DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0983-21**	**Applicant:**	**Mr D Clarke**
Proposal:	Proposed detached dwelling & demolition of existing garage		
Location:	Adj. 1 Forge Cottage Glenside South West Pinchbeck		
Terminal Date:	17th February 2022		

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
28	The Natural Environment
30	Pollution
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 (2021)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application on land adjacent 1 Forge Cottage, Glenside South, West Pinchbeck for demolition of an existing garage and the erection of a detached dwelling. The proposed two storey dwelling at ground floor level will contain a snug, shower room, and an open plan kitchen / living space. At first floor level a bedroom and a wc will be provided. No windows will be sited in either side elevation of the proposed dwelling. The proposed materials of construction are render and tiling. The exact details of the render and tiling would be addressed by condition. The site will have two off road parking spaces to the front of the dwelling. The host property at 1 Forge Cottage retains two off road parking spaces to the front of the dwelling. The proposal would lead to a loss of a right of way for rear garden access for 2 Forge Cottage.

SITE DESCRIPTION

The site is within the defined settlement limits of West Pinchbeck and the surrounding area is characterised by buildings of varying ages and designs. The River Glen is located to the north-west frontage of the site, a dwelling named Madalon is located to the north-east, the furthest extent of rear garden of 2 Forge Cottage is to the south-east, and 1 and 2 Forge Cottage are located to the south west. The site is in Environment Agency Flood Zone 3, and is in a "Low Hazard" area with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. The finished floor levels of the dwelling would be set at 300mm above existing ground level.

HISTORY

H14-0987-21 - at 1 Forge Cottage

Full - Proposed Two Storey Side Extension - Approved - 14 December 2021.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections. Requests a utility informative.

SHDC - Environmental Protection

Requests standard land contamination condition.

Welland & Deepings Internal Drainage Board

No comments.

Pinchbeck Parish Council

Support.

Member of the public - Objection

Lack of parking provision.
Highway safety.
Drainage provision.
Loss of right of way.

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 proposed dwelling is within defined settlement limits and is considered to constitute infill with a dedicated highway access. This dwelling will help sustain existing facilities in West Pinchbeck and nearby settlements.

This application accords with SELLP Policy 1.

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 of the proposal is comparable to other properties in the vicinity, in regard to the size of the dwelling and the size of the plot. There is a tree on site within the proposed frontage garden area. The exact details of landscaping would be addressed by a landscaping condition. The character and appearance of the surrounding area would not be materially impacted by this proposal.

2.The design is considered to be acceptable for the plot and the character of the surrounding area. The orientation is standard frontage orientation.

3. The proposed materials of construction will be render and tiling. The exact details would be addressed by condition. There are a number of dwellings in the vicinity with off white / cream render so it would be expected that the proposed render should be of a similar hue.

4. The proposed access will not be amended and the site can accommodate three off road parking spaces which is above the minimum requirement of two under Appendix 6 of the SELLP. The

County Highways & SUDS Officer has no objections to the application.

5. There is not considered to be an impact on existing community services and infrastructure.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following observations can be made:

Overdevelopment - The size of the application site is 217.07 square metres. This is considered to be comparable with the neighbouring dwellings with regard to how they present from the site frontage. Nearby Saxony Cottage to the east has a plot size of 250 square metres, with adjacent Riverside Cottage having a plot size of 233 square metres. The semi-detached dwellings on Dozens Bank nearby have an average plot size of approximately 205 square metres which is smaller than the proposal site. The proposal is not considered to constitute overdevelopment as there are comparable plot sizes in the vicinity of the proposed development.

Overlooking - There is not considered to be an overlooking impact from the proposal. The dwelling is raised 300mm above ground level, with boundary fences set at 1.8 metres so at ground level the proposed ground floor windows are not considered to set a material overlooking aspect. With regard to the first floor windows to the front and rear, they serve a bedroom to a front elevation and a landing to the rear elevation. The frontage window faces the highway named Glenside South. The landing window to the rear faces the furthest extent of the rear garden of 2 Forge Cottage. This window does not face any buildings. The rear of the garden is already overlooked by the first floor rear elevation windows at Madalon. The first floor rear elevation window at 1 Forge Cottage serves a top opening obscure glazed bathroom window so is not considered to offer an overlooking aspect. A visual splay block plan was provided to show the visibility splay from the habitable rooms at the proposed dwelling and Madalon beyond the north-east boundary. This splay demonstrates that there is not a material overlooking impact on Madalon or any other dwellings in the vicinity.

Overshadowing / overbearing - The ground floor windows of Madalon support an open plan kitchen / dining room, with two dormer bedroom windows in the first floor rear elevation roof slope. The snug room of the dwelling has a maximum ridge height of 4.6 metres, with the overall ridge height at 6.35 metres. The separation distance to the dwelling from the single storey snug room ridge height is 3.1 metres. The distance from the first floor ridge height is 5.7 metres. Following a request from the local planning authority shadowcast diagrams have been generated to show the levels of light loss from the proposed dwelling at various times of the day and year. The diagrams show that there is only a minor increase in shadow generation during autumn and spring. During winter the sun is low in the sky, and in summer the sun is high in the sky. There is not a difference to shadow generation during these seasons. When right to light calculations are made there is not considered to be a material overshadowing impact to Madalon or any other dwellings in the vicinity of the site.

