DECISION DELEGATED TO DEVELOPMENT MANAGER

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|---|---|---|---|
| **Application No:** | **H09-0303-21** | **Applicant:** | **Mr & Mrs R Costello** |
| **Proposal:** | Erection of detached dwelling - plots 2 and 3. (self-build project) - outline approval H09-1058-20 | | |
| **Location:** | Adj. Longfield House Northons Lane Holbeach | | |
| **Terminal Date:** | 2nd June 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 |
| 12 | Reserve Sites |
| 16 | Holbeach West Sustainable Urban Extension |
| 17 | Providing a Mix of Housing |
| 28 | The Natural Environment |
| 29 | The Historic Environment |
| 30 | Pollution |
| 31 | Climate Change and Renewable and Low Carbon Energy |
| 32 | Community, Health and Well-being |
| 36 | Vehicle and Cycle Parking |
| APPENDIX 6 | Parking Standards |

**National Guidance**

**National Planning Policy Framework 2019**

NPPF 2019.

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 0 |
| WARD MEMBER | 0 | 1 | 0 | 0 |

| | | | | |
|---|---|---|---|---|
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| SHDC INTERNAL | 0 | 0 | 0 | 1 |

## CASE OFFICER ASSESSMENT

### Proposal

RESERVED MATTERS. Erection of detached dwelling - self-build project - outline approval H09-1058-20. The site is described as plot 2 by the applicant, however the site is not one fifth of the overall outline site area, being a wider frontage than that indicated by the indicative plans of the outline consent, effectively drawing in a further development plot.

The application proposes a detached two storey dwelling within a sizeable garden, set back from the highway.

The details pursuant to conditions 3 (Layout, scale and external appearance of the building, access, landscaping)
5 (scheme of landscaping and tree planting indicating), 6 (Details of Boundary Treatment) and 8 (Full Details of Drainage) of the outline consent are provided by this application.

A schedule of materials, foul and surface water drainage are shown on the submitted plans.

### Site Description

The site is one large plot of a wider outline site, and is located to the north west edge of Holbeach, within Flood Zone 3. The site has direct frontage onto Northons Lane and is currently in agricultural use.

The site is located within the defined Settlement Limits for Holbeach and forms part of the larger Allocated Site referred to as Hob048 - Land east of the A151 / Holbeach West Sustainable Urban Extension (SUE) within the SELLP. The SUE is proposed, to provide approximately 900 new homes, of which about 750 new dwellings and associated infrastructure will be delivered in the Local Plan period (2011-2036); the remaining dwellings and associated infrastructure will be delivered thereafter, as part of a new neighbourhood.

There are existing residential properties located to the west (Longfield House), to the east (detached bungalows) and also to the south on the opposite side of Northons Lane (The Old Cottage, which is a Listed Building).

### History

H09-1058-20. Land Adj. Longfield House, Northons Lane. OUTLINE. Residential Development - (up to 5 plots). APPROVED. 08-02-21.

### Consultation Responses

Holbeach Parish Council

No response received.

SHDC Cllr F Biggadike

Support. Consider the incorporation of the attic windows to the south being complementary to the Old Cottage across the road. A local family fulfilling family needs and the Council policy of

supporting self build homes.

SHDC Conservation Officer

Confirms that from a built heritage conservation perspective, has no particular issues with this proposed development.

Whilst the site is in adjacency to a Grade II listed property, the surrounding land is not a part of any Conservation Area. Therefore, find that with appropriate design, scaling and massing, in conjunction with the considerable 'setting back' of the proposed structure from the roadside, a residential development in this location should not create a significant imposition upon either the character or value of The Old Cottage or any other nearby designated or non-designated heritage assets.

LCC Highways & SUDS Support

Requests that any permission given by the Local Planning Authority shall include a condition requiring a footpath link to Oakwood Gable (sic), and informatives.

Third Parties

No responses received.

