

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0146-22 **Applicant:** Mr J Finding

Proposal: Proposed New Bungalow - approved under H02-0201-21. Modification of Condition 2 to allow amendments to previously approved plans.

Location: Adj. 10 Harrington Drive Crowland Peterborough

Terminal Date: 8th April 2022

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
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

- 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	0	1	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for a proposed new bungalow on land adjacent 10 Harrington Drive, Crowland. The proposal seeks to provide three bedrooms, an en-suite, a bathroom, lounge and combined kitchen / dining area. Finished floor levels are set at 2.4mAOD, with the eaves height at 4.65 metres and a ridge height at 7.118 metres. A stepped access will be added to the rear elevation to facilitate safe egress. The side boundary fencing will be 1.8 metres in height, 2.2 metres beyond the rear elevation wall and 2.1 metres on the rear southern boundary. Fence heights have been altered from the previous approval of H02-0201-21, as have side elevation fenestration arrangements.

SITE DESCRIPTION

The site is an area of grassed land between a row of linear development. The adjacent dwellings to the east and west at 10 Harrington Drive and 14 Harrington Drive have an approximately 6 metre ridge height. To the south of the site is grassed land, which is populated by dilapidated sheds. The site is within Environment Agency Flood Zone 3, and in a "Danger for All" hazard area, with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. Finished floor levels are set at 2.4mAOD which translates to 1.1 - 1.2 metres above ground level. The dwelling has a flood refuge in the roofspace.

RELEVANT SITE HISTORY

H02-0201-21

Full - Proposed New Bungalow - Approved - 10 June 2021.

CONSULTATION RESPONSES

Crowland Parish Council

No comments.

North Level Internal Drainage Board

No comments.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy - Main Service Centres

The proposal is within defined settlement limits amongst a row of existing development. The proposal would help support Crowland as a service centre and sustain existing facilities.

The proposal therefore satisfactorily accords with SELLP Policy 1 in this regard.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size and scale of the proposed bungalow is considered to be appropriate for the site. The layout is typical for a bungalow property. To address flood risk, the bungalow is raised 1.15 metres out of the ground. Whilst this does raise the bungalow higher than other bungalows in the streetscene, the location and prominence does not give material planning concerns about the impact on the character and appearance of the area.

2. The design is considered to be in keeping with the surrounding area and the orientation is the

same as that of the adjacent bungalows on a matching line of frontage.

3. Tiles and brick are to match those of the adjacent bungalows. The proposed materials are considered to benefit the visual amenity of the surrounding area.

4. The proposed access is well located and the site provides 2 off road parking spaces which is the minimum amount requested for a 3 bedroom dwelling under Appendix 6 of the SELLP. The parking layout allows for vehicles to exit the site in a forward gear. The County Highways & SUDS Officer had no objections to the approved plans under H02-0201-21.

5. The proposal is not considered to impact existing community services and infrastructure.

6. There is not considered to be a material impact on neighbouring land uses from noise, odour or disturbance. With regard to visual intrusion, the east facing window serving bedroom 1 and the hallway door access face the blank side elevation wall of the detached garage serving 14 Harrington Drive. The east facing window serving the lounge directly faces the blank side elevation wall of 14 Harrington Drive, however some of the upper roof of the rear elevation conservatory can be seen by the occupant. This is not considered to amount to a material overlooking aspect. A stepped access is provided to the rear of the dwelling to prevent material overlooking from the rear elevation.

With regard to the western elevation the northernmost two side elevation windows serve an en-suite and a bathroom and will be obscure glazed. The bedroom window will be obscure glazed but will not be limited opening due to Building Control requirements for an escape egress window.

Whilst the proposal will be larger in height there is not considered to be a material overshadowing aspect, with the side elevation window of 10 Harrington Drive sited 0.6 metres away from the proposed 1.8 metre high fencing, no side elevation windows in 14 Harrington Drive, and the proposal sited on a matching line of frontage.

7. The site is within Environment Agency Flood Zone 3, and in a "Danger for All" hazard area, with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. Finished floor levels are set at 2.4mAOD which translates to 1.15 metres above ground level. Surface and foul water drainage would be carried by the existing foul water drainage. Anglian Water has agreed to this arrangement.

