DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0223-19**	**Applicant:**	**Mr & Mrs Gary Tune**
Proposal:	Proposed replacement dwelling		
Location:	White Bungalow Ravens Bank Holbeach St Johns		
Terminal Date:	25th April 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
22	Replacement Dwellings in the Countryside

National Guidance

National Planning Policy Framework 2019

Sections 5 & 12 of the National Planning Policy Framework (2019)

Representations:

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

OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full application for a replacement dwelling at White Bungalow, Ravens Bank, Holbeach St John. The proposal seeks to demolish a dilapidated but habitable bungalow to provide a replacement dwelling on land to the east and south of the existing dwelling, within the existing residential curtilage. At ground floor level a lounge, study, hall, sitting room, dressing room, en-suite, bedroom, dining room, kitchen, sunlounge, utility room and water closet are to be sited. The first floor of the proposed dwelling will provide four bedrooms, two en-suites, a bathroom and a dressing room. The proposed materials of Flemish Antique (Vandersanden) brick and Grey Cassius Clay Slate Effect tiles are considered to be appropriate for the site. Windows are predominately white UPVC with sashes to the front bay windows.

Site Description

The proposal is outside of defined settlement limits in the open countryside. The surrounding area is predominately rural and characterised by dwellings of varying ages and design. Arable fields are located in all directions of the site, with Little South Holland Drain to the front on the opposite side of Ravens Bank to the north, and a property named Altbrook, belonging to the applicant, immediately to the east. The site is not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. For extra precaution the applicant will raise the dwelling 500mm above ground level and will be registering with the Environment Agency free Floodline Warnings Direct Service. This is not considered to impact the final design.

History

H09-0575-81 - Replacement Dwelling (Outline) - Approved 23 June 1981.

Consultation Responses

South Holland Internal Drainage Board

Requests a full drainage details condition.

County Highways & SUDS Officer

No objections.

Historic Environment Officer

No archaeological impact
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Environmental Protection Officer

No comments or objections.

Planning Considerations

The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the adjacent dwelling or the surrounding area. A condition will be placed on the decision notice requiring that the existing dwelling must be demolished and expunged from the site before the replacement dwelling is in occupation.

This application is assessed against Policy 22 of the South East Lincolnshire Local Plan. This Policy states:

"Proposals for the erection of replacement dwellings outside defined settlement boundaries will be permitted provided that:

1 - The residential use of the building to be replaced (the original building) has not been abandoned;

2 - The original building is permanent, has not become derelict and is not the result of a temporary permission;

3 - The original building is not of architectural or historic merit and is not capable of repair;

4 - The replacement building is of a high standard in terms of architectural detailing and materials of construction;

5 - The replacement building is positioned on a similar footprint to the original building unless it can be demonstrated that the re-positioning would have beneficial impacts such as improving the character and appearance of the site and its locality, and;

6 - The replacement building does not exceed the floor area of the original dwelling by more than 40%, unless the development is of exceptional quality or innovative in nature in terms of its design, use of materials and levels of energy efficiency.

Where permission is granted, Permitted Development Rights may be removed in order to control future alterations or extensions that may impact on the appearance and character of the surrounding area."

The proposed replacement dwelling is considered to accord with all of the above criteria. Whilst the footprint has been moved, the new dwelling sits better in the site, and allows for greater manoeuvrability of vehicles, enabling improved entrance and exit from the site, thereby improving highway safety. The increase in excess of 40% of the original floorspace is outweighed by the substantial visual improvement the new dwelling will provide by removing a visual blight on the landscape.

The layout and orientation of the proposed dwelling is such that it is not considered to generate a material overlooking or overshadowing impact. The proposed materials of construction are of a good standard and contribute to a visual improvement in the area through use of traditional materials.

The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the adjacent dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 , 3, 10, 11, 17 and 22 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.
A delegated approval is considered to be appropriate.

Public Sector Equality Duty
In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.