DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H07-0496-21**	**Applicant:**	**Mr & Mrs Vick**
Proposal:	Erection of 4 bed house with attached double garage		
Location:	Land At Highstock Lane Gedney Hill Spalding		
Terminal Date:	6th August 2021		

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
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2021
Section 2. Achieving sustainable development.
Section 5. Delivering a sufficient supply of homes.
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	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	1	0
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full permission for a proposed 4 bed detached dwelling with a double attached garage at Plot 8, land south of Highstock Lane, Gedney Hill, Spalding. The proposals also comprises the means of access to the site, boundary treatments, landscaping, the layout, scale and external appearance of building, including a schedule of external materials to be used. The walls would be constructed using Flemish Antique bricks. The roof tiles would be Russel Grampion Grey. The doors and windows would be grey UPVC.

Site Description

The site is located on Highstock Lane. It is outside any settlement boundary but is in close proximity of the built-up area of Gedney Hill. Highstock Lane extends from west to east. The western half of the road is currently built on the northern side by a row of detached bungalows. Further residential development has been permitted in recent years and some of the plots are currently being developed. The future street scene would be of a longer frontage development on both sides of Highstock Lane. The southern land is characterised by open fields bounded by rail and post fence and a footpath onto the carriageway.

The site has outline planning permission for residential development for one dwelling on this plot.

History

H07-1205-18 - Residential development - two plots - Approved

Consultation Responses

Welland and Deeping Internal Drainage Board

No objections subject to applications being made for consent to alter the watercourse and to discharge foul water into the watercourse should this be proposed.

LCC Highways/SUDS Authority

No objection. Requests the addition of two informative notes should permission be granted.

Environmental Health

No comments or objections

Public

A third party has recommended the installation of a minimum of 4no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

One local resident has objected to the scheme on grounds of another property being built in a tranquil village.

Planning Considerations

Principle of development

The site is outside the settlement boundary of Gedney Hill. Although the proposal is not a defined settlement boundary, outline permission for residential development was granted prior to the adoption of the current Local Plan. At that time, the Council was uncapable of delivering a 5-year housing land supply and permission for market housing in the countryside was granted in the presumption of sustainable development in accordance with National Planning Policy Framework (NPPF) published in 2012. As such the principle of residential development was approved at such location and therefore this is not disputed with this current application.

Design and layout

Paragraph 130 of 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; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed dwelling is considered to be proportionate to the size of the plot and would retain sufficient amounts of outdoor amenity space. As such it is not considered that the proposal results in overdevelopment of the site. The proposed dwelling would have a similar set back from the highway to the adjacent dwelling at plot 7. There is no strong character in this part of the street therefore the proposed dwelling is not considered to be out of keeping with the street scene.

The front area would be sufficiently spacious for a driveway. The rear garden would be likewise of decent size to ensure good levels of amenity to the future residents. Internally, all the proposed bedrooms would be above the minimum space standards and the future householders would enjoy good living conditions.

The plot would be bounded with 1.8 metre high fence on the southern, eastern and western boundaries and a 1 metre and 1.2 metres fence along the front boundary. The driveway to the front would be gravelled. The rest of the site would be grassed with planting along the inside of the 1.2 metre high front boundary fence. On balance, the proposals for landscaping and boundary treatment would be appropriate with existing site features and the residential use of the land.

The external walls would constructed using Flemish Antique bricks. The roof tiles would be Russel Grampion Grey. The doors and windows would be grey UPVC. The dwelling on the adjacent plot (plot 7) has similar materials approved therefore the proposed materials are considered to be acceptable and would not result in unacceptable impact on the visual amenity of the area.

Flood risk and drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

The site is within Flood Zone 1 and has no flood hazard in accordance with Environment Agency and South East Lincolnshire SFRA respectively. In any case, sleeping accommodation would be on the first-floor level which would reduce the vulnerability of the householders against extreme flooding event.

South Holland Internal Drainage Board has not raised any objections to the scheme subject to the applicant making an application to them for consent should they propose to alter the watercourse or discharge foul water into the watercourse.

As such the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Residential amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places

with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The only immediate neighbour is the recently permitted two storey dwelling at plot 7, north-west of the application site. This neighbour does not have any primary windows permitted facing the application site therefore no overbearing impact or unacceptable overshadowing would result. One side first floor window is proposed in the side elevation facing this neighbour. However, given the location of the window and the fact it would only overlook this neighbours front driveway it is not considered to result in any unacceptable overlooking or loss of privacy.

As such the impact on neighbouring amenity is considered to be within acceptable tolerances.

Highway safety and car parking provision

The County Highways Authority initially requested further details with regards to the proposed parking for the site, access and provision of visibility splays. The applicant has since submitted revised plans to include these details and the Local Highway Authority has not objected to the proposals subject to the submission of the new vehicular access details and subsequent approval at a later stage.

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. Three spaces for dwellings with 4+ bedrooms should be provided within the curtilage. The proposed dwelling would have 4 bedrooms. The proposed driveway layout would be sufficient for 3 cars that could enter and egress the site in a safe and forward manner. Overall, the proposals would ensure minimum parking standards.

Other matters

A third party has recommended the installation of a minimum of 4no swift nest bricks be required by a planning condition to provide enhancement for biodiversity. The comments are noted, and a condition recommended to this effect.

Planning balance

The principle of developing the residential scheme is acceptable at such location given the extant outline permission.

The external materials, landscaping and mean of enclosure would be sympathetic with the neighbouring land uses and the semi-rural character of the area. The dwelling footprint would sit well within the plot. No unduly harm would occur upon the amenity standards of adjacent neighbours.

On-street parking would be prevented by appropriate car parking arrangement within the plot and no cumulative impact upon highway safety is anticipated by the proposal.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Taking into account the above, this application complies with Policies 1, 2, 3, 4, 10, 11, 28, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Sections 2, 5, 11, 12 and 14 of National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this 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.

RECOMMENDATION

The application can be approved under delegated powers.