DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H07-0783-21**	**Applicant:**	**Mr H Buffham**
Proposal:	Proposed detached bungalow and detached double garage, means of access, landscaping and boundary treatment - approved under H07-0458-21. Modification of Condition 2 to allow amendments to previously approved plans.		
Location:	28 Highstock Lane Gedney Hill Spalding		
Terminal Date:	15th September 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
11	Distribution of New Housing
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 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

CASE OFFICER ASSESSMENT

Proposal

Permission was granted for a 4-bed bungalow and detached garage, including accommodation in the roof, in June 2021 (ref. H07-0458-21). This application is for a change of brick type from Vandersanden Flemish Antique to TBS Audley Antique.

Site Description

The site is located on the southern side of Highstock Lane and is within a row of plots recently granted permission. New properties are situated opposite, and dwellings are under construction to the west.

History

H07-0059-18 - Outline planning application for residential development - Granted

H07-0284-19 - Outline planning application for residential development (approved under H07-0059-18) Variation of Condition 4 to remove the gross floor area restriction - Granted

H07-0036-21 - Full - Proposed detached bungalow and detached double garage, means of access, landscaping and boundary treatment (Plot 3) - Granted 10 March 2021.

H07-0458-21 - S73 - Proposed detached bungalow and detached double garage, means of access, landscaping and boundary treatment - approved under H07-0036-21. Modification of Condition 2 to allow amendments to previously approved plans - Granted 21 June 2021.

Consultation Responses

Gedney Hill Parish Council

No response.

Planning Considerations

Principle of development

The site is outside the settlement boundary for Gedney Hill as defined within the South East Lincolnshire Local Plan (2019). However, outline planning permission was granted prior to the adoption of the Local Plan (ref. H07-0059-18). At that time, the Council was not capable of delivering a 5-year housing land supply and permission for residential development was given under the presumption of sustainable development in accordance with the National Planning Policy Framework (NPPF) published in 2012.

Moreover, there is an extant permission for a bungalow (ref. H07-0458-21) and this is solely a change of brick type. The principle of residential development has therefore been established.

Design and layout

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; 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 dwelling footprint is such that the development would sit well within the remainder of the frontage. The front area would be sufficiently spacious with an appropriate turning point for cars manoeuvring and reversing. The rear garden would be likewise of decent size to ensure good levels of amenity to future residents. A detached double garage is proposed within the front garden, similar to other properties approved to the west and opposite. Landscaping would be undertaken.

The properties westwards are bungalows and bungalows have also been approved on plots 4 and

5. Houses have been approved on plots 6 and 7. The dwelling would be constructed in TBS Audley Antique facing bricks with Marley Modern Smooth Grey roof tiles. The property would have a dormer window on its front elevation (cream weatherboarding) and roof lights at the rear. It is considered that the proposed development would sit satisfactorily within the street scene and not materially harm the character or appearance of the rural locality.

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 separation distances are considered sufficient to ensure no harm upon neighbouring residents. The side boundaries would be delineated by 1.8 metre high closeboarded fencing.

Flood risk and drainage

The site is within Flood Zone 1 and has no flood hazard in accordance with Environment Agency and South East Lincolnshire SFRA respectively.

Policy 4 of SELLP is concerned with 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 surface would be permeable material or remain untreated other than the dwelling footprint. Foul water would be disposed into a package treatment plant in view of the lack of main sewers in the area and soakaways would be installed, with the size and type determined after soil percolation tests.

Highway safety and car parking provision

A new access would be formed and turning facilities have been provided. The County Highways Authority has raised no objections on highway safety grounds.

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision based upon the use class. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage.

The proposed dwelling would have 4 bedrooms. There is sufficient space on site for the parking of 3 vehicles, including the garage. Overall, the proposal would ensure minimum parking standards.

Planning balance

The principle of residential development upon the site has already been established. The form of development would be in keeping with the linear pattern of the new frontage and the built-up area of Gedney Hill. The proposed development would sit satisfactorily within the street scene. No undue harm would occur upon the amenity standards of adjacent residents.

The dwelling has satisfactory car parking arrangements within the plot and no cumulative impact upon highway safety is anticipated by the proposal. Satisfactory drainage details have been submitted. The design of the development would accord with the low flood risk probability on the site and its setting.

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.

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.

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, 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 that the application be approved under delegated powers.