

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-1227-21 **Applicant:** DCF Builders Ltd.
Proposal: Erection of detached dwelling (Plot 1) - approved under H09-0616-21.
 Modification of Condition 1 to allow amendments to previously approved plans.
Location: Plot 1 - Land Adj. Longfield House Northons Lane Holbeach
Terminal Date: 24th January 2022

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 SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

SEC 73 MODIFICATION. Erection of detached dwelling (Plot 1) - approved under H09-0616-21. Modification of Condition 1 to allow amendments to previously approved plans.

Specifically, in comparison to the host consent, this S73 application:

omits en suite

includes a larger window to bathroom

includes a larger window to kitchen dining

adds a window to the garage

enlarges the living room

adds a fireplace and chimney

includes a single entrance door & sidelights to front elevation.

The materials are proposed as follows:

- slate grey roof
- black rainwater goods
- cream pvc-u windows
- dark grey entrance door & garage door
- TBS Grantchester Blend facing bricks
- stone cills.

Site Description

History

H09-0616-21. RESERVED MATTERS. Erection of detached dwelling (Plot 1) - outline approval
H09-1058-20. APPROVED. 14-07-21.

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

Consultation Responses

Ward Member - Cllr F Biggadike

Support. Consider this property will enhance street scene and surrounding properties.

Holbeach Parish Council

No Observations.

LCC Highways & SUDS Support

Does not wish to restrict the grant of permission

This proposal will have no impact on the highway or surface water flood risk.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

South Holland Internal Drainage Board

I note that the applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of the proposed drainage strategy has been evidenced. We would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If following testing a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.

Planning Considerations

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 form and layout would provide a 3 bedroom bungalow with attached garage in a spacious plot, set back from the highway. No windows or rooms are proposed to the roof space. 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 previous built form on site, being an outworn agricultural building. The proposal accords with Policies 2, 3 and 38 of the SELLP as well as the provisions of the NPPF.

Highway safety and parking

No change to the arrangements approved by the host consent. LCC raise no objection.

Impact on neighbouring Residents/land users

The dwelling is to be set at the approved levels, and on the same footprint. The alterations proposed by this S93 application would have not greater impact on adjoining residents than the approved scheme.

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.

There is no change to the approved arrangements, and details are required via the conditions of the outline consent.

Foul and Surface Water Drainage

There is no change to the approved arrangements, and details are required via the conditions of the outline consent.

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.