DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H07-0818-21**	**Applicant:**	**Concept 2000 Design & Development Ltd**
Proposal:	Erection of 3 bed bungalow with detached garage, access, parking, soft & hard landscaping		
Location:	Plot 4 Highstock Lane Gedney Hill Spalding		
Terminal Date:	18th October 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
17	Providing a Mix of Housing
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
Section 15 - Conserving and enhancing the natural environment

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	0	0	0	1

INTERNAL DRAINAGE BOARD				

CASE OFFICER ASSESSMENT

Proposal

This is a full application seeking permission for a detached 3 bed bungalow and a single detached garage to the rear. It would be constructed from weinergerger hamlet antique facing bricks, imperis plain red half pantiles roof tiles, cream upvc windows and stone sills.

The site has outline planning permission for residential development under reference H07-0945-17. Full planning permission was also granted for a detached bungalow and garage under reference H07-0785-20.

Site Description

The site is outside of defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. Dwellings are located to the east and west of the site with arable land to the north and south of Highstock Lane. The site is in Environment Agency Flood Zone 1, and not subject to increased hazard or flood depth of the 2115 South Holland Strategic Flood Risk Mapping.

History

H07-0785-20 - Proposed detached bungalow with detached double garage, means of access, landscaping and boundary treatment - Approved

H07-0285-19 - Section 73 - Residential development (up to 6 dwellings) - approved under H07-0945-17. Variation of Condition 4 to remove the gross floor area restriction - Approved

H07-0945-17 - Outline - Residential development (up to 6 dwellings) - Approved

Consultation Responses

South Holland Internal Drainage Board

Requests ground investigation and infiltration testing to be carried out in order to ensure the proposed drainage strategy is suitable. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any alterations to a watercourse will require consent from the Board Byelaw 4).

LCC Highways/SUDS Authority

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

Planning Considerations

Principle of development

The site is outside any settlement boundary, however, given it benefits from outline planning permission which was granted at a time when the Council was not able to demonstrate a 5 year land supply. The site also has full planning permission therefore 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 bungalow 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 bungalow would have a similar set back from the highway to the other dwellings recently approved on this part of the street.

The size, scale and layout is comparable to other recently approved bungalows in the vicinity, in terms of the design, character and line of frontage. The scheme is also not significantly different to the previously approved bungalow for this plot.

The front area would be sufficiently spacious for a driveway providing off-street parking. The rear garden would be a good size and in keeping with the others in this part of the street and therefore acceptable. Internally, all the proposed bedrooms would be above the minimum space standards and the future householders would enjoy good living conditions.

The design and materials are considered to be in keeping with the character of the recently approved dwellings in the vicinity. The use of weinergerger hamlet antique facing bricks, imperis plain red half pantiles roof tiles, cream upvc windows and stone sills are considered appropriate for the site. There would be a 1.8 metre high close boarded fence along the north-west and north-east boundaries which drops to 1.2 metre high for the last 1 metres adjacent to the footpath.

As such the proposed development is considered acceptable in terms of its appearance and impact on the street scene.

Flood risk and drainage

The site is located within Flood Zone 1 of the Environment Agency's Flood Maps and not subject to increased hazard or flood depth of the South Holland Strategic Flood Risk Mapping. Therefore, there is not the need to materially raise floor levels. Surface water will be drained by soakaways to the front and rear of the site.

Onsite rainwater will discharge to a soakaway and foul water is proposed to discharge to a mains sewer. South Holland Internal Drainage Board has requested ground investigation and infiltration testing to be carried out in order to ensure the proposed drainage strategy is suitable. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any alterations to a watercourse will require consent from the Board Byelaw 4). An informative has been added advising the applicant of this.

Given the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) 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.

It is not considered that the proposal will impact neighbour properties through noise, odour, disturbance or visual intrusion. The proposal is part of a branch of recently approved linear development either side of Highstock Lane and will be for a residential use in what will be a residential frontage. As the plots are single storey in design, there is not considered to be any overlooking or overshadowing impact to neighbouring properties to the east and west. 1.8m high fencing would be installed along the north-west and north-east boundaries which would provide

sufficient screening.

As such there are no neighbouring amenity concerns.

Highway safety and car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. Two spaces for dwellings with up to 3 bedrooms should be provided within the curtilage. The proposed dwelling would have 3 bedrooms therefore 2no parking spaces would be required. The proposed driveway layout would be sufficient for two cars that could enter and egress the site in a safe and forward manner. The proposed garage also meets the size requirements for covered parking spaces. Overall, the proposals would ensure minimum parking standards.

The County Highways Authority has not objected to the scheme subject to the submission of details regarding the new vehicular access and its subsequent approval at a later stage.

Planning balance

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

The siting, external materials, and mean of enclosure would be sympathetic with the neighbouring land uses and the semi-rural character of the area. The footprint of the dwelling 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 planning 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, 14 and 15 of National Planning Policy Framework (2019).

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.