DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H21-0489-20**	**Applicant:**	**Mr S Necker**
Proposal:	Demolition of existing bungalow and erection of 2 pairs of semi-detached houses		
Location:	29 Station Road Tydd Gote Wisbech		
Terminal Date:	12th October 2020		

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
28	The Natural Environment
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 9, 11, 12, 14, 15 and 16

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	1	0

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	6	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought to demolish an existing bungalow and outbuilding on the site and replace them with 2 pairs of 3 bed semi-detached houses.

Site Description

The site is currently occupied by a bungalow and large "Nissen" type shed. Semi-detached houses are located to the east and equestrian related development to the rear of these properties. A row of bungalows are situated to the west. Open land is located to the rear (north) and residential properties opposite.

The site is outside Tydd Gote Conservation Area (CA).

Recent History

None.

Consultation Responses

Tydd St Mary Parish Council - No response.

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

North Level District IDB - No comments.

SHIDB - Request further drainage details.

SHDC Environmental Protection - No comment.

Public - Resident objections received (summarised):
Overdevelopment/out of character - bungalows more suitable; Loss of privacy/overlooking; Blockage of light - could be positioned further forward; Noise/disturbance/dust - no building work at weekends; No turning bays so vehicles would have to reverse out; Highway safety issues; Access to back field? Encourage further application on field at rear; Issues concerning precise position of boundary; Devaluation of property.

Planning Considerations

The main issues are:
- Principle;
- Character/appearance;
- The likely affect upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk and drainage.

Principle

As indicated in paragraph 47 of the National Planning Policy Framework, 2019, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The proposed development is inside Tydd Gote Settlement Limit as defined within the South East Lincolnshire Local Plan, 2019. Policy 1 (Spatial Strategy) of the Local Plan indicates that within Other Service Centres, including Tydd Gote, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. Development will normally be limited to allocated and committed sites and infill. In this case the proposal is frontage infill so no objections are raised in locational terms.

Concerns have been raised on grounds that the proposal would set a precedent for further development on land to the rear. However, such an application would be assessed on its own merits and is not relevant to the current proposal.

Character/Appearance

The site is located outside Tydd Gote Conservation Area. There is an eclectic mix of dwellings in this part of the settlement, in terms of age, spacing, building line and design/appearance. They include a pair of semi-detached houses to the east and almost opposite. A row of bungalows are located to the west with gable ends facing the road and another pair of semi-detached houses beyond. Other properties within the vicinity include older two storey terraced properties and more modern detached properties.

The proposed development is rather tight. The proposed dwellings have dormers/half dormers unlike the majority of other properties nearby. However, given the varied character of existing development within the vicinity it is considered that the scheme would not materially harm the character/appearance of this part of the village or setting of the Conservation Area. The dwellings have been set on a building line between no 27 and no 31, which is acceptable. An existing tree within the south western corner could be retained as part of the landscaping scheme. The proposal therefore satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Amenity

Semi-detached houses are located to the east, with equestrian related development to the rear. A row of bungalows are situated to the west. Open land is located to the rear (north) and residential properties immediately opposite.

The properties have first floor bedroom windows on their rear elevations and bathroom windows on their side elevations, which would be obscure glazed. Overlooking of neighbouring property at first floor level would therefore be oblique and typical of a normal frontage situation

Site levels would not be significantly altered. A 2-3 metre high Leylandii hedge is presently located on the common boundary with no. 31 to the east. This hedge should either be retained or replaced with 2 metre high close boarded fencing running from the front of no. 33 to the garage associated with that property. Similar fencing is also required along the western boundary for privacy reasons, especially since a roadway serving the field at the rear is located in that position. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking/lack of privacy subject to a condition relating to boundary screening.

Concerns have been raised on grounds of blockage of light. Although there may be some blockage of light in the early morning in relation to no 27 Station Road and later in the day in respect of no. 31 the extent is not considered to be such as to justify refusal or moving the dwellings further forward, which would be less acceptable from a character/appearance point of view.

It is accepted that there would be some additional noise and disturbance generated by additional vehicles and general activity within rear gardens, etc, as well as constructional work. However, the latter would be temporary. It is considered that there is not sufficient reason to refuse the application on the grounds of noise and disturbance.

Issues have been raised concerning boundaries and devaluation of property. The former is a civil matter and the latter is a consideration, but not one which carries significant weight in this instance.

The proposal satisfactorily complies with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan in terms of amenity.

Highway Safety

Concerns have been raised by local residents on highway grounds and in this respect it is accepted that the proposal would result in an increase of movements onto a classified road. LCC Highways have therefore recommended that Plots 1-2 and 3-4 have shared driveways to enable vehicles to turn, which would also reduce the number of individual access points from four to two. The plans have been revised to reflect this, including a 1 metre buffer strip, and LCC Highways raise no objections on this basis.

Each property would have at least 2 parking spaces. The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan in terms of highway safety/parking requirements.

Flood Risk

The site falls within Flood Zone 1 within the Environment Agency's Flood Maps and within an area designed as no hazard within the South East Lincolnshire Strategic Flood Risk Assessment (2017). The proposal therefore satisfies the sequential test.

Drainage

Foul water would be disposed of to a package treatment plant and surface water to soakaways. Further details are required and can be addressed by means of a condition.

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

The proposal is consistent with policies within the South East Lincolnshire Local Plan, 2019 and advice within the National Planning Policy Framework, 2019. It is therefore recommended that the application be approved under delegated powers.