DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0758-19**	**Applicant:**	**Postland Developments Ltd**
Proposal:	Erection of 3 dwellings and garages - approved under H02-0082-17. Modification of Condition 2 to allow amendments to previously approved plans		
Location:	Land To Rear Of 65 Peterborough Road Crowland Peterborough		
Terminal Date:	27th September 2019		

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

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

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	1	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a Section 73 application for the erection of 3 dwellings and garages - approved under H02-0082-17. Modification of Condition 2 to allow amendments to previously approved plans. The full planning approval for application H02-0082-17 remains extant until 05 May 2020.

Plot 1 at the south of the site seeks to provide a utility, bathroom, study and combined kitchen / dining / living area. A bathroom and two bedrooms will be sited in the roof spaces upstairs. A double garage would be sited to the east of the property.

Plot 2 is a two-storey property and is located in the north-west corner of the site with single garage to the side. A bathroom, kitchen, study, living room and utility will be provided at ground floor level, with two bedrooms, an en-suite and a bathroom at first floor level.

Plot 3 is a two storey property and is located to the north-east of the site. At ground floor level a water closet, utility, study, living room and a combined kitchen / dining area are to be provided. At first floor level three bedrooms an en-suite and a bathroom are to be provided.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design.

History

H02-0875-86

Outline - Residential development with provision of access (to be made between no's 71 & 77 Peterborough Road) - Approved - 12 June 1987

H02-0963-88

Reserved Matters - Erection of 147 dwellings along with roads, sewers' garages and all ancillary works - Approved - 28 June 1989

H02-0912-94

Full - Erection of 147 dwellings, estate roads and public open space and ancillary works - Approved - 20 March 1995

H02-0259-95

Full - Erection of 119 dwellings, estate roads and ancillary works and public open space - Approved - 12 September 1995

H02-0052-96

Condition Compliance - Details of additional landscaping (Condition 3 of application H02/0259/95) - Approved 02 May 1996

H02-0784-96

Condition Compliance - Schedule of materials Condition 2 of H02/0259/95 - Approved - 02 September 1996

H02-0562-97

Full - Erection of 7 dwellings (substitution of plots 4, 10, 17, 18, 24, 25 and 28) - Approved - 15 July 1997

H02-0964-97

Advertisement - Erect developers sign board - Approved - 30 October 1997

H02-0760-01

Full - Extension to bungalow - Approved - 14 August 2001

H02-1525-07

Full - Residential development - erection of detached bungalow - Approved - 21 January 2008

H02-0018-09

Full - Proposed 3 bed dwelling - Approved - 13 February 2009

H02-0702-09

Outline - Residential development - 4 dwellings - Approved - 11 February 2010

H02-0394-11

Full - Erection of detached double garage - Approved - 20 July 2011

H02-1027-12

Permission Renewal - Residential development - 4 dwellings (Renewal of H02-0702-09) - Approved 11 February 2013

H02-0577-13

Full - Proposed single storey front extension to form new garage, bedroom, shower room and extended entrance hall, single storey rear extension to form garden room, new pitched roof over existing rear extension, internal and external alterations and new rear canopy to provide covered patio area - Approved - 30 August 2013

H02-0835-14

Full - External render to parts of existing brickwork (in relation to previously approved extension H02-0577-13) - 26 November 2014

H02-0082-17

Full - Erection of 3 dwellings and garages - Approved - 05 May 2017

H02-1037-17

Condition Compliance - Details of Conditions 3, 4, 5, 6, 9, 10, 11 and 12 of H02-0082-17 - Approved - 18 October 2018

Consultation Responses

Crowland Parish Council

Objects - Overdevelopment

North Level Internal Drainage Board

No comments

Member of the public - 1 Objection

Damage to foundations
Width of Access
Overlooking

Planning Considerations

Principle of development
Overdevelopment
Damage to foundations
Width of Access
Overlooking

Principle of development

The site is within the settlement boundary for Crowland defined in the South East Lincolnshire Local Plan, 2019. Outline planning permission was granted, first in 2009 and renewed in 2013 for the erection of 4 dwellings, including the demolition of the existing bungalow 65 Peterborough Road. The permission lapsed in 2016. Full planning permission for the erection of 3 dwellings on this site was granted under H02-0082-17. It is therefore considered that there is an evidenced history of this site being considered as suitable for residential development.

Overdevelopment

The proposal is a considerable reduction in the height and bulky appearance of the buildings previously approved in 2017. Previously permission had been given for four dwellings on this site. The proposal as it stands better compliments the area than previously approved designs, providing an acceptable level of amenity for both occupants and neighbouring properties.

Damage to foundations from vehicular movements during and post construction

There is not considered to be a significant risk from damage to foundations from vehicular movements during and post construction. The access is wide enough to allow large vehicles onto site during construction and post construction adequate parking and manoeuvrability is available to site users. If significant vibrations are generated from vehicular movements, this is a matter that can be assessed by the Environmental Health Technician but it is not expected that this will occur.

Width of access

With regard to the width of the private road and vehicular noise , the County Highways & SUDS Officer has no objections to any of these matters. The adjacent roads of Harvester Way and Peterborough Road generate demonstrably larger vehicular movements and noise in comparison to the proposal site.

Overlooking

The land current varies between 1.17m and 1.48m AOD and the proposal is for the finished floor levels to be at 1.9m AOD with the surrounding land graded to 1.4m AOD. Given that there is only one rear window out of the three plots that faces a property this is considered to represent an acceptable level of overlooking in a high density development area. All other rear facing fenestration is achieved through rooflights.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 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.