

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0743-20 **Applicant:** Mr & Mrs M Seymour
Proposal: Erection of dwelling with detached garage/stable block
Location: Stockwell Gate Whaplode Spalding
Terminal Date: 3rd November 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
11	Distribution of New Housing
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

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
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The site has outline planning permission for residential development (2 plots), with all matters reserved (ref. H23-1066-17 and H23-0449-18). Reserved matters approval is now sought for a 3 bedroom house with detached outbuildings, including garage, store and stables.

Site Description

The site is part of a parcel of agricultural land that has the benefit of outline planning permission for residential development (total area some 0.27ha) on the south-eastern side of Stockwell Gate. A row of semi-detached houses are situated to the south-west beyond the Whaplode River and a house to the north-east. A cottage and associated outbuildings are situated opposite and a pair of semi-detached properties and a house to the north-east on the opposite side of Stockwell Gate.

It is outside Whaplode Development Boundary as defined in the South Holland Local Plan, 2006 and is adjacent the settlement limit within the South East Lincolnshire Local Plan 2019.

History

H23-1066-17 - O/A - Residential development (2 plots) - Granted 4 January 2018.

H23-0449-18 - S73 - Residential development (2 plots) - approved under H23-1066-17) - Modification of Condition 9 to allow removal of 1.8 metre wide footway - Granted 4 July 2018

Consultation Responses

Whaplode Parish Council - No response received.

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

SHIDB - Request drainage strategy and draw attention to Byelaws.

Resident objection (summarised):

Agricultural land should be farmed and used for wildlife - there are plenty of brownfield sites; Laws on new development in the countryside should be tightened.

Planning Considerations

The principle of residential development on the site has been established by virtue of the outline planning permission. 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.

A row of semi-detached houses is located to the south-west beyond the Whaplode River and a house to the north - east. A cottage and associated outbuildings are situated opposite and a pair of semi-detached properties and a house to the north - east on the opposite side of Stockwell Gate. There is an eclectic mix of house styles within the vicinity.

According to the supporting statement, it is proposed "to erect a dwelling using elements of traditional farm buildings and farmstead groupings, with simple traditional Barn brick details". It would also include a detached double garage/open sided (cart shed) link and a stable block, with a courtyard (faux crew yard) formed between the open link and dwelling, and an external stair access to the Garage Loft." The walls would be a Red Brick blend (Furness Brick Co. - Clamp range), and

the Roofs would be Terracotta Single Pantiles.

The dwelling would be set well back from the road frontage, with hedge and tree planting along the site's frontage, preserving the open, rural feel. It would have a satisfactory relationship with existing development and would not materially harm the character/appearance of the fringe of the village. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

In terms of amenity, the dwelling is set back and has a degree of separation from neighbouring semi-detached houses to the west because of an existing drain and the need to comply with SHIDB byelaws. It is considered that the proposal would not materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 on amenity grounds.

The proposal includes a garage block and additional parking spaces, plus vehicular turning facilities. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds. The proposal therefore accords with Policies 2, 3 and 36 on highway grounds.

In accordance with the terms of the outline planning permission, finished floor levels (FFLs) would be set 300mm above Stockwell Gate carriageway at 3.60m AOD and flood resilient construction used up to 300mm above FFL.

A resident objection raises issues of loss of agricultural land to housing. However, the site already has outline permission, so the principle of residential development on this site has already been established. Moreover, the majority of land within South Holland is either Grade 1 or Grade 2. In order to deliver the Council's required 'objectively assessed housing need,' as per the provisions of the NPPF, it is inevitable that some high-grade agricultural land will be lost. Given this context, it is not considered that the loss of this amount of agricultural land in this location is an issue that would significantly and demonstrably outweigh the benefits of housing development.

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 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. It is recommended that the application be approved under delegated powers.