

Application No:	H02-0189-23	Applicant:	Mr T Arlow
Proposal:	Proposed Dwelling (Plot 1) - outline approval H02-0564-22		
Location:	Plot 1 Adj. 17 Barbers Drove Crowland		
Terminal Date:	28th April 2023		

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
11	Distribution of New Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

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	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	5	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Reserved matters approval is sought for the erection of one dwelling. Outline planning permission was granted under approval H02-0564-22. The latter approval was part of a scheme for 3 dwellings subject to a S106 agreement, relevant sections of which have now been discharged for this plot.

The proposal is for one 4 bedroom dwelling with an integral garage. Materials are to comprise of concrete tile roofs and stock facing brickwork with black rainwater goods. The scheme incorporates 3 swift bricks. Permeable block paving is used for the parking areas.

The site forms part of a housing allocation in the South East Lincolnshire Local Plan (2019) (ref: Cro011). The site itself was part of land combined with the rear extending as far as the dwellings on Thorney Road, which benefits from full planning permission granted under reference H02-0064-21, which was for 41 dwellings.

Site Description

The site is an undeveloped parcel of land that fronts Barbers Drove North, sitting between 15 Barbers Drove North and James Road. There are a mixture of bungalows and two storey dwellings along this road and of varied designs. The land to the rear is open, being prepared for implementation of the larger scheme.

The plot is the other side of the access road to the larger scheme behind which shares the access to 17 Barbers Drove North. Together with a further driveway to a detached garage, this separates the plot somewhat from 15 Barbers Drove North.

History

H02-0564-22 -Outline - Residential development of 3 dwellings - Approved 31 January 2023

H02-0064-21 - Full - Demolition of existing dwelling and erection of 41 dwellings (approved February 2022)

Consultation Responses

Crowland Parish Council

No objections

Lead Local Flood Authority and Local Highways Authority

No objection, principle has been established.
Highway access would not have unacceptable impact on highway safety.

Internal Drainage Board

No objection.

Advice given on nearby riparian watercourse on north-eastern boundary.

Should new outfall be required for the site, formal Land Drainage consent will be required.

Public

6 responses were received (two from the same property) which raise some or all of the following points:

-Dwelling too large, out of keeping with bungalows. Plot overlooks and is adjacent to bungalow adjacent and opposite. Footprint takes up 90% of the plot, larger than original planning, deeper

foundations. Will be obtrusive, overbearing, reduce light to lounge, kitchen, diner of adjacent bungalow, four windows in total affected.

-Traffic concerns, construction disruption, building lorry trucks, state and size of turning circles previously ignored. Driveways blocked. Impacts on daily lives and commutes. Barbers Drove North is a very narrow, single road, of poor repair, no passing places, no turning facilities. Please consider temporary opening off James Road.

-There should be no parking on the Drove for construction workers. Object to use of Barbers Drove North for construction traffic and heavy plant. Barbers Drove North unsuitable for large vehicles. Builders should replace the road surface.

-Effect on holiday lets.

-Strain on infrastructure, facilities and services.

-Damage to grass area in front of house.

-Damage to road, sewers and drains.

Planning Considerations

Principle

The principle of development on the site has been established with both the allocation and two previous approvals. 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 to the site (including boundary treatment)).

Effect on Residential Amenity

The block plan shows one dwelling sitting adjacent to number 15 Barbers Drove North, which is set north west of the application site. Number 15 has an access road to a garage adjacent to its boundary. Google Earth indicates the width of this access to be approximately 3 metres. An existing access road exists close to the boundary with number 15 (separated by grass at present) linking to 17 Barber's Drove North at the rear, which is being retained, but the access itself will need to be reconfigured for the redevelopment of the larger site behind. On the outline block plan for the 3 houses under reference H02-0563-22, the access to 17 Barber's Grove is shown almost directly next to number 15's flank boundary wall, with a further 3m access as required by H02-0064-21 adjacent to it. The flank wall of the application premises is set next to this required access. The proposed dwelling is set in 1m from the flank boundary of the plot.

Objections have been raised which cite concerns about the dwelling being too large, comprising 4 bedrooms in comparison to the previous approval, being out of keeping and the footprint taking up 90% of the plot. Other concerns cite the dwelling being overbearing and obtrusive.

It is correct that the indicative drawings shown on H02-0564-22 do show smaller properties, but these were indicative only as the application was in outline form. The question is whether or not the larger dwelling as proposed would adversely affect the street scene or the amenities of number 15 Barbers Drove.

The building line along the north east side of Barbers Drove North is variable, with 15, 11 and 9 Barbers Drove all gradually tapering back from the front of their respective plots. The proposed dwelling will be set forward of its plot compared with the position of number 15. However, the proposed dwelling will have a front driveway of 7.4m. This is considered to be sufficient to not adversely affect the street scene.

The distance between the flank wall of number 15 Barbers Drove and the proposed dwelling is estimated to be approximately 11 metres (estimated to be 3 metres for number 15's drive to its garage; 4 metres for the reconfigured access for number 17; 3 metres for the required access as part of H02/0064/21 and a set in of 1 metre from the boundary of the application plot to the flank wall of the proposed dwelling). Given these distances, it is not considered that there would be loss of light, nor is it considered that the proposals would be overbearing on number 15. Whilst there would be a change to the view and outlook of number 15 from the 4 windows cited in the objection,

it is not considered that loss of view or outlook would be so severe as to justify refusal due to the separation distances mentioned above. However, in order to protect privacy a condition is suggested restricting further flank windows or other openings on the dwelling, and to ensure the first floor flank window is finished and maintained in obscured glass.

Concerns have been expressed in relation to loss of light to the bungalows opposite the application site. It is not considered that there would be significant loss of light to the bungalows opposite due to the set back of the bungalows within their plots, the front parking area of the application premises and the existence of the road in between.

