

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H01-1146-20 **Applicant:** Mr S Lyon
Proposal: Erection of detached dwelling - outline approval H01-1076-17
Location: Adj. 156 Barrier Bank Cowbit Spalding
Terminal Date: 11th February 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

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

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Reserved Matters approval is sought for the erection of a detached dwelling on land adjacent to 156 Barrier Bank, Cowbit. Outline planning permission was granted under application ref. H01-1076-17.

The proposal is for a 4-bed, 2-storey dwelling, with access from Barrier Bank. The dwelling is to be slightly angled due to the shape of the plot, but would be similar to no. 156 adjacent. It will have a long rear garden and drive to the front.

Site Description

The proposal site is on the western side of Cowbit and forms part of frontage development facing on to Barrier Bank. The surrounding area is characterised by dwellings of varying ages and design. There are open fields opposite and a new dwelling under construction to the rear.

History

H01-1076-17 - Outline - Proposed residential building plot (Plot 1) (approved December 2017)

Consultation Responses

LCC Highways/SUDS - No objection. Requests two standard highway informatives.

South Holland Drainage Board - Recommends that the proposed drainage strategy is supported by ground investigation. Advises of any consents that may be required.

Public (1 no. objection, summarised) -

- Concern re loss of light

Planning Considerations

Principle

As the principle of development on the site has already been established, the main issues to be taken into account in respect of this application are whether the proposed scheme is acceptable in terms of the reserved matters (layout, scale, external appearance, means of access and landscaping).

Layout, Appearance and Scale

The proposal is for a 4-bed, 2-storey dwelling, with access from Barrier Bank. The dwelling is to be slightly angled within the plot due to the shape of the site, but would be similar to no. 156 adjacent. It will have a long rear garden and drive to the front. It will be of a similar scale to other newer properties in the vicinity and sit reasonably well within the plot, with adequate space either side between the side elevations and boundaries (approx. 1.1m minimum) for access to the rear. Finished floor levels will be set at 500mm above existing ground level and the overall visual impact of this would be relatively minimal.

The proposed materials of construction are Hampton Rural Blend brick, Crest Planum concrete roof tiles and white UPVC windows and doors. Development in the vicinity is varied in terms of materials used, therefore the proposed materials would not be at odds with the mixed character of the area.

Meter boxes are indicated on the southern side elevation and are therefore in a discreet location.

Taking the above into account, the external appearance, layout and scale of the proposed dwelling is considered to be acceptable and the proposal in accordance with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on

character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Access and Parking

A single access point off Barrier Bank is proposed. The Highway Authority have been consulted and do not wish to restrict the grant of permission on highway safety grounds. The proposal is therefore considered to be in accordance with Policy 2 of the Local Plan which requires it to be demonstrated that access arrangements will be acceptable.

Appendix 6 to the Local Plan sets out minimum vehicle parking standards and requires at least 3 spaces for dwellings of 4 or more bedrooms. An integrated single garage is proposed and the property has a large drive which could accommodate two vehicles in tandem. The proposal therefore complies with Appendix 6 in this regard.

Landscaping

The soft landscaping scheme comprises of a single Acer tree and planting bed to the front and grassed garden area.

This is considered to be a suitable landscaping scheme for the site taking into account the low key landscaping to the frontage of existing properties in the vicinity.

The proposed scheme therefore complies with Policy 3 of the Local Plan in respect of its provisions on landscaping.

Residential Amenity

It is not considered that the proposed dwelling would have a material adverse impact on residential amenity in terms of being overbearing or creating overlooking or loss of light/overshadowing.

There are no properties on the opposite side of Barrier Bank and the rear garden would be in excess of 22m in length. The only side facing windows at first floor are to bathrooms/en-suites and will therefore be obscure glazed. At ground floor to the northern elevation there will be another obscure glazed window to a W/C and a utility room, which is not classed as a habitable space for planning purposes. There would therefore be no material overlooking impact in that direction. To the opposite elevation is a secondary window to a living space and a stair window. Both of these would face in the direction of the neighbouring garage. Overall, there are not deemed to be any overlooking issues.

Concern has been raised over the potential for loss of light, however the facing windows to no. 152 would appear to be secondary windows and the ground floor windows are already shaded by the existing hedge on that side. The other neighbouring property is located to the south and therefore loss of sunlight is not an issue taking into account the path of the sun. It is not considered that the proposed dwelling would have a material loss of light impact such that would warrant refusing the application.

The proposed dwelling would be approx. 4m from no. 152 at the closest point and approx. 9m from no. 156. The latter has no side facing windows and, although the extension will clearly be visible from the side windows of no. 152, they would appear to be secondary windows and the ground floor windows are already shaded by the existing hedge on that side. It is therefore not considered there would be a material overbearing impact.

The proposal would provide adequate external amenity space.

Details of the proposed external levels have not been submitted to date and will therefore be conditioned so that the amenity impact of any levels changes can be assessed.

In light of the above, the proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

Flood Risk and Drainage

In accordance with Condition 6 of the outline permission, it has been reaffirmed that finished floor levels will be set at 500mm above existing ground level, at a minimum of 4.50m ODN.

Surface water will be disposed of via soakaways. There are no known permeability issues in this area that would affect the use of soakaways. The site will be connected to the existing Anglian Water network for foul water disposal.

Given the above, it is considered that the proposal accord with Policies 2, 3 and 4 of the Local Plan which require proposals to provide appropriate means of drainage and be flood resilient.

Planning Balance

The principle of residential development on this site has already been established by virtue of the outline permission. It is not considered that the proposal would materially harm the character or appearance of the locality or amenity of residents. There are no material highway issues and parking levels are in accordance with the Local Plan requirements. Flood risk and drainage matters are considered to have been appropriately addressed.

Taking the above into account, the planning balance is considered to be in favour of the proposal.

Additional Considerations

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.

Conclusion

In light of the above considerations, the proposal is considered to be in accordance with Policies 2, 3, 4 and 36 (incl. Appendix 6) of the South East Lincolnshire Local Plan (2019), as well as Sections 5, 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.