DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H17-1020-20**	**Applicant:**	**Mr & Mrs A Rowbottom**
Proposal:	Erection of Dwelling		
Location:	Land To North Of Seas End Road Surfleet Spalding		
Terminal Date:	11th January 2021		

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
28	The Natural Environment
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

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
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Full application for the erection of a detached two storey dwelling, with associated parking and an outdoor store. The built form is proposed to be T-shaped with a detached store building.

Access is proposed via a new access from Seas End Road, through the field hedge.

The application is supported by Flood Risk Assessment.

Since submission the proposal has been revised to increase the distance of the dwelling to the existing dwelling to the east.

Site Description

The application site is part of an open agricultural field, rectangular in form, within the settlement boundary of Surfleet, accessed from Seas End Road, with a continuous boundary to the highway, separated by a field hedge.

Seas End Road is characterised by a mix of styles and age of dwellings, on to an informal road edge.

History

None.

Consultation Responses

Surfleet Parish Council

Support- no comment.

SHDC Environmental Protection

No comments or objections.

LCC Highways & SUDS Support

Revised response - No objections.

Third Parties

None received.

Planning Considerations

The main issues in this case are:

Principle of Development and sustainability
Layout and Design
Highway safety and parking
Impact of neighbouring Residents/land users
Flooding considerations
Foul and Surface Water Drainage
Landscape Impact
Biodiversity

Principle of Development and sustainability

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is within the settlement boundary of Surfleet, which is a Minor Service Centre within the spatial strategy set out in Policy 1 of the SELLP.

Within the settlement boundaries of the Minor Service Centres 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.

Although located within an "Area of limited development opportunity", being within a Minor Service Centre, the proposal is within the settlement boundary. The proposal would have a very limited impact upon the economic, social and environmental sustainability of the settlement, but it is within the settlement boundary.

The proposal therefore accords with Policy 1 of the SELLP and the intentions of the NPPF 2019.

Layout and Design

This application proposes a detached four-bedroom house, located to reflect the general building line on the northern side of Seas End Road. The walls are proposed to be finished in render and brick, and the roof to be slate. The dwelling at its highest point would have an eaves height of circa 9 metres.

Highway safety and parking

LCC Highways originally requested that a footway be provided to the east, to link up to an existing footway, however there is not a footway to link up to. LCC were asked to reconsider this matter and now raise no objection.

It is considered that a vehicular and pedestrian access on to Seas End Road at this point would achieve sufficient sight lines to maintain safe highway conditions whilst retaining as much of the field hedge as possible.

The site is able to accommodate sufficient parking for the size of dwelling, and with regard to the setting back of an access gate, this can be controlled by condition, to maintain safe highway conditions.

The proposal accords with Policies 2, 3 and 36 of the SELLP and the intentions of the NPPF 2019.

Impact of neighbouring Residents/land users

The dwelling has been moved to the west, and the size of the plot increased, to increase the distance from the dwelling to the east. The proposed elevation facing this property would have first floor windows, and the distance dwelling to dwelling has been increased to 14 metres, including the field access.

It is considered that the siting of the dwelling is such that no overbearing impact or undue overlooking to the adjoining dwelling to the east, or to the dwellings on the southern side of the highway. The proposal would accord with Policies 2 and 3 of the SELLP.

Flooding considerations

Part of the site is shown to be within Flood Zone 1 'Low Probability' with the remainder being in Flood Zone 3 ' More Vulnerable' as detailed on the Environment Agency's Flood Zone Maps (without defences). Applying the Flood Risk Vulnerability Classification in Table 2 of NPPG, the proposed development use for the site is considered to be 'More Vulnerable'.

From the topographical survey the site of the new dwelling has a slight fall from the roadside to the rear, the levels

on the southern boundary are at 4.4.23mODN and the northern boundary lower at 3.64mODN. Seas End Road at
the site entrance varies from 5.12mODN and the ground floor level of the property next door is 4.47mODN.

When applying the sequential approach for flood risk in accordance NPPF the site would fall into Zone 1 (Low
Probability) as shown on the Environment Agency's Flood Map without defences in place.

It is proposed that the dwelling is to be constructed as follows, as set out in the FRA:

- The ground floor living accommodation for the two-storey dwelling is to be raised 500mm above the existing average ground level, to be set at a level of 4.30mODN.

- Flood resilient methods.

- As this site is in an area that is capable of receiving flood warnings from the Environment Agency Floodline Warning Direct system. It is recommended that the property Owner contact the Environment Agency's Floodline on 0845 988 1188 to register the property to receive advance warning of flooding by telephone, mobile, fax, SMS text, email or pager. The Environment Agency aim to issue a 'severe flood warning' approximately 2 hours before existing defences are overtopped.

The proposal accords with Policies 3 and 4 of the SELLP and the intentions of the NPPF 2019.

Foul and Surface Water Drainage

The drainage statement submitted for the site, proposes to utilise infiltration techniques to reduce the storm water discharge from the proposed development and to minimise the impact of the development on the surrounding area and to comply with guidelines, which require at least one workable solution for managing surface water.

It is proposed that surface water from the roof of the proposed dwellings will be discharged to soakaways, designed in accordance with BRE Digest 365.

The access and car parking areas will be constructed with permeable materials to infiltrate into the ground.

Foul drainage is to utilise the existing public sewerage system.

The proposal accords with Policies 3 and 4 of the SELLP and the intentions of the NPPF 2019.

Landscape Impact

The application site is part of an agricultural field that was used for flower production. The site is largely flat and typical of land within this part of the District. The development of the site shall change the character of the land, however the retention of the field hedge will go some way to softening the edge of the development. A condition is recommended to seek the retention of as much of the hedge as is shown on the submitted plans, to assist in softening the site as well as for ecology reasons.

The proposal accords with Policies 2, 3 and 28 of the SELLP and the intentions of the NPPF 2019.

Biodiversity

A condition is suggested to require a ecology management scheme is submitted and approved, to ensure that the development is able to deliver a net gain in biodiversity. This Condition is suggested in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2019.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the

determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is in a sustainable location and the proposal would not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore generally in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

The issues relating to flood risk are material considerations but are not sufficient in this case to indicate against the proposal and to outweigh factors in favour of the proposal and the policies referred to above, subject to safeguarding conditions.

Conclusion

Approve, subject to the conditions recommended.

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.