

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H02-0030-20	Applicant:	A & C Cooper - Cooper Construction
Proposal:	Erection of detached bungalow		
Location:	Land To Rear Of 2 Crease Drove Crowland		
Terminal Date:	9th June 2020		

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

National Guidance

National Planning Policy Framework 2019

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

5 - Delivering a sufficient supply of homes

12 - Achieving well-designed places

14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0
SHDC INTERNAL	0	0	1	0

OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application for the erection of a detached bungalow on land to the rear of 2 Crease Drove, Crowland. The proposal seeks to provide a bungalow that would be accessed from a separate driveway. The bungalow would contain two bedrooms, an en-suite, bathroom, utility, kitchen and lounge. Proposed materials of construction are Butterley Rossendale Smooth Red Brick and Calderdale Edge Concrete Smooth Light Grey tiles. Windows and doors are to be grey UPVC.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The proposal site is in Flood Zone 1 on the Environment Agency flood maps, and shows as a "Danger for All" hazard area with a maximum predicted flood depth of 1 metre on the 0.1% probability 2115 South Holland Strategic Flood Risk Mapping. The 0.1% probability mapping is used for single storey buildings.

History

H02-0579-16 - Rear 4 Crease Drove

Full - Proposed new wheelchair friendly chalet bungalow - Refused - 01 August 2016.

Consultation Responses

LCC - County Highways & SUDS Officer

No objection. Requests standard access and utility informatives.

North Level Internal Drainage Board

No objections.

SHDC - Environmental Protection Officer

No objections.

Crowland Parish Council

Support.

Member of the public - 1 - object

Loss of privacy

Impact on soakaway

Loss of view (Carries minimal planning weight)

Agent comments

When addressing a summation of points made in the objection, the agent responded "There should not be any soakaways within 5000mm of the proposal, as for loss of privacy, the proposed garden will have 1.8m fencing to prevent overlooking, along with high level windows on the No.4 side of the proposed dwelling, overlooking will not be an issue. Neither can I conclude that loss of view is a relevant issue."

Planning Considerations

Principle of development

The proposal is within the defined settlement limits so the principle of development in this location is acceptable. As the bungalow would be sited to the rear of the existing dwelling, consideration needs to be made as to potential overshadowing or overlooking impacts.

Setting a precedent

It is not considered that a precedent would be set if this proposal were to be allowed. Recently permission has been granted for three dwellings to the rear of 65 Peterborough Road, Crowland under reference H02-0758-19 and to the rear of 10 Peterborough Road H02-0332-19. These were both granted approval under the 2019 South East Lincolnshire Local Plan and in the context of a five year housing land supply.

The bungalow can be placed on this land without significant impact on the amenity to the future occupant and 2 Crease Drove. The proposed access can be provided without significant harm to the parent dwelling as the existing access is already sited on this side of 2 Crease Drove. This application is considered to differ from that of the refused application at 4 Crease Drove under reference H02-0579-16 because the level of overlooking to neighbouring properties is reduced by virtue of the siting of the host dwelling.

Flood risk

The proposal site is in Flood Zone 1 on the Environment Agency flood maps, and shows as a "Danger for All" hazard area with a maximum predicted flood depth of 1 metre on the 0.1% probability 2115 South Holland Strategic Flood Risk Mapping. The 0.1% probability mapping is used for single storey buildings. The finished floor levels of the bungalow will be set a minimum of 1 metre above ground level.

Impact on soakaway

Appropriately sited and functioning soakaways should not impact on surface water drainage in the area. This is a matter that can be addressed by condition. The soakaway will be sited a minimum of 5 metres from the proposed bungalow. North Level Internal Drainage Board has expressed no drainage concerns.

Loss of privacy / overshadowing

There are no windows in the northern side elevation and the site will be surrounded by 2 metre high fencing that will be secured by condition. 2 and 4 Crease Drove are 14 metres away at the nearest point to the west, with 2a Crease Drove 22 metres away. The existing dwellings will be faced by two ground floor bedroom windows that will look toward the existing 2 metre high fencing on site.

There are residential gardens to the north, east and south with the nearest properties considerably further away, being 46 metres away to the north on Broadway and 40 metres away on Coronation Avenue to the south and east.

Impact of development

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 dwelling or 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 and 17 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.