

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H13-0056-20	Applicant:	Mr R Spenceley
Proposal:	Demolition of dwelling and erection of two dwellings - Outline approval H13-0794-18		
Location:	Lea House 29 River Lane Moulton		
Terminal Date:	19th 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
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	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND	0	0	0	1

INTERNAL DRAINAGE BOARD				
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full planning permission for demolition of dwelling and outbuilding and erection of two dwellings at Lea House, 29 River Lane, Moulton.

Site Description

The site is part of ribbon development beyond the crossroad between Church Lane and High Road/A51. It is within a defined frontage development that extends 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. Two bungalows are adjacent to the south and one large two-storey detached house to the north, all of them recently built.

There is currently on the site one large two-storey detached house, one detached garage to the side, a set of outbuildings and greenhouses to the rear. Most of the structures are somewhat derelict.

History

H13-0794-18 - Outline application for two dwellings including demolition of 29 River Lane - Approved

Consultation Responses

Members of public

One resident has made a representation objecting the proposal on the following terms:

- Insufficient road width to manage the increase of car number and vehicle movements associated to the proposed residential scheme.
- The refuse and recycling bins would impede safe vehicular movement on the road and would be adjacent to adjacent curtilage.
- The provision of 4 bedroom houses does not meet any local need.

SHDC Environmental Protection Officer

No objection.

Should permission be granted, it is requested to add a note stating the following: "Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact

the District Council's Environmental Protection department immediately"

County Historic Environment Officer

No objection.

Moulton Parish Council

No objection but mindful that the development will increase the traffic joining the main road at a junction which is quite dangerous.

Lincolnshire County Council as Highways and Lead Local Flood Authority

No objection.

It is requested to add two informative notes to the decision.

South Holland IDB

No objection.

Provides advice re board's byelaws.

Planning Considerations

Principle of development

There is an extant outline approval for a residential scheme (application ref. H13-0794-18). 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 proposed dwellings would be 2 no. two-storey detached houses. Each dwelling would have a gable pitched double garage to the rear. The site access is made from River Lane and the drive would be shared with the occupiers of both houses. The private driveway would run between the adjacent site to the south (two detached dwellings approved under H13-0822-18) and the curtilage of No. 21. It would run to the rear of this pair of adjacent dwellings and would end to the garages to the rear of the proposed houses.

The footprint of the houses show that the buildings would have a L shape. The gables would be on both side elevations and one further facing the rear garden. The main roof would extend along the width of the building and one gabled roof element would protrude onto the rear garden.

The apex height of the houses would be approximately 8 metres. The maximum width would slightly exceed 11 metres and the maximum depth, around 12.656 metres. The resulting scale, mass and bulk would be commensurate with the existing properties in the locality. The scheme would sit well within the site.

Although the detailing of the proposal (e.g, brick lintel above windows, window panes etc.) is well regarded, no details of external materials have been submitted. It is therefore recommended to add a planning condition to request them and subsequently approve them prior to the commencement of works.

1.8 metre timber close board fencing would split the site into two residential plots being 1.2 max high in the first metres from the highway. Identical fencing would be erected on the boundaries adjoining neighbouring curtilages. Post and rail fence and 1.2 metre high native mixed hedging would be erect on the front boundary. Tarmac would be applied on the surface of the driveway. A

gravel area would be to the front of the detached garages. A magnolia tree will be planted between the drives and the houses.

Appendix 6 of SELLP sets out the minimum requirements of car parking provision for new development. For dwellings with 4 or more bedrooms, 3 no. car parking spaces are required. A garage can count as one space if it is 2.6m x 5.6m internal width.

The proposals include one detached double garage to the rear of the plots. The third car could be parked in the driveway off the garage. The internal floorspace of the garage would measure 5.91 x 5.91 metres which would exceed the minimum. Thus, the intended scheme would comply with the parking design standards.

Despite the lack of external materials details, it is considered that the form of development and appearance would be characteristic of residential development and would be similar to the surroundings buildings. The details of design and layout would be appropriate and in line with the aforementioned policies.

Flood risks

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if proposes appropriate flood resistance and resilience measure (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).

Following the site-specific Flood Risk Assessment approved by the outline permission, finished floor levels of the houses will be set at 3.65m AOD and 300mm of flood resilient and resistant construction. Crate soakaways would be proposed for surface water runoff management. A 150m thick pipework would be created along the driveway as a mean of connection with the mains sewers in River Lane. It is also indicated a public foul sewer connection.

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.

Residential amenity

The separation distances between the proposed houses would range approximately between 6 and 15 metres. At such separation, no unacceptable overshadowing would be casted by the bulk of the southern house onto the norther one. The enjoyment of daylight would be secured through the bifold doors lighten the large combined kitchen/breakfast room, especially in the northern property.

In relation to the neighbouring properties, 12 metres will be the shortest distance provided between the northern house of the site and No. 31 in the adjacent land to the north (approved under H13-1215-17). The distance would drop to 4.70 metres between the southern house and No. 27 in the adjacent land to the south (approved under H13-0822-18). Although the intended house is two-storey and No 27 is a bungalow, it is not considered that the development would appear overbearing for the residents of the bungalow at such distance.

There is no upper window for habitable spaces on both side elevations of the proposed houses. Approximately 45 metres would be provided between upper rear windows of the houses and those to the front of the scheme further to the east (approved under H13-0094-19). In view of that, the development would not create any overlooking effect with the neighbouring properties.

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).

Conclusion

The resident objection should carry little weight when assessing this application. The issues raised in this representation were addressed on the planning balance when determining the previous outline application.

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.