenestration is considered to represent a standard frontage arrangement.

Overshadowing

There is not considered to be a material overshadowing aspect arising from this proposal. There are no side elevation windows at 13 Vicarage Close with a small amount of light loss to the rear elevation conservatory in the early hours of the day. The two side elevation windows in the garage building at 11 Vicarage Close immediately face a 1.8 metre high timber fence so overshadowing is considered not to be material.

Sewage connection and drainage strategy

Surface water drainage would be by means of a soakaway with a connection to mains drainage for foul water. There is not considered to be an impact on neighbouring properties or drainage capacity. At the request of South Holland Internal Drainage Board a full drainage strategy condition will be attached.

Location of fire hydrant

This is a matter that can be addressed by condition and does not matter affect the feasibility of this application.

Raise height of 300mm due to flood risk concerns

There is not considered to be a material impact on the character of the surrounding area from this small rise in height.

Proposed tiling not in keeping

There is not considered to be a material difference in colour of style between the proposed tiling and that of adjacent properties.

Parking Provision

The proposal can accommodate a vehicle in garage with a space on the driveway and the opportunity for additional parking to the front entrance as well as on street parking. Provision is considered in accordance with Policy 36 of the South East Lincolnshire Local Plan concerning Vehicular Parking.

Manoeuvrability

Manoeuvrability is considered acceptable on the site. The County Highways & SUDS Officer has expressed no concerns.

Highway safety due to increased vehicular movements

There is not considered a material impact from a minor increase in vehicular movements. The County Highways & SUDS Officer has expressed no concerns. This concern carries limited weight as it is based on an assumption of the behaviour of future occupants when operating a vehicle.

Concerns about work with 3 metres of foundations

This is a matter which would be dealt with during the Building Control application period.

Summation

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 10, 11, 17 and 36 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such

as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.