

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H16-0185-22	Applicant:	B L M Builders Ltd.
Proposal:	Erection of Dwelling (Plot 3)		
Location:	Horseshoe Road Spalding		
Terminal Date:	20th April 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

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
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	1	0

SHDC INTERNAL	0	0	0	1
---------------	---	---	---	---

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Horseshoe Road, Spalding for the erection of a dwelling on Plot 3 of a site previously granted permission under planning application H16-0715-16. Plots 1 and 2 have already been constructed. The dwelling at Plot 3 seeks to provide a garage, study, entrance hall, utility, wc, pantry, lounge, and an open plan kitchen, dining and sitting area at ground floor level. At first floor level, three bedrooms, two en-suites, two dressing rooms, a landing, bathroom and balcony. Within the loft space above two bedrooms and a bathroom are to be provided. The dwelling has a 15.06 metre ridge height. Proposed brick is Terca Kassandra Multi, wall cladding is grey fake vertical boarding and tiling is Sandtoft Calderdale Slate or similar. Exact boarding and tiling would need to be addressed by condition. Fencing would be 2 metres at the side and 0.9 metres at the rear, with the front wall to be 2 metres high with black wrought iron railings set in-between brick piers.

SITE DESCRIPTION

The site is within defined settlement limits on the edge of Spalding. The surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages and design. Plot 1 to the west is a bungalow, with Plot 2 a two storey dwelling. Arable fields are located to the north and south of the site. Plot 4 to the east is proposed to be a two storey dwelling with rooms in the roofspace. This plot is yet to be developed. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or risk on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H16-0715-16

Reserved Matters - Residential development - Erection of four dwellings - Outline approval H16-0482-14 - Approved - 23 October 2017

H16-0397-18

Condition Compliance - Details of Archaeological Investigation (Condition 3 of H16-0715-16) - Part Approved / Part Refused - 20 November 2018.

H16-0703-20

Non-material amendment - Residential Development - erection of 4 dwellings - approved under H16-0715-16. Amendments to design of Plot 2 and design and re-location of garage to Plot 2 - Non-determined - 19 October 2020.

CONSULTATION RESPONSES

LCC - Historic Environment Officer

"This office has commented on several previous applications for this site (H16-0715-16 and H16-0482-14) and recommended groundworks for all four houses be subject to archaeological monitoring and recording during groundworks. Since then reports on the monitoring of groundworks for two house plots have been submitted. No archaeological remains were encountered during groundworks in either case."

"Therefore based on these results, if a new separate permission is forthcoming for Plot 3 then we

would recommend that it would not be reasonable to require continued archaeological input as it does not appear that the houses built on the previous plots had an impact on any buried remains."

LCC - County Highways & SUDS Officer

No objections. Requests standard access and utility informatives.

SHDC - Environmental Protection

"Unfortunately I cannot read the desk study report submitted as it is of poor quality, however I have read and commented on it before for other plots. There are other site investigation reports and remediation has been required on other parts of the site, therefore I request that the standard land contamination conditions be applied at this location, with part i omitted."

Welland & Deepings Internal Drainage Board

No comments.

PLANNING CONSIDERATIONS

Principle of development

The proposal site is within the defined settlement limits of Spalding and the principle of development is considered to have been established through application H16-0715-16. The parent application has been commenced on Plot 1.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout is considered to be appropriate for the site. No trees will be removed to facilitate this proposal, with three red maple trees added to the front of the site, and two to the rear. The character and appearance of the area is not considered to be materially impacted by this proposal.
2. The design is considered to be appropriate for the site and the orientation is that of a similar line of frontage to the already constructed Plots 1 and 2.
3. Proposed brick is Terca Cassandra Multi, wall cladding is grey fake vertical boarding and tiling is Sandtoft Calderdale Slate or similar. Exact boarding and tiling would need to be addressed by condition.
4. The proposed access has good visibility to the east and west looking down Horseshoe Road. The number of vehicular movements to and from the site will increase. The proposal is for a 5 bedroom property and the number of proposed off road parking spaces is four which exceeds the minimum of three requested under Appendix 6 of the SELLP for dwellings with four bedrooms or greater. The County Highways & SUDS Officer has no objections to the submitted proposal.
5. The capacity of existing community services and infrastructure is not materially impacted by this proposal.
6. There is not considered to be a material noise, odour and disturbance impact from this proposal. With regard to visual impact the following can be observed.

Overdevelopment - The proposal is not considered to represent overdevelopment. There is ample amenity space to the front and rear of the dwelling. The plot size is comparable to other existing plots in the vicinity of the site.

Overshadowing - There is not considered to be a material overshadowing impact from the proposal. Plot 3 is on a similar line of frontage to plots 1 and 2, as well as the yet to be constructed plot 4. The frontage garage is 5.15 metres from Plot 2 to the west. When right to light calculations are made the frontage windows of Plot 2 are not materially impacted. The western side elevation windows of Plot 2 facing Plot 3 serve a bathroom and en-suite at first floor level, with a utility room window and door at ground floor level. The ground floor western elevation fenestration of Plot 2 faces an existing 2

metre high fence with the bathroom an en-suite windows obscure glazed and not materially impact by a loss of light. Due to the positioning of the dwelling on a similar line of frontage to Plots 1 and 2, there is not considered to be a material loss of light to the north and south. With regard to overshadowing to the east, Plot 4, as approved under H16-0715-16, is 4.5 metres from the eastern side elevation wall and the ground floor lounge windows of Plot 4 are separated by a 2 metre high fence. The kitchen / breakfast room and bedroom 1 at Plot 4 are 13.9 metres away from Plot 3 where the single storey sitting area is sited. There are no eastern side elevation windows at second floor level in the main bulk of the building at Plot 4, which is not considered to be impacted by a material loss of light.

