DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H19-0196-21**	**Applicant:**	**Mrs P Reaney**
Proposal:	Erection of two storey 3 bed dwelling - outline approval H19-0415-19		
Location:	Rose Cottage South Eau Bank Throckenholt		
Terminal Date:	12th May 2021		

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
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

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
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Reserved matters approval is sought for a two storey 3 bed dwelling. A storage/workshop building originally included has now been omitted due to it conflicting with the North Level District Internal Drainage Board byelaws.

The site is the eastern part of an area of land that has outline planning permission for two houses, with all matters reserved for subsequent approval (ref. H19-0415-19).

Site Description

The site is located on the northern side of South Eau Bank and was formerly garden associated with Rose Cottage. It is set at a lower level than the road with a narrow verge and fencing along the frontage.

Rose Cottage is situated to the west. Land is situated to the east that is occupied by a number of buildings and scrap vehicles (no recent planning history).

Planning History

H19-0415-19 - Outline - Erection of two houses - Granted 12 June 2019.

Consultation Responses

Sutton St Edmund Parish Council - No response.

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

North Level Internal Drainage Board - No objections in principle. Draw attention to 9 metre byelaw.

Public - Request that swift bricks be installed within the building.

Planning Considerations

The principle of residential development on the site has been established by virtue of the outline planning permission (ref. H19-0415-19). This application is therefore to assess the reserved matters, namely:
i) the layout, scale and external appearance of building(s), including a schedule of external materials to be used;
ii) the means of access to the site;
iii) the landscaping of the site;
iv) other matters such as the existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

The site is situated within an existing frontage. Rose Cottage is situated further to the west. A number of buildings are situated to the east beyond a high Lleylandii hedge. A bungalow (South Eau Farm) is situated beyond that on the opposite side of Hall Gate Road. Development within the locality is an eclectic mix in terms of type, style and materials. The proposed house would be constructed in Wienerberger Ibstock Langford bricks with Marley Double Modern Smooth Grey Tiles. It is considered that the proposal would not materially harm the character or appearance of the street scene/rural locality. The proposal therefore satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

In terms of amenity, the site is some distance from Rose Cottage and the neighbouring plot to the west does not presently have reserved matters approval. A utility door and landing window are situated on the western (side) elevation. A first floor bathroom window is on the eastern elevation. Lleylandii hedging presently exists along the eastern boundary. The land to the east does not have any recent planning history other than refusal for the siting of a caravan in 1988 (ref. H19-1063-88). Any activity on this site appears to be low key and no representations have been received from its owner.

It is considered that the proposal would not materially harm the amenity of nearby residents in terms

of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 on amenity grounds.

The site is at a lower level than the highway so would require an inclined driveway. The proposal includes two parking spaces and vehicular turning facilities. The County Highways Authority considers that there would be no unacceptable impact on highway safety. The proposal satisfactorily accords with Policies 2, 3 and 36 on highway grounds.

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth Maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The South Holland SFRA indicates that the site is located within an area identified as "No Hazard". The proposal therefore satisfies the sequential test.

Condition 7 of the outline permission requires that finished floor levels should be set 300mm above ground level and flood resilience and resistance techniques be incorporated the submitted plans indicate that it would be set at 2.55m aOD. Future occupiers are advised to register with the Floodline Warnings Direct Service.

Foul water would be disposed of to a treatment plant with outfall to the drain at the rear. Surface water would be disposed of to a crate soakaway.

A request has been made for the inclusion of biodiversity measures, such as Swift boxes. However, this is solely a reserved matters application and no such condition was imposed at the outline stage.

Planning Balance/Conclusion

The proposal satisfactory complies with the reserved matters and is in accordance with Policies 2, 3, 4 and 36 of the South East Lincolnshire Local Plan, 2019.

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.

Recommendation

That the application be approved under delegated powers.