DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H19-0167-21**	**Applicant:**	**S & H Newell and T & C Stevens**
Proposal:	Proposed outline planning permission for 1 dwelling		
Location:	Plot Between 291 & 293 Broadgate Road Sutton St Edmund Spalding		
Terminal Date:	26th April 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
17	Providing a Mix of Housing
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development.
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.
Section 15. Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	2

NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	2
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks outline permission for one dwelling on land between 291 & 293 Broadgate Road, Sutton St Edmund, Spalding.

Site Description

The site is within the built-up area of Sutton St Edmund. It forms part of the linear development that characterises the footprint of the village.

There is currently a rounded steel framed barn, used for storage on the site. The land is mostly grassed with a small hardstanding area to the front of the outbuilding. The boundary treatment is incomplete and does not obscure views.

To the north, No, 293 is a large dormer bungalow. To the south, No. 291 is a large two-storey detached dwellinghouse. Further away, No. 289 is a higher pitched L shaped house. All three dwellings have Tudor style features on their external layout.

History

None.

Consultation Responses

SHDC Environmental Protection Officer

No objection.

North Level IDB

No objection.

LCC Highways/SUDS Authority

No objection.

Two informative notes should be added to the permission.

Members of the public

Two residents have made representation raising the following issues:
-Further details of drainage strategy

-Concerns about increased flooding from surface water.
-Loss of privacy
-Request for restricting hours of construction works

Planning Considerations

Principle of development

Policy 1 of South East Lincolnshire Local Plan (SELLP), 2019 sets out the spatial strategy for new development across the district.

The application site is within the settlement boundary for Sutton St. Edmund as per Policies Map of the Local Plan. Sutton St. Edmund is classed 'Other Service Centres and Settlements' in Policy 1.

For such type of urban settlements, Paragraph 3.2.14 of the SELLP goes on to say, that "the settlement boundaries of the Other Service Centres and Settlements allow limited opportunities for residential development largely because the character, appearance and form of the settlements are mainly small in scale and close to the surrounding designated Countryside. Typically, only small open frontages separate the main body of such settlements from properties detached from their designated settlement boundaries. A significant number of these settlements are linear in form; it is seen as a particularly important function of the settlement boundary to stop further incremental linear extensions. The scale of development opportunities that might arise were a less restrictive approach to be taken would threaten the spatial strategy of the Local Plan to provide for housing in the settlements of greater need and which offer sustainable bases for development of a larger scale."

For proposal within 'Other Service Centres and Settlements', "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 Committed sites and infill."

It is considered that this land is an infill site with a frontage to the road, that is part of the linear form of the settlement. It is therefore considered that the development of this site for one dwelling would accord with Policy 1 of SELLP, 2019 and the principle of development is acceptable.

Matters of detail

Section 12 of National Planning Policy Framework (NPFF), 2019 in addition to Policies 2 and 3 of the SELLP, 2019 set out criteria to ensure good design and layout standards for new development.

A more detailed assessment of proposals would be considered at the time of a reserved matters application, when the details of the design and placement of a dwelling on this site would be considered.
At this time, such details as the form and architectural approach, impact on the street scene, impact on adjoining residents, boundary treatment or/and landscaping, the proposed levels across the site, foul and surface water drainage and car parkin provision. These details would be required by way of condition to the outline permission.

Notwithstanding this, the site approximately amounts 653 square metres and has a rectangular shape that is similar to the neighbouring properties. The site layout is such that one dwelling could be easily accommodated without harming the built form in the surroundings and the residential amenity of adjoining dwellings.

Flood risk and drainage

The site is within Flood Zone 3a as per Environment Agency's Flood Map. This is the highest flood probability assuming that no flood defences exist.

Paragraph 158 of NPFF 2019 highlights that the strategic flood risk assessment will provide the basis for applying the Sequential Test which is aimed to steer new development to land with lower flood risk.
Taking into account the existing flood defences and scenarios of overtopping and breach, the site has no flood hazard nor flood depths from tidal and fluvial flooding.

A site-specific flood risk assessment accompanies this application. It is considered that this document addresses satisfactorily the Sequential Test, identifies the flood risk probabilities from potential sources and proposed a set of recommendations to manage residual flood risk.

Notwithstanding this, further assessment shall be made with regards to the drainage strategy to manage surface water. This can be assessed in a subsequent application and controlled by way of a condition to the outline permission.

Planning balance

The principle of developing the application site for one dwelling is acceptable. The proposal would achieve sustainable development in accordance with the local spatial strategy subject to further material considerations.

The matters of details will be assessed in a subsequent application, but the site and its setting are such that the provision of one dwelling can easily respond well to the character of the area.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2, 3, 4, 10, 17, 30, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019); and Sections 2, 5, 12, 14 and 15 of National Planning Policy Framework (2019).

Accordingly, it is 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 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.