

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H03-0476-22	Applicant:	Mr & Mrs Avery
Proposal:	Details of external materials, FRA, existing & proposed site levels, proposed soakaway system for disposal of surface water, details of means of foul water disposal, landscaping, boundary treatments, design & position of external meter boxes, gas flues & soil vent pipes and a detailed car parking plan (Conditions 3, 5, 6, 7, 8, 9, 10, 11 & 16 of H03-0445-21)		
Location:	Lucks Bridge Farm South Drove Pode Hole		
Terminal Date:	18th August 2022		

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
22	Replacement Dwellings in the Countryside
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

- 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
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL	0	0	0	1

DRAINAGE BOARD				
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application at Lucks Bridge Farm, South Drove, Pode Hole for details of external materials, FRA, existing & proposed site levels, proposed soakaway system for disposal of surface water, details of means of foul water disposal, landscaping, boundary treatments, design & position of external meter boxes, gas flues & soil vent pipes and a detailed car parking plan (Conditions 3, 5, 6, 7, 8, 9, 10, 11 & 16 of H03-0445-21)

SITE DESCRIPTION

The application site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3, and is in a "Danger for Some" hazard area, with a maximum predicted flood depth of 1 metre to the rear of the site. The dwelling will not be sited on this area, and is in an area with a maximum predicted flood depth of 500mm. The finished floor levels of the dwelling will be set at 600mm above ground level with a further 300mm of flood resilient and resistant construction.

HISTORY

H03-0445-21

Full - Demolition of existing dwelling and outbuilding and erection of 2 storey dwelling - Approved - 03 February 2022.

CONSULTATION RESPONSES

Lincolnshire County Council

No objections - *"The details submitted to discharge conditions 3,5,6,7,8,9,10,11 and 16 attached to Decision Notice H03-0445-21 are acceptable in accordance with approved details submitted with this application."*

South Holland District Council - Environmental Protection

No objections.

Environment Agency

"The application does not seem to have any details to approve for condition 5 and therefore we have no further comments to make on this application."

Welland & Deepings Internal Drainage Board

"If any discharges of surface water or treated effluent are proposed to any watercourse, either now or in the future, then the prior written consent of the Board will be required which is subject to the agreement of technical details, payment of application fees and any relevant development contribution."

PLANNING CONSIDERATIONS

Assessment against Condition 3 of H03-0445-21 - Materials Schedule

Proposed brick will be Imperial 65mm Reclamation Shire Blend with Sandtoft Arcadia Reclaimed Pantiles. The rear projection element will have natural finish larch cladding with a zinc roof covering. Windows are to be Slim profile Black Aluminium Fenestration with Oak 200mmx200mm posts & arched gallows brackets.

The proposed materials are considered to be appropriate for the site and are in keeping with those of other countryside dwellings and buildings in the vicinity.

Condition 3 has now been addressed.

Assessment against Condition 5 of H03-0445-21 - Development in accordance with Flood Risk Assessment

Finished floor levels shall be set no lower than 2.4 metres Ordnance Datum Newlyn (mODN) with flood resilient construction to a height 300mm above the predicted flood depth. This is in accordance with the approved Flood Risk Assessment under H03-0445-21.

Condition 5 has now been addressed.

Assessment against Condition 6 of H03-0445-21 - Details of Existing and Proposed Site Levels

The site level will be 50mm above ordnance datum to comply with the approved Flood Risk Assessment. The existing site levels will not generate an overlooking or overshadowing aspect. With regard to the new site levels and finished floor level the following can be observed:

Overshadowing - The dwelling known as Lauri-Dene is 42 metres away to the north beyond hedging and fields. To the south the dwelling of Norfolk House is 36 metres away. There are agricultural buildings in the curtilage of Norfolk House that are 7.5 metres away from the dwelling at the nearest point. The largest building adjacent the boundary is approximately 4.5 metres in height. As the building is non-habitable and behind hedging, there is not considered to be a material overshadowing impact from the replacement dwelling, which is 9.8 metres ridge height once raised finished floor levels of 600mm are taken into account. There is not considered to be an overbearing impact due to the distance to neighbouring properties to the north and south.

