

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H02-0647-21	Applicant:	Mr S McBain & Miss L Robinson
Proposal:	Erection of Dwelling (Plot 3) - outline approval H02-0351-18		
Location:	Plot 3 Adj. 7 Barbers Drove South Crowland		
Terminal Date:	9th August 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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

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

CASE OFFICER ASSESSMENT

Proposal

Reserved matters approval is sought for the erection of a detached dwelling (Plot 3) on land adjacent 7 Barbers Drove South, Crowland. Outline planning permission was granted under application ref. H02-0351-18.

The proposal is for a 4-bed dwelling split across 3 floors. In accordance with Condition 5 of the outline permission, there are no habitable rooms at ground floor level, which will comprise of a garage, workshop, shower room, boot room, utility, hobby room, storage space and W/C. The first floor would accommodate the lounge, a bathroom, kitchen diner, study and balcony at the rear. The second floor would accommodate 4 bedrooms and associated en-suites and/or dressing space.

Site Description

The site is part of a wider field but the land immediately to the north-west benefits from two reserved matters approvals for the erection of two dwellings in total (H02-0724-20 and H02-1128-20). Existing development in the vicinity is predominantly detached frontage bungalows. The north-eastern and north-western boundaries are open, whilst hedging adjoins the south-western and south-eastern boundaries.

History

H02-0351-18 - Outline application for proposed residential development - 3 dwellings (approved June 2018)

Consultation Responses

Crowland Parish Council - No objections.

North Level Internal Drainage Board - No comment.

LCC Highways/SUDS - No objection. Requests two standard highways informatives.

Planning Considerations

Principle

As the principle of development on the site has already been established, 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).

Layout, Appearance and Scale

The proposal is for a 4-bed dwelling split across 3 floors. In accordance with Condition 5 of the outline permission, there are no habitable rooms at ground floor level, which will comprise of a garage, workshop, shower room, boot room, utility, hobby room, storage space and W/C. The habitable accommodation is therefore distributed across the first and second floors, the second floor being within what would traditionally be the roof space.

The proposed materials of construction are Vandersanden Corum facing bricks combined with smooth off white render on the front and rear elevations, with Sandtoft Calderdale Slate (or similar) roof tiles. Windows, doors, bargeboards and fascias would be off white or dark grey, and rainwater goods black UPVC. Full height glass windows are proposed to the front and rear elevations. The dwelling would therefore have a contemporary appearance. Existing properties along Barbers Drove South vary in terms of age and materials of construction and so it is not considered that a dwelling of a more contemporary appearance would be detrimental to the character and appearance of the locality. Plot 1 to the north-west also has a similar palette of materials and design.

Hard landscaping materials are limited to slate paving (footpaths, garage apron and patio), crushed stone (private drive) and brick wall to the front of the plot (bricks to match dwelling). This will be in keeping with the appearance and contemporary design of the proposed dwelling.

The proposed dwelling would be approx. 9.8m in total height, which would be around 1m higher than a standard 2-storey dwelling. The ground floor level would be almost level with the carriageway. The properties on the opposite side of Barbers Drove South appear to also be at carriage level or higher. Although properties in the vicinity are predominantly bungalows, the dwelling would sit well within the plot and would be set back from the carriage edge by approx. 14m. Furthermore, the two proposed dwellings to the north-west that already benefit from Reserved Matters approval are to be a similar height to this plot. Overall, it is considered that the scale of the dwelling is appropriate for the site.

Taking the above into account, the external appearance, layout and scale of the proposed dwelling is considered to be acceptable and the proposal in accordance with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Access and Parking

A single access point off Barbers Drove is proposed. The Highways Authority have been consulted and do not wish to restrict the grant of permission on highway safety grounds. The proposal is therefore considered to be in accordance with Policy 2 of the Local Plan which requires it to be demonstrated that access arrangements will be acceptable.

Appendix 6 to the Local Plan sets out minimum vehicle parking standards and requires at least 3 spaces for dwellings of 4 or more bedrooms. An integrated double garage is proposed and the property has a large frontage which could accommodate numerous vehicles. The proposal therefore complies with Appendix 6 in this regard.

Landscaping

The soft landscaping scheme comprises of tree planting (Red Maple, Rowan and Evergreen Magnolia) and grassed garden area. This is considered to be a suitable landscaping scheme for the site taking into account the low key landscaping to the frontage of existing properties on the other side of Barbers Drove South and is similar to that approved for the adjoining two plots.

The proposed scheme therefore complies with Policy 3 of the Local Plan in respect of its provisions on landscaping.

Residential Amenity

It is not considered that there would be a material adverse impact in terms of overlooking, overshadowing or the property being overbearing in nature.

There are no properties immediately opposite, to the rear or to the south/south-east, therefore there will be no detrimental overlooking aspect to those directions. The north-western elevation would face the side elevation of Plot 2 (Reserved Matters application ref. H02-1128-20) which has facing windows - 4 at first floor to the kitchen, dining and family space and a single bedroom window at second floor. There is therefore potential for an overlooking aspect in that direction. However, the plans for this application have been revised since submission with the side facing bedroom dormer at second floor being substituted for a roof light, with the lowest part being at around average eye level. It is also proposed that all first floor windows on that elevation are fitted with window film to obscure visibility but, in all likelihood, the bathroom window would be obscure glazed in any case and the landing is not deemed a habitable space for planning purposes. Therefore the only window of real concern would be the lounge window. Although this is a relatively narrow window, the window film does provide reassurance that there will be no material overlooking from that window whilst closed and a condition can be added requiring the window opening to be on a particular side, thus limiting views further. The proposed landscaping on that side has also been amended so that the trees are now Evergreen Magnolia and will therefore provide screening between properties throughout the year. On this basis, it is not considered that there would be a material overlooking impact between Plots 2 and 3.

The proposed dwelling would be approx. 9.8m in total height, however, at an approx. 10m

separation distance from the position of the approved dwelling to plot 2 and taking into account the path of the sun, it is not considered that there would be a material overshadowing or overbearing impact.

It is noted that there is a balcony proposed to the rear of the dwelling, although the rear projection acts as intervening screening between the balcony and adjoining plot to the north-west. There are no dwellings in the other directions.

Ground levels surrounding the dwelling are to remain as existing (as is the case with the neighbouring plot), therefore the proposed 2m high boundary fencing should be sufficient to maintain privacy to rear gardens.

In light of the above, the proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

Flood Risk and Drainage

In accordance with Condition 5 of the outline permission, there will be no sleeping accommodation at ground floor level and habitable floor levels will be in excess of 2m above existing ground level.

Surface water will be disposed of via soakaways and foul water via a treatment plant. There are no known permeability issues in Crowland that would affect the use of soakaways and, in terms of foul water disposal, a single treatment plant is acceptable given the nature of the development.

Given the above, it is considered that the proposal accord with Policies 2, 3 and 4 of the Local Plan which require proposals to provide appropriate means of drainage and be flood resilient.

Planning Balance

The principle of residential development on this site has already been established by virtue of the outline permission. It is not considered that the proposal would materially harm the character or appearance of the locality or amenity of residents. There are no material highway issues and parking levels are in accordance with the Local Plan requirements. Flood risk and drainage matters are considered to have been appropriately addressed.

Taking the above into account, the planning balance is considered to be in favour of the proposal.

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.

Conclusion

Taking into consideration the above, the proposed development is considered to be in accordance with Policies 2, 3, 4 and 36 (and Appendix 6) of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.