DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0600-22**	**Applicant:**	**M & T Foden, T Laud & J Bailey-Scott**
Proposal:	Demolition of existing outbuildings and erection of 2 detached two storey dwellings		
Location:	Land Adj. 110 Station Road Surfleet Spalding		
Terminal Date:	10th August 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
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application on land adjacent 110 Station Road, Surfleet for the demolition of existing outbuildings and the erection of 2 detached two storey dwellings. Plot 1 is to be located adjacent to 118 Station Road. Plot 1 seeks to provide a single garage, study, hall, pantry, utility, wc, and an open plan dining, living, family and kitchen area at ground floor level. At first floor level, four bedrooms, four en-suites and a balcony will be provided. Proposed materials of construction are Ivanhoe Cream Ibstock Brick and Smooth Grey Marley Edgemere Roof Tiles.

To the west of Plot 1, adjacent to 110 Station Road, Plot 2 will be sited. At ground floor level a single garage, snug, shower room, utility, living room an an open plan kitchen, family and dining area. At first floor level three bedrooms, three en-suites, two dressing rooms and a balcony. Proposed materials of construction are Ivanhoe Cream Ibstock Brick and Smooth Grey Marley Edgemere Roof Tiles. Each dwelling will have finished floor levels approximately 300mm above existing ground level.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by linear residential development of varying ages and designs. The site is in Environment Agency Flood Zone 1, 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. As the site is in Flood Zone 1 there is not a requirement for a sequential or exceptions test.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

No observations. Requests standard access and utility informatives.

South Holland District Council - Environmental Protection

"I request the standard land contamination conditions be applied at this location."

Welland & Deepings Internal Drainage Board

No objections.

Surfleet Parish Council

Support

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 Minor Service Centre. This section of the policy states:

"Within the settlement boundaries of the Minor Service Centres (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 Allocated and Committed sites and infill."

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

The proposal site is within defined settlement limits and is an infill site.

This site accords with SELLP Policy 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 of the dwellings is considered to be appropriate for the site. A row of hedging will be removed to facilitate the proposal, however, new boundary hedging will be provided for both plots. The application is not considered to materially impact the character and appearance of the site or surrounding area.

2. The design is broadly in keeping with that of the surrounding area and the orientation is that of standard frontage development.

3. Proposed materials of construction for both plots are Ivanhoe Cream Ibstock Brick and Smooth Grey Marley Edgemere Roof Tiles. These materials are considered to be appropriate for the dwellings.

4. The site will utilise an existing access which will be upgraded and shared between both properties. Vehicles are able to exit the site in a forward gear and each dwelling meets the required number of off road parking spaces within Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure is not considered to be materially impacted by this proposal.

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

Overdevelopment - The proposal is not considered to constitute overdevelopment. The plot sizes and amenity space provided

Overshadowing - When right to light lines are drawn, neither plot nor the neighbouring dwellings are materially affected by a loss of light.

Overlooking - There is not considered to be a material overlooking aspect from either Plot 1 or Plot 2. When assessing potential overlooking to and from Plot 1 the following can be observed. At ground floor level the west facing dining room window will face the mixed native hedging boundary, beyond which is the rear garden of Plot 2. This window does not face the dwelling at Plot 2. The north facing rear elevation ground floor windows directly face the rear boundary. The east facing kitchen windows faces the 1.8 metre high timber fencing at 118 Station Road which drops down 1.4 metres adjacent to an area of hedging. At first floor level the narrow west elevation windows serve a stairwell and an obscure glazed en-suite. Another window close to the frontage serves Bedroom 2. This window predominately faces the grassed shared frontage area with Plot 2. Whilst Bedroom 2 of Plot 2 faces east, there is not considered to be a direct overlooking aspect afforded as the bedroom window at Plot 1 is set further back in the site. The north facing balcony and two window that serve Bedroom 3 are not considered to constitute a material overlooking aspect as the only afford a small degree of overlooking to furthest extent of the rear gardens at Plot 2 and 118 Station Road which are both bordered by low level boundary treatment, namely mixed hedging at Plot 2, and a low level fence with trellis above at 118 Station Road. The two east facing first floor windows will be obscure glazed and serve en-suites. The first floor south facing frontage windows will face open fields on the other side of Station Road.

With regard to Plot 2 the following can be observed. The western side elevation boundary will be served by a 1.2 metre high fence beyond which is a 3.5 metre wide agricultural access track. There are two west facing ground floor kitchen windows that face the track with established trees beyond.

