CHAIRMAN'S PANEL Held On: 14th July 2023

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-0498-23**	**Applicant:**	**South Holland District Council - Property Services**

Proposal: Proposed concrete hardstanding for vehicle parking

Location: 17 Batemans Close Gedney Spalding

Terminal Date: 26th July 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RESIDENTS	1	0	0	0

Route for determination of application	**Delegated**	X	**Committee**	

CASE OFFICER ASSESSMENT

Proposal

The proposal is for a concrete hardstanding for vehicle parking with a separate application being made to the Highway Authority to construct the footway crossover and dropped kerb at 17 Batemans Close. The development measures at 3600mm (width) and 4800mm (length).

Site Description

The site is situated within the settlement boundary of Gedney, as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP) and comprises a two storey semi-detached property constructed from dark grey brick with a red tile roof and white uPVC windows and doors. Adjacent to the dwelling there is a small extension, made of red bricks with a flat roof. The property is identical to the other dwellings within Batemans Close and is of a typical design for this area. At the front currently there is no off street parking with a grass area and gravel around it.

History

No relevant planning history.

Consultation Responses

Gedney Parish Council

'Council supports this application but would request it is constructed of a more environmentally friendly material, preferably permeable for water runoff'

Lincolnshire County Council Highways

No objection.

Resident Comments

Concern over material being used, suggested to use either honeycomb concrete or plastic base to allow water drainage. They believe the current material will cause water displacement onto pavement.

Planning Considerations

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 measurements of the proposed hardstanding area are 3600mm (width) and 4800mm (length). It can be considered that this is proportionate to the dwelling and will benefit the residents accordingly, as it will provide enough space for its intended purpose. There is a variety of types of off street parking along the road, with gravel drives, concrete slabs and with some residents parking on the grass at the front of their particular dwelling. This ensures that the development will not be out of place in the area.

The materials being proposed are 100mm deep type 2 sub base, laid on a geotextile fabric. There will then be 100mm grade C30 concrete laid to a gradient of between 1:20-1:35. This will be of a similar design, style and material to already existing slabs/concrete at other houses along Batemans Close, this ensures that the proposal is in keeping with the area.

Taking the above into account, the proposed concrete hardstanding is deemed to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 in the National Planning Policy Framework, 2021 in terms of layout, design, size and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There will be no issues upon resident amenity following on from this proposal, no overlooking or overshadowing issues will arise as a result and it would not be overbearing to the area of the development. Naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

The proposal is therefore in accordance of Policies 2 & 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Parking Provision

Paragraph 111 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 36, to be read in conjunction with Appendix 6 of the Local Plan, sets out minimum vehicle parking standards. This policy details that "all new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authority (in Appendix 6), unless a high quality-design can demonstrate that a lower standard of provision delivers the requirements" as set out within the policy.

Currently, the residents at this address do not have any off street parking and are having to park on the road. By adding this concrete hardstanding it allows them to park off the road and this will allow safer traffic flow and thus will increase road safety. This therefore conforms with Policy 36 of the South East Lincolnshire Local Plan in relation to parking and Section 9 of the National Planning Policy Framework.

Other Matters

Comments were raised by both residents and Gedney Parish Council regarding the materials being used and the impact it could cause on drainage. Gedney Parish Council requested that the proposal is constructed of a more '*environmentally friendly material, preferably permeable for water runoff*' and a resident stated that they should use either honeycomb concrete or plastic base to allow water drainage and that '*The current application will cause, water displacement onto pavement*'. It is considered that there could be an impact upon drainage. However, a condition can be imposed as recommended by the Local Lead Flood Authority (Highway/SUDs) that means the proposal has a gradient that falls away towards the property and therefore ensures that there will not be significant runoff onto highways or footpaths. There will be a large grass area surrounding the hardstanding that would be able to absorb the water runoff.

The proposal therefore conforms to Policy 4 of the South East Lincolnshire Local Plan as the works will be of a minor scale and the impact that could be caused will be minimal.

Planning Balance

The proposed concrete hardstanding will not materially harm the character or appearance of the locality or have any impact upon resident amenity. It would also better traffic flow by reducing on street parking making the road safer. There will be some impact upon drainage but this will be very minimal.

Conclusion

The proposal conforms with Policies 2, 3, 4 & 36 (Appendix 6) of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework. The planning balance is therefore in favour of the application.

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.

Recommendation

The recommendation is for approval.