**Planning Considerations**

Principle of Development
Layout and Design
Highway safety and parking
Impact on neighbouring Residents/land users
Flooding considerations
Foul and Surface Water Drainage
Contaminated Land
Heritage considerations
Archaeology
Biodiversity and Wildlife

Principle of Development

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 site is located within the defined Settlement Limits for Holbeach and is part of a wider land allocation within the SELLP, and is allocated for residential development, within Policy 16: Holbeach West Sustainable Urban Extension. The land allocation was tested via the enquiry in public in to the SELLP and considered to be acceptable.

The principle of the development of this site is accepted by the outline consent set out above.

Layout and Design

The site is not one fifth of the overall site area, being a wider frontage than that indicated by the indicative plans of the outline consent. This may preclude the development of the rest of the site by 4 further plots, however this is a matter for the land owner to consider; the outline consent specified "up to 5 plots".

The form and layout would provide a 5 bedroom dwelling with attached garage in a spacious plot, set back from the highway. The dwelling is proposed to be a substantial five-bedroom property, in the form of a two storey dwelling with rooms in the roofspace, served by windows inserted in to the roof form. The materials proposed are of a high quality and the building would not impact detrimentally on the street scene or the setting of the listed building opposite (The Old Cottage).

The landscaping scheme is typical of domestic development and is considered to be acceptable. A condition is suggested to control the fencing of the frontage in the future, in order to control any impacts on the street scene and the listed building opposite.

The dwelling would be a considerable improvement on the current built form on site, being an outworn agricultural building. The proposal accords with Policies 2, 3 and 38 of the SELLP as well as teh provisions of the NPPF.

Highway safety and parking

LCC Highways suggestion that a pedestrian link to Oakwood Glade was not included within the response from LCC to the outline application. Although Policy 16 of the SELLP sets out the desirability of cycle and pedestrian links from/to Northons Lane from the wider development, it is not considered that it would be reasonable to impose this requirement at this reserved matters stage.

The application site fronts directly onto Northon's Lane which is subject to a 30mph speed limit. This section of Northon's Lane is single width and rural in nature. It is not considered that a pedestrian footpath would be necessary at this point.

The parking provision and turning on the site accords with policies 2 ,3 and 36 of the SELLP.

Impact on neighbouring Residents/land users

The dwelling would be set back within the plot and oriented so as to not lead to a loss of daylight, sunlight or privacy to adjoining dwellings to the east, nor to The Old Cottage on the opposite side of Northons Lane.

It is recommended that a condition removing permitted development rights for extensions is appended to the decision, as the first floor balcony currently would not overlook neighbouring residents, however a flat roofed extension and raised patio at a later date would be a matter for further consideration.

Boundary treatments are shown within the submitted details, however the required section has not been. Notwithstanding this it is considered that a 1.8m high close boarded fence will be acceptable.

The proposal would accord with Policies 2 and 3 of the SELLP.

Flooding considerations

The site is within Flood Zone 3 as shown on the Environment Agency's Flood Zone Map. These maps do not take into account existing flood defences.

As the site is within a defended area the proposed development can be categorised as within Flood Zone 3(a) as detailed on the Environment Agency's flood zone maps without defences, as defined in Table 1 of the Technical Guidance.

A condition is included within the outline consent controlling finished floor levels and this has been taken in to account when considering the impacts of this proposal.

Foul and Surface Water Drainage

Details of the soakaways and a treatment plant are shown within the planning application and LCC have raised no objection. It is intended that eventually the foul water will connect to the wider Anglian Water facilities on the wider site.

Contaminated Land

An informative was added to the outline consent with regard to unexpected contamination if it is found.

Heritage considerations

Careful consideration has been given to the setting of the listed building opposite the site (The Old Cottage) and the views of the Conservation Officer are set out above. The proposal accords with Policy 29 of the SELLP and the intentions of the NPPF.

Archaeology

LCC has confirmed that they would not recommend any archaeological input in association with this application. The results of the previous evaluation did not reveal anything of interest in the vicinity.

Biodiversity and Wildlife

Biodiversity and wildlife was considered at the outline stage and an informative included.

**Conclusion**

Approve.

**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.