DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0607-22**	**Applicant:**	**La Rose Homes Ltd.**
Proposal:	Erection of Dwelling & Detached Garage		
Location:	Adj. Charnwood 259 High Road Whaplode		
Terminal Date:	30th August 2022		

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
17	Providing a Mix of Housing
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

National Planning Policy Framework (NPPF, 2021)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
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

Planning Practice Guidance

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks approval for the erection of one dwelling and associated garaging on land east of Charnwood, 259 High Road, Whaplode. The proposed dwelling would be two-storey in height and have three bedrooms.

Throughout the course of the application, amended plans have been received to remove part of the existing wall along the front boundary to improve access.

Site Description

The site currently forms part of the residential garden to Charnwood, 259 High Road, Whaplode and is manicured lawn. The eastern boundary is currently made up of a 2.1m high brick wall which extends across the front boundary.

History

H23-0485-19 - Residential development - single plot - Approved 18 July 2019.

Consultation Responses

Lincolnshire County Council Highway Authority and Lead Local Flood Authority
No objections.

South Holland District Council's Environmental Protection Team
No objections, subject to the imposition of conditions.

South Holland Internal Drainage Board
No objections.

One letter of representation has been received during the application querying the retention of part of the front boundary wall. This has since been addressed through the submission of amended plans.

One letter of objection has been received by a neighbouring property. Their concerns have been summarised below:

-Impact on neighbouring properties amenities
-Loss of trees

Planning Considerations

Principle

The site is located within the settlement boundary of Whaplode, which Policy 1 of the adopted Local Plan identifies as a Minor Service Centre. Policy 1 goes on to state that within the settlement boundary of Whaplode, development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Furthermore, development will normally be limited to Allocated and Committed sites and infill.

The proposal is for a single dwelling situated in between existing residential development (Nos. 255 and 259 High Road). It can therefore be considered infill development. Additionally, incremental growth via infill development will help, albeit perhaps only to a small extent, sustain existing facilities. The site is therefore considered to be suitable in locational terms.

Scale, Design and Layout

The proposal includes the erection of a two-storey, detached dwelling that would be of a gable design and constructed with red facing brickwork, grey plain roof tiles and white uPVC windows. The proposed dwelling would be sited east of No. 259 High Road with a detached, single garage forward of the principal elevation.

The proposed dwelling is considered to be of a scale and design that is acceptable, reflecting the character and appearance of dwellings in the area and along the streetscene of High Road. Furthermore, the proposed finishing materials are considered to be acceptable with both neighbouring properties constructed of similar materials.

Whilst there are no other examples of detached garages sited forward of the principal elevation in the streetscene, it is considered that as there is no defined building line with some properties extending to the public highway of High Road, it would not result in any detrimental impacts to the streetscene. Furthermore, the garage would be partially screened by the existing 2.1m high brick wall that forms the front boundary.

Concerns were raised during the course of the application over the loss of trees to accommodate the dwelling. However, the trees in question along the eastern boundary, offer little in terms of amenity and do not warrant protection.

Overall, the scale and design of the proposed dwelling and garage are considered to be acceptable and would not result in detrimental impacts to the character and appearance of the streetscene or surrounding area. As such, the proposal is considered to be in accordance with Policies 2 and 3 of the adopted Local Plan (SELLP, 2019) and the guidance within the NPPF (2021).

Flood Risk and Drainage

The site is located within Flood Zone 3 of the Environment Agency Maps and within an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment (March 2017). The proposal therefore satisfactorily complies with the sequential test. A condition would be imposed on any planning permission granted to ensure that finished floor levels would be set at least 300mm above surrounding ground levels.

It is proposed to dispose of surface water via soakaway and foul sewage connecting to the mains sewer. There are no known permeability issues in this area that would preclude the use of soakaways and no objections are raised in regard to connecting to mains sewer.

Overall, the proposal is considered to be acceptable in terms of flood risk and drainage and is therefore in accordance with Policies 2, 3 and 4 of the adopted Local Plan (SELLP, 2019) and the guidance within the NPPF (2021).

Impact on Neighbouring Amenity

The closest neighbouring properties that are most likely to be impacted upon as a result of the development are Nos. 255 and 259 High Road and No. 4 Church Gate.

Whilst the proposed dwelling would be in close proximity to the east side elevation of No. 259 High Road (approximately 2.2m) which includes windows at ground and first floor, it is considered that as three of the ground floor windows are obscurely glazed serving the existing garage, with the fourth window and those at first floor being secondary windows to habitable rooms, the impacts are not considered to be significant enough to warrant refusal of planning permission. Furthermore, the proposed dwelling would not extend along the full depth of the east-side elevation of the neighbouring property and therefore the windows serving habitable rooms to the southern end of the eastern elevation would not be impacted upon.

At its closest point, the proposed dwelling would be approximately 1.9m from the boundary to No. 255 and approximately 4m to the neighbouring property, which is considered to be an acceptable distance given the west-side elevation of the neighbouring property does not include any windows and the existing boundary treatment (to be retained) is a 2.1m high brick wall. It is also worth noting that the rear projecting gable would have a lower ridge height to the main dwellinghouse with the roof sloping away from the neighbouring property. The proposal is not considered to result in any detrimental overlooking impacts on the neighbouring property of No. 255 High Road due to the orientation of the two properties and the siting of a detached outbuilding along the western boundary within the garden of No. 255 High Road. Furthermore, as the proposed dwelling would be located west of the neighbouring property of No. 255, it is not considered to result in any loss of light impacts.

The proposal is not considered to result in any detrimental impacts on No. 4 Church Gate as the proposed dwelling would be approximately 12m from the northern boundary of the neighbouring property with two existing close boarded fences situated between the two that will be retained.

Overall, the proposal is considered to be acceptable in terms of its impact on neighbouring residential amenity and is therefore in accordance with Policies 2, 3 and 30 of the adopted Local Plan as well as the guidance within the NPPF (2021).

Highway Safety

The proposed dwelling would be accessed via an existing access off High Road that would also serve the existing dwellinghouse of No. 259 High Road. The access is considered to be of an adequate width to allow two-way vehicle movement and provide adequate visibility splays. Furthermore, amended plans were received to remove part of the front boundary wall to improve visibility and widen the access width.

The proposed dwelling would include three bedrooms and therefore would require the provision of two off-street car parking spaces in accordance with Policy 36 and Appendix 6 of the adopted Local Plan. As shown on drawing number 3001 Rev A, this can be provided. Furthermore, there is sufficient space to the front of the property for vehicle turning to allow vehicles to enter the highway in a forward gear.

Overall, the proposal is considered to be acceptable in terms of highway safety, would be in accordance with Policy 36 and Appendix 6 of the adopted Local Plan (SELLP, 2019) and the guidance within the NPPF (2021).

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposal represents an acceptable form of development within the settlement boundary of Donington. It is therefore in accordance with Policy 1 of the South East Lincolnshire Local Plan (SELLP, 2019) in this regard. Furthermore, it is considered that there is scope to bring forward a suitable scheme at reserved matters stage that does not materially impact the character and appearance of the streetscene, residential amenity, flooding and drainage or highway safety.

Overall, the planning balance is considered to be in favour of the proposal.

Conclusion

Approve.

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.