8. A condition requiring the installation of three swift bricks will be added to the decision notice. This is considered to aid biodiversity in area.

This application accords 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. A sense of place is not considered to be impacted by this proposal due to the range of dwelling designs in the vicinity of the site.

4. The sole bus route that supports that this area of West Pinchbeck is the the G78 which serves school students during term time only. The site is within defined settlement limits so it is considered to be in a sustainable location.

5. There is adequate space on site to the side and rear of the dwelling for cycle and bin storage. The proposed access will not be amended and the site can accommodate three off road parking spaces which is above the minimum requirement of two under Appendix 6 of the SELLP. The County Highways & SUDS Officer has no objections to the application.

11. There is not considered to be an impact on existing community services and infrastructure.

12. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following observations can be made:

Overdevelopment - The size of the application site is 217.07 square metres. This is considered to be comparable with the neighbouring dwellings with regard to how they present from the site frontage. Nearby Saxony Cottage to the east has a plot size of 250 square metres, with adjacent Riverside Cottage having a plot size of 233 square metres. The semi-detached dwellings on Dozens Bank nearby have an average plot size of approximately 205 square metres which is smaller than the proposal site. The proposal is not considered to constitute overdevelopment as there are comparable plot sizes in the vicinity of the proposed development.

Overlooking - There is not considered to be an overlooking impact from the proposal. The dwelling is raised 300mm above ground level, with boundary fences set at 1.8 metres so at ground level the proposed ground floor windows are not considered to set a material overlooking aspect. With regard to the first floor windows to the front and rear, they serve a bedroom to a front elevation and a landing to the rear elevation. The frontage window faces the highway named Glenside South. The landing window to the rear faces the furthest extent of the rear garden of 2 Forge Cottage. This window does not face any buildings. The rear of the garden is already overlooked by the first floor rear elevation windows at Madalon. The first floor rear elevation window at 1 Forge Cottage serves a top opening obscure glazed bathroom window so is not considered to offer an overlooking aspect. A visual splay block plan was provided to show the visibility splay from the habitable rooms at the proposed dwelling and Madalon beyond the north-east boundary. This splay demonstrates that there is not a material overlooking impact on Madalon or any other dwellings in the vicinity.

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loss from the proposed dwelling at various times of the day and year. The diagrams show that there is only a minor increase in shadow generation during autumn and spring. During winter the sun is low in the sky, and in summer the sun is high in the sky. There is not a difference to shadow generation during these seasons. When right to light calculations are made there is not considered to be a material overshadowing impact to Madalon or any other dwellings in the vicinity of the site.

14. A condition requiring the installation of three swift bricks will be added to the decision notice. This is considered to aid biodiversity in area.

This application accords with SELLP Policy 3.

Loss of right of access for 2 Forge Cottage

This is a civil matter which does not carry material planning weight and has played no part in the decision making process.

Flood Risk

The NPPF requires the application of the Sequential Test to steer new development to areas with the lowest probability of flooding. If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in area with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) is the basis for applying the Sequential Test. This concludes that the vast majority of South Holland District is in Flood Zones 2 and 3. Therefore, consistent with wider sustainability objectives, it is not realistically possible to direct all development to zones with a lower probability of flooding. As such, the document outlines a methodology whereby the SFRA hazard and depth maps (in that order) are to be utilised when determining flood risk and applying the sequential test. Using this methodology it is possible to use the information to steer development towards the areas of lower flood risks as advised within Section 14 of the NPPF.

The site is located within Environment Agency Flood Zone 3 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) (SFRA) shows that the site falls within a 'low hazard' hazard zone, with predicted flood depths of up to 0.25 metres.

The Local Plan has allocated sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. Although the application site is not a housing allocation within the Local Plan (only suitable sites capable of accommodating 10+ dwellings have been allocated), the site does lie within the settlement boundary for West Pinchbeck. In general, there is a presumption in favour of sustainable development within settlement boundaries and windfall sites are expected to have a contribution towards housing supply (and maintaining the 5-year supply of deliverable sites) in the district. As such, one could argue that, should the site be acceptable in all regards, and if the Exceptions Test is successfully passed, that the site is acceptable in flood risk terms, notwithstanding the fact that there are sequentially preferable allocated sites in the adopted Local Plan.

In order for the Exceptions Test to be passed, it must be demonstrated that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

With regard to the above, the development would provide some wider sustainability benefits to the community through a contribution (albeit small) towards housing supply, and other benefits including generating employment during the construction period and its proximity to a range of services and facilities.

The submitted flood risk assessment recommends that finished floor levels of the proposed dwelling should be at a minimum level of 300mm above ground level. Taking into account the predicted flood depths previously identified, this should ensure that the development is safe for its lifetime.

In terms of drainage, the proposal is for surface water to be disposed of via soakaways and for further details to be submitted with regard to foul water disposal. Welland & Deepings Internal Drainage Board have no concerns with the proposed details.

Given the above, the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

PLANNING BALANCE

Despite the fairly small site, it is considered that there is not considered to be a material character or amenity impact from the proposed dwelling. It is considered sensible that to preserve the built character of the surrounding area, permitted development should be removed for the property to prevent overdevelopment of the site and the potential for impact upon neighbouring properties. The proposal is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 29, 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

This application is recommended for 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.