DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0654-20**	**Applicant:**	**County Builders**
Proposal:	Erection of detached bungalow		
Location:	4 Crease Drove Crowland Spalding		
Terminal Date:	13th October 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 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	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for the erection of a detached bungalow on garden land to the rear of 4 Crease Drove, Crowland. The proposal seeks to provide three bedrooms, an en-suite, bathroom, utility, lounge and a combined kitchen / dining area. Proposed materials are to match those of the recently approved bungalow on land to the rear of 2 Crease Drove under application reference H02-0030-20. Proposed brick is Butterley Rossendale Smooth Red Bricks with Sandtoft Calderdale Edge Smooth Grey concrete pantiles. Windows, doors and rainwater goods are to be grey UPVC.

The original proposal sought raised decking to the rear but this was removed at the request of the Local Planning Authority as it was considered that it would cause a material overlooking aspect.

SITE DESCRIPTION

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The proposal site is in Flood Zone 1 on the Environment Agency flood maps, and shows as a "Danger for All" hazard area with a maximum predicted flood depth of 1 metre on the 0.1% probability 2115 South Holland Strategic Flood Risk Mapping. The 0.1% probability mapping is used for single storey buildings.

HISTORY

H02-0579-16

Full - Proposed new wheelchair friendly chalet bungalow - Refused - 01 August 2020.

CONSULTATION RESPONSES

SHDC - Environmental Protection Officer

No objections.

North Level Internal Drainage Board

No objections.

Crowland Parish Council

The Parish Council have no objections to this application but note that there may be a parking issue.

Member of the public - 1 - objections

Overlooking
Traffic

Noise
Disturbance

PLANNING CONSIDERATIONS

Principle of development

The proposal is within the defined settlement limits so the principle of development in this location is acceptable. As the bungalow would be sited to the rear of the existing dwelling, consideration needs to be made as to potential overshadowing or overlooking impacts.

This application is assessed against SELLP Policy 2 titled Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria, the following is observed:

1. The size, scale, layout and level of amenity is comparable to that of the approved dwelling at the rear of 2 Crease Drove to the north. No trees are affected by the proposal. The character and appearance of the surrounding area would not be materially affected as a precedent for garden development in the vicinity has already been established by the bungalow approved under H02-0030-20 to the adjacent garden to the north.

2. The design is similar to that of the 2 Crease Drove bungalow and materials are to match. This is considered to aid the visual amenity of the surrounding area. The orientation of the bungalow is on an east-west axis to match nearby properties.

3. The proposal does not seek to maximise sustainable materials and resources, but does seek to utilise matching materials to those of the adjacent approved bungalow to aid visual amenity.

4. Access would be via an existing access to the southern side of 4 Crease Drove. Two parking spaces would be provided for the existing dwelling with two for the new bungalow. This meets minimum parking standards under Policy 36 and Appendix 6 of the SELLP. The level of vehicle generation is not considered to be above that of any other dwelling in the vicinity.

5. Crowland is Main Service Centre in the SELLP and 524 new dwellings are sought for this settlement by 2036. This bungalow would contribute toward that total.

6. There is not considered to be material increase in noise, odour, disturbance or visual intrusion from the proposal. The southern elevation window serves an obscure glazed bathroom so there is not considered to be an overlooking aspect from this elevation. The two western elevation windows serve two bedroom. It is considered that as common when bedrooms are in use that the curtains / blinds will be closed and then opened when the room is not in use. Any views toward 6 Crease Drove would be blocked by the detached garage serving number 6 that is adjacent to the boundary. Therefore there is not considered to be an overlooking aspect to and from these rooms.

The northern elevation has two windows that serve an en-suite and a bedroom. This elevation faces an en-suite window and two windows that serve a lounge. Therefore, it is considered again that the occupant of the 4 Crease Drove bungalow would be likely to close the curtains / blinds to prevent any overlooking when the bedroom is in use. The windows to the eastern elevation serve a utility room and a lounge, they can be accessed by stairs to the exterior. The original design included rear

elevation decking but this was considered to create a material overlooking aspect so this element was removed at the request of the Local Planning Authority. The rear elevation of the property is 8.5 metres from the boundary with 2 Coronation Avenue. The windows face the rear garden and not the dwelling at 2 Coronation Avenue. There is not considered to be a new overlooking aspect as this garden is already overlooked by the adjacent semi-detached dwelling at 4 Coronation Avenue.

