DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-0394-21**	**Applicant:**	**Mr Richard Urquhart**
Proposal:	Demolition of existing bungalow, construction of two semi-detached dwellings along with vehicle parking and amenity space, with two dropped kerb access (part retrospective).		
Location:	Sixpenny Piece Campains Lane Deeping St Nicholas		
Terminal Date:	10th September 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 2021

11. Making effective use of land
12. Achieving well-designed places
12. 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
SHDC INTERNAL				

	0	0	1	0
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for the demolition of the existing bungalow and a construction of two semi detached dwellings at Sixpenny Piece, Campains Lane, Deeping St Nicholas.

Site Description

The site is situated within the settlement of Deeping St Nicholas, according to the South East Lincolnshire Local Plan, 2019. It is located on the north-western side of Littleworth Drove, with a large front garden facing south-east. The rear of the property has access off Campains Lane, which is a private road to the rear of the dwellings along this section of the road.

History

No relevant planning history.

Consultation Responses

Deeping St Nicholas Parish Council- Discrepancies with no. of bedroom and car spaces. Two storey dwelling considered out of keeping.

SHDC Environmental Protection- No comments or objections.

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

Public (2) Comments-
Two storey build with have a detrimental affect upon standard of living. Privacy is undermined and concerns of overlooking. Traffic will be increased and highway safety. Dropped kerb access no permission prior to being done. Concerns over the dispersal of treatment plants for each house. Natural light will be impacted. Overdevelopment and not in keeping with existing surrounding development.

Planning Considerations

- Policy/principle
- Layout, scale and appearance
- Flood risk and drainage
- Parking provision
- Impact upon residential amenity

Principle

The site is inside Deeping St Nicholas Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Minor Service Centres, including Deeping St Nicholas, development 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. Development will normally be limited to Allocated and Committed sites and infill.

The proposal would be carried out on a plot which has an existing bungalow. Furthermore, the intended dwellings could entail the arrival of new residents to Deeping St Nicholas, or encourage existing residents to remain within the village, who would potentially use the services and facilities of the village, 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. It would also represent infill development. Therefore, the principle of development for the proposal on the application site would be acceptable.

Layout, Design, Size and Scale

Paragraph 130 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 plot itself is approx. 18.5m wide and 48m deep. The proposed dwellings would be approx. 1.2m from the boundary on each side, approx. 6.2m from facing elevation of the property to the south west and approx. 3.2m away from the side elevation of the property to the north-east. Each of the proposed dwellings will be approx. 12.4m deep and an overall width of approx. 8.2m. They sit well within the plot and are not unduly close to any neighbouring dwelling. The dwellings are proposed to be two storey, both with private gardens to the rear of the property. Although they are two storey dwellings situated next to a bungalow, the maximum height of the proposed dwelling is not such that it would be considered unacceptable in regards to design. The proposed orientation of both dwellings is considered to be acceptable and aligns well with the frontage development of the existing dwellings along Littleworth Drove. Furthermore, the appearance of the proposed development would improve the visual amenity of the site by remedying a relatively untidy area of land. As well as this, the proposed two storey dwellings are considered to be congruent with the surrounding residential development, as two storey dwellings can be seen to the south of Littleworth Drove and also along the north east of Campains Lane. Therefore, both two storey dwellings are considered appropriate in term of character and appearance of the surrounding area.

Further information on the landscaping details is required to be satisfactory. Therefore a recommendation of a landscaping details condition will be sufficient.

Given the above, it is considered that the proposed development complies with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 with regard to design, layout and scale. It also complies with Section B2 of the National Design Guide which require a site's context to be taken into consideration.

Flood risk and drainage

The site is within Flood Zone 2 within the Environment Agency Flood Maps and also an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment, 2017. The proposal therefore passes the sequential test.

It is recommended that the finished floor levels are approx. 0.6m above ground floor level. There are no details of the levels on the plans, therefore a condition to require the details of the levels agreed to be agreed. The existing boundary fence to the west boundary is considered to provide sufficient screening, as well as the 2m high fencing to the east boundary which will remain.

Further information on surface drainage water is required to be satisfactory. Therefore, a recommendation of a condition for surface water drainage details has been added.

The proposal satisfactorily complies with Policy 4 of the South East Lincolnshire Local Plan, 2019 in this respect.

Parking Provision

Policy 36 of the South East Lincolnshire Local Plan, 2019 emphasises that all new development should comply with the local authority's parking standards and that parking should be integral within

the design. Appendix 6 of the Local Plan sets out minimum parking standards and requires a minimum of 3 vehicle parking spaces for dwellings with more than 3 bedrooms. The proposal complies with this requirement.

Impact upon Residential Amenity

The public comments include concerns of overlooking. There are no windows proposed to be facing the side elevations of the property at first floor, apart from the landing windows which will be obscure glazed. The existing properties either side are single storey dwelling to the east and a two storey dwelling to the west which has a side elevation window which is considered to also be the landing window, meaning that there should be no overlooking in respect of ground floor and first floor side facing windows of habitable spaces.

In terms of the relationship with properties opposite, it would be no different to a typical front to front relationship either side of a road.

Given the aforementioned separation distances to properties and lack of side facing windows to the property to the north-east, it is not considered that there would be a material overbearing or loss of light impact.

Given the above, it is considered that it has been demonstrated that the proposal would comply with Policy 3 of the South East Lincolnshire Local Plan (2019) in respect of its provision for residential amenity.

Highway Safety

The dropped kerbs to the front boundary are both approx. 4m wide, providing access to Littleworth Drove and will lead to a hard standing surface of a U-shaped drive, with an entrance and exit access to the main road.

Lincolnshire County Council have been consulted in their capacity as Highways Authority and have raised no concerns with the proposal.

Given the above, the proposal is considered to be in accordance with Policies 2 and 3 of the Local Plan. Policy 2 requires sustainable development considerations to be met, including with regard to access. Policy 3 requires development proposals to consider the layout of parking. It is also in accordance with Section 9 of the National Planning Policy Framework (2019) which requires development proposals to ensure safe and suitable access for all users.

Planning Balance

The principle of residential development on the application site is acceptable when assessed against Policy 1 of the Local Plan. The character of the proposed dwellings are similar to other dwellings that can be seen down Campains Lane, and is therefore deemed as acceptable. It is not considered that the proposal would result in a material adverse impact on residential amenity and the proposal is acceptable on flood risk, highways and parking grounds.

In light of the above considerations, the proposal is considered to comply with Policies 1, 2, 3, 4, 10 and 36 (and Appendix 6) of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 of the National Planning Policy Framework (NPPF), 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.

Conclusion

The recommendation is for a delegated approval.