

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H08-1160-18 **Applicant:** Mr B Mooney
Proposal: Erection of two chalet bungalows
Location: 124 Siltside Gosberton Risegate Spalding
Terminal Date: 22nd January 2019

Planning Policies

Local Plan July 2006:

HS7	New Housing in the Open Countryside including Other Rural Settlements
SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG4	Development in the Countryside
SG14	Design and Layout of New Development
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2019

Section 5 - Delivering a sufficient supply of homes
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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY	0	0	1	0

BODIES				
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of 2 chalet bungalows at 124 Siltside, Gosberton Risegate.

The plans show 2 almost identical properties with off road parking located in between, and garden areas to the rear. The existing brick building on the site would be retained within the curtilage of plot 2.

Outline planning permission was granted in May 2016 for the development of 2 dwellings on the site (ref. H08-0249-16). A condition was attached that any dwelling on plot 2 should only be single storey with no windows to serve the roof space on the northern elevation. Although there are no windows to serve the roof space on the northern elevation of plot 2, the proposed dwelling would effectively be taller than a single storey dwelling.

Site Description

This is a brownfield site located on the corner of Chesboule Lane and Siltside. There is a vacant pub to the east and a 2 storey property to the rear with detached garage block. Risegate Eau drain is opposite. There are mostly bungalows further west along Siltside and two storey properties further east.

Policies/Constraints

The Council is in the process of finalising a new Local Plan (the South East Lincolnshire Local Plan). The new Local Plan has been through it's formal Examination process and the final report from the Planning Inspectorate has now been received. However, the new Local Plan has yet to be formally adopted. The saved policies in the 2006 Adopted South Holland Local Plan therefore remain material. However, the new Local Plan is now considered to carry significant weight in the decision-making process.

The site is located outside of any defined settlement limit as set out in the South Holland Local Plan (2006) and is therefore classed as being in the Countryside. However, it is within the settlement boundary for Gosberton Risegate in the South East Lincolnshire Local Plan (to be adopted March 2019).

South Holland Local Plan, 2006

As above

South East Lincolnshire Local Plan (scheduled to be adopted March 2019)

Policy 1 - Spatial Strategy;
 Policy 2 - Development Management;
 Policy 3 - Design of New Development;
 Policy 4 - Approach to Flood Risk;
 Policy 10 - Meeting Assessed Housing Requirements;
 Policy 11 - Distribution of New Housing; and
 Policy 36 - Vehicle and Cycle Parking.

Representations

LCC Highways/SUDS - No objections, subject to conditions and notes.

SHDC Environmental Protection - No comments or objections.

Welland and Deepings Internal Drainage Board - No objections. The exact method of foul water disposal will need to be agreed with the District Council.

Public -

- Loss of privacy
- Loss of light
- Concern re foul sewage disposal and surface water drainage (suggested capacity issues)
- Highway safety
- Parts of application form are completed incorrectly
- Recently built properties in the village remain unsold
- Concern re mechanism for heating property
- Tree shown on plans is small and no survey has been undertaken

Main Issues

- Principle
- Flood risk
- Residential amenity
- Highway safety
- Other considerations

Principle

The site is not within any defined settlement limit as set out in the South Holland Local Plan (2006) and is therefore classed as being in the countryside. However, the site is within the settlement boundary for Gosberton Rise Gate as in the South East Lincolnshire Local Plan (March 2019). The site also currently has outline planning permission for 2 dwellings (H08-0249-16) meaning that the principle of residential development on the site has already been established.

Flood risk

The site was previously considered to be acceptable in flood risk terms with raised finished floor levels of 300mm. Although a revised Strategic Flood Risk Assessment (South East Lincolnshire Strategic Flood Risk Assessment, March 2017) has been published since the outline application was approved, the flood risk picture for the site is the same. 300mm finished floor levels, in accordance with the submitted flood risk assessment, are therefore considered to be acceptable.

Residential amenity

The key issue in respect of this application relates to whether the proposal would materially harm residential amenity, with particular regard to loss of light.

Concern has been raised regarding the potential for loss of light to rooms to the existing property to the north. The outline application was approved with a condition stating that any dwelling on plot 2 should only be single storey. However, the present application shows what is effectively a small two-storey property on plot 2 and the objector contests that the single storey condition on the outline should still apply.

In terms of the house to the north and its key rooms, the downstairs of this property comprises of a sunroom at the west, dining room/kitchen to the right of this and a lounge at the east. All of these rooms have south facing windows, but there are also windows on other elevations. The applicant has submitted solar shading plans for each month of the year to demonstrate the likely impact in terms of loss of light with the proposed dwelling in place, without any of the existing fencing or the outbuilding. A plan has also been submitted showing what the situation currently is taking into account the existing outbuilding at the rear of the site which is to remain as well as the existing fencing along the boundary with the existing property. Each plan shows the situation at midday. The worst month, as to be expected, would be December with a slight shadow cast across the lounge at the east. For January, February, October and November there is a slight shadow, but for March

through to September the shadowing is shown to be primarily restricted to the application site itself. Furthermore, the existing outbuilding at the rear of the application site already affects light to the property to the north to an extent and if the full roof were to be fully reinstated at any point this would increase the effect. There are also windows on the western and northern elevations of the sunroom and eastern and northern elevations of the lounge. The solar shade plans do not show the rear garden to be affected. Taking all of this into account, it is not considered that the proposal would have a material adverse impact on the neighbouring property in terms of loss of light.

Another concern was raised in respect of loss of privacy. In terms of the proposal, Plot 2 would have no first floor window on the northern elevation and the window on the northern elevation of Plot 1 would look directly towards the rear of the neighbouring property's brick built garage/car port which would restrict views of the ground floor windows of the existing property. Furthermore the outbuilding to be retained would restrict views between the first floor bathroom windows of the existing property and the ground floor patio doors to the rear of Plot 2. The proposal is therefore considered to be acceptable.

Highway safety

Concern has been raised regarding highway safety with the point being raised that the corner of Siltside and Chesboule Lane is currently a school bus pick-up and drop-off point. However, LCC Highways have not objected to the application and an application for residential development of the site has already been approved. It would therefore be unreasonable to refuse the application on highways grounds.

Other considerations

An objector raised concerns regarding foul sewage disposal and surface water drainage. The Welland and Deepings Internal Drainage Board have also commented that the exact method of foul water disposal will need to be agreed with the District Council. Conditions will therefore be added requiring details of foul water disposal and the details of the proposed means of surface water drainage to be submitted.

The proposed means of heating has been queried as no oil or LPG tanks have been shown on the plans. However the proposed method of heating is a matter for Building Control and small domestic fuel tanks can normally be installed without planning permission in any case.

In the course of this application being determined, the tree at the west of the site has been felled. The tree was not protected and therefore does not prevent development of this site.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan (2006), Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (2019), as well as Sections 5, 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.