7. The proposal has been raised to 1 metre above ground level to address flood risk concerns and the North Level Internal Drainage Board has no objections to the submitted drainage details.

8. There is not considered to be any impact on natural habitats, historical buildings and heritage assets.

9. The proposal does not impact sand or gravel mineral resources.

The proposal is considered to accord with Policy 2 of the SELLP.

Setting a precedent

It is not considered that a precedent would be set if this proposal were to be allowed. Recently permission has been granted for three dwellings to the rear of 65 Peterborough Road, Crowland under reference H02-0758-19 and to the rear of 10 Peterborough Road H02-0332-19. These were both granted approval under the 2019 South East Lincolnshire Local Plan and in the context of a five year housing land supply.

Additionally, the adjacent property at 2 Crease Drove has been granted full planning permission for the erection of a bungalow to the rear under reference H02-0030-20 and therefore whilst each application is judged on its own merits, the principle of development to the rear of properties in the vicinity is considered to have been established under current local and national policy.

When assessed against the previously refused application H02-0579-16, the following can be observed. The previous proposal did not satisfactorily address ground floor level risk. Despite the proposal allowing safe egress to the first floor of the chalet bungalow this afforded a material overlooking aspect from the rear elevation window, and created an overshadowing aspect by virtue of it's height and siting. This new application has satisfactorily addressed all of the above concerns.

Topography

The topography of the site is broadly flat, as is the surrounding area, with the average of a 20 centimetre drop from the front of the site at Crease Drove to the rear boundary.

Parking provision

Access would be via an existing access to the southern side of 4 Crease Drove. Two parking spaces would be provided for the existing dwelling with two for the new bungalow. This meets minimum parking standards under Policy 36 and Appendix 6 of the SELLP. The level of vehicle generation is not considered to be above that of any other dwelling in the vicinity.

Traffic / noise

There is not considered to be a material increase in traffic or noise arising from the proposal. The proposal site can accommodate two vehicles and noise is not anticipated to exceed that of background residential noise in what is an established residential area.

Flood risk

The proposal site is in Flood Zone 1 on the Environment Agency flood maps, and shows as a "Danger for All" hazard area with a maximum predicted flood depth of 1 metre on the 0.1% probability 2115 South Holland Strategic Flood Risk Mapping. The 0.1% probability mapping is used for single storey buildings. The finished floor levels of the bungalow will be set a minimum of 1 metre above ground level.

Impact on soakaway

Appropriately sited and functioning soakaways should not impact on surface water drainage in the

area. This is a matter that can be addressed by condition. The soakaway will be sited a minimum of 5 metres from the proposed bungalow. North Level Internal Drainage Board has expressed no drainage concerns.

Loss of privacy / overshadowing

The southern elevation window serves an obscure glazed bathroom so there is not considered to be an overlooking aspect from this elevation. The two western elevation windows serve two bedroom. It is considered that as common when bedrooms are in use that the curtains / blinds will be closed and then opened when the room is not in use. Any views toward 6 Crease Drove would be blocked by the detached garage serving number 6 that is adjacent to the boundary. Therefore there is not considered to be an overlooking aspect to and from these rooms.

The northern elevation has two windows that serve an en-suite and a bedroom. This elevation faces an en-suite window and two windows that serve a lounge. Therefore, it is considered again that the occupant of the 4 Crease Drove bungalow would be likely to close the curtains / blinds to prevent any overlooking when the bedroom is in use. The windows to the eastern elevation serve a utility room and a lounge, they can be accessed by stairs to the exterior. The original design included rear elevation decking but this was considered to create a material overlooking aspect so this element was removed at the request of the Local Planning Authority. The rear elevation of the property is 8.5 metres from the boundary with 2 Coronation Avenue. The windows face the rear garden and not the dwelling at 2 Coronation Avenue. There is not considered to be a new overlooking aspect as this garden is already overlooked by the adjacent semi-detached dwelling at 4 Coronation Avenue.

Impact of development

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

CONCLUSION

The proposal is considered to be acceptable in this location and accords with local and national policy. This application is therefore recommended for approval in line with the criteria of 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.

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.