DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H07-0845-19**	**Applicant:**	**Mr Mark Minall**
Proposal:	Proposed dwelling		
Location:	Greenways 26 West Drove North Gedney Hill		
Terminal Date:	1st January 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development
Section 5. Delivering a sufficient supply of homes
Section 11. Making effective use of land
Section 12. Achieving well-design places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application which seeks permission for the erection of a two storey dwelling at 26 West Drove North, Gedney Hill.

Site Description

The site is located within the curtilage of 26 West Drove South and is located immediately to the north of the existing property.

There are open fields situated to the west on the opposite side of the road. To the north are three detached dwellings positioned on large plots of land and a pair of semi-detached on the opposite side of the road. Beyond this are more open fields. Therefore, there is a distinct feeling of being on the rural fringe of the village.

26 West Drove North currently has a large front garden and the existing bungalow is set back from the main road, with a double garage positioned to the north of the current dwelling on the plot, which is where the dwelling has been proposed. The property stands on a relatively narrow plot.

According to the Environment Agency's Flood Mapping the site is located within Flood Zones 1 and 2. A flood risk assessment has been carried out.

History

None relevant.

Consultation Responses

Gedney Hill Parish Council - Gedney Hill Parish Council do not believe a cess pit is appropriate given the ground conditions. Whilst there is a private treatment plant, it is still in a flooding area and should be considered carefully as to why no septic tank.

SHDC Environmental Protection Officer - No comment or objection regarding this application.

Public (1 objection) - Loss of light to the property and garden would be affected by overshadowing. Suggested that a single storey would be more appropriate.

Planning Considerations

Principle/Policy

The site is within the defined settlement boundary of Gedney Hill, according to the South East Lincolnshire Local Plan (2019) Inset Map No 17.

Policy 1 of the Local Plan (Spatial Strategy) classifies Gedney Hill as a "Minor Service Centre". "Development" in Minor Service Centres "will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps 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. 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 1km 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 and Design

The proposed dwelling measures approx. 11.5m in depth by approx. 6.7m in width. The overall width of the plot measures approx. 9.5m. The boundary of no. 24 West Drove North to the north is approx. 1m from the side elevation of the proposed dwelling. Existing houses on this part of West Drove North are situated on larger plots than the application site (the narrowest currently being approx. 13m in width) and there is a sense of being at the rural fringe of the village of Gedney Hill where the plots become larger as you move out into the countryside. It is considered that the proposed dwelling would appear visually cramped on this narrow plot and would be at odds with the character of existing development in the locality. The proposed dwelling comes further forward than the neighbouring bungalow, instead aligning with the property at 24 West Drove North and other properties further south. This in itself is not a concern.

In terms of the design of the proposed dwelling, the key issue is the bland and featureless nature of its elevations. The lack of a front door in the proposed plans makes the design unappealing and is at odds with the design of existing dwellings in the area. However, due to the plot being so narrow there is limited scope on what can be developed here. Furthermore, there are no details to the eaves or windows meaning that the elevations are uninteresting. Overall, the design is considered to be uninspiring and would be at odds with Paragraph 127 of the NPPF which states that decisions should ensure that developments add to the overall quality of the area and are visually attractive as a result of good architecture and layout.

The roof materials proposed for this development are interlocking roof tiles, in a Mosborough Red colour which is not typically seen on other properties in the area. However, this would not in itself constitute grounds for refusal.

Overall, the layout and design is considered to be inappropriate to this location and would negatively impact upon the existing character of the area.

Impacts upon Residential Amenity

Concern has been raised by an objector regarding the potential loss of light to the neighbouring property to the north. After conducting a 25 degree BRE daylight/sunlight loss test on the plans provided, it has been concluded that it is likely that there would be a loss of daylight/sunlight to this property, specifically where the conservatory is situated. The applicant has declined to submit a daylight/sunlight study meaning that the Local Planning Authority cannot be content that the impact would be acceptable.

There are no windows proposed at first floor and so there should be no issues of overlooking.

Given that further evidence is required that the proposed dwelling would not have an adverse impact on daylight/sunlight levels to the property to the north, the proposal is not considered to be acceptable in terms of residential amenity.

Conclusion

The principle of residential development on the application site is acceptable when assessed against Policy 1 of the Local Plan. However, the proposed dwelling would appear cramped within the plot in comparison to existing development in the vicinity which is set out within larger plots. This would be to the detriment of the existing character and appearance of the area, which is the rural fringe of the village. Furthermore, in the absence of a daylight/sunlight study, the Local Planning Authority is unable to determine whether the impact of the proposed development on the property immediately to the north of the application site would be acceptable.

In light of the above considerations the proposal is considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 of the National Planning Policy Framework (NPPF), 2019. It is also considered to be contrary to Sections B2 and I1 of the National Design Guide which require a site's context to be taken into consideration and states that new development should consider facade design and window and door details respectively.

The recommendation is therefore for a delegated refusal.

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.