DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0501-19**	**Applicant:**	**Mr G Lewis**
Proposal:	Outline permission for a four-bed bungalow		
Location:	Harvest Home Farm 184 High Road Moulton		
Terminal Date:	23rd August 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing

National Guidance

National Planning Policy Framework 2019

Section 5. Delivering a sufficient supply of homes
Section 12. Achieving well-designed places

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

CASE OFFICER ASSESSMENT

Proposal

This is an outline planning application that seeks outline permission for a four-bed bungalow at Harvest Home Farm, 184 High Road, Moulton, Spalding.

The proposal would be backland development given its location within the curtilage and relationship with the adjacent properties.

Site Description

The site is part of a single developed footprint at the junction of High Road with Wood Lane out of the main built-up area of Moulton. The farmhouse of the application site is in close proximity to High Road. It is a two-storey gable roofed white cream painted house built between late C.XIX and early C.XX. A wide range of house types, designs, appearances and ages has been observed in the locality.

A wide driveway runs to the east of the farmhouse and serves as access to the site, which is a sizeable area of grassed land. A nearly 2 metre high timber close board fence is erected on both eastern and western boundaries bordering with the adjacent properties. Overgrown shrubs overtops the western fence just after the driveway. A long section of the eastern boundary is bounded with leylanddi hedgerow. Tall leafy trees stand in the adjacent land close to this fence. Paddock land extends further to north separated from the residential plot by a post and rail fence and a stable block.

History

None.

Consultation Responses

Lincolnshire County Council

No objection at this outline stage but three considerations shall be taken into account at a later stage:

- Minimum width of 4.1m for the new access and incorporation of a turning point
- Provision of kerb side waste collection.
- Car parking provision

SHDC Environmental Protection Officer

No objection

Moulton Parish Council

No objection

Resident

One representation has been made raising the following issues:

- The curtilage boundaries around the site access shown on both the site location plan and block plan are encroaching onto the resident's driveway.
- Concerns about highway safety through the site access and busy High Road
- The proposal could set a precedent to develop in the gardens of adjacent sites.
- 2 no. planning applications for residential development to the rear of No. 184 were refused in the past.

In view of this representation, both the site location plan and block plan were accordingly amended. LCC Highways Authority has no objection.

Planning Considerations

Principle of development

The application site is outside but close to the settlement boundaries of Moulton according to the Inset Map 19 of South East Lincolnshire Local Plan, 2019 (SELLP). In terms of policy, the site is therefore considered to be within the countryside. Notwithstanding this, appeal decisions for nearby residential development (H13-1069-16, H13-1053-16) concluded that the River Lane area clearly forms a continuation of the established settlement of Moulton.

Policy 1 of the SELLP requires development in the countryside to be necessary to its location and/or demonstrate it meets the sustainable development needs of the area. The proposed residential development has no connection with any rural use located in the countryside, from agricultural and forestry to recreation and tourism.

The extent to which the residential scheme is sustainable can be determined by assessing it against each dimension of sustainable development set out in Paragraph 8 of the National Planning Policy Framework (2019) as follows:

1. Economic

The future occupants of the dwelling may work locally and support local services and make a contribution to the local economy. There may also be employment opportunities associated with the construction, albeit in the short term.

2. Social

South Holland District Council currently has a housing land supply of 6.07 years according to "SHDC 5-year Housing Land Supply Assessment (as at 31st March 2019)". Therefore, the requirement for housing set out in SELLP Policy 10 is considered to be met. However, Policy 10 states that provision should be made for 'at least' 11,681 dwellings in South Holland district which can be interpreted as giving scope for further development over and above that specifically identified in the Plan. Individual plots such as this can be important in meeting a certain type of need as part of the housing supply.

The services and facilities of Moulton comprise of a public house, fish and chips shop, butchers, salon, and a medical centre, among others, and are approx. a 10-15 minute walk away. The future occupiers of the bungalow would have a sense of place and would not be isolated from the local community.

3. Environmental

Although the land where the bungalow is proposed is not considered previously developed land, the development of the residential scheme would not represent a detrimental loss o greenfield land. The land is currently vacant and unused and the proposal would actually make a better use of it. The residential development would not conflict with the existing paddock within the curtilage to the north neither overall the rural character of the locality.

No flood risk is anticipated on the site. The erection of the bungalow would not increase flood risk elsewhere.

Impact upon the character of the local area

Para 70 of National Planning Policy Framework 2019 states that "plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". In other words, the impact upon the character of the local area is paramount to determine whether the principle of backland development is acceptable or unsuitable for any given site. This is transposed into Policy 2 and 3 of the SELLP.

The wider location of the application site is countryside, characterised by open fields.

Notwithstanding this, the site is part of the existing domestic garden of Harvest Home Farm and ultimately part of a developed area at the north of Moulton. The site reads visually as part of this area rather than part of open countryside.

The indicative layout shows a bungalow considerably set back from the highway. Most of the properties form a frontage along High Street and River Lane although the building line is somewhat irregular given the growth of the development footprint with individually designed houses over the decades. In light of the proposed layout and surroundings, the erection of the bungalow would not significantly detract from the character of the local area.

Impact upon the residential amenity

This planning application seeks outline permission with all matters reserved for later approval. The residential development would be a four-bed bungalow. Having regard to the distances with the site boundaries and existing boundary treatment, it is concluded that one single-storey dwelling might not likely create any overbearing impact to the residents in the area or issues of overlooking.

Highway safety

This planning application seeks outline permission with all matters reserved for later approval. The proposed site layout would comply with the highway standards. However, LCC Highways Authority has advised that the submission of reserved matters should incorporate a minimum width of 4.1 for the new access, incorporation of a turning point, Provision of kerb side waste collection and car parking provision.

Conclusion

Although the proposed development is located in the Countryside in planning policy terms and would be backland in nature (a form of development which is typically discouraged), it is considered in this instance that, on balance, development of the site would be acceptable. It would not significantly conflict with the pattern of development in the area and, as set out above, it is considered that development would deliver some sustainability benefits. Furthermore, Planning Inspectors at appeal stage have concluded that the area of Moulton to the north of the A151 is an acceptable area for residential development.

Consequently the proposal is considered to be acceptable when assessed against Policies 1, 2, 3, 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019 and Sections 5 and 12 of the National Planning Policy Framework 2019.

It is therefore 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.