

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-1024-18 **Applicant:** Mrs Debra Fisher
Proposal: Change of use of land from paddock to residential
Location: Ladysmith House Cranmore Lane Holbeach
Terminal Date: 6th January 2019

Planning Policies

Local Plan July 2016:

SG1 General Sustainable Development
SG4 Development in the Countryside
SG14 Design and Layout of New Development
SG17 Protection of Residential Amenity
SG21 Extension of Curliages

National Guidance

National Planning Policy Framework 2018

Section 12 of the National Planning Policy Framework (2018)

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

This is a full application for change of use of land from paddock to residential at Ladysmith House, Cranmore Lane, Holbeach. The proposal is outside of defined settlement limits in the open countryside, and the surrounding area is predominately rural, characterised by dwellings of varying ages and design.

The proposal seeks to provide additional residential use land to the north of the existing property, approximately 2256.8 square metres in area. The land will be used to provide off road parking for up to four vehicles to the front with gardens beyond. The land has been sold to the applicant by South Holland District Council. The proposal land is bordered to post and wire fencing at the northern boundary, approximately 1 metre in height. There are two rows of hedges that run across the site on a north to south axis. A 2 metre high timber fence and green wire mesh fencing form the frontage means of enclosure, either side of the off road parking access.

Councillor Biggadyke supports the proposal, stating: "Will vastly improve road safety at a blind corner when entering the narrow road of Cranmore Lane from Hither Hold Gate by enabling residents of Ladysmith House to obtain off road parking." South Holland Internal Drainage Board has stated the discharge of surface water to a watercourse will require an application to the Board under Byelaw 3. This matter will be addressed via condition. The County Highways & SUDS Officer has no objections to the proposal.

The Environment Protection Officer has requested an unexpected contamination informative stating: "I refer to my previous correspondence and concerns regarding the potential for backfilled land / landfill to be present on site."

"Mrs Fisher has done a lot of research in to the site history, and between us we established that there was the potential for the western most portion of the site (<10m) to be part of the backfilled brick pit which is present across around 2/3rd of their land."

"Mrs Fisher offered to use their mechanical auger to open up some shallow holes, and myself and J Rands (EP Team Leader) have been to site this morning to inspect them. Four locations were chosen, two in the potential fill area and two outside the potential fill area. A maximum depth of 0.70m was achieved, with no progress in the SW corner, most likely to due to tree roots. Underlying around 0.10m of Topsoil was light to mid brown silty CLAY in all locations. There were no indicators of domestic type waste, one fragment of brick was found, as would be expected at a former brickworks, but no plastic or other anthropogenic material was identified."

"Given the need to be proportionate, given that the proportion of their garden area that is potential backfill will decrease from two thirds to around half with the inclusion of this land, and in the scheme of things their exposure would not be significantly different, I request that if permission is granted, it is subject to the following condition:

'In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health."

"I have discussed with the applicants that should they apply for planning permission for residential development in the future, they should expect a condition relating to land contamination."

As the application proposes an extension of residential curtilage, Policy SG21 of the South Holland Local Plan is relevant. This Policy is titled 'Extension of Curtilages' and states:

"The extension of residential or other curtilages beyond the defined development limits of settlements will only be permitted where there would be no harm to the setting, character and appearance of the settlement."

"In the case of residential and other uses outside defined settlement limits, the extension of curtilages will only be permitted where there would be no harm to the character, appearance and landscape quality of the area."

"Permitted development rights, including those for the erection of curtilage structures and means of enclosure, will normally be withdrawn. Special regard will also be had to landscaping and boundary treatment."

There is not considered to be any harm to the character, appearance and landscape quality of the area as a result of the proposed works. The proposal is therefore considered to be in accordance with Policy SG21 of the South Holland Local Plan.

No objections have been received from any neighbours and there is not considered to be any material harm to neighbouring residential amenity or the character of the surrounding area. The design, scale and layout is considered to be appropriate for the site.

In light of the above considerations the proposal is considered to be in accordance with policies SG1, SG4, SG14, SG17 and SG21 of the South Holland Local Plan, 2006, as well as Section 12 of the National Planning Policy Framework, 2018.

A delegated approval is considered to be appropriate.