

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0224-21 **Applicant:** Mr K Shepperson
Proposal: Erection of 3 dwellings - outline approval H23-0231-18
Location: Washway Road Saracens Head Spalding
Terminal Date: 28th 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
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, 4, 12, 14, 15 and 16.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RESIDENTS	1	0	0	2

CASE OFFICER ASSESSMENT

Proposal

The site has outline planning permission for 3 no. dwellings (ref. H23-0231-18). Reserved matters approval is now sought for 3 no. 4 bed houses.

It should be noted that the neighbouring site to the west has permission for the erection of 3 bungalows (ref. H23-0980-17 and H23-1087-20).

Site Description

The application site (approx. 0.15 ha) is currently agricultural land located on the southern side of Washway Road on the eastern fringe of Saracens Head. Three building plots are situated to the west and Saracen House beyond. The latter has a closeboarded fence and trees on the common boundary. Residential development is situated opposite. The A17 is located approximately 350 metres to the south/south-west.

History

H23-0231-18 - O/A - Residential development for 3 no. dwellings - Granted 1 May 2018.

Consultation Responses

Whaplode Parish Council

Supported.

LCC Highways/SUDs

Request conditions/informatives.

Public

Resident objections/comments received (summarised):

Objections - Outside settlement limit/contrary to policy; Loss of best and most versatile agricultural land; Out of character; Overdevelopment; overlooking/lack of privacy.

Comments - Understood that planning was for bungalows and not houses; No objections but request a continuation of the existing footpath; Request installation of 5 swift nest boxes.

Planning Considerations

The principle of residential development on the site has already been established by virtue of the outline consent (ref. H23-0231-18). 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 proposed houses would be constructed in Ivanhoe Westminster Cottage Blend facing bricks. The front elevation of Plot 2 includes a smooth white render and Plots 1 and 3 cedar wall cladding on part of the front elevation. The roofs would be Sandtoft Calderdale Slate (Plot 2) and Sandtoft Old English Pantiles (Plots 1 and 3).

Whilst the proposed houses are individualistic in terms of design/appearance there is an eclectic mix of dwelling types along this stretch of Washway Road. They are of varying scale, design and appearance and include both houses and bungalows. Bungalows have recently been approved on plots to the west to be constructed in red multi stock brick, plus green cedar weatherboard/cladding, with a slate grey flat tiled roof. Houses are situated opposite, except for a single bungalow on the

eastern fringe. The properties opposite are relatively tightly spaced in comparison with other dwellings in the vicinity. Some tree planting is proposed at the front and rear.

Taking into consideration the above, it is considered that the proposal would not materially harm the character/appearance of the street scene or the setting of Pipwell Manor (grade II listed) further to the west. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

In terms of amenity, bungalows have recently been permitted to the west. Saracen House is situated beyond, which is some 14 metres from its eastern boundary. Dwellings are located opposite. The westernmost house (Plot 1) has a garage and bathroom window on its western elevation. Finished floor levels would be raised (4.25aOD) to address flood risk and rear patios are proposed at the same level. However, 2.5 metre high timber fencing is proposed to protect the amenity of neighbouring residents both on and adjoining the site.

It is considered that the proposal would not materially harm the amenity of neighbouring residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc, subject to the proposed boundary fencing. The proposal accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 on amenity grounds, subject to the aforementioned.

The dwellings include double garages, plus additional parking/vehicular turning facilities. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds, subject to provision of a frontage footway. This is already covered by condition 6 of the outline permission. Speed restrictions are the responsibility of the County Highways Authority. The proposal therefore accords with Policies 2, 3 and 36 on highway safety/parking grounds.

Part of the site is within Flood Risk Zone 3 on the Environment Agency Maps. The South Holland Strategic Flood Risk Assessment designates the site as no hazard. The proposal therefore satisfies the sequential test. Condition 10 of the outline permission requires that finished floor levels should be set 500mm above Washway Road carriageway level, which is approximately 3.75m aOD, and that flood resilience and resistance techniques be incorporated.

Foul water would be discharged to an existing mains sewer and surface water to soakaway crates at the front and rear. This is considered appropriate and satisfactory in this location.

Other Matters

Concerns have been raised by local residents on housing policy grounds and loss of agricultural land. However, the principle has already been established by virtue of the outline planning permission. The latter was granted prior to adoption of the South East Lincolnshire Local Plan, 2019 and when the Authority didn't have a five year supply of housing land.

A request has been made for the installation of swift boxes. However, this is a reserved matters application and no condition was imposed at the outline stage in relation to ecological enhancement.

Planning Balance

The proposal satisfactory complies with the reserved matters and is in accordance with Policies 2, 3, 4, 30 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.

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.