

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H07-0815-19 **Applicant:** Mr & Mrs N Green
Proposal: Erection of dwelling
Location: Adjacent: 7 Station Road Gedney Hill Spalding
Terminal Date: 10th October 2019

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

Sections 2, 3, 4, 5, 8, 9, 11, 12 and 14.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
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CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for the erection of a 4 bed house.

Description

The site (some 0.08ha) is located on the eastern side of Station Road and is currently garden associated with No. 7 (bungalow). An affordable housing scheme is located to the north.

Policies/Constraints

The site is inside the settlement limit for Gedney Hill as defined within the South East Lincolnshire Local Plan 2011-2036 (March 2019).

Site History

No recent history.

Consultation Responses

Gedney Hill Parish Council - Comments concerning the size of the building being too large in comparison to the plot.

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

South Holland IDB - We note that the applicant has indicated that they intend to dispose of surface water via infiltration, however we cannot see that a drainage strategy or plan has been provided for the site. This proposed strategy should be supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater.

SHDC Environmental Protection - Request condition relating to unexpected contamination.

Planning Considerations

The main issues in this case are:

- Policy/principle;
- Character/appearance;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flooding and drainage.

Housing Policy/Principle

The site is inside Gedney Hill Settlement Limit 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, helps 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 is frontage infill and satisfactorily complies with this policy.

Character/Appearance

The proposal constitutes frontage infilling. The proposed house is large and extends well back on the plot. However, it is considered that it satisfactorily sits within the space between the affordable housing complex to the north and bungalow to the south. The ridge line has been reduced, incorporating half dormer windows. The Parish Council's comments are noted; however, it is considered that the proposed dwelling could be satisfactorily accommodated without materially harming the character or appearance of the locality.

Amenity

No first floor windows are proposed on the northern and southern elevations and finished floor levels would not be raised significantly in this location. Any overlooking of the rear of the dwelling to the north would be oblique. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, overshadowing, overbearing effect, noise and disturbance, etc.

Highways

On site parking and turning facilities would be provided that accord with Local Plan Policy 36. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

Flood Risk

No objections are raised on flood risk grounds because the site is located in an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment, 2017. The proposal therefore passes the sequential test. In terms of the exceptions test, 300mm finished floor levels are recommended, plus flood resilience measures.

Drainage

Foul water would be disposed of via a package treatment plant and surface water via soakaways.

Conclusion

No objections are raised in principle to residential development in this location. The proposed house would not materially harm the character/appearance of the area or amenity of nearby residents. No objections are raised on highway safety grounds. In terms of flood risk, the proposal passes the sequential test.

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 - That the application be approved under delegated powers.