

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0500-19 **Applicant:** Mr Bond & Miss Browne
Proposal: Erection of house and garage - Outline approval H16-0349-16
Location: Adjacent: Burr Lodge Burr Lane Spalding
Terminal Date: 9th July 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Section 14. Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a planning application for the reserved matters (layout, scale, external materials, access, hard surfaced areas, landscaping, sewage and surface water disposal, floor levels) relating to the erection of single detached dwelling on plot 2 of the outline approval H16-0349-16.

The proposed development includes a two-storey 5 bedroom dwelling with habitable loft space. There would be a front double garage linked with the property to the front elevation. A single-storey element to the rear elevation with a raised patio. Grassed garden extends further to the rear of the site

Site Description

The site location is within ribbon development to the south of the built-up of Spalding near the crossroad of Burr Lane and Barrier Bank.

The site of the 3 house scheme is bounded by the rear gardens of Tisdwell Bungalow, 19 and 19A Fen Road back to the west, Burr Lodge to the west and field to the south. Two bungalows and a track access are opposite the road facing the application's house. The dwelling of this application would be flanked by the houses on Plots 1 and 3.

History

H16-0955-15 - Residential Development - Refused

H16-0349-16 - Residential development (re-application following refusal of H16-0955-15) - Approved

Consultation Responses

None

Planning Considerations

Size and scale

The proposed house would be approximately 12 metres wide, 25 metres deep and 9 metres high in its maximum dimensions. Having regard to the measurements of the approved adjacent house on Plot 3 as well as the indicative dimensions of the house on Plot 2, it is concluded that the proposed house would be commensurate with the neighbouring properties in terms of scale, massing and bulk.

Design and layout

The gable pitched front element would be one double garage which would be linked with the ground floor of the building. A loft kitchen is in the middle of the floor with a spacious lounge to the side and dining room to the rear. One ensuite master bedroom and 2 no. bedrooms sharing one bathroom would be on the first floor. In the loft, there would be 2 no. ensuite bedrooms further.

The presence of gable roof pitches and dormer windows would define the external layout of the building which would be in keeping with that of the other two houses.

Wienerberger Staffordshire smooth blue bricks would be used for the facing brickwork. Some render would be applied with a light stone smooth coloured finish. The roof tiles would be dark grey Marley modern tiles and dark colour would be also visible in the fenestration. The resulting appearance of the development would not be incongruous with the remainder of the scheme and the existing houses in the area.

The landscape strategy and hard surfaces are acceptable given the separation distances with the adjacent dwellings and use of the site. The site access, parking space and turning area have not been subject to any objection from the Lincolnshire County Council as Highway Authority

Two optional drainage strategies have been proposed. At this stage of the development, it is considered that either the rainwater harvesting container or the individual soakaway crates are appropriate in view of their layout and scale of the building.

The finished floor levels are set 1 metre above the ground floor which would protect the building from flooding according to the flood hazard and depths predicted by South East Lincolnshire Strategic Flood Risk Assessment (March 2017).

Impact upon residential amenity

There is no upper windows on both side elevation, therefore no overlooking effect would be likely. The boundary treatment is appropriate to conceal the rear garden and obscure views from the adjacent dwellings. No representation has been made with regards to the impact of the proposed house upon the amenity standards of residents living nearby.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 2, 3, 4 and 36 of South East Lincolnshire Local Plan, 2019 and Section 12 and 14 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.