DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0061-20**	**Applicant:**	**Mr R White**
Proposal:	Demolish existing cottages and replace with pair of 2 bed cottages		
Location:	3 & 5 Back Street Holbeach Spalding		
Terminal Date:	27th March 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
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 11, 12, 14 and 16.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	0

OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought to demolish a pair of former cottages upon the site and replace them with a similar form of development. It is essentially a re-submission of H09-1183-15.

Site Description

The site is currently occupied by a former pair of cottages (circa 1845) and is currently being used as temporary storage in conjunction with the neighbouring construction site. A residential conversion is presently underway to the north (ref. H09-0287-14) and a converted two storey property is situated to the south. A house is situated to the east and a residential conversion opposite. Vehicular access is off a private roadway (Back Street).

Policies/Constraints

Inside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019.

The site is outside Holbeach Conservation Area.

Planning History

H09-1183-15 - Full - Demolish existing derelict cottages and replace with a pair of 2 bedroom cottages -Granted 9 March 2016.

H09-1138-17 - C/C - Details of slate sample for roof, new front doors, rooflights and refuse storage (Conditions 3, 5, 6 and 8 of H09-1183-15) - Granted 29 January 2018.

Consultation Responses

Holbeach Parish Council - No objections.

LCC Highways/SUDs - Does not wish to restrict the grant of permission.

SHDC Environmental Protection - No objections.

LCC Archaeology - No input.

Public - No comments received.

Planning Considerations

The main issues are:
- Principle;
- Character and appearance, including the effect of the development upon Holbeach Conservation Area;
- The likely affect upon the amenity of nearby residents;
- Highway safety;
- Other material considerations, including flood risk.

Principle

The site is inside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 indicates that within the settlement boundaries of the Main Service Centres, including Holbeach, development 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. No objections are therefore raised on locational grounds.

Character and appearance

The building (circa 1845) is not within Holbeach Conservation Area and is not worthy of listing. Whilst it has some historic merit it is not considered to fall within the category of a non-designated heritage asset. LCC Archaeology has raised no issues concerning its demolition and permission has previously been granted for the scheme (ref. H09-1183-15). Similar converted buildings are situated nearby. It is considered that the proposal would not materially harm the character/appearance of the street scene or setting of the Conservation Area.

Amenity

A residential conversion is presently underway to the north (ref. H09-0287-14) and a converted two storey property is situated to the south. A house is situated to the east and a residential conversion opposite.

The proposal has rear upper windows on its first floor. However, they would be obscure glazed. A side rooflight facing north would be high level. A rooflight facing south would essentially face a side wall of the neighbouring property, which only has ground floor windows serving a rear bedroom and passage. It is considered that the amenity of nearby residents would not be materially harmed by reason of lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. A refuse storage area has been provided at the rear. The proposal satisfactorily complies with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in terms of amenity.

Highway Safety

Green Lane is a private roadway with a gravelled surface. The scheme includes no on site parking and is not therefore strictly in accordance with the provisions of Policy 36 of the SELLP. However, the proposal would be difficult to resist on highway safety grounds because it is replacing existing derelict cottages and is simply filling in a gap. Although no on-site parking facilities have been provided, the site is close to the town centre in a location where parking standards are relaxed. The County Highways Authority has not objected on grounds that it would be detrimental to existing on-street parking and the highway network.

Flood Risk

The site lies within Flood Zone 2 defined by the Environment Agency Flood Map. The latter 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 site is therefore sequentially preferable in flood risk terms. Concerning the exceptions test, finished floor levels should be set 300mm above existing ground level.

The proposal satisfactorily complies with Policy 4 of the South East Lincolnshire Local Plan, 2019 in terms of flood risk.

Drainage

Foul water would be disposed of to a public sewer and surface water to a soakaway. Ground conditions within Holbeach are considered suitable for the latter.

Conclusion

The proposal is considered to be a sustainable location for new housing and would not harm the

character/appearance of the locality or setting of Holbeach Conservation Area. The scheme has been designed to protect the amenity of neighbouring residents in terms of overlooking/lack of privacy, etc. the proposal therefore satisfactorily complies with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Green Lane is a private roadway with a gravelled surface. The scheme includes no on site parking and is not therefore strictly in accordance with the provisions of Policy 36 of the SELLP. However, the proposal would be difficult to resist on highway safety grounds because it is replacing existing derelict cottages and is simply filling in a gap. Lack of on site car parking is outweighed in this case by other factors in favour of the scheme.

The site is sequentially preferable in terms of flood risk and the proposal satisfactorily complies with Policy 4 of the South East Lincolnshire Local Plan, 2019.

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.