DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0551-21**	**Applicant:**	**Mr D Malyon**
Proposal:	Erection of detached dwelling - outline approval H14-1102-19.		
Location:	76 Six House Bank West Pinchbeck Spalding		
Terminal Date:	12th July 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
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

Sections 5, 12 and 14 of the National Planning Policy Framework (2021)

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

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
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1

RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a reserved matters application for the erection of a detached dwelling on land adjacent to 76 Six House Bank, West Pinchbeck. Outline planning permission was granted to develop the site under reference H14-1102-19. The proposal seeks to provide a two storey dwelling that contains a lounge, wc, and kitchen / dining area at ground floor level. At first floor level three bedrooms, an en-suite and a bathroom will be provided. The dwelling will be constructed from Forterra Hampton Rural Blend bricks with Anthracite Grey Crest Planum tiles. Windows and doors will be white UPVC and the rainwater goods will be black UPVC.

SITE DESCRIPTION

The proposal site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The rear of the site is within Flood Zone 3 and is not subjected to increased hazard or flood depth on the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H14-0342-83

Outline - One dwelling - Approved - 27 June 1983.

H14-0744-13

Full - Change of use from agricultural land to garden ground - Approved - 16 December 2014.

H14-0626-16

Full - Alterations and Extensions to form an independent annexe - Approved - 22 August 2016.

H14-0976-16

Outline - Residential development - Approved - 08 February 2017.

H14-1102-19

Outline - Residential development - Approved - 06 January 2020.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

Does not wish to restrict the grant of permission.

Black Sluice Internal Drainage Board

- Evidence that soakaways are appropriate for the development should be submitted to the local planning authority for approval.
- No obstructions, including planting, should be sited within 9 metres of the Board maintained drain to the rear of the site.

Member of the public - 1 - Objections

- Proximity of dwelling to highway.
- Impact on highway safety by virtue of the proposed access arrangements and position of existing accesses.
- Overlooking.
- Potential for on-street parking.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Other Service Centres and Settlements. This section of the policy states:

Within the settlement boundaries of the Other Service Centres and Settlements (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Committed sites and infill.

When assessed against the above criteria the following can be observed:

The proposal continues existing linear development and an existing line of frontage. The dwellings will help sustain existing facilities.

This application accords with SELLP Policy 1.

The application site also benefits from an extant outline planning permission for residential development.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout is comparable to other dwellings in the vicinity. There is not considered to be a material impact on the character and appearance of the area from the proposed scale and layout.

2. The design is broadly in keeping with other dwellings in the vicinity and has a standard frontage orientation and footprint.

3. The proposed materials of construction are in keeping with other dwellings in the vicinity.

4. The access is already in place and the site can accommodate two off road parking spaces, which is the minimum amount requested under Appendix 6 of the SELLP for dwellings with three bedrooms or fewer. The County Highways & SUDS Officer has no objections to the submitted details.

5. The proposal is for one dwelling and therefore is not considered to materially impact existing

community services and infrastructure.

6. There is not considered to be a material impact on neighbouring land uses from noise, odour or disturbance. With regard to visual intrusion, an objection has been received concerning overlooking. However, there are no side elevation windows and the proposed dwelling is approx. 22 metres away to no. 67 and 25 metres away to no. 65 Six House Bank that are on the opposite side of the road. This is considered to be a standard separation distance between dwellings and is tantamount to a normal frontage relationship.

7. The proposal site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The rear of the site is within Flood Zone 3 and is not subjected to increased hazard or flood depth on the 1% 2115 South Holland Strategic Flood Risk Mapping. The proposed finished floor levels are to be set 300mm in accordance with Condition 5 of the outline approval.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. There is not considered to be a material impact on a sense of place arising from this proposal. The surrounding area is characterised by linear development of varying ages and design. The size, scale and layout is comparable to other dwellings in the vicinity. There is not considered to be a material impact on the character and appearance of the area from the proposed scale and layout.

5. There is adequate space on site for bin and cycle storage. The size, scale and layout is comparable to other dwellings in the vicinity. There is not considered to be a material impact on the character and appearance of the area from the proposed scale and layout.

11. In terms of residential amenity, there is not considered to be a material impact in terms of being

overbearing or resulting in loss of privacy or light. There are no side elevation windows and the proposed dwelling is approx. 22 metres away to no. 67 and 25 metres away to no. 65 Six House Bank that are on the opposite side of the road. This is considered to be a standard separation distance between dwellings and is tantamount to a normal frontage relationship. There is also an approx. 12m distance to the boundary to the north, beyond which there is a garage with the neighbouring dwelling being sited further beyond that.

12. The proposal site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The rear of the site is within Flood Zone 3 and is not subjected to increased hazard or flood depth on the 1% 2115 South Holland Strategic Flood Risk Mapping. The proposed finished floor levels are to be set 300mm in accordance with Condition 5 of the outline approval.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The proposal is not considered to materially impact the character and amenity of the surrounding area. It is considered that the reserved matters have been appropriately addressed. The proposal accords with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2021.

CONCLUSION

The recommendation is one of approval.

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.