

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H06-1002-19 **Applicant:** S Mcauley & C Taylor
Proposal: Proposed dwelling
Location: Off Marsh Road Gedney Drove End Spalding
Terminal Date: 3rd February 2020

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development
 Section 11. Making effective use of land
 Section 12. Achieving well-designed places
 Section 14. Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
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CASE OFFICER ASSESSMENT

Proposal

This is an application that seeks full planning permission for a proposed dwelling off Marsh Road, Gedney Drove End.

Site Description

The site is within the built-up area of Gedney Drove End. To the north-west is a former Methodist Chapel, which is used currently as a dwelling. To the south-east, the property known as 'The Bungalow' is a single-storey detached dwelling built in 1980s. A frontage of bungalows is found on the opposite side of the road (Winston Close). Open field extends beyond the rear boundary. The topography shows that the site levels are slightly higher than the highway. The land is currently grassed.

History

None.

Consultation Responses

Environment Agency

No objection.

Any permission granted should be subject to conditions.

South Holland IDB

No objection.

Lincolnshire County Council as Local Highway and Lead Local Flood Authority

No objection.

Gedney Parish Council

Support.

Planning Considerations

Principle of development

The site is located within the settlement boundary for Gedney Drove End as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Gedney Drove End is identified within the "Other Service Centres and Settlements" tier in Policy 1 of the SELLP, which sets out the spatial strategy for new development across the district.

This policy sets out that, "within the settlement boundaries of the Other Service Centres and Settlements (as shown on the Inset Maps) 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 committed sites and infill".

It should be noted that the council is capable of demonstrating a 5-year housing land supply (6.07 years as at 31st March 2019). Even though sufficiency of housing land supply has been achieved, the residential scheme would still make a positive contribution to the housing delivery albeit little in light of its small scale.

The scheme can be considered infill development as the site is a gap between two existing properties. Furthermore, the application site has been vacant for years. Paragraph 118 of the National Planning Policy Framework (NPPF), 2019 states that planning decisions should "promote and support the development of under-utilised land and buildings". The development of the land would not be at expense of losing any other benefit to the area such as historic landscape or amenity area.

For these reasons, the principle of development is deemed acceptable for the proposal on the application site.

Design and layout

The siting of an additional dwelling on the proposed site would be in keeping with the linear pattern of development of the village. The proposed site layout would not encroach onto the neighbouring fields neither represent an incremental linear extension of the linear built-up area.

The ridge height of the intended house (9.61 metres) would be visibly greater than those of the adjacent properties, The Chapel (7.70 metres) and The Bungalow (5 metres). However, it is considered that no detrimental effect would be created upon the street scene.

There would be a distance of 5.50 metres with the Chapel whereas the separation would be greater with the Bungalow, approximately 10.55 metres. Given that the proposed house would be set back roughly 3 metres further from the road in comparison with the Chapel, views to the development coming from north-west would not be significant. The bulk of the Chapel would obscure mostly the new house at such position within the site. The street scene when viewed from the south-east to the proposed dwelling is deemed to not be dramatically disrupted by virtue of the development.

The triple-storey nature of the house dictates the height of the development. The ground floor would accommodate a garage, utility, toilet and hallway to upstairs. The communal spaces, one double bedroom and a rear balcony would be on the first floor. Most of the second floor would be used for a viewing room.

The amount of gross internal floorspace per each house space is deemed appropriate for the amenity standards of the future occupiers. The absence of habitable spaces on the ground floor level responds to the flood risk following the planning conditions requested by the Environment Agency.

The schedule of external materials indicates that the appearance of the house would be of contemporary design. The external walls of upper floors would be coated with Cedar cladding in light oak in contrast with K-rend in off white applied on the external ground floor walls. Kingspan Standing Seam panels would be used for the roof. The openings and rainwater goods would be made of dark coloured UPVC. The resulting appearance would be certainly distinct from the traditional character of the built environment on Marsh Road. However, the combination of colours and materials is such that it is considered there would be no unacceptable impact upon the visual amenity and character of the area.

It is mindful of the lack of details about landscaping, boundary treatment and drainage strategy.

No details of the boundary treatment have been submitted. It is recommended to condition planning permission to the submission of these details and subsequent approval prior to the installation of any mean of enclosure or hedging.

Overall, the design and layout of the house is responsive to the needs of the future occupiers as well as the features of the site and surroundings. The proposal makes innovative use of local traditional styles and materials without undermining the quality and character of the area.

Residential amenity

The aforementioned separation distances with the adjacent properties would be sufficient to prevent any overbearing effect of the scale of the development to the residents of the neighbouring houses.

The proposed position and layout of windows would not create any potential impact in terms of overlooking effect. Two windows on the south-eastern elevation lighten bathrooms and there is no opening on the opposing elevation. On the rear elevation, the direct views from the balcony are onto the open field beyond the rear boundary. Any other views towards the adjacent sites would be obscured by the incorporation of side panels in the balcony.

The proposed house and adjacent properties are oriented between north-west and south-east. Having regard to their location within the sun path, it is considered that the proposal would not unduly overshadow the Chapel.

For these reasons, the amenity standards of residents would be ensured after carrying out the proposed development.

Flood risk and drainage

According to the Environment Agency's Flood Map, the site lies on Flood Zone 3a which means that land has a 1 in 100 or greater annual probability of river flooding or a 1 in 200 or greater annual probability of sea flooding. This the highest flood risk probability should flood defences be inexistent.

The modelling contained in the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) provides a more accurate predictions for flood risk across the district. Following the SFRA maps, the site appears within the tidal flood extent and the flood hazard is categorised as 'Danger for All' which entails flood depths on site greater than 2 metres.

The Environment Agency has raised no objection to the proposal and that any permission be granted subject to the presence of non-habitable accommodation on the ground floor level as submitted in the plans that accompany this application. Additionally, the removal of permitted development rights has been also requested. Should permission be conditioned as mentioned above, the lifetime of the proposed house would not result undermined by extreme flooding and the safety of future occupiers would be secured.

No details of the drainage strategy has been submitted. It is recommended to condition planning permission to the submission of these details and subsequent approval before the commencement of the development.

Highway safety and parking

The Highways Authority has raised no objection to the principle of developing a vehicular access from Marsh Road.

2 no. end-to-end car parking spaces would be provided within the in-built garage. Both the number of spaces and the garage internal dimensions comply with the minimum requirements laid down in Appendix 6 of SELLP.

Conclusion

The material planning considerations are deemed positive in the context of achieving sustainable development. No representation has been made in objection the proposal. Taking into account the mentioned above, the proposed development is in accordance with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of South East Lincolnshire Local Plan (SELLP), 2019 and Sections 12 and 15 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.