Overlooking - Whilst the finished floor levels are raised by 600mm, at ground floor level there is not considered to be an overlooking impact. This is due to the distances to the neighbouring properties and existing boundary treatment. Exact details of an additional boundary treatment for this site would be addressed by condition. With regard to first floor overlooking the rooflights in the rear single storey projection are at roof height so offer no overlooking aspect to the north. There is not considered to be any overlooking aspect to residential land from the frontage and rear elevation first floor windows which face west and east respectively. There is a south facing bedroom which is 3.8 metres above ground level once 600mm raised finished floor levels are taken into account. This window has a maximum height above ground level of 5.78 metres. Whilst there will be a small amount of overlooking to the adjacent site, Norfolk House is 36 metres away and the frontage of property is already visible from the highway with no frontage boundary treatment. There is boundary treatment to the south-west of the window in the form of 7 metre high trees on Norfolk House land. These trees prevent any overlooking across the remainder of the frontage of the site or into Norfolk House itself. This south facing bedroom window is considered important to allow what little natural sunlight that can be captured into the bedroom in the morning hours.

Condition 6 has now been addressed.

Assessment against Condition 7 of H03-0445-21 - Details of Soakaway System

Soakaways will be a minimum of 5 metres away from dwelling and a minimum of 2.5 metres from any boundary.

Designed and installed to Approved Document H3. Two soakaways will be installed to the western frontage with one to the southern side boundary and one to the eastern rear. Welland & Deepings Internal Drainage Board has expressed no concerns with the proposed soakaways which have an acceptable flow rate.

Condition 7 has now been addressed.

Assessment against Condition 8 of H03-0445-21 - Foul Drainage Details

A sewage treatment plant will be located 7 metres to the rear from the nearest point of the dwelling. The supporting information states "Sewage Treatment Plant min. 7m away from dwelling, located within 30m of an access point.

Discharge to water course with agreement from Anglian Water or, drainage field system to be min. 10m from any watercourse, min. 15m from the building. Exact location to be determined under Building Regulation application."

The proposed location is considered to be appropriate for the site and is not considered to impact the amenity of the occupants or neighbouring land uses.

Condition 8 has now been addressed.

Assessment against Condition 9 of H03-0445-21 - Landscaping Detail - Full

Trees and landscaping to the front of the site are to be retained where possible. Existing trees on the southern side boundary are also to remain. The remainder of the land that isn't devoted to vehicular usage will be lawned. The proposed landscaping is considered to be appropriate for the site and is in keeping with that of adjacent plots.

Condition 9 has now been addressed.

Assessment against Condition 10 of H03-0445-21 - Details of Boundary Treatment

Stock post and fencing is to match that of the existing on site, with a five bar gate to the northern side of the property on the driveway. The boundary treatment is not materially altered and is keeping with the character of the surrounding area.

Condition 10 has now been addressed.

Assessment against Condition 11 of H03-0445-21 - Domestic Accoutrements

The electric meter box will be sited to the northern side elevation of the larch clad projection. The soil vent pipe will be sited on the northern side elevation and neither of the proposed domestic accoutrements designs or locations will materially impact the character or amenity of the occupants or neighbouring land uses.

Condition 11 has now been addressed.

Assessment against Condition 16 of H03-0445-21 - Car Parking Layout

The plan for the layout of vehicular parking spaces proposes one regular parking and one disabled parking space to the front of the dwelling. The disabled parking space will be sited adjacent to the ramped side access to the dwelling. Beyond the five bar gate to the north-east of the dwelling and additional four parking spaces will be provided. The four parking places are outside of the red line boundary but are already in use and the proposed gravelling will be permeable, thereby not necessitating a new application. The amount of parking provision exceeds the minimum amount requested of three for dwellings with four bedrooms or more under Appendix 6 of SELLP.

Condition 16 has now been addressed.

PLANNING BALANCE

Conditions 3, 5, 6, 7, 8, 9, 10, 11 & 16 of H03-0445-21 are considered to have been satisfactorily addressed.

CONCLUSION

This application is recommended for approval.

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.