

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H19-0679-21	Applicant:	Ridge Oak Developments Ltd
Proposal:	Erection of Dwelling - outline approval H19-0345-19		
Location:	Plot Adj. Four Winds 33 Cross Road Sutton St Edmund		
Terminal Date:	17th August 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2021

Section 2. Achieving sustainable development.
 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
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The site has planning permission for a single chalet style dwelling (ref. H19-0345-19). Reserved matters approval is now sought for a three-bedroom chalet bungalow.

Site Description

The site was formerly garden associated with Four Winds, which is a chalet bungalow. A footway fronts the site. A row of bungalows is situated to the east. Open land is located opposite.

Representations

Sutton St Edmund Parish Council - No response

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

NLIDB - No objections. The Board's Little Eau Spur Drain forms the northern boundary to the site and therefore the Board's byelaws apply. In addition, consent to discharge will be required with regards to the treatment plant.

Previous History

H19-0325-16 - O/A - Residential development - one dwelling - Granted 16 June 2016.

H19-0345-19 - O/A - Residential development - one chalet style dwelling - Granted 20 May 2019.

Material Planning Considerations

Material Considerations

The principle of residential development on the site has already been established by virtue of the outline consent (ref. H19-0345-19). 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.

Reserved matters approval is now sought for a 3-bed chalet type property with integral garage. It would be constructed in Vandersanden Rose of the Alps bricks with Russell Pennine roof tiles (Cottage Red).

Bungalows are situated to the east and a chalet to the west. There is mix of property types within the vicinity, including houses, chalets and bungalows and a variation in terms of design and materials. The proposed brick is variegated; however, it is not fundamentally dissimilar to the chalet to the west. Taking these factors into account it is considered that the proposed dwelling would not materially harm the street scene or character/appearance of the area.

In terms of amenity, a bungalow (no. 37) is situated to the east, which has a door and two windows on its western (side) elevation. Four Winds is located to the west, which has a conservatory nearest the site.

The chalet would be situated some 1.4 metres from the eastern boundary and would have lounge and bathroom windows on its eastern elevation. However, the eastern and western boundaries are both delineated by 1.8 metre high fencing. Finished floor levels would be set at 300mm window. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.

A new vehicular access would be formed. The garage would be set back at least 6 metres in accordance with condition 6. Provision has been made for the parking and turning of at least 2 vehicles in accordance with condition 7. The County Highways Authority raises no objections on highway safety grounds.

Condition 8 of the outline permission indicates that the finished floor level should be set at 300mm above existing ground level. The proposal is satisfactory in this respect.

Foul water would be disposed of to a private treatment plant with outfall to a drain at the rear. Surface water would be disposed of via crate soakaways at the front and rear. These arrangements are considered acceptable. The soakaways would require separate building regulations approval.

Planning Balance

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. There are no significant factors in this case that indicate against the proposal and to outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under 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.