DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H10-0390-21**	**Applicant:**	**Mr G Wyatt & Ms G Reed**
Proposal:	Permission in Principle Application for demolition of garage and outbuilding and erection of one detached dwelling		
Location:	Oakdene Hospital Drove Long Sutton		
Terminal Date:	14th May 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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Town and Country Planning Act (Permission in Principle) Order 2017
Town and Country Planning Act (Permission in Principle) Order 2017 (Amended)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application seeking Permission in Principle for the demolition of a garage and outbuilding and erection of one detached dwelling at Oakdene, Hospital Drove, Long Sutton.

The application is made in light of the provisions in the Town and Country Planning (Permission in Principle) Order 2017 and the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

The only matters within the scope of a Permission in Principle application are location, land use and the amount of development. All other details would be considered at the Technical Details stage.

Site Description

The site lies on the western side of Hospital Drove and currently accommodates a small detached garage of brick construction and an outbuilding that is of timber construction and in poor state of repair. The site is adjoined by other frontage dwellings and residential development extends further north and south along the western side of Hospital Drove. There are glass houses to the rear which form part of a wider horticultural business that extends to the west away from Hospital Drove. There are open agricultural fields opposite.

History

None relevant.

Consultation Responses

Environment Agency - No objection but states that a Flood Risk Assessment should be considered at Technical Details stage.

South Holland Drainage Board - Outlines the relevant consents that may be required from the board and recommends that the proposed drainage strategy be supported by ground investigation to determine the infiltration potential of the site and depth to groundwater.

Public (1 comment, summarised) -
- Concern re potential for overlooking and loss of light
- Query whether the proposal will affect the private road between it and the neighbouring boundary

Planning Considerations

Policy Context

This application seeks Permission in Principle and follows the provisions in the Town and Country Planning (Permission in Principle) Order 2017 and the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

This application relates to a greenfield site that is not included in the Brownfield Register. It accommodates a garage and outbuilding and forms part of the residential curtilage of the property known as Oakdene. As such, the site is not considered to be previously developed (as per the definition of 'previously developed land' set out in Annex 2 to the NPPF, 2019).

An application can be made to a Local Planning Authority which relates to a piece of land that is not on the Brownfield Register provided that the proposal meets a set of criteria. Permission in Principle

cannot be granted for schemes that are considered major development, habitats development, householder development or EIA Development (Schedule 1). The proposal does not conflict with these criteria.

Not all of the usual material planning considerations can be included in the determination of a Permission in Principle application and the scope is limited to location, land use and the amount of development. All other matters would need to be considered at the following Technical Details stage which makes up the second part of the process. For the current application, the Local Planning Authority needs to determine whether the proposal for a dwelling on this site is acceptable in principle when considering the location of the site, the proposed land uses, and the amount of development proposed. Amenity concerns would be addressed at Technical Details stage.

The NPPG states that decisions made by the Local Planning Authority must be made in accordance with the relevant policies in the Development Plan unless there are material considerations which indicate otherwise.

The following considerations are relevant to the determination of this application.

Location of Development

The site sits within the settlement boundary of Little Sutton as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Policy 1 of the SELLP identifies Little Sutton within the 'Other Service Centres and Settlements' tier of the hierarchy and states that development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Committed sites and infill.

The proposal would represent infill development and therefore complies with Policy 1 in this regard. It could also help sustain existing facilities in Long Sutton and Sutton Bridge depending on the future occupants choices. It is therefore considered to be an acceptable location for the proposed development.

Land Use

The site is adjoined by other frontage dwellings and residential development extends further north and south along the western side of Hospital Drove. There are glass houses to the rear which form part of a wider horticultural business that extends to the west away from Hospital Drove. There are open agricultural fields opposite. The proposed development in terms of use would be compatible in principle with the surrounding land uses. It is therefore in accordance with Policies 2 and 3 of the SELLP in this regard.

Amount of Development

The proposal relates to the erection of a detached dwelling. The site is of a sufficient size to accommodate a modest dwelling together with adequate private garden area and off-street parking. It is therefore in accordance with Policies 2, 3 and 36 of the SELLP in this regard.

Material Planning Considerations

Considerations such as visual appearance, residential amenity, highway safety, drainage etc. would be covered at the Technical Details stage.

Planning Balance

The proposal has been assessed against the relevant planning policies at both local and national level appropriate within the scope of an application for Permission in Principle. The proposal is considered to be acceptable in terms of location, land use and amount of development when assessed against the relevant policies of the South East Lincolnshire Local Plan (2019). The recommendation is therefore to grant Permission in Principle for the proposal.

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.

Conclusion

The proposal has been assessed against the relevant planning policies at both local and national level appropriate within the scope of an application for Permission in Principle. The proposal is considered to be acceptable in terms of location, land use and amount of development when assessed against the relevant policies of the South East Lincolnshire Local Plan (2019). The recommendation is therefore to grant Permission in Principle for the proposal.