

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0032-25 **Applicant:** Mr S Hutson
Proposal: Erection of single storey dwelling with double garage
Location: Land To Rear Of 75 South Street Crowland Peterborough
Terminal Date: 17th April 2025

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
- 28 The Natural Environment
- 29 The Historic Environment
- 30 Pollution
- 36 Vehicle and Cycle Parking
- APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

- Section 2 - Achieving sustainable development
- Section 4 - Decision-Making
- Section 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

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
HISTORIC ENVIRONMENT OFFICER	0	0	0	1

NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	2

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of a single storey dwelling with a double garage. The application is access from Hereward Way and is located at the eastern edge of a previously approved development (see planning history), it is also located along the rear of nos. 83 -87 South Street.

The proposal is for a two-bedroom, bungalow which has a gable end presented to the principal elevation as well as gable porch. External facing materials are not proposed, the application form states that the applicant would like to secure these through condition.

Site Description

The application site lies on the eastern side of Hereward Way and is sited to rear of dwellings fronting South Street and Reform Street. The land is presently garden land associated with 75 South Street, an application for the erection of 6 number dwellings has been approved to the west of the site and this proposal would link on to the private drive approved under that scheme.

The site lies within the Crowland Conservation Area. On the whole there is a mixture of development on either side of Hereward Way and there is no distinct pattern

History

H02-0151-24 - Erection of 6 Detached Dwellings. Approved 21st June 2024

H02-0234-22 - Erection of 4 Dwellings - Approved 20-06-22

H02-0100-13- Full- Refused at Appeal on 13-02-14- Erection of chalet bungalow and double garage and demolition of existing buildings on site.

Consultation Responses

Parish Clerk

No objections

North Level IDB

Please note that North Level District Internal Drainage Board are unable to comment on surface water details or sustainable drainage system as no details are available for us to comment on the above planning application.

Historic Environment Officer

There is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218). I recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a post demolition phased approach of archaeological investigation and mitigation work.

This will initially comprise but may not be limited to an archaeological trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and

to inform a programme of further archaeological mitigation work which may be required if archaeological remains are identified in the evaluation. This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their alteration or destruction.

This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

Highways & SuDS Support

No objections - The proposal is for the erection of a single storey dwelling with double garage. The property will have two bedrooms and will be accessed from a private drive that already has planning permission (0151-24 for 6 dwellings off Hereward Way). A private contractor will be used for refuse collection as the plot is too far from the highway. There are showing two parking spaces, a turning facility and a double garage which is acceptable. The proposal will not have an adverse impact on the public highway.

Conservation Officer

No objections. Should the application be approved, please apply conditions to secure details of external materials, doors, and all fenestration, reminding the applicant that this is a Conservation Area setting and therefore all final materials should be commensurate with the requirements of development within the Historic Environment

Environmental Protection

I request a standard land contamination condition be applied at this location.

Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

The following are key considerations for this assessment:

- Principle of Development
- Flood Risk & Drainage
- Heritage & Design
- Amenity
- Highway Safety
- BNG
- Land Contamination
- Planning Balance

Principle of Development

The South East Lincolnshire Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting

and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire until 2036. Policy 1 (Spatial Strategy) expresses the sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The application site is located within the main service centre of Crowland. Of these areas policy 1 point 2 states:

Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

The application site is located within the settlement limits for Crowland, adjacent next to an already approved residential scheme. The proposal would therefore accord with policy 1 of the SELLP.

Flood Risk & Drainage

Policy 4 sets out South Hollands approach to Flood Risk. The application site is located within FZ 1 in accordance with EA Planning Maps. The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) shows that the site falls within a combination of "Low Hazard", "Danger for Some" and "Danger for Most" hazard zones, with potential flood depths of up to 0.5m (based on the 1% Fluvial/0.5% Tidal scenario).

Development in all flood zones, and development over 1 hectare in size in Flood Zone 1, will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.

Section 14 of the National Planning Policy Framework also in part concerns itself with flood risk and is relevant.

The application site is therefore considered to be located within a preferable location as regards flood risk and as such there are no principle issues.

