

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-0086-19 **Applicant:** Mrs Patricia Dyson
Proposal: Proposed two-bed single-storey dwelling
Location: Land Rear: 40 North Street Crowland
Terminal Date: 15th May 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
29	The Historic Environment
36	Vehicle and Cycle Parking

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

Section 16 - Conserving and enhancing the historic 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
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	1

OTHER STATUTORY BODIES	0	0	1	0
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CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a proposed two-bed single-storey dwelling on land to the rear of 40 North Street, Crowland.

The dwelling would effectively replace the existing outbuilding located in the rear garden of no. 40. It would be accessed via the existing access in between no's. 40 and 44 North Street.

The design which was originally submitted was contemporary in nature with a projecting gable porch, minimal architectural detailing and large late 20th century style windows and doors. However, after concerns were raised by the County Council's Historic Environment Officer and SHDC's Conservation Officer, amended plans were submitted which show a bungalow of more traditional design with brick window arches, oak windows and wood braced external doors.

Site Description

The site is the rear garden and gravel drive/parking area for 40 North Street, Crowland. It is accessed via the existing access between the two frontage properties. There is an outbuilding in the rear garden of no. 40 at present. A public footpath is located to the north of the site which also provides access to no's. 44a and 44b. All boundaries are defined by 1.8m closeboard fencing. There is a mixture of development in the area including detached two storey dwellings, terraced properties and bungalows.

The site is located within the settlement boundary for Crowland as set out in the South East Lincolnshire Local Plan (2019) as well as within the Crowland Conservation Area.

History

None.

Consultation Responses

Crowland Parish Council - The Parish Council has no objections to this discreet development. Single storey dwellings are much sought after in this area of Crowland. However, we note the Historic Environmental Officers comments.

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

LCC Historic Environment Officer - Originally raised concerns regarding the proposed design of the dwelling given its Conservation Area location. Amended plans were subsequently submitted which addressed these concerns.

SHDC Conservation Officer - No objections.

SHDC Environmental Protection - No comments or objections.

No resident comments have been received.

Planning Considerations

Principle

The site is located within the settlement boundary for Crowland as set out in the South East Lincolnshire Local Plan (2019) and so residential development in this location would, in principle, be acceptable.

Flood Risk

The NPPF requires the application of the Sequential Test to steer new development to areas with the lowest probability of flooding. If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site is located in Environment Agency Flood Zone 1. It is therefore in a sequentially preferable location and acceptable in flood risk terms.

Impact upon character and appearance of the area

The site is a backland plot and is located within the Crowland Conservation Area. Backland development is not typically a form of development that is to be encouraged, however there are other examples of backland development in the surrounding area such as no's. 44a, 44b and 56 to the north and St Marks Drive and no. 26 to the south. This type of development is therefore considered to be acceptable in this location.

LCC's Historic Environment Officer and SHDC's Conservation Officer initially raised concerns regarding the contemporary design of the proposed bungalow given its Conservation Area location and the removal of the existing gates which would allow the proposed house to be more visible. It was considered that this would serve to harm rather than enhance the Conservation Area. Consequently, the applicant has submitted amended plans which show a bungalow of more traditional design with brick window arches, oak windows and wood braced external doors. The gates are now to be retained in their original position but replaced to give a longer life span. This is considered to be acceptable by all parties.

Residential amenity

No resident objections have been received and it is not considered that there would be a material adverse impact on residential amenity.

There are windows facing the site from no. 38 to the south, however the existing rear extension on the frontage property (no. 40) already has windows facing this property. It is not considered that the proposed development would be overbearing in nature or result in a material loss of light.

Given the central location of the application site within Crowland, smaller gardens are considered to be acceptable.

An acceptable level of internal amenity space would be provided.

The access to the proposed dwelling would be between two existing properties. Given a recent appeal decision (APP/A2525/W/18/3214473) it is not considered that issues would arise from this of such an extent that would justify a refusal on grounds of residential amenity.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4 and 9 of the South East Lincolnshire Local Plan (2019) as well as Sections 12, 14 and 16 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.

Additional Considerations

Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.