

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H06-1185-19	Applicant:	Mrs Kerry Evans
Proposal:	Erection of 2 dwellings with garages		
Location:	Waytmond Main Road Gedney Drove End		
Terminal Date:	7th 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 5 - Delivering a sufficient supply of housing
 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
SHDC INTERNAL	0	0	1	0

OTHER STATUTORY BODIES	0	0	1	0
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CASE OFFICER ASSESSMENT

Proposal

This is an outline planning application for the erection of 2 dwellings at Waytmond, Main Road, Gedney Drove End.

An indicative block plan submitted with the application shows two plots and garages, with private access for each dwelling off Main Road.

Site Description

The site is a square parcel of land, which lies between existing properties along Main Road, Gedney Drove End - A detached bungalow to the east and a detached two storey dwelling to the west.

On the opposite side of the road are bungalows of different design and there are also 2 storey dwellings in the vicinity.

There are fields to the rear of properties fronting on to Main Road.

History

None relevant.

Consultation Responses

SHDC Environmental Protection Officer - No comment.

LCC Highways/SUDS - Does not wish to restrict the grant of permission. The reserved matters application should show details of arrangements to enable a motor vehicle to turn within each plot so that it can enter and leave the highway in a forward gear. This is within the interests of highway safety.

Environment Agency - Finished floor levels shall be set no lower than 5.10 metres. Proposals must have a minimum of 2 storeys with no ground floor habitable accommodation. The first floor living accommodation must be above the highest predicted flood depth.

Gedney Parish Council - Support on the proviso that the buildings and materials are in keeping with the surrounding area and buildings.

No public comments received.

Planning Considerations

- Principle
- Flood risk
- Impact upon character and appearance of the area
- Residential amenity

Principle

The site is located within the settlement boundary for Gedney Drove End as set out in the South East Lincolnshire Local Plan (2019). Policy 1 (Spatial Strategy) of the Local Plan classifies Gedney Drove End within the Other Service Centres and Settlements tier of the settlement hierarchy and

states that within the settlement boundaries of these settlements, development will normally be limited to Committed sites and infill.

The site is located between a number of properties and therefore can be considered infill.

Given the above, residential development of the site would, in principle, be acceptable.

Flood Risk

The NPPF requires the application of a Sequential Test to steer new development in the lowest probability of flooding. Following the Sequential Test, if this is not possible, consistent with wider sustainability objectives for the development to be located in zones with lower probability of flooding, then the exceptions test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) is the basis for applying the Sequential Test. This concludes that the vast majority of South Holland District is in Flood Zones 2 and 3. Therefore, consistent with wider sustainability objectives, it is not realistically possible to direct all development to zones with a lower probability of flooding. As such, the document outlines a methodology whereby the SFRA hazard and depth maps (in that order) are to be utilised when determining flood risk and applying the sequential test. Using this methodology it is possible to use the information to steer development towards the areas of lower flood risks as advised within Section 14 of the NPPF.

The site is located within Environment Agency Flood Zone 3 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies that the site would be exposed to flood depths of up to 1m-2m and is categorised as danger for all.

The site lies within the settlement boundary of Gedney Drove End. There is a presumption in favour of sustainable development within settlement boundaries and windfall sites are expected to have a contribution towards the housing supply, whilst maintaining the 5-year housing land supply of deliverable sites in the district. Should the site be acceptable in all other regards, and if the Exceptions Test is successfully passed, it can be considered that the site is acceptable in flood risk terms, notwithstanding the fact that there are sequentially preferable allocated sites in the adopted Local Plan.

In order for the Exceptions Test to be passed, it must be demonstrated that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

It is accepted that the development would provide some wider sustainability benefits to the community through its ability to help meet the housing need, and other benefits including generating employment during the construction period.

In terms of making the development safe, finished floor levels would need to be set no lower than 5.10m (AOD) with flood resilient construction provided to a height of 300mm above the predicted flood depth or the dwellings must have a minimum of 2 storeys.

Impact upon character and appearance of the area

The application site is located within a row of frontage dwellings which extends for some distance each side of Main Road. Existing residential development is low density and dwellings are set out within spacious plots, which reflects the more rural nature of the surroundings. The size of the plots for each of the two dwellings should not be out of keeping with the existing development pattern.

Due to flood risk, there is a requirement that finished floor levels be at least 1.7m above existing ground level or the dwellings should be at least 2 storeys. The latter would be the more preferable solution as the dwellings would not give the appearance of being raised as the former would. Given that there are a number of bungalows in the vicinity, it is considered appropriate that a condition restricting the proposed dwellings to a maximum of 2.5 storeys in height should be imposed in order to minimise the height impact on the street scene.

The detailed design of the dwellings would be dealt with at reserved matters stage.

Impact Upon Residential Amenity

Although the specific details of design and layout would be dealt with at reserved matters stage, it is considered that an acceptable standard of residential amenity is capable of being provided.

There should be adequate separation distances between existing dwellings meaning that the proposed development should not be overbearing in nature or result in a material loss of light and the proposed dwellings can be designed so as to minimise overlooking.

Conclusion

In light of the considerations above, the erection of 2 dwellings with garages at Waytmond, Main Road in Gedney Drove End is considered to be in accordance with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and of Sections 5, 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated 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.