

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H16-0490-20	Applicant:	Mr M Nicholls
Proposal:	Proposed Residential Log Cabin		
Location:	Rear Of 26 Green Lane Spalding		
Terminal Date:	2nd September 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

Sections 5, 12 & 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
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a proposed residential log cabin in the rear garden of 26 Green Lane, Spalding. The proposal seeks to provide a cabin that measures 5.2 metres in depth and 8.2 metres wide, with a 2.5 metres eaves height and maximum apex height of 3 metres. A veranda that projects 2 metres from the side elevation wall and is 5.2 metres in depth will be sited to the west of the development. The veranda will be sited 0.3 metres above ground level.

The log cabin will contain two bedrooms, a bathroom and a combined kitchen / lounge / dining area.

The cabin will be constructed from natural wood horizontal timber boarding, with a black felt roof, white UPVC windows and doors, with black UPVC rainwater goods.

The cabin is to be used as an independent living unit with a new separate access provided from Green Lane. All existing shed and structures on site are to be removed.

Site Description

The site is within the defined settlements of Spalding which is the largest settlement in the district.

The log cabin will be sited by these distances from the following boundaries: west - 4.6 metres, north - 4.3 metres, east 5.3 metres and south - 4.3 metres. The site is bordered by walls and fences that are 1.8 metres in height.

Two storey dwellings are sited to the east, and south west, with a bungalow at 26 Green Lane to the south. Grassed scrubland is sited to the west and north with a railway line beyond.

The site is within Flood Zone 3 of the Environment Agency flood maps, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

History

H16-0835-18

Outline - Residential development - erection of dwelling - Approved - 29 November 2018.

H16-0169-19

Section 73 - Residential development - Erection of dwelling - approved under H16-0835-18.
Removal of Condition 5 as the wall referred to does not belong to applicant - Approved - 15 March 2019.

Consultation Responses

County Highways & SUDS Officer

No objections. Requests a condition that the first metre of the new access is not of gravel construction. Requests standard access and utility informatives.

Planning Considerations

Principle of development

The proposal is for residential development on residential land, within the defined settlement limits of Spalding, which is the largest settlement in the district. The principle of development is considered acceptable in this location.

Parking provision

Parking provision at 26 Green Lane remains unaffected by the proposal because the new access will be sited over an grassed area to the eastern side elevation of the property. There is parking provision for two vehicles at the log cabin, which is the minimum requested under Appendix 6 of the

SELLP for new dwellings with up to three bedrooms.

Flood risk

The site is within Flood Zone 3 of the Environment Agency flood maps, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The submitted FRA states that finished floor levels will be 300mm above ground level, with a further 300mm of flood resilient construction.

Impact of development

Policy 2 of the SELLP is titled Development Management and 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; and
9. impact on the potential loss of sand and gravel mineral resources."

There is not considered to be a material conflict with criterion 1 of the policy. The cabin sits well in the site and does not impact the amenity of neighbouring dwellings or the character and appearance of the area. With regard to design under number 2, whilst the dwelling is not a design the Local Planning Authority would seek to replicate throughout the district, the surrounding area does not have a defined architectural style, so to impose a building style would not be considered appropriate in this circumstance. The building is of sound construction and if properly maintained can provide a sustainable home for a number of generations without deterioration. Criterion 3 is considered to be addressed.

With regard to 4, the proposed vehicular access is appropriately sited and the County Highways & SUDS Officer has no objections. With the proposal in walking distance of a number of shops within the largest settlement in the district, there may not be the need for frequent vehicular trips from this location. A singular dwelling in a sustainable location with the large amount of services and infrastructure that Spalding provides is not considered to be materially impacted by this proposal. Criterion 5 is therefore addressed.

A residential use in location should not impact neighbouring properties through odour, noise, disturbance or visual intrusion as the site is to the rear of an existing building. The site is within Flood Zone 3 of the Environment Agency flood maps, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Foul sewage would be dealt with by a mains sewer, with a soakaway to address surface water drainage. Criterion 7 is satisfactorily addressed.

The proposal will not impact natural habitats, historical buildings, sand or gravel resources, therefore criteria 8 and 9 have been addressed.

There is no conflict with any of the above criteria and there is not considered to be a material impact by siting a log cabin in this location.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 10, 11, 17 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, 2019.

A delegated approval is considered to be appropriate.

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.