

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H17-1284-21 **Applicant:** Mr T Forman
Proposal: Erection of 2 Dwellings - outline approval H17-0346-19
Location: Land Between 12 Flaxmill House & Old Lammas Reservoir Road Surfleet Seas End
Terminal Date: 14th February 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**

Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places
Section 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

CASE OFFICER ASSESSMENT

Proposal

Reserved Matters approval is sought for the erection of 2 dwellings. Outline planning permission was granted under application ref. H17-0346-19.

The proposal is for 2 x 5-bed two-storey dwellings with individual accesses from Reservoir Road to the south.

Site Description

The application site is located between two existing frontage two storey dwellings (known as Flaxmill House and Old Lammas) and is part of a wider agricultural field which extends to the rear of these properties. There are two detached properties opposite. The majority of dwellings in the vicinity are large and set within generous sized plots. There is existing close boarded fencing along the eastern boundary, the northern and southern boundaries are open and the western boundary is mostly open.

History

H17-0346-19 - Outline - Residential development - 2 plots (approved May 2019)

Consultation Responses

Surfleet Parish Council - No comment.

Welland and Deepings IDB - No comment.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

Principle

As the principle of development on the site has already been established, the main issues to be taken into account in respect of this application are whether the proposed scheme is acceptable in terms of the reserved matters (layout, scale, external appearance, means of access and landscaping).

Layout, Appearance and Scale

The proposal is for 2 x 5-bed two-storey dwellings, the design of which is almost identical with the exception of the properties being handed differently and part of the front elevation of Plot 1 being rendered but Plot 2 being clad. The remainder of the proposed materials of construction are TBS Olde Coach House brick and natural slate roof tiles. Fenestration would be white wood grain UPVC. The proposed brick type is similar to that of the dwelling to the east of the site and in keeping with other red brick properties in the vicinity, and slate tiles are not uncommon. The colour of the cladding and render is to be confirmed and details of which will be secured by condition.

Whilst the properties are large, they are comparable in scale to other dwellings in the vicinity and are in keeping in visual terms.

The dwellings are set back from the road with detached double garages sited to the front. The garage to Plot 2 will generally be seen in the context of the neighbouring property to the east and that to Plot 1 is in close proximity to where are existing detached dilapidated building (to be demolished) is located at the road frontage. On this basis, it is not considered that the garages being sited forward of the dwellings would represent an unduly obtrusive feature. There are other

examples of dwellings being set back from the road in the vicinity (e.g. on the corner of Seas End Road and Reservoir Road).

Condition 7 of the outline consent requires that finished floor levels be set at least 4.65m OD, which is approx. 150mm above Reservoir Road in front of the site. Reservoir Road is higher than the majority of the site and the dwellings would be raised by approx. 300-400mm above existing ground level. Dwellings raised to that level would not materially impact the street scene.

Taking the above into account, it is concluded that the layout, scale and appearance of the scheme satisfactorily accords with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Access and Parking

Each dwelling is to be served by new individual access points from Reservoir Road to the south. It is noted that the site sits on a bend in the road, however the Highway Authority have raised no objection to the proposed access arrangements on highway safety grounds. The proposal is therefore considered to be in accordance with Policy 2 of the Local Plan, which requires it to be demonstrated that access and vehicle generation levels will be acceptable.

Appendix 6 of the Local Plan sets out minimum parking standards, including for new residential development. 3 parking spaces within the curtilage should be provided for dwellings with 4 or more bedrooms. Between the garaging and the driveway space provided, the proposal complies with this requirement.

Landscaping

In terms of soft landscaping, two pink Cherry Blossom trees are proposed to the front of each dwelling and rear gardens are to be laid to lawn.

Hard landscaping would take the form of gravelled/granite chipping drives, with paving slabs to the side and rear.

With regard to boundary treatments, the rear boundaries would be defined by 1.2m high post and rail fencing to benefit from views of the fields beyond. 2m high feather edge fencing is indicated to the west of Plot 1 and in between Plots 1 and 2, ending at the front of each dwelling. The fence to the western side of Plot 1 will change to 1.2m high post and rail from its front elevation to the front of the garage. The existing feather edge fencing is being relied upon on the eastern boundary. The southern boundary would remain open. These arrangements are acceptable in visual terms, allowing some openness to remain to the front.

Overall, the landscaping proposals are considered to be a suitable scheme for the site and in accordance with Policy 3 of the Local Plan in respect of its provisions on landscaping.

Residential Amenity

It is not considered that there would be a material adverse impact in terms of overlooking, overshadowing or the properties being overbearing in nature.

There are no dwellings to the rear of the site and the relationship with the properties opposite is tantamount to a normal frontage relationship.

There are two detached dwellings to the east and west. The dwelling to the east has facing windows belonging to a family room (ground floor) and bedroom and en-suite (first floor). However, the side facing windows/doors to the dwelling sited on Plot 2 are only to non-habitable spaces (en-suites and utility) and front facing windows are at an oblique angle, thus meaning no material overlooking aspect in that regard. As Plot 1 is handed, it means that those same windows face the dwelling to the west.

As the dwelling sited on Plot 2 is set back further than the existing dwelling to the east, this minimises the visual impact of the development from those side facing windows highlighted above.

This does however mean that the new dwelling would project 8m beyond the rear elevation of the Old Lammas. Given that there is a separation distance of approx. 6.8m and there is an existing large single storey building within the curtilage of the Old Lammas on the western side, it is not considered that there would be a material overbearing impact, or an unacceptable loss of light given the orientation of the dwellings.

There is an approx. 30m separation distance to Flaxmill House to the west, which is sufficient to retain/achieve an acceptable standard of residential amenity.

The patios to the rear of dwellings would be raised by approx. 20mm or less and the remaining level of the rear garden would remain as existing. On that basis, 2m high fencing to the central and western boundaries is appropriate. No new boundary treatment is proposed on the eastern boundary but the existing boundary treatment to the rear of the neighbouring property is either approx. 1.8m fencing or where it is lower there is evergreen hedging that appears to be over 2m in height. This is of a sufficient height given the proposed levels and the fact that views from the patio towards the neighbouring dwelling would largely be obscured by the intervening outbuilding.

There are side facing windows to the attic which overlooking the neighbouring gardens, therefore a condition will be added to ensure that this remains a non-habitable space.

In light of the above, the proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

Flood Risk and Drainage

Condition 7 of the outline consent requires that finished floor levels be set at least 4.65m OD, which is approx. 150mm above Reservoir Road in front of the site. The block plan reiterates this requirement.

Foul water would be discharged to the existing Anglian Water sewer in Reservoir Road. Anglian Water are obligated to accept connections from new developments and there are therefore no concerns in this regard. Surface water is proposed to be discharged to soakaways and there are no known ground permeability issues in this locality that would preclude their effective use.

Given the above, it is considered that the drainage proposals and flood mitigation measures accord with Policies 2, 3 and 4 of the Local Plan which require proposals to provide appropriate means of drainage and flood defence.

Planning Balance

The principle of residential development on this site has already been established by virtue of the outline permission. It is not considered that the proposal would materially harm the character or appearance of the locality or amenity of residents. There are no material highway issues and parking levels are in accordance with the Local Plan requirements. Flood risk and drainage matters are considered to have been appropriately addressed.

Taking the above into account, the planning balance is considered to be in favour of the proposal.

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.

Conclusion

In light of the above considerations, the proposal is considered to be in accordance with Policies 2, 3, 4 and 36 (incl. 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).

The recommendation is therefore for a delegated approval.