DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0729-20**	**Applicant:**	**G Renshaw**
Proposal:	Erection of dwelling with vehicular access - outline approval H14-0806-17		
Location:	Church View 160 Six House Bank West Pinchbeck		
Terminal Date:	18th 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 2021

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

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
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	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 dwelling with vehicular access - outline approval H14-0806-17 on land adjacent to Church View, 160 Six House Bank, West Pinchbeck. The proposal seeks to provide a two storey dwelling which contains a cupboard, sitting room, wc, and a combined kitchen / dining area at ground floor. At first floor level three bedrooms, an en-suite and a bathroom will be provided. There are to be no first floor side elevation windows. A high level rooflight will serve the east facing roof slope of the first floor bathroom, with a rooflight serving the staircase on the west facing rear elevation. Proposed external materials of construction would be blockwork with a cream render, Marley Eternit Double Roman roof tiles, with white UPVC windows and doors.

SITE DESCRIPTION

The proposal is outside of defined settlement limits and the surrounding area is predominately rural, characterised by linear development of varying ages and designs. Dovehirne Drain is sited to the rear of the proposal site. The site is faced by arable land to the front (east) and rear (west), with a two storey dwelling at 160 Six House Bank to the north and a single storey dwelling and detached garage at 162a Six House Bank to the south. There is no defined architectural character to dwellings in the vicinity.

HISTORY

H14-0759-08

Outline - Residential development - pair of semi-detached houses - Refused - 02 October 2008.

H14-0806-17

Outline - Residential Development (Single Dwelling) together with the creation of a vehicular access to No 160 Six House Bank - Approved - 30 October 2017.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections - The Officer requests standard access and utility informatives.

LCC - Historic Environment Officer

"I can confirm that the written scheme of archaeological investigation (WSI) submitted meets all of the requirements of this office in respect of Condition 6 of permission H14-0806-17. We look forward to the archaeological work taking place on site (if reserved matters are approved), and receiving a copy of the final report in due course."

Black Sluice Internal Drainage Board

"The applicant is respectfully reminded that as they no longer appear to be culverting the adjacent

open watercourse, they must comply with Conditions 3 of Consent No. 2017-B15 which states that the proposed dwelling must NOT be built any closer than 6 metres from the brink (top) of the bank of the open watercourse, and Condition 4 regarding the placement of any hedges or fences along the western boundary."

"The Board issued formal consent to the previous owner of the land concerned (BSIDB Ref. No. 2018-C01) which permitted the installation of a piped culvert within the open watercourse on the western boundary. As it would appear that the applicant no longer intends to carry out these works, the Board requests that the applicant confirm their intentions, in writing, at their earliest convenience so that the Board can update their records."

Member of the public - 1

Plans encroach on off road parking and garden of 158 Six House Bank.
Cars will park on the bend which will make it difficult to see oncoming vehicles.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

The application site is outside of the defined settlement limits of West Pinchbeck and is therefore considered in planning terms to be in the "Countryside". The relevant SELLP section for development in the countryside states:

"The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits."

When assessed against the above, the application does not accord with the relevant criteria. However, outline planning permission was granted in the context of previous local and national policy, with the Local Planning Authority unable to demonstrate a five year housing land supply. This means that housing policies under the South Holland Local Plan, 2006 were considered to carry less planning weight in the decision making process. As the proposal was adjacent to existing dwellings and close by to the defined settlement limits of West Pinchbeck, outline permission was considered acceptable in the context of the time.

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 considered to be appropriate for the site. Hedging to the front of the site is to be retained and the dilapidated garage with associated greenery and concrete driveway is to be expunged from the site. There is not considered to be a negative impact on the character and appearance of the area as a result of the proposal.

2. The design does not materially impact the character of the area, and the orientation matches that

of other linear frontage properties in the vicinity.

4. The proposal is for three bedrooms and the site has off road parking accommodation for up to four vehicles. The layout is therefore considered to accord with Appendix 6 of the SELLP. An objection has been received about on street parking along Six House Bank, however, this application has in excess of the required minimum amount of two off road parking spaces. The County Highways & SUDS Officer has no objection to the submitted details.

5. The proposal is not considered to materially impact upon existing community services and infrastructure.

6. Due to the siting and design, there is not considered is not considered to be an impact on neighbouring properties from noise, odour, disturbance or visual intrusion. The spacing between the properties to the north and south is commensurate with the layout of other properties in the vicinity. 158 Six House Bank, to the north, is 8 metres away at the nearest point and 162a Six House Bank, to the south, is 15 metres away at the nearest point. The line of frontage is similar to other properties in the vicinity and therefore there is not considered to be a material overbearing aspect. There is not considered to be an overlooking impact as there are no side elevation first floor windows in the dwelling.

7. Part of the site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. For these reasons a flood risk sequential test is not required.

The proposal is considered to accord with SELLP Policy 2.

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. The proposal is not considered to materially impact a sense of place in the vicinity as the nearby properties are a variety of ages and designs.

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 has not been achieved as the dwelling is designed to be in keeping with the frontage linear development to the north and south of the site.

11. The size, scale and layout is considered to be appropriate for the site. The spacing between the properties to the north and south is commensurate with the layout of other properties in the vicinity. 158 Six House Bank, to the north, is 8 metres away at the nearest point and 162a Six House Bank, to the south, is 15 metres away at the nearest point. The line of frontage is similar to other properties in the vicinity and therefore there is not considered to be a material overbearing aspect. There is not considered to be an overlooking impact as there are no side elevation first floor windows in the dwelling and there are no properties to the front or rear.

12. Part of the site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. For these reasons a flood risk sequential test is not required.

The proposal is considered to accord with SELLP Policy 3.

PLANNING BALANCE

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

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.