DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0691-21**	**Applicant:**	**Mr K Robinson**
Proposal:	Erection of detached dwelling and revised parking facilities		
Location:	Land Opposite 56-60 Reform Street Crowland		
Terminal Date:	20th August 2021		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2021

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
13. 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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0
SHDC INTERNAL	0	0	1	0
RESIDENTS	2	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a full application seeking permission for erection of a detached dwelling and revised parking facilities at land opposite 56-60 Reform Street, Crowland.

Site Description

The site is situated within the settlement limits of Crowland, according to the South East Lincolnshire Local Plan, 2019.

The site sits to the north of 38a to 40 Broadway and to the west of Reform Street. The site is currently used for residential car parking. To the north of the application site is a residential development currently being built, which was approved under H02-0405-17 (outline) and H02-1020-19 and H02-0448-18 (subsequent reserved matters).

The dwellings along Reform Street are mostly terraced dwellings, with no front gardens and parking along the one way road.

History

H02-0257-06- Approved 28-04-06- Erect two dwellings (semi-detached).

Consultation Responses

Public (2 Objections and 2 Comments):
- Concern regarding parking arrangements due to loss of existing parking spaces for residents and potential for increase pressure on on-road parking along Reform Street; potential for associated impact on accessibility for emergency services and highway safety
- Detached two storey dwelling in a small area will be at odds and not in keeping with the existing properties
- Concern regarding overlooking
- Impact on light and airiness surrounding properties
- Recommendation for a planning condition requiring the installation of a minimum of 4 swift nest bricks to provide enhancement for biodiversity.

Crowland Parish Council:
- The Parish Council has concerns about the parking spaces accessible from Reform Street, where on-street parking opposite will make access very tight. Otherwise, the PC has no objection to the development.

North Level District IDB:
- No comment.

LCC Historic Environment Officer:
- No archaeological impact.

SHDC Environmental Protection Officer:
- No comments or objections.

Local Highway and Lead Local Flood Authority:
- Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has 1 parking space, and whilst it is possible that the development may result in more parking demand than this space, there is parking available on the highway in the vicinity and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

Planning Considerations

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The key considerations in this case are:
- Principle/Policy
- Layout, Design, Size and Scale
- Impacts upon Residential Amenity
- Flood risk and Drainage

Principle/Policy

The site is situated within the defined settlement boundary of Crowland, according to the South East Lincolnshire Local Plan (2019) Inset Map No 3.

Policy 1 of the Local Plan (Spatial Strategy) classifies Crowland as a "Main Service Centre". "Development" in Main Service Centres "will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities."

The proposal would be carried out on a plot between an existing and proposed dwelling on a site currently under construction, therefore this development can be considered infill development. The intended dwelling could entail the arrival of new residents to Crowland, or encourage existing residents of Crowland to remain within the village, who would potentially use the services and facilities of Crowland, most of which are within a reasonable 500m walk of the site.

Overall, it is deemed that the proposal would help sustain existing facilities in line with Policy 1 of SELLP. Therefore, the principle of development for the proposal on the application site would be acceptable.

Flood Risk

In terms of flood risk, the application site is situated in Flood Zone 1 according to the GOV Flood Map for Planning. Therefore, the proposed detached dwelling would appear to be situated in a low flood risk area and be sequentially preferable on the face of it.

However, the South East Lincolnshire Strategic Flooding Risk Assessment (March, 2017), on the 1% Fluvial and 0.5% Tidal Event Probability mapping, states that the site is located within an area of "Danger for Most" with flood depths of up to 1m.

Therefore, based on the South East Lincolnshire Strategic Flood Risk Assessment Standing Advice: "Proposals should have Finished Floor Levels set 1m above ground level, with flood resilient construction to a height of 300mm above the predicted flood depth". A two storey dwelling would be in accordance with these requirements and a condition requiring finished floor levels to be raised could be imposed if permission were to be granted.

The proposal is considered to satisfactorily accord with Policies 2, 3 and 4 of the Local Plan which require flood risk to be taken into account.

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed dwelling measures approx. 7.5m in depth and 5m in width. The maximum height of the proposed dwelling will be approx. 7.7m. The central part of the plot where the dwelling would be located is approx. 8m in width, with the overall depth being approx. 20.8m. The boundary to the north is a minimum distance of approx. 1.6m away from the proposed dwelling and the boundary to the south is approx. 1m away from the south elevation of the proposed dwelling. This is a reasonable separation distance to boundaries and the external amenity space provided would be comparable to other newer properties in the vicinity.

In terms of the design of the dwelling itself, the proposed detached two storey dwelling is not considered to be unduly at odds with the overall design and character of the area, with similar detached and semi detached dwellings to the south at no. 40 and no. 38a/b, as well as those properties currently being constructed to the north. In the context of surrounding existing and proposed (under construction) development, it is not considered that a dwelling in this location would materially impact the street scene such that it would warrant refusal of the application.

Buff brick walls and grey slate tiles are to match those at 38a/b as closely as possible. White upvc fascias, soffits and sash windows are proposed for the detached two storey dwelling. These are acceptable in the context of surrounding development.

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.

Impacts upon Residential Amenity

The front elevation of the proposed detached two storey dwelling is approx. 15m from the front elevation of the property at no.58 Reform Street and is considered to be tantamount to typical frontage relationship on a terraced street such as this.

The only side facing window at first floor would be to the landing on the southern elevation. As this is not considered a habitable space, there would be no overlooking in this regard.

The rear elevation of the proposed dwelling would be approx. 20m from the side conservatory of no. 36, which is just a sufficient separation distance.

They key issue is the separation distance to no. 38b. At 9m away, it is considered that the proposed dwelling will have a material overbearing impact on that property, which will be exacerbated by the requirement to raise floor levels by 1m. 12m separation distance between two storey dwellings where there is a side to rear relationship is the generally accepted distance. This distance is achieved to the properties to the north.

Taking the above into account, the proposed two storey detached dwelling is not considered to be compliant with Policies 2 and 3 in the SELLP, 2019 and is contrary with Section 12 in the NPPF, 2021 in terms of residential amenity.

Parking Provision

There are three car parking spaces indicated to the front of the proposed 2 bed dwelling, however only one of these is shown to be for the new dwelling.

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car

parking provision. 2 no. car spaces must be provided within the curtilage for dwellings with up to 3 no. bedrooms. As previously mentioned, the plan shows that there is only one car space for the proposed dwelling with the other two spaces being for no. 38a and 40.

Concerns have been raised by the public regarding parking arrangements and difficulty to park on Reform Street. The Local Highway Authority have not objected to the proposed development but they do not have their own parking standards and the proposed parking arrangements are clearly not in accordance with Policy 36 in the SELLP, 2019. Whilst there may be on street parking available in the day time whilst occupants are at work, experience is that terraced streets such as this are challenging to park in in the evening and the provision of only one space for this property would exacerbate the issue further and contribute towards inconvenient parking arrangements.

Planning Balance

The principle of residential development on the application site is acceptable when assessed against Policy 1 of the Local Plan. Furthermore, the appearance of the proposed dwelling is acceptable and the proposal is acceptable in flood risk terms. However, it is considered that by virtue of the separation distance between no. 38b and the proposed dwelling, there would be a material overbearing impact on the former, and parking provision is not in accordance with policy.

The proposed development is therefore considered to be contrary to Policies 2 and 3 of the Local Plan, as well as Appendix 6 and the planning balance tips against 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

The recommendation is for a delegated refusal.