

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0988-20 **Applicant:** Mr M Seymour
Proposal: Erection of detached dwelling - outline approval H23-0449-18
Location: Adj. Beechfield House Stockwell Gate Whaplode
Terminal Date: 30th December 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
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	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	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 on the north-eastern plot.

It should be noted that the south-western plot has reserved matters approval for a 3 bedroom house with detached outbuildings, including garage, store and stables (ref. H23-0743-20).

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

H23-0743-20 - RM - Erection of dwelling with detached garage/stable block - Approved 3 November 2020.

Consultation Responses

Whaplode Parish Council - Supported.

LCC Highways/SUDs - No objections. Request informatives.

SHIDB - Request drainage strategy. Discharge of surface water to a watercourse will require land drainage consent.

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

The proposed dwelling is essentially a contemporary interpretation of a traditional farm building. The walls would be a combination of Farmhouse Red Facing Bricks and blue artificial cladding, with glazed elements at the rear. The roof would be slate effect concrete tiles. The landscaping scheme includes tree planting and perimeter native hedging.

The dwelling would be well spaced and would have a satisfactory relationship with existing development. It would not materially harm the character/appearance of the rural 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 has a degree of separation from neighbouring properties, including those opposite and the house to the north-east. 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 ample parking spaces, plus vehicular turning facilities. The County Highways Authority raises no objections 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.

Conditions 9, 10 and 11 of outline permission ref. H23-0449-18 relate to drainage and contamination and are not reserved matters. A separate condition compliance application will therefore need to be submitted to discharge them.

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.

Planning Balance

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. There are no material considerations that outweigh factors in favour of the proposal.

Conclusion

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.