

DECISION DELEGATED TO DEVELOPMENT MANAGER**DECISION DELEGATED TO DEVELOPMENT MANAGER**

Application No: H13-0771-21 **Applicant:** Scenic Homes

Proposal: Residential Development (single dwelling) - outline approval H13-1140-19

Location: Rear Of 30 Broad Lane Moulton Spalding

Terminal Date: 21st September 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
11	Distribution of New Housing
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

Section 2. Achieving sustainable development
Section 3 - Plan making
Section 4. Decision making
Section 5. Delivering a sufficient supply of homes
Section 8. Promoting healthy and safe communities
Section 9 - Promoting Sustainable transport
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
Section 15. Conserving and enhancing the natural environment.

Representations:

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

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission was granted for a single dwelling in November 2020 (ref. H13-1140-19), including means of access. The application was accompanied by an indicative plan showing a 3-bed bungalow.

Reserved matters approval is now sought for a 3-bed bungalow. It should be noted that full planning permission was recently granted for a 4-bed bungalow on a similar backland plot to the rear of no. 32 immediately to the west (ref. H13-0909-19).

Description

The site (some 0.05ha) is located on the south eastern side of Broad Lane and was formerly garden associated with No 30, which is a semi-detached house.

Semi-detached houses are situated along the frontage. Gardens are located to the south-east associated with properties situated off West Cobgate.

Policies/Constraints

The site is within Moulton Settlement Limit as defined within the South East Lincolnshire Local Plan 2011-2036 (March 2019).

The site is within Environment Agency Flood Zone 1 and within an area defined as no hazard in the South East Lincolnshire Strategic Flood Risk Assessment (March 2017).

Site History

H13-1140-19- O/A - Residential development (single dwelling) - Granted 22 November 2020

Consultation Responses

Moulton Parish Council

No response.

LCC Highways/SUDs

No objections subject to conditions/informatives.

SHIDB

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).

Public

Resident objection received - Too many properties being erected within the vicinity.

Planning Considerations

The principle of a dwelling on the site has already been established by virtue of the outline consent (ref. H13-1140-19). This application is therefore to assess the reserved matters, namely:

- i) the layout, scale and external appearance of the building(s) (including a schedule of external materials to be used);
- ii) surfacing of the driveway including a 2 metre hard surfaced strip at the site's entrance;
- iii) the landscaping of the site (including boundary treatment).

Reserved matters approval is sought for a 3-bed bungalow. It would be constructed in TBS Farmhouse Antique facing bricks with Sandtoft Calderdale Slate grey roofing tiles.

The site is set behind a row of existing semi-detached houses. There are similar backland plots within the vicinity, including one immediately to the south-west, which has planning approval for a 4-bed bungalow (ref. H13-0909-19). The proposed 3-bed bungalow would be subservient to the frontage semi-detached houses and would not materially harm the character or appearance of the area.

In terms of amenity, access to the site is between nos. 30 and 32 Broad Lane and is relatively wide. The new dwelling would be single storey with finished floor levels set at 300mm. The north-eastern and north-western elevations of the proposed bungalow would face existing frontage development off Broad Lane. The south-eastern elevation would face long gardens associated with properties located off West Cobgate. A bungalow has recently been approved to the east (ref. H13-00849-20). 1.8 metre high closeboarded fencing is proposed along the boundaries of the site where necessary. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.

Vehicular access would be via a shared driveway and the first 2 metres would consist of a tarmac apron. The County Highways Authority raises no objections on highway safety grounds.

Condition 10 of the outline permission indicates that the finished floor level should be at least 300mm above existing ground level on flood risk grounds. The proposal is satisfactory in this respect.

Other Matters

Concerns have been raised on grounds of too many properties being erected within the vicinity. However, the principle of a dwelling has already been established on this site.

Planning Balance

The proposal satisfactory complies with the reserved matters and is in accordance with Policies 2, 3, 4, 30 and 36 of the South East Lincolnshire Local Plan, 2019. There are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

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 planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.