

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H07-0979-20 **Applicant:** Mr & Mrs Bradley
Proposal: Erection of dwelling, garage/car port and temporary siting of caravan - outline approval H07-0960-19
Location: Land To Rear Of 17 Station Road Gedney Hill Spalding
Terminal Date: 29th December 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
11	Distribution of New Housing
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

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

CASE OFFICER ASSESSMENT

Proposal

The site has outline planning permission for residential development (ref. H07-0960-19). Reserved matters approval is now sought for a 3 bed bungalow with detached garage/carport/store and temporary static caravan.

Site Description

The site (some 0.09ha) is currently garden land located at the rear of no. 17 Station Road (bungalow). A small cul-de-sac is situated to north (Hubert's Close). Garden land is situated to the south and open land to the east.

History

H07-0066-19 - O/A - Residential development (one plot) - Granted 20 March 2019

H07- 0960-19 - O/A - Residential development (re-application of H07-0066-19) - Granted 13 November 2019

Consultation Responses

Gedney Hill Parish Council - No response.

LCC Highways/SUDs - No objections. Request informatives.

South Holland Internal Drainage Board - Request drainage strategy. Land drainage consent will be required to discharge to watercourse.

Planning Considerations

The principle of residential development on the site has been established by virtue of the outline consent (ref: H07- 0960-19). This application is therefore to assess the reserved matters, namely:

- i) the layout, scale and external appearance of building(s), including a schedule of external materials to be used;
- ii) the means of access to the site;
- iii) the landscaping of the site;
- iv) other related matters such as the existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

Reserved matters approval is sought for a 3 bed bungalow to be constructed in Vandersanden Old Farmhouse Blend bricks (front and side) with a rendered rear wall. The roofing material would be Redland Interlocking Cambrian Slate (slate grey).

A bungalow (no. 17) is located along the frontage and a small cul-de-sac of bungalows to the north. A bungalow is also located to the south and thereafter a house. There is an eclectic mix of house types/designs and materials within the vicinity. It is considered that the proposal would not materially harm the character/appearance of the street scene/rural locality. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

In terms of amenity, the bungalow includes a kitchen and a secondary living room windows on its northern elevation and an en-suite window on its southern elevation. Finished floor levels would be raised 300mm. It is considered that the proposal would not materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc, subject to 1.8 metre high fencing along the northern, southern and western boundaries. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 on amenity grounds.

The proposal includes ample garaging and further parking spaces, plus vehicular turning facilities. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds. The proposal therefore accords with Policies 2, 3 and 36 on highway grounds.

Flood Risk - The site is within Flood Zone 3 on the Environment Agency Maps. The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test. The hazard mapping within the SFRA shows the site to be unaffected if a breach of the flood defence were to occur. The proposal therefore passes the sequential test.

In terms of finished floor levels, condition 7 of the outline permission requires them to be 300mm above existing ground level.

Concerning drainage, foul water would be disposed of to a septic tank and surface water to soakaways, which falls under the building regulations.

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.

Planning Balance

The proposal satisfactory complies with the reserved matters and is in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019. There are no significant factors in this case that indicate against the proposal and to outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

The planning balance is in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.