DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-1062-19**	**Applicant:**	**Wilf Hammond Homes Ltd**
Proposal:	Proposed residential development - 6 dwellings		
Location:	Land Adjacent: 1 Hall Lane Moulton Seas End Spalding		
Terminal Date:	6th May 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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full planning permission for proposed residential development comprising 6 dwellings at land adjacent to 1 Hall Lane, Moulton Seas End, Spalding.

Site Description

The site is located within the built-up area of Moulton Seas End. The land is greenfield. The front boundary is onto Hall Lane to the north and the remainder of the land backs onto the rear boundaries of No 1. and No. 52, 56 and 58 Seas End Road.

The land has flat scrubby land and appears enclosed. There is a mature hedge on the western boundary adjoining No. 15 to the west, non-leafy hedge along the southern boundary and mainly nearly 2 metres high fence on the remainder boundaries.

The properties nearby comprises a mix of house types, designs, appearances and ages. The most common types are two-storey detached houses and bungalows.

History

H13-1202-17 - Proposed residential development - Approved

Consultation Responses

Lincolnshire County Council as Highway and Lead Local Flood Authority

No objection.

Two informative notes should be added to ensure compliance with highways regulations.

Anglian Water

No objection.

County Historic Environment Officer

No objection.

SHDC Environmental Protection Officer

No objection.

It is reminded that if unsuspected contamination is encountered, all works must cease until a scheme to resolve the contamination has been agreed.

Members of public

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

-The residential development will entail the increase of 12 no cars further which will lead to undermine highway safety through Hall Lane and the junction with Seas End Road.
-Restricted access to their driveway while HGV and other large motor vehicles will be going through the roads during the construction times.
-Request to limit construction works over sociable hours.
-Concerns whether the hedgerow on the western boundary will be removed and a footpath added to the lane.
- Large motor vehicles might restrict access to their private driveways.
- Request for liming construction works to sociable hours

Moulton Parish Council

No objection.

Planning Considerations

Principle of development

There is an extant outline approval for a residential scheme (application ref. H13-1202-17). 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. It is also stated that 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 scheme comprises 6 no. detached two-storey houses with attached garage. A roadway will be created from Hall Lane to the north. It will be a cul-de-sac road from which access will be served to each residential plot.

The footprints of the dwellinghouses and separation distances with the site boundaries reveal that the development will sit well within the site. Plots 1 and 2 will be positioned onto Hall Lane facing to north. The other four plots will be located around the end of the roadway. Plots 3 and 6 will face each other, while at the same Plots 4 and 5 also will do. The site layout is well designed given the site features and will be overall sensitive with the existing pattern of development onto Hall Lane and Seas End Road.

Albeit all of them with gable pitches, there will be somewhat a variety of roof designs upon the external layout of each house. The detailing such as brick lintels and timber truss front porches will provide further design quality to the development. T.B.S Swanton Orange Multi facing bricks will be employed for proposed facing brickwork in all houses. In addition to the orange colour of the external walls, the grey colour will also prevail the appearance of the development through the use of Marley Edgemere grey roof tiles and Anthracite Grey flush casement UPVC windows. In its entirety, the proposed material schedule will result in a sympathetic appearance that will not detract from the character of the local area.

In summary, the form of development is deemed appropriate for the semi-urban context in the surroundings. The appearance of the scheme would not be at odds with the built environment of the surroundings. Overall, the scheme would deliver good quality design complying with the aforementioned policies concerning design and layout.

Highways safety and parking provision

The material consideration of highways safety was already addressed in the outline application. The

County Highways Authority did not object the principle of creating a new vehicular access from Hall Lane neither the anticipated increase of numbers of cars and vehicular movements associated to the scheme. No concerns were expressed referring to the safety of road users.

The details provided with the current application indicate that the site access is from Hall Lane and the roadway extends to the final access of the scheme as requested. Excepting the widest point merging with Hall Lane, the roadway will keep a minimum of 4.1 metre width throughout the site.

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.

Each proposed house will have an attached double garage which will be able to accommodate two cars exceeding the minimum dimensions for one space. The third car could be easily parked in the driveway.

In view of the considerations above, the proposal will ensure good levels of highway safety and sufficient car parking provision for the future occupiers of the houses.

