

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H13-0036-20	Applicant:	R K Wilson Builders Ltd
Proposal:	Residential development - 3 no. building plots (re-submission of H13-0094-19)		
Location:	Rear Of 29 River Lane Moulton Spalding		
Terminal Date:	30th March 2020		

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
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development
 Section 5. Delivering a sufficient supply of homes
 Section 11. Making effective use of land
 Section 12. Achieving well-designed places
 Section 14. Meeting the challenge of climate change, flooding and coastal change

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full planning permission for 3 no. buildings plots for residential development (re-submission of H13-0094-19) in land adjacent to the rear of Lea House, 29 River Lane, Moulton.

The re-submission includes the following amendments:

Plot 1

- Reduction of the depth of bedroom 1 from 3.96 metres to 3.84 metres.
- Replacement of three bifold doors and one single panel door in the lounge for four bifold doors.
- Change of opening direction in bifold doors, from left to right.

Plot 2

- No amendments.

Plot 3

- Revised design and layout: replacement of rectangular footprint for an L shape footprint, increase of two-storey mass and bulk with relocation of single storey element from the front/side to the rear.
- Replacement of in-built garage for a gable pitched detached garage to the front of the house.
- Reduction of apex height from 8.65 to 8 metres
- Increase of maximum depth from 20.70 to 29.30 metres
- Reduction of width from 25.30 to 21.15 metres

Site Description

The site is adjoining the ribbon development beyond the crossroad between Church Lane and High Road/A151. The proposed scheme would constitute backland development to the rear of a defined frontage development that extends southwards on the eastern side of River Lane towards High Road/A151.

The frontage comprises a varied mixture of house types, ages, design and appearances. Whereas late C19-early C20 semi-detached cottages adjoins High Road/A151, modern two-storey detached houses and bungalows are to the south of the site onto Church Lane.

The application site is currently greenfield. To the front, there is one large two-storey detached house, one detached garage to the side, a set of outbuildings and greenhouses to the rear. These buildings will be demolished to erect two detached dwellings which has recently obtained full planning permission under application ref. H13-0056-20.

Two bungalows are to the south-west and one large two-storey detached house to the north-west, all of them recently built.

History

H13-0094-19 - Erection of 2 detached houses and 1 detached bungalow - Approved

H13-0986-17 - Residential development - Approved

Consultation Responses

Lincolnshire County Council as Highway and Lead Local Flood Authority

No objection.

Two informative notes to be attached to the decision notice should permission be granted.

Moulton Parish Council

No objection.

Planning Considerations

Principle of development

There is an extant full approval for a residential scheme (application ref. H13-0094-19). Therefore the principle for developing housing on the application site has been already secured and it is acceptable.

Design and layout

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable as per Policy 2 of the South East Lincolnshire Local Plan (SELLP).

The amendments for Plot 1 are minor and as such no alteration is anticipated for the planning material considerations made in the previous application. No amendments have been proposed for Plot 2 so that no assessment must be made.

With regards to the Plot 3, the resulting design and layout would entail an increase of the two-storey mass and bulk of the house. The single storey element would be relocated from the front/side to the rear forming a L shape footprint. The proposed increase would not lead to a cramped form of development and the house would sit well on the site.

The external design and layout would be similar to those of the existing property to the north-west (approved under application ref. H13-1215-17). Moreover, from the front elevation, the total two-storey bulk would provide further variety of housing types to the scheme when read in conjunction with the two-storey house with single-storey element on the front/side (Plot 2) and the bungalow (Plot 1). Likewise, the erection of a detached garage would be a distinctive element in relation to the other two plots where the garage is in-built to the dwellinghouses.

Appendix 6 of SELLP sets out the minimum standards for car parking. 2 spaces are required for dwellings with up to 3 bedrooms and 3 spaces for dwellings with 4 or more bedrooms. The proposals include double garage per each dwelling. The bungalow in Plot 1 has 3 bedrooms. Both houses in Plots 2 and 3 have 4 bedrooms. The drive to the front of the garage are sufficient spacious to accommodate a third car. Thus, the intended scheme would comply with the parking design standards.

The details of the landscaping strategy and boundary treatment would be similar to those of the schemes recently approved in the surroundings. Therefore, the proposals would be sympathetic with the residential nature of the development as well as the built environment in the vicinity.

No details of the external materials and domestic accrements have been provided with this application, thereby planning conditions should be attached to the decision notice should permission be granted. Despite the absence of full details, in light of the considerations above, the proposal complies with the aforementioned policies and therefore the design and layout of the scheme is deemed acceptable.

Residential amenity

Further upper floor windows for habitable spaces would be provided to the front elevation of the house at Plot 3. However, the separation distance with the opposing elevations which are the rear elevations of the two approved houses (H13-0056-20) is clearly long to prevent any overlooking effect between the residents of both residential schemes.

New openings are proposed on the northern side elevation but this amendment does not constitute any harm upon residential amenity. The windows lighten non habitable spaces such as a bathroom

and an ensuite. No property is immediately adjacent to the north. The amendments for Plots 2 and 3 are negligible in this respect.

The three proposed dwellings are positioned from south to north facing west. Plots 2 and 3 accommodate two-storey houses and the separation between them is approximately 6.45 metres. The garden doors of the house in Plot 3 face no opposing elevation in Plot 2. Having regard to these features, no significant overshadowing would be casted from Plot 2 to Plot 3.

The detached garage in Plot 3 appears in close proximity to the dwellinghouse. To avoid any overbearing impact to the future occupiers of the house, the outbuilding is set at angle with its principal elevation facing south-west. Having regard to the apex height of the garage as well as the height of nearest front house windows, it is concluded that the ancillary building would not undermine significantly the amenity of residents of the house.

Therefore, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Flood risk

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

The site-specific flood risk assessment and mitigation measures remain as previous approved application. The finished floor levels would be set at 3.30m AOD with 300mm flood resilient and resistant construction above the aforementioned levels.

Soakaways would be employed for the management of surface water runoff. A connection to the mains sewage would be carried out through a 150mm pipework along the rear boundaries of the two plots onto River Lane and the private shared driveway. The mains sewage manhole is to the front of No. 21 to the south-west and a public foul sewer extension would be undertaken to convey foul water to such point.

Although further assessment would be carried at a later stage by SHDC Building Control, in principle the proposed strategy for drainage and foul water treatment is acceptable as per Policy 4 of the Local Plan.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 4, 10, 11, 17 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12, 14 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.