

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H07-0222-20 **Applicant:** Mr M Rowell
Proposal: Erection of detached dwelling - re-submission of H07-1155-19
Location: Adj. 22 Station Road Gedney Hill Spalding
Terminal Date: 29th April 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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

- 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	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of a detached dwelling adjacent to 22 Station Road, Gedney Hill.

Site Description

The proposed dwelling would sit within the curtilage of the existing bungalow (no. 22). It would be situated between two detached bungalows, one to the south and one to the north of the dwelling.

Dwellings to the north of 22 Station Road are mostly detached and situated on large, spacious plots. There are a mixture of single storey and two storey dwellings. However, it should be noted that a similar house design has been built on a similar sized plot on the other side of Station Road to the north.

The site currently accommodates a detached metal shed and other open storage facilities. The existing attached garage for no.22 would have to be demolished to accommodate the proposed development.

History

H07-1155-19 - Erection of detached dwelling - Refused 18-02-20.

Consultation Responses

South Holland Internal Drainage Board - Notes that the applicant has not submitted a drainage strategy and that ground infiltration investigation should be undertaken.

SHDC Environmental Protection Officer - Full land contamination condition requested.

LCC Highways/SUDS - Does not wish to restrict the grant of permission. Requests highways notes.

Resident comments - Concerns over drainage of water discharging into the field dyke to the rear of the property.

Planning Considerations

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

Policy/Principle

The site is within Gedney Hill Settlement Boundary 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

Gedney Hill, development will be permitted that supports their role as a service centre for the settlement itself, helping to sustain existing facilities or helps to 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 between existing dwellings, therefore this development can be considered infill development. Furthermore, the intended dwelling could entail the arrival of new residents to Gedney Hill, or encourage existing residents of Gedney Hill 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. Therefore, the principle of development for the proposal on the application site would be acceptable.

Layout, scale and appearance

The proposed dwelling is approx. 5.8m in width and 14.4m in depth. The dwelling is proposed to be two storey, plus a single storey sun lounge to the ground floor at the rear of the property.

The plot itself is approx. 10m wide and 41m deep. The proposed dwelling would be approx. 1m from the boundary of the property to the south and approx. 3.35m from the side elevation of the property to the northern boundary.

Although it is a two storey dwelling situated between two bungalows, the maximum height of the proposed dwelling is not such that it would be considered unacceptable in regards to design. The eaves height of the proposed dwelling would be lower than the ridge height of both of these bungalows. By means of comparison, No. 19b, which is a very similar dwelling, has an eaves height greater than the adjacent bungalow.

Existing dwellings on this part of Station Road tend to be situated on larger and more spacious plots. Furthermore, the development will include removing the attached single garage to the bungalow situated to the south in order to accommodate the proposed dwelling. This demonstrates the fairly narrow nature of the site. However, it is accepted that there are two properties that have recently been built on narrow plots over the road (No's. 19a and 19b Station Road). The proposal now allows for vehicle access to the side of the property, like those other two properties, thereby making the dwelling look visually less cramped and more spacious to the northern part of the plot.

The proposed appearance of the dwelling is considered to be acceptable in light of its comparability to No. 19b nearby.

The proposed development would also improve the visual amenity of the site by removing a relatively untidy area.

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 1 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.

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

With regard to drainage, the proposal is for soakaways to be utilised. However, Gedney Hill is an area that is known for lesser soil permeability and so a condition will be added requiring infiltration testing to ascertain the suitability of ground conditions for soakaways.

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 2 vehicle parking spaces for dwellings with up to 3 bedrooms.

When looking at the proposed development, it can be seen that there is a driveway to the front of the proposed dwelling and an area to the side of the property that is suitable to park a minimum of 2 cars. Therefore, the parking provision complies with the standards set out in Appendix 6 of the South East Lincolnshire Local Plan, 2019.

Impact upon Residential Amenity

No windows are proposed to be facing north or south of the property at first floor, apart from the bathroom windows which would be obscure glazed. The existing properties either side are single storey meaning that there should be no overlooking in respect of ground floor side facing windows.

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.

In terms of overshadowing, the daylight and sunlight plan provided shows that there should be no adverse overshadowing effect on the property to the north - A concern which was raised with regard to the previous submission, H07-1155-19.

Given the above, and the separation distance between the proposed dwelling and the existing property to the north of the application site (approx. 11m), it is considered that it would not have an adverse overbearing effect on this property. The separation distance between the proposed dwelling and the existing property to the south would be considerably less (2m) but the two side facing windows to the bungalow appear to be obscure glazed and a secondary window, so proximity should not be an issue.

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.

Conclusion

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 dwelling is similar to other dwellings that can be seen down Station Road, and is therefore deemed as acceptable. It is not considered that the proposal would result in a material adverse impact on residential amenity.

In light of the above considerations, the proposal is considered to comply with Policies 2, 3 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.

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.