Overall, whilst it is acknowledged that the proposed dwelling will be large, and two stories, the distance between the flank wall of number 15 and the flank of the proposed house is considered sufficient to ensure that there would not be a significant impact upon number 15 in amenity terms, nor the houses opposite. Similarly, the impact on the street scene is not thought to be severe enough to refuse planning permission. The overall height, scale, massing is considered to be in keeping with the locality and not significantly in conflict with policies 2 and 3 of the SELLP.

Layout, Scale and External Appearance

Layout

The proposed reserved matters show a layout of one property set back from the road to accommodate front parking with permeable light brown multi-block paving.

Two gables form the main feature of the front elevation, with finished floor levels set to 2.3 OD. Site levels are to be raised very slightly from existing ground level to match the road which is 1.82 OD. The design incorporates a rear projecting gable with indian slate patio and rear garden laid to lawn and landscaping. The rear garden is between 7.5 and 10 metres which is considered satisfactory for a modern development.

The layout incorporates at ground floor a living room, kitchen diner, utility room and integral garage. At first floor there are 4 bedrooms, one en-suite and one family bathroom.

The overall size of the plot necessitates a position reasonably centrally to have both front parking and a decent rear garden. As such, in terms of layout, the proposal is considered satisfactory and does not conflict with policies 2 and 3 of the SELLP.

Scale

The dwelling would be approximately 8.3m to the top of the ridge, 7.3m to the top of the largest gable, 5.3m to the top of the eaves and 11m wide. The flank of the proposed dwelling would be approximately 11m from the flank wall of number 15 Barbers Drove when measured on the Block Plan.

At this part of Barbers Drove, existing properties consists of a mixture of bungalows punctuated by two storey dwellings further along the road. Bungalows exist opposite the plot, with number 15 being a bungalow adjacent, but number 17, sat behind the building line, is two storey, and other two storey dwellings exist further along Barbers Drove. It is acknowledged that local residents feel that the plot should be a bungalow rather than two storey and they consider its height and scale would be obtrusive in the street scene.

However, the storey height on this plot was not restricted to bungalows in the outline consent, the layout does allow a small set in of one metre each side, and whilst set forward of number 15, there is an estimated separation distance of 11 metres from this property and the application property, and the proposed dwelling has a 7.4m driveway, setting it back from the road. These factors will reduce its prominence. It is not considered that refusal of planning permission due to its impact upon the street scene would be justified. The scale is not considered to adversely affect the street scene to such an extent that it would be contrary to policies 2 and 3 of the SELLP.

External Appearance

The external appearance of the dwelling in design terms comprises front gables, which reflect the style of houses in the locality, albeit some are bungalows. This aspect is considered acceptable. The facing bricks would be in Forterra Village Harvest Multi Buff bricks. This is considered to fit into

the properties nearby. Opposite the plot are four bungalows which have a mixture of green render, two bungalows with red bricks and one with buff bricks. The two storey property beyond is a brown brick. Adjacent is number 15 Barbers Drove which is in a light buff brick, as is the two storey property behind, 17 Barbers Drove. Given there is some variation in materials, the proposed brick colour is considered acceptable.

The roof tiles would be Crest Platinum Onyx Black roof tiles which would provide a good contrast to the brick choice. Tiles vary across the street and dark tiles have been used in more modern developments along Barbers Drove. Other features for the materials include reconstituted stone cills, white powder coated bi-fold doors, white UPVC windows and black UPVC rainwater goods. The meter boxes are shown on the flank of the dwelling. The front drive would be permeable light brown multi-brick paving, and there will be an indian stone patio at the rear. These materials are considered acceptable and would not materially impact on the street scene. The materials do not conflict with policies 2 and 3 of the SELLP.

Means of Access

The property would be served by a single means of access to the front parking and integral garage. It is acknowledged that numerous points on highways matters were raised, including the suitability of the road for development vehicles of the larger site, and construction vehicles, construction disruption and the blocking of driveways.

Some of the comments relate to the development of the wider site, and the principle in highways terms has been established with the approval. Construction disruption is unlikely to be significant for developing this one plot, and the comments reflect the overall development of the site which cannot be controlled via these reserved matter details.

Given that the Local Highway Authority raise no objection to the development of this dwelling, it would be unreasonable to refuse planning permission for the concerns raised associated with highways or construction matters.

The proposal incorporates a garage and at least 2 spaces for car parking which conforms with Appendix 6 of the SELLP.

Overall the proposed access is considered acceptable and does not conflict with policy 36 of the SELLP.

Landscaping

Landscaping comprises of one Acer tree set on the front drive with a narrow landscaping strip on the other side. The rear comprises a lawn and paving. The proposed fencing to the site is larger than normal, being a 2m fence with 600mm of trellis on top enclosing the rear garden. This is slightly higher than a conventional fence but is not considered to adversely affect the rear elevation. Along the front flanks there will be a 1.2m fence. These details are considered satisfactory. Three swift bricks are to be incorporated into the fabric of the building. The proposals do not conflict with policy 28 of the SELLP.

Other matters

Whilst it is acknowledged that objections raised issues associated with holiday lets, infrastructure, lack of facilities and services, damage to grass in front of house, damage to road, sewers and drains, these are not matters directly related to the processing of this reserved matters application and therefore planning permission could not be withheld as a result of these issues.

Conclusion

The proposal satisfactory complies with the reserved matters and is in accordance with Policies 2, 3, 28 and 36 of the South East Lincolnshire Local Plan, 2019. There are no significant factors in this case that indicate against the scheme and outweigh factors in favour of the proposal and the policies referred to above.

The planning balance lies in favour of the proposal for the reasons outlined above.

The recommendation is therefore for a delegated 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.