DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H07-1162-20**	**Applicant:**	**Mr M Minall**
Proposal:	Erection of 2 bedroom chalet bungalow - re-submission of H07-0845-19		
Location:	Greenways 26 West Drove North Gedney Hill		
Terminal Date:	15th February 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-design places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	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 2 bedroom chalet bungalow at 26 West Drove North, Gedney Hill. The application is a re-submission of previously refused H07-0845-19, which was refused for the following reasons:

1. The proposed dwelling would constitute an unacceptable form of cramped development out of keeping with existing development in the area by virtue of existing residential development being sited within larger plots and the application site offering limited external space in comparison. This would be to the detriment of the existing character and appearance of the area, which is the rural fringe of the village.

The proposal is therefore contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019). Policy 2 indicates that sustainable development considerations should be met, in terms of the size, scale, layout and design of the dwelling in regards to the impact upon the character and appearance of the area. Policy 3 indicates that design which is inappropriate to the local area or which fails to maximise character and quality of the area will not be acceptable. These policies are in accordance with Section 12 of the National Planning Policy Framework (2019), in particular the principle that new development should be "sympathetic to local character, including the surrounding built environment". It also considered to be contrary to Section B2 of the National Design Guide which requires a site's context to be taken into consideration.

2. The design of the proposed dwelling is considered to be of poor quality by virtue of the bland and featureless nature of its elevations. The absence of a front door means that the front elevation is unappealing and is visually at odds with the design of existing dwellings in the area. 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 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. It is also contrary to Section I1 of the National Design Guide (2019) which states the new development should consider facade design and window and door details.

3. 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.

As such, the proposal is considered to be contrary to Policy 3 of the South East Lincolnshire Local Plan (2019) which requires development proposals to demonstrate that, amongst other matters, residential amenity will be secured.

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. A detached double garage is positioned to the north of the plot, which is where the dwelling has been proposed. The property stands on a 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

H07-0845-19 - REFUSED - 23-12-19 - Proposed two storey detached dwelling.

Consultation Responses

Public (1 Objection) - Concern re loss of light to property, garden and solar panels due to height of dwelling.

South Holland Drainage Board - Suggests that ground investigation be carried out to determine the infiltration potential of the site.

Planning Considerations

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.

The key considerations in this case are:
- Principle/Policy
- Layout, Design, Size and Scale
- Impacts upon Residential Amenity

Principle/Policy

The site is situated 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, Design, Size and Scale

Paragraph 127 of the 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; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed dwelling measures approx. 9.2m in depth by approx. 6.9m in width. The maximum height of the proposed dwelling will be approx. 6.5m. The overall width of the plot is approx. 9.5m with a depth of approx. 24m.

The boundary of no. 28 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.

The proposed dwelling is now 0.2m wider than that previously refused and the plot remains the

same width. It is therefore still 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 depth of the dwelling has been reduced, however this does not improve the appearance of the street scene on West Drove South.

In terms of the design of the proposed dwelling, it is accepted that it is more attractive than the previous submission (H07-0845-19), with a feature front door and there has been consideration to the roof structure which makes the proposed dwelling less bland.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration and rainwater goods are proposed for the chalet bungalow.

Overall, the layout, size and scale is considered to be inappropriate to this location and size of the plot, and is considered to 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. A sunlight examination has been submitted with the application, which indicates that any impact on light would not be material in planning terms.

There are no windows proposed at first floor to the side elevations, therefore the proposed dwelling would not overlook unacceptably to any residential plot. No. 26 has no windows facing towards the site.

The dwelling would be approx. 13m from the conservatory to no. 28 to the north. At such a distance it is not considered that the proposal would have a material overbearing impact.

The proposed garden space to the rear of the dwelling would be approx. 6m deep. This would also minimise the size of the rear garden to 26 West Drove North, resulting in limited amenity space for occupants of both properties.

Taking the above into account, the proposed chalet bungalow is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Planning Balance

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.

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 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 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.

Conclusion

The recommendation is for a delegated refusal.