DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H19-1126-18**	**Applicant:**	**Mr & Mrs T Simmons**
Proposal:	Replacement dwelling - re-submission of H19-0644-18		
Location:	Eye Farm Broadgate Sutton St Edmund		
Terminal Date:	24th January 2019		

Planning Policies

Local Plan July 2016:

SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG4	Development in the Countryside
HS17	Replacement Dwellings in the Countryside
HS7	New Housing in the Open Countryside including Other Rural Settlements
SG13	Pollution and Contamination
SG14	Design and Layout of New Development
SG15	New Development: Facilities for Road Users, Pedestrians and Cyclists
SG16	Parking Standards in New Development
SG17	Protection of Residential Amenity
SG18	Landscaping of New Development

National Guidance

National Planning Policy Framework 2018

Sections 2, 4, 5, 12, 14 and 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The site currently has full planning permission for a replacement dwelling of traditional design reflecting a late 19th Century 5 bay Victorian farm house (ref. H19-0402-16). Planning permission is now sought to revise the scheme. The principal elevation now faces the highway, as opposed to south. The design has been modified and the replacement has been positioned further forward on the site.

It should be noted that planning permission was recently refused for a replacement dwelling of more contemporary design (ref. H19-0644-18) on grounds that it did not reflect the design/appearance of the existing 19th Century house and traditional vernacular buildings in terms of character, materials and architectural detailing. Rather, it resembled a large modern suburban property.

Policies/Constraints

Site within an area of no hazard within the SHDC Strategic Flood Risk Assessment.

Representations

Sutton St Edmund Parish Council - No objections

Cllr M D Seymour - This is a replacement property and needs to be on original foot print to keep in line with other buildings in location.

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

Environmental Protection - Request contaminated land condition.

North level Internal Drainage Board - No comments

Public - Objection received from residents (summarised):
House nearer the road; Overlooking/lack of privacy; Should be built on the site of the existing house - this would allow sufficient land to the east and south for landscaping; Boundary issue.

Previous Decisions

H19-0402-16 - Full - Replacement dwelling - Granted 27 May 2016

H19-0644- 18 - Full - Replacement dwelling - Refused 21 August 2018

Material Considerations

The main issue in this case is whether the revised siting and design/appearance of the property is satisfactory.

As indicated in paragraph 47 of the National Planning Policy Framework, 2018, planning law

requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Policy HS17 of the South Holland Local Plan, 2006 makes provision for replacement dwellings in the countryside subject to compliance with specific criteria. They are summarised below:

1. The original building has not been abandoned;
2. It is not a temporary or mobile structure;
3. The building has a lawful dwelling house use;
4. It is not of architectural or historic merit and is capable of repair, where restoration would be preferred to replacement;
5. The replacement is of similar scale and size to the original building and does not exceed the floor area of the original dwelling by more than 20%;
6. The new building is situated on a similar footprint;
7. The design of the replacement building reflects that of traditional vernacular buildings in terms of scale, character, materials and architectural detailing.

Addressing the above, the site presently has planning permission for a large replacement dwelling. Taking this into consideration, criterion 1- 4 are satisfied. In respect of criterion 5 and 7, the Authority exceptionally grants permission for larger dwellings if they are of a high standard of design, reflecting traditional vernacular. This was considered to be the case in respect of the dwelling previously approved (ref. H19-0402-16), the design of which was in keeping with the present property. The present proposal is also considered satisfactory in this respect. No objections are raised to the principle elevation facing Broadgate as opposed to south as at present.

Criterion 6 indicates that the replacement should be on a similar footprint. In this case, the replacement has been positioned further forward on the plot. However, properties within the vicinity are generally on a varied building line. The existing Willow trees along the frontage would be retained. Planning permission has also recently been granted for a stable block on a similar building line (ref. H19-0686-18). Taking these matters into account, it is considered that the proposal would not have a harmful effect upon the character/appearance of the countryside.

Concluding, therefore, it is considered that the proposal would not conflict with the overall aims and objectives of Policy HS17, which are to protect the rural character of the countryside. It is consistent with advice contained within Section 12 of the National Planning Policy Framework, 2018. Paragraph 127 stresses that planning policies and decisions should ensure that developments are visually attractive, add to the overall character of the area and are sympathetic to local character and history.

In terms of amenity, the nearest residential property is Ashfield House to the north, which is situated beyond a range of agricultural outbuildings. The replacement dwelling currently proposed is situated further forward. However, it would overlook the front garden area of Ashfield at a distance and not the dwelling itself to a significant degree. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overbearing effect, noise and disturbance, etc.

LCC Highways/SUDs does not wish to restrict the grant of planning permission.

Environmental Protection has requested a contaminated land condition.

In terms of flood risk, the site is in Flood Zone 3 within the Environment Agency Flood Maps. However, it is within an area of no hazard within the SHDC Strategic Flood Risk Assessment. The proposal therefore passes the sequential test. In terms of the exceptions test, a condition was previously imposed stipulating that finished floor levels be set no lower than 2.0m aOD and that the development be 2 storey.