DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0618-21**	**Applicant:**	**DCF Builders Ltd.**
Proposal:	Erection of detached dwelling (Plot 4) - outline approval H09-1058-20		
Location:	Land Adj. Longfield House (Plot 4) Northons Lane Holbeach		
Terminal Date:	3rd September 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 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS	0	0	0	1

SUPPORT				
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

RESERVED MATTERS. Erection of detached dwelling (Plot 3) - outline approval H09-1058-20.

Specifically this application proposes a detached two-storey, five -bedroom house, constructed in brick with elements of barge boarding, under a slate roof, with an attached garage and additional parking to the front. The dwelling would be set back from the immediate frontage and access provided via Northons Lane. Estate railings and landscaping are to be provided to the frontage.

On the ground floor, a kitchen dining toom and living room, as well as a small study and family room are proposed. At first floor five bedrooms and bathroom are proposed.

With regard to fenestration facing the adjoining dwelling at Longfield House, within the western elevation on the ground floor, there would be two secondary living room windows and a study window, with no first floor windows. In the rear elevation at ground floor level would be a family room window and a window and folding door to the dining room/kitchen, and at first floor would be three bedroom windows and once en-suite window.

Foul drainage is to be dealt with by the installation of a biodisc treatment unit on plot, and surface water drainage is proposed to be discharged in to soakaways.

The levels of the development are controlled by the Flood Risk Assessment approved as part of the outline consent.

The application has been revised since submission to accurately show the relationship of the development to the adjoining dwelling, Longfield House.

Site Description

As host application. The agricultural building has now been demolished. Works have commenced on plot 2/3 (H09-0303-21 refers) .

History

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

H09-0303-21. RESERVED MATTERS. Erection of detached dwelling - plots 2 and 3. (self-build project) - outline
approval H09-1058-20. Approved 27 May 2021.

H09-0616-21. RESERVED MATTERS. Erection of detached dwelling (Plot 1) - outline approval H09-1058-20.
Under consideration.

H09-0617-21. RESERVED MATTERS. Erection of detached dwelling (Plot 3) - outline approval H09-1058-20. Under consideration.

Consultation Responses

Holbeach Parish Council

No objection.

Ward Councillor Cllr F Biggadike

Support. Appears to confirm to Council policy of supporting individual designed properties which is taking place here, nothing controversial to say..

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

One objection to original plans, raising the following matters:

Impact on privacy, due to overlooking of front and main garden by all first floor windows of the new house, which would curtail our right to a private life.
Increase in noise and disturbance.
Road surface and narrow road would not cope with traffic generated by the development.
A three bedroom bungalow would be more suited to the environment conditions, in relation to traffic, light pollution,
privacy and wellbeing.

One comment received regarding provision for Swifts.

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.

An objection has been received relating to the principle of the development and stating that a three bedroom bungalow would be more suited to the environment conditions, in relation to traffic, light pollution, privacy and wellbeing. This report considers the application that is before the Local Planning Authority and no amendment has been requested to facilitate the reduction in the form of development; the impact of the proposal on the neighbouring property is discussed below.

The principle of the development of this site is accepted by the outline consent set out above, and the objections received at that time were fully considered and weighed against the prevailing planning policies.

Layout and Design

The application has been amended since original submission to accurately show the location of the adjoining dwelling of Longfield House and as a result presents accurately the relationship of the existing and proposed dwelling.

The objections set out above have been considered in the light of the accurate revised drawing submitted. In terms of potential overlooking to Longfield House, it is noted that Longfield House has one window to its side elevation facing the plot and this appears to be obscure glazed to a bathroom. The design of this proposal proposes no first floor windows to its gable facing Longfield House. There would be a single dormer window above the garage which would face Longfield House but as well as being over 10 metres from the substantially screened boundary, the main two storey element of the new dwelling would obstruct views from this dormer window back to the front elevation of Longfield House. The objections above have been considered at it is concluded that the development would not impact to such a degree on Longfield House that permission could be withheld for reasons of loss of privacy or overbearing impacts.

The garden to garden relationships that would be created by this proposal does not differ from the usual arrangements of garden spaces, being side to side, and would not lead to any undue loss of amenity such that this application could be refused.

The form and layout would provide a two storey dwelling with attached garage in a comfortably sized plot, set back from the highway. No windows or rooms are proposed to the roof space that would overlook existing neighbouring dwellings. 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 wider site (The Old Cottage).

The landscaping scheme proposed 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 proposal accords with Policies 2, 3 and 38 of the SELLP as well as the 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.

The fenestration facing Longfield House is described above. Given the orientation of the buildings in relation to each other and teh siting of windows, it is not considered that teh proposal would result in an undue loss of privacy, day light or sunlight to the adjoining dwelling.

It is recommended that a condition removing permitted development rights for extensions is appended to the decision, as any extension closer to neighbouring dwellings and/or alterations to the roof to include windows or further accommodation would then be a matter for further consideration, in order to protect the amenities of adjoining residents.

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 biodisc plant are shown within the planning application and LCC have raised no objection.

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 it is considered that the setting of the listing building would not be compromised by this development. The proposal accords with Policy 29 of the SELLP and the intentions of the NPPF.

Archaeology

LCC has confirmed on an application on the wider site (H09-0303-21 refers), 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. A condition seeking swift boxes is included on this recommendation.

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.