DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H07-1159-20** | **Applicant:** | **H Braines** |
| **Proposal:** | Residential Development - Erection of Dwelling | | |
| **Location:** | Land South Of Highstock Lane Gedney Hill Spalding | | |
| **Terminal Date:** | 15th March 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 |
| 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-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 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| SOUTH HOLLAND INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |

## CASE OFFICER ASSESSMENT

### Proposal

This is a planning application that seeks full permission for erection of dwelling at land south of Highstock Lane, Gedney Hill, Spalding.

### Site Description

The site is in close proximity with the built-up area of Gedney Hill. Highstock Lane extends from west to east. The western half of the road is currently built on the northern side by a row of detached bungalows. Further residential development has been permitted over the last years and some of the plots are being currently developed. The future street scene would be of a longer frontage development on both sides of Highstock Lane.

The southern land is characterised by open fields bounded by rail and post fence and a footpath onto the carriageway. A few metres westwards, Plot 2 is nearly completed after construction works.

### History

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

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 - Approved

### Consultation Responses

South Holland IDB

No objection.

Reminds the compliance of Board's byelaws.

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 out of settlement boundaries for Gedney Hill following the Policies Map of South East Lincolnshire Local Plan (2019). However, outline permission was granted prior to the adoption of the Local Plan. At that time, the Council was not capable of delivering a 5-year housing land supply and permission for residential development was given in the presumption of sustainable development in accordance with National Planning Policy Framework (NPPF) published in 2012.

The principle of residential development was approved at such location and therefore this is not disputed with this current application.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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 proposed insofar as the scheme would sit well within the remainder of the frontage. The front area would be sufficiently spacious for a driveway with appropriate turning point for cars manoeuvring and reversing. The rear garden would be likewise of decent size to ensure good levels of amenity to the future residents.

Internally, the communal spaces would be on the ground floor level whereas sleeping accommodation comprising up to 5 bedrooms. The document "Technical housing standards - nationally described space standard" was produced by the Department for Communities and Local Government on March 2015 (DCLG).

Although it has not been embedded to the Local Plan other than houses in multiple occupation and the sub-division of dwellings, these standards provide some useful guidance to assess whether the proposals are or is not appropriate in this respect. Having regard the width and gross internal floor area (GIFA) of each bedroom, it is concluded that all proposed bedrooms would be above the minimum standards and the future householders would enjoy good living conditions.

The row of properties westwards would be bungalows whereas the dwelling hereby proposed would be two-storey. As it is unknown the height of the properties to the east because outline permission has been only granted (H07-1205-18), there is an opportunity to grant permission for the intended two-storey house. The form of development would not detract from the wider street scene. Two further two-storey dwelling houses have been recently approved opposite the road (H07-1161-20) which are tantamount to the proposed scheme.

The plot would be mostly bounded with a 1.8 metre high timber closeboard fence reducing to 1.2 metres at frontage of dwellings and highway. To the front and rear, native mixed species hedgerow would be planted. A 1.2 metre high Lincolnshire post and rail fence would be planted inside the rear hedgerow. Two trees would be planted, one whitebeam and one silver birch. The land would be laid in lawn other than slabbed patio and gravel on the driveway. On balance, the proposals for landscaping and boundary treatment would be appropriate with existing site features and the residential use of the land.

The external walls would be coated by Desimpel Heatfield Red facing brickwork. The roof tiles would be Calderdale slate dark grey. Cream and white tones would be visible in the fenestration and joinery. Having regard to the materials approved for plots within the new frontage, it is considered that the proposed material schedule would be sympathetic with the appearance and visual amenity of the area.

The main roof of each dwelling would have gable pitches on both side elevations. This roof layout would be replicated in the subservient element used as a garage as well as the two-storey element and dormer window both on the front elevation. Brick detailing under the roof edge, window lintels and chimneys breasts would enhance the design standards of the scheme and would make it in keeping with the semi-rural character of the location.

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. In any case, sleeping accommodation would be on the first-floor level which would reduce the vulnerability of the householders against extreme flooding event.

Policy 4 of SELLP is concerned on 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 have either 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 separately 3 no. soakaways would be installed in each plot to manage surface water runoff via infiltration.

It is acknowledged the SUDS approach to address drainage matters but infiltration testing should be undertaken in line with BRE Digest 365 (or equivalent) to determine the efficiency of soakaways at such location. It is accordingly recommended to submit full details of drainage strategy at a later stage.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) 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 site layout would be handed with Plot 5 to the west. The dwelling footprint would be set back approximately 6.30 metres from the adjoining bungalow (Plot 5). It is unknown the relationship with the adjacent property to the east because outline permission has been only granted (H07-1205-18). However, the separation distance is 2.3 metres which is sufficient to ensure no harm upon the future dwellings eastwards. Furthermore, no primary window would oppose the elevations of the adjoining properties.

In view of separation distance and scale of the buildings, no harm is anticipated upon the residential amenity of adjacent neighbours.

Highway safety and car parking provision

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

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage. A garage can count as one space if it is 2.6m x 5.6m internal width.

The proposed dwelling would have 5 bedrooms. The in-built garage is sufficiently spacious to provide two car parking spaces in line with aforementioned dimensions. The proposed driveway layout would be also sufficient for two cars that could enter and egress the site in a safe and forward manner. Overall, the proposals would ensure minimum parking standards.

Planning balance

The principle of developing the residential scheme is acceptable at such location given the extant outline permission.
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 external materials, landscaping and mean of enclosure would be sympathetic with the neighbouring land uses and the semi-rural character of the area. The dwelling footprint would sit well within each 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. Surface water management would be in principle appropriate subject to infiltration testing results. The design of the development would accord with the low floor 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.

**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 contravenes 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 (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.