

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H02-0455-20	Applicant:	Postland Developments Ltd.
Proposal:	Proposed chalet bungalow with double garage - re-submission of H02-1202-19		
Location:	Land Between 44-46 Postland Road Crowland		
Terminal Date:	6th September 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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
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CASE OFFICER ASSESSMENT

Proposal

This is a full application for a chalet bungalow and double garage on Land between 44-46 Postland Road, Crowland. The proposal seeks to provide a double garage, utility room, kitchen / dining room, bedroom, bathroom and living room at ground floor level. At first floor level three bedrooms, an en-suite and a bathroom would be sited. There are no rear elevation first floor windows with roof lights providing the fenestration. The side elevation first floor window serving the en-suite would be obscure glazed. This is an application seeking to amend finished floor levels from 1 metre down to 500mm above ground level. All other elements of previously approved application H02-1202-19 remain the same.

Site Description

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. Seven chalet bungalows approved under H02-0438-18 to the north (rear) are currently under construction.

History

H02-0438-18 - To rear of site

Full - Erection of seven chalet bungalows, associated garages and car parking - Approved - 18 September 2018.

H02-1015-18

Full - Two chalet bungalows, car parking and gardens - Refused - 17 December 2018.

H02-1202-19

Full - Proposed chalet bungalow with double garage - Approved - 07 February 2020.

Consultation Responses

Environmental Protection Officer - On previous application

Requests full land contamination.

North Level Internal Drainage Board - On previous application

No objections

County Highways & SUDS Officer

Requests new access and new utility informatives.

Crowland Parish Council

No objections.

Planning Considerations

- Principle of the development
- Impact on the character of the area
- Position of electricity pole
- Flood risk

Principle of the development

The proposal is for frontage infill within the defined settlement limits of Crowland which is one of the largest settlements within the district. The principle of development on this site is considered acceptable. The previous application for two semi-detached chalet bungalows was refused as cramped and incongruous. This new design is considered to address the previous reasons for refusal.

Flood risk

The proposal site is now located in Flood Zone 1 of the Environment Agency Flood Mapping.

The South Holland Strategic Flood Risk Assessment (2017) is used as a basis to apply the sequential test. In this respect, the site is located within an area identified as "Danger to Most", with a maximum predicted flood depth of 500mm. However, it is not possible, consistent with wider sustainability objectives, for all new housing within the district to be delivered within an area of no risk and this is a less severe category. It is considered that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding. In this respect, the Authority views reasonably available sites as those that are deliverable and developable (as defined by the NPPF) for the use proposed within the area, can accommodate the general requirements of the development and are, in principle, in conformity with the objectives and advice within the National Planning Policy Framework and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

If it is not possible to locate the development within an area of lower flood risk, the exceptions test should be applied. The NPPF and the PPG set out two elements to the Exceptions Test. First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, the proposal will provide wider sustainability benefits to the community that outweigh flood risk; that is, the provision of additional housing a sustainable location within the district. In terms of the latter, the submitted details show that the new finished floor levels of the dwelling are to be sited 500mm above ground level.

Impact on the character of the area

There is not considered to be a material impact on the character of the area. Dwellings in the vicinity are of varying ages and design. The fenestration and height of the building minimises potential for overlooking and overshadowing to neighbouring properties.

Position of electricity pole

This is a matter that should not impact on the viability of the scheme and can be addressed by the County Highways & SUDS Officer should it be found to impact upon highways matters.

Lack of a front garden

This is a matter that is not considered to materially impact on the viability of the application. There are others properties in the vicinity without front gardens. The area is not of a defined architectural character and the occupant would have a sizeable garden to the rear of the property.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 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.