Flood risk and drainage

In accordance with South East Lincolnshire Strategic Flood Risk Assessment (March 2017), the flood hazard on the site ranges between 'low hazard' and 'danger for some'. The predicted flood depths would range between 0 and 0.25 metres above ground level.

In view of that, the Flood Risk Assessment that accompanies this application recommends to raise finished floor levels of houses 300mm above ground level. This mitigation measure accords with the Standing Advice included in the SFRA given the vulnerability development and site-specific flood risk.

Besides the matters regarding the footway and overall highway safety, Condition 7 of the outline permission also established that arrangements should be made for the disposal of surface water run-off from the highway at the frontage of the site. This is shown accordingly on the proposed block plan.

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).

2 no. soakaways would be installed in each plot for the management of surface water runoff. One to the front of each house and one further to the rear. A 5 metre separation distance will be provided with the house and any site boundary. Foul water will be disposed through pipework to packaged treatment plants. The underground tanks will be also installed in a 5 metre separation distance with the house and any site boundary. 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.

Landscaping and boundary treatment

Paragraph 127 of NPPF, 2019 states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

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The existing boundary treatment of neighbouring sites will remain. From Hall Lane, the first metres

of the boundary adjacent to No. 1 are treated with 1 metre high timber close board fence whereas there is 2 metre high identical fence on the remainder boundaries. Mature hedge ranging between 5 and 8 metre high to the rear of 56. Seas End Road will not be altered. Likewise, the wall and hawthorn part adjacent to the curtilage of No. 58 Seas End Road will stay as well as the hawthorn hedge on the mature high hedgerow adjoining No. 15 Seas End Road and further to the rear. Additional hedgerow will be planted onto Hall Lane.

A 1.2 metre high rail fence on the first metres of the boundary with the adjacent plot and a 1.8 metre high timber close board to the remainder of the boundary will be proposed per each plot. Shrubs planting and ground cover plants will be planted along the roadway and driveways. New trees will be strategically located to front and rear of the dwellinghouses.

There is a TPO tree within the curtilage of No. 15 onto Hall Lane whose canopy and roots would encroach the application site. To provide a root protection area during the construction times, a protective barrier will be erected nearly 9.70 metres from the trunk and 3 meters from the diameter of tree canopy. Further details should be requested and subsequently approved prior to the commencement of works under planning condition.

The aforementioned strategy will make use of the existing boundary treatment which will significantly screen views between the propose plots and neighbouring properties on the ground level. The TPO tree will be protected after carrying out the proposal albeit further details needed. Additional trees enhance the sense of place. Overall, the landscaping strategy and boundary treatment is deemed acceptable in view of the built environment in the surroundings and the intended use of the land.

The proposed works accord with Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 and Policy 2 of the South East Lincolnshire Local Plan (SELLP) concerning design, layout and impact upon the character of the local area.

Residential amenity

The separation distances of the houses with the boundaries of the application site as well as between the proposed houses are considerable insofar as any significant overbearing impact will be prevented.

Houses in plots 1 & 6 and 2 & 3 will have upper windows on one of the side elevations. These openings will provide daylight to the bathrooms. The adjacent property No. 15 to the west has large windows facing Plot 1 which appear to lighten habitable spaces. Around 15 metres will be provided between the upper bathroom window in Plot 1 and the first floor windows on the opposing elevation in No. 15. Likewise, there will be a separation of approximately 11.60 metres between the window elevation of Plot 6 and No. 1. The neighbouring property is a bungalow so that there would not be overlooking throughout opposing windows at similar height but onto the rear garden.

Having regard to the distances and opposing elevations, there might be some overlooking effect through the bathroom windows of Plots 1 and 6 albeit non-habitable space. To prevent any loss of privacy, it is recommended to add a condition to the permission in order to obscure glazing of these two windows.

No unacceptable overshadowing is anticipated. The separation distances with neighbouring properties are acceptable. The orientation and position of the houses within the sun path are such that no harm upon the amenity of residents will occur in this respect.

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

It is considered that the resident objections received can be attributed minimal 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 Sections 2, 5, 11, 12 and 14 of the National Planning Policy Framework (NPFF), 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.