There is not considered to be a material overlooking impact to or from these windows. All other ground floor windows face the northern and eastern mixed native hedging or the shared parking area to the east of Plot 2. At first floor level the western elevation en-suite window will be obscure glazed and the west facing window towards the frontage will serve a stairwell which is not a habitable room and therefore is not considered to afford a material overlooking aspect to 110 Station Road. The rear elevation balcony will directly face the rear boundary of the plot and is enclosed by brick to the western and eastern elevations to minimise visibility to the east and west. The east facing en-suite window will be obscure glazed and the window of Bedroom 2 will face the open shared parking area with Plot 1, and the open plan parking area of 118 Station Road beyond. The first floor south facing frontage windows will face open fields on the other side of Station Road.

7. The site is in Environment Agency Flood Zone 1, 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. As the site is in Flood Zone 1 there is not a requirement for a sequential or exceptions test.

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 relevant criteria the following can be observed:

1. The size, scale and layout of the dwellings is considered to be appropriate for the site. A row of hedging will be removed to facilitate the proposal, however, new boundary hedging will be provided for both plots. The application is not considered to materially impact the character and appearance of the site or surrounding area. A sense of place is not considered to be impacted by this proposal. The massing and siting of both dwellings is commensurate with other dwellings in the vicinity.

4. The proposal is within defined settlement limits and is therefore considered to be in a sustainable location with regard to public transport.

5. There is ample space on each site for the storage of bicycles and bins. The site will utilise an existing access which will be upgraded and shared between both properties. Vehicles are able to exit the site in a forward gear and each dwelling meets the required number of off road parking spaces within Appendix 6 of the SELLP.

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

Overdevelopment - The proposal is not considered to constitute overdevelopment. The plot sizes and amenity space provided

Overshadowing - When right to light lines are drawn, neither plot nor the neighbouring dwellings are materially affected by a loss of light.

Overlooking - There is not considered to be a material overlooking aspect from either Plot 1 or Plot 2. When assessing potential overlooking to and from Plot 1 the following can be observed. At ground floor level the west facing dining room window will face the mixed native hedging boundary, beyond which is the rear garden of Plot 2. This window does not face the dwelling at Plot 2. The north facing rear elevation ground floor windows directly face the rear boundary. The east facing kitchen windows faces the 1.8 metre high timber fencing at 118 Station Road which drops down 1.4 metres adjacent to an area of hedging. At first floor level the narrow west elevation windows serve a stairwell and an obscure glazed en-suite. Another window close to the frontage serves Bedroom 2. This window predominately faces the grassed shared frontage area with Plot 2. Whilst Bedroom 2 of Plot 2 faces east, there is not considered to be a direct overlooking aspect afforded as the bedroom window at Plot 1 is set further back in the site. The north facing balcony and two window that serve Bedroom 3 are not considered to constitute a material overlooking aspect as the only afford a small degree of overlooking to furthest extent of the rear gardens at Plot 2 and 118 Station Road which are both bordered by low level boundary treatment, namely mixed hedging at Plot 2, and a low level fence with trellis above at 118 Station Road. The two east facing first floor windows will be obscure glazed and serve en-suites. The first floor south facing frontage windows will face open fields on the other side of Station Road.

With regard to Plot 2 the following can be observed. The western side elevation boundary will be served by a 1.2 metre high fence beyond which is a 3.5 metre wide agricultural access track. There are two west facing ground floor kitchen windows that face the track with established trees beyond. There is not considered to be a material overlooking impact to or from these windows. All other ground floor windows face the northern and eastern mixed native hedging or the shared parking area to the east of Plot 2. At first floor level the western elevation en-suite window will be obscure glazed and the west facing window towards the frontage will serve a stairwell which is not a habitable room and therefore is not considered to afford a material overlooking aspect to 110 Station Road. The rear elevation balcony will directly face the rear boundary of the plot and is enclosed by brick to the western and eastern elevations to minimise visibility to the east and west. The east facing en-suite window will be obscure glazed and the window of Bedroom 2 will face the open shared parking area with Plot 1, and the open plan parking area of 118 Station Road beyond. The first floor south facing frontage windows will face open fields on the other side of Station Road.

12. The site is in Environment Agency Flood Zone 1, 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. As the site is in Flood Zone 1 there is not a requirement for a sequential or exceptions test. Foul water pipes will connect to the mains drainage with soakaways for surface water to the front and rear of each dwelling.

14. Both properties will have swift and bat boxes to aid biodiversity. These measures are supported by the NPPF.

This application accords with SELLP Policy 3.

PLANNING BALANCE

It is considered by virtue of the orientation, massing and siting that there will not be a material impact on the character or amenity of the surrounding area by the proposed dwellings. This application accords 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.