Overlooking - There is not considered to be a material overlooking impact from the proposal.

- To the west - At ground floor plot 4 has a study window and a utility room window and door. This fenestration faces a 2 metre high fence. At first floor level there is a bathroom and en-suite these windows will be obscure glazed. At second floor level there is no fenestration.

- To the north - The windows to the northern elevation face Horseshoe Road and the arable land beyond.

- To the west - There is a ground floor entrance hall window on the frontage, with glassed doors on the sitting area to the rear. This fenestration faces a 2 metre high fence. At first floor a window serves the entrance corridor to the bedroom above the garage on the frontage. To the rear elevation an east facing opening will serve the balcony with 1.35 metre high glazing panel surrounds. The views in this location are considered to represent a standard frontage fenestration arrangement and do not directly face any windows.

- To the south - The south facing ground floor fenestration faces a 0.9 metre high fence at the rear boundary with arable fields beyond. To the rear elevation a balcony will be sited with 1.35 metre high glazing panel surrounds. The views in this location at first and second floor level are considered to represent a standard frontage fenestration arrangement and do not directly face any windows.

7. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or risk on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. A sense of place is not considered to be impacted by this proposal. The size, scale and layout is considered to be appropriate for the site. No trees will be removed to facilitate this proposal, with three red maple trees added to the front of the site, and two to the rear. The character and appearance of the area is not considered to be materially impacted by this proposal.

5. There is ample space on site for cycle and bin storage. The proposed access has good visibility to the east and west looking down Horseshoe Road. The number of vehicular movements to and from the site will increase. The proposal is for a 5 bedroom property and the number of proposed off road parking spaces is four which exceeds the minimum of three requested under Appendix 6 of the SELLP for dwellings with four bedrooms or greater. The County Highways & SUDS Officer has no objections to the submitted proposal.

11. There is not considered to be a material noise, odour and disturbance impact from this proposal. With regard to visual impact the following can be observed.

Overdevelopment - The proposal is not considered to represent overdevelopment. There is ample amenity space to the front and rear of the dwelling. The plot size is comparable to other existing plots in the vicinity of the site.

Overshadowing - There is not considered to be a material overshadowing impact from the proposal. Plot 3 is on a similar line of frontage to plots 1 and 2, as well as the yet to be constructed plot 4. The frontage garage is 5.15 metres from Plot 2 to the west. When right to light calculations are made the frontage windows of Plot 2 are not materially impacted. The western side elevation windows of Plot 2 facing Plot 3 serve a bathroom and en-suite at first floor level, with a utility room window and door at ground floor level. The ground floor western elevation fenestration of Plot 2 faces an existing 2 metre high fence with the bathroom an en-suite windows obscure glazed and not materially impact by a loss of light. Due to the positioning of the dwelling on a similar line of frontage to Plots 1 and 2,

there is not considered to be a material loss of light to the north and south. With regard to overshadowing to the east, Plot 4, as approved under H16-0715-16, is 4.5 metres from the eastern side elevation wall and the ground floor lounge windows of Plot 4 are separated by a 2 metre high fence. The kitchen / breakfast room and bedroom 1 at Plot 4 are 13.9 metres away from Plot 3 where the single storey sitting area is sited. There are no eastern side elevation windows at second floor level in the main bulk of the building at Plot 4, which is not considered to be impacted by a material loss of light.

Overlooking - There is not considered to be a material overlooking impact from the proposal.

- To the west - At ground floor plot 4 has a study window and a utility room window and door. This fenestration faces a 2 metre high fence. At first floor level there is a bathroom and en-suite these windows will be obscure glazed. At second floor level there is no fenestration.

- To the north - The windows to the northern elevation face Horseshoe Road and the arable land beyond.

- To the west - There is a ground floor entrance hall window on the frontage, with glassed doors on the sitting area to the rear. This fenestration faces a 2 metre high fence. At first floor a window serves the entrance corridor to the bedroom above the garage on the frontage. To the rear elevation an east facing opening will serve the balcony with 1.35 metre high glazing panel surrounds. The views in this location are considered to represent a standard frontage fenestration arrangement and do not directly face any windows.

- To the south - The south facing ground floor fenestration faces a 0.9 metre high fence at the rear boundary with arable fields beyond. To the rear elevation a balcony will be sited with 1.35 metre high glazing panel surrounds. The views in this location at first and second floor level are considered to represent a standard frontage fenestration arrangement and do not directly face any windows.

12. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or risk on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 3.

PLANNING BALANCE

It is considered that the proposed redesigned dwelling can be accommodated on site without materially impacting the character and amenity of the surrounding area, by virtue of being on a similar line of frontage and designed to minimise overlooking and overshadowing. This application is considered to accord 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

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.