The proposal accords with SELLP Policy 2

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. With regard to a sense of place, this is not considered to be materially impacted. To address flood risk, the bungalow is raised 1.15 metres out of the ground. Whilst this does raise the bungalow higher than other bungalows in the streetscene, the location and prominence does not give material planning concerns about the impact on the character and appearance of the area.

5. Bin storage and cycle storage is to the rear of the site and is appropriately sited. The proposed access is well located and the site provides 2 off road parking spaces which is the minimum amount requested for a 3 bedroom dwelling under Appendix 6 of the SELLP. The parking layout allows for vehicles to exit the site in a forward gear. The County Highways & SUDS Officer has no objections to the proposed plans.

11. There is not considered to be a material impact on neighbouring land uses from noise, odour or disturbance. With regard to visual intrusion, the east facing window serving bedroom 1 and the hallway door access face the blank side elevation wall of the detached garage serving 14 Harrington Drive. The east facing window serving the lounge directly faces the blank side elevation wall of 14 Harrington Drive, however some of the upper roof of the rear elevation conservatory can be seen by the occupant. This is not considered to amount to a material overlooking aspect. A stepped access is provided to the rear of the dwelling to prevent material overlooking from the rear elevation.

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12. The site is within Environment Agency Flood Zone 3, and in a "Danger for All" hazard area, with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. Finished floor levels are set at 2.4mAOD which translates to 1.15 metres above ground level. Surface and foul water drainage would be carried by the existing foul water drainage. Anglian Water has agreed to this arrangement.

The proposal accords with SELLP Policy 3.

Assessment against SELLP Policy 4 - Approach to Flood Risk

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 area with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) is the basis for applying the Sequential Test. This concludes that the vast majority of South Holland District is in Flood Zones 2 and 3. Therefore, consistent with wider sustainability objectives, it is not realistically possible to direct all development to zones with a lower probability of flooding. As such, the document outlines a methodology whereby the SFRA hazard and depth maps (in that order) are to be utilised when determining flood risk and applying the sequential test. Using this methodology it is possible to use the information to steer development towards the areas of lower flood risks as advised within Section 14 of the NPPF.

The site is located within Environment Agency Flood Zone 3 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) (SFRA) shows that the site falls within a "Danger for All" hazard zone, with predicted flood depths of up to 2 metres.

The Local Plan has allocated sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. Although the application site is not a housing allocation within the Local Plan (only suitable sites capable of accommodating 10+ dwellings have been allocated), the site does lie within the settlement boundary for Crowland. In general, there is a presumption in favour of sustainable development within settlement boundaries and windfall sites are expected to have a contribution towards housing supply (and maintaining the 5-year supply of deliverable sites) in the district. As such, one could argue that, should the site be acceptable in all regards, and if the Exceptions Test is successfully passed, that the site is acceptable in flood risk terms, notwithstanding the fact that there are sequentially preferable allocated sites in the adopted Local Plan.

In order for the Exceptions Test to be passed, it must be demonstrated that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

With regard to the above, the development would provide some wider sustainability benefits to the community through a contribution (albeit small) towards housing supply, and other benefits including generating employment during the construction period and its proximity to a range of services and facilities.

The submitted flood risk assessment recommends that finished floor level of the bungalow should be set at 2.4mAOD which translates to 1.15 metres above ground level. Taking into account the predicted flood depths previously identified, this should ensure that the development is safe for its lifetime.

In terms of drainage, surface and foul water drainage would be carried by the existing foul water

drainage. Anglian Water has agreed to this arrangement.

Given the above, the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

PLANNING BALANCE

It is considered that a bungalow can be accommodated on this site without materially impacting the character and amenity of the surrounding area. Flood risk concerns are considered to have been fully met by a condition to add ladder access to safe refuge in the roof space. The fenestration amendments are considered to reduce potential overlooking and the fencing to the rear of the site is still at a height of 2.2 metre that minimises overlooking potential to the neighbouring rear gardens. The proposal is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 36 and 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.

CONCLUSION

The proposal is recommended for approval.

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.