DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-1028-18**	**Applicant:**	**Mr Kevin Vaughan**
Proposal:	Erection of three-bed detached house		
Location:	Plot: Junction Main Road/Holbeach Drove Gate Holbeach Drove Spalding		
Terminal Date:	6th December 2018		

Planning Policies

Local Plan July 2016:	
HS7	New Housing in the Open Countryside including Other Rural Settlements
SG1	General Sustainable Development
SG14	Design and Layout of New Development
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2018

Sections 5, 12 and 14 of the National Planning Policy Framework (2018)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1

RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

This is an application for the erection of a three bed detached house on land adjacent to the junction of Main Road and Holbeach Drove Gate in Holbeach Drove. The proposal is within the proposed defined settlement limits of Holbeach Drove under the Draft South East Lincolnshire Local Plan. The surrounding area is characterised by dwellings of varying ages and design.

The proposal seeks to provide a three bedroom dwelling which will contain a lounge, water closet and combined kitchen / family room at ground floor level. On the first floor, three bedrooms and a bathroom are to be sited. The are two trees on site that are subject to preservation orders and an Arboriculturalist Report has been submit to show proposed preservation works during construction.

The Historic Environment Officer

No objections.

The Environmental Protection Officer

Requests a condition with regard to landfill gas and an informative concerning unexpected contamination.

South Holland Internal Drainage Board

Has requested a standard surface water condition.

The County Highways & SUDS Officer

Has no objections and has requested standard access and utility conditions.

General Public Comments

expressed concerns with regard to impact on character, overdevelopment, proximity to TPO trees, neglect of TPO trees on site, and highway safety.

Trees & Conservation Officer

"Bearing in mind the local pressure to put a Tree Preservation Order on the ash trees concerned in the first place, it is recommended that should the Local Planning Authority be minded to allow the building of a three bedroomed house on this narrow plot; that the ash tree identified as T2 in the report is ideally retained for the time being, the proposed house to be redesigned if required to accommodate it. The tree is the better of the two trees and has the potential to grow considerably, so this needs taking into account should the proposed house be re-designed."

"Should application for the removal of the ash tree identified as T1 in Dr.Frank Hope's report be made, this is likely to receive favourable consideration. Should consent be given to remove the tree there would be an expectation that a replacement is planted."

"The tree identified as T2 in the report requires the removal of dead wood and if development of the site is going ahead, possibly the reduction of a branch which grows into the site when viewed from the north. A Tree Works Application to the Local Planning Authority for consent to reduce the branch will be required. All tree works should be carried out to British Standard 3998 2010."

"With regard to the landscaping details it is agreed that silver birch and native mountain ash are attractive trees which can grow to a significant size but not to huge trees; they are therefore ideal in proximity to development, silver birch trees being low water demand trees. The proposal to plant a

frontage hawthorn hedge is a very welcome feature. The hedging must be planted far enough from the boundary to prevent it encroaching on the pavement when mature."

"Where it is proposed to locate the silver birch adjacent to the proposed bitumen macadam driveway, a suitable barrier should be installed to prevent the roots of the silver birch from lifting the surface of the driveway in years to come."

"Regular watering of newly planted trees and hedging is essential in dry periods and particularly in dry summer months for at least the first year, to ensure the best growth. The newly planted trees and hedging then have a chance to benefit from the long summer daylight hours and really establish, putting down new roots and top growth. Otherwise in dry periods they waste the long hours of daylight fighting to survive."

Planning considerations

With regard to highway safety, there is not considered to be material cause for a concern from the proposed new access. The County Highways & SUDS Officer has raised no objections.

With regard to other concerned expressed, a similar application on this site was refused on this site under reference H09-0496-03 and subsequently dismissed by the Planning Inspectorate at appeal. Criterion 2 in the reasons for refusal on the decision notice stated "The proposal represents an over-development of the site by reason of inadequate provision for amenity space and the excessive bulk and scale of the building proposed." Criterion 3 states the proposal is "not in keeping with the general character of the area in which it is situated through its layout, siting and design."

In the appeal decision, the Inspector states "The proposed design of the dwelling would result in a 2 storey modern brick built house which would not be out of character with many of the other newer properties in the locality. However, the site is restricted in depth and length, more so a result of the need to protect the ash trees and their canopies which overhang about half of the site. These trees are semi-mature and would grow much alrger in the years ahead shading the house and its garden. There is a limited amount of private amenity space one the footprint of the house and the detached double garage is taken into account and furthermore there inevitably be pressure to remove or lop branches of the TPO trees to provide more light which would threaten their long term health. Consequently, I consider that the site is of an inadequate size to accommodate the proposed development. It would appear cramped on this conspicuous corner site and out of character with the majority of housing in the area."

Whilst Holbeach Drove has now been allocated defined settlement limits the reasons for the initial refusal and subsequent appeal dismissal are not considered to have been adequately addressed.

In light of the above considerations the proposal is not considered to be in accordance with policies SG1, SG14 and and HS7 of the South Holland Local Plan, 2006, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2018.

A delegated refusal is considered to be appropriate.