Drainage

The applicant has stated within the application form that surface water will be disposed of through a 'Sustainable Drainage System' though no further expansion is given. Foul water is to be directed to the mains. Given the scale of the development sufficient mitigation exists outside of planning to ensure the drainage features are constructed and work efficiently. There will be a requirement for the developer to adhere to building regulations regarding the disposal of surface water drainage and a right to connect to the mains is also afforded to the development under the Water industries Act. Therefore there is no requirement to apply drainage related conditions.

On this basis it is considered that the proposal would accord with SELLP Policy 4 as well as section 14 of the National Planning Policy Framework.

Heritage and Design

The application site is located within Crowland Conservation Area. Policy 29 of the SELLP sets out the approach to considering schemes that affect the historic environment. It states that "To respect the historical legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets, such as important known archaeology or that found during development, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design"

Part B of the policy is concerned with specifically with conservation areas, it states that "Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:

1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;
6. Aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against.

Section 16 of the NPPF which seeks to protect and enhance the historic environment is also relevant. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. It is important that new residential development should be of the highest quality to enhance and reinforce good urban design characteristics. It is generally accepted that good design plays a key role towards sustainable development. Regard must be had towards the impact that the proposed dwelling would have on local character, including topography, street patterns, building lines, boundary treatment and through scale and massing.

Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Policy 2 point 1 states that proposal should meet with sustainable development considerations specifically in relation to 'Ã¢? size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'.

Policy 3 sets out the 'Design of new development' in part it states that "Ã¢? Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable"

The proposal is of a low scale and given the surrounding dwellings, along with extant permissions the property would have limited impact upon the wider conservation area. Even though localised the impact would also be limited given the surrounding two storey dwellings on South Street and the scheme of larger dwellings approved to the west.

In terms of features the proposal would be in-keeping with some of the other approved dwellings along Hereward Way. The conservation Officer has been consulted and has no objection subject to the control over external facing materials. The applicant has stated that materials are to be agreed and so conditionality is considered appropriate.

Archaeology

LCC Historic places team have been consulted and have recommended that archaeological conditions are attached to any permission. However in this instance given the scale of the proposal (and that a building under class E could be sited in this location with similar effect upon buried heritage) as well as that such conditions were not applied to planning permission H02-0151-24 then it is considered unreasonable to attach to this permission.

It is therefore considered that the proposal would accord with SELLP Policies 2, 3 and 29 as well as sections 12 and 16 of the National Planning Policy Framework.

Amenity and Environmental Considerations

Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

The proposed dwelling is located at a sufficient separation distance from all properties and of a scale that would give rise to limited impacts by way of overshadowing and overbearing. Furthermore all opening are in appropriate locations that would not give rise to unacceptable impacts relating to visual intrusion.

Therefore, the proposal would accord with SELLP Policies 2 and 30.

Highway Safety & Parking Provision

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 36 relates to vehicle and cycle parking, Appendix 6 of the SELLP sets out minimum vehicle parking standards for residential developments and requires that at least 2 parking spaces are provided within the curtilage for dwellings with up to 3 bedrooms.

The proposal would utilise an already approved private access and provides sufficient off-street parking spaces for two vehicles. Waste will be collected from private collectors. Highways have been consulted and have no objections to the proposal.

Therefore, subject to the consenting under highways the proposal is considered to acceptable and would accord with policies 2, 3 and 36 of the South East Lincolnshire Local Plan

BNG

SELLP Policy 28 is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, point 2 is concerned with Nationally or locally designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

The applicant states that this is self build and therefore exempt. Any permission then would need this securing the unilateral undertaking prior to a decision being issued.

On this basis the proposal is exempt from BNG.

Land Contamination

SELLP Policy 30 is concerned with land contamination. Environmental Protection have been consulted and requested that land contamination conditions are applied. However, this is considered unreasonable given that such conditions were not requested on the adjacent scheme (for 6).

Therefore, in place a monitoring condition that would require works to stop and be recorded such unforeseen contamination be found, will instead be attached.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such,

the planning balance is in favour of the development.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 4, 28, 29 and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (2019); in addition to the identified sections contained within the National Planning Policy Framework (December 2024). Notwithstanding the aforementioned minor conflicts, there are no significant factors in this case that would outweigh the benefits of the proposal; therefore, in considering all the matters raised above the planning balance is in favour of the proposal and the policies referred to above.

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.