DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0039-19**	**Applicant:**	**Seagate Homes**
Proposal:	Erection of 49 dwellings and associated works - outline approval H02-0771-18		
Location:	Land Off: James Road Crowland		
Terminal Date:	4th December 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards
APPENDIX 8	Developer Contributions for Education Facilities
APPENDIX 9	Developer Contributions for Health Care Facilities

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	1	0

HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Reserved matters for the erection of 49 dwellings and associated works - outline approval H02-0771-18.

The plans have been subject to amendment and a S106 is expected to deliver the affordable housing. The scheme would comprise of 37 market units and 12 affordable units (equal split of rent and shared ownership), which will be provided via a discharge of condition application.

Site Description

As host application.

History

H02-0771-18 - Proposed residential development, replacement allotments and new cemetery, including woodland burial plots, associated infrastructure and new accesses - approved under H02-0108-18 - Modification of Condition 5 relating to affordable housing. Approved 23-10-18.

H02-0108-18 - Proposed residential development, replacement allotments and new cemetery including woodland burial plots, associated infrastructure and new accesses-approved under H02-0259-15. Modification of Conditions 2 and 20 to allow amendments to previously approved plans and Flood Risk Assessment. Approved 25-05-18.

H02-0259-15 - OUTLINE. Proposed residential development, replacement allotments and new cemetery including woodland burial plots, associated infrastructure and new accesses. Approved 11-02-16.

H02-0859-19. Details of scheme to deal with contamination (Condition 12 of H02-0771-18). Under consideration.

H02-0898-19. Details of conditions 4, 8, 9, 10, 11, 13 & 15 of H02-0771-18. Under consideration.

H02-0899-19. Details of scheme of affordable housing (Condition 5 of H02-0771-18). Under consideration.

H02-0900-19. Proposed residential development, replacement allotments and new cemetery, including woodland burial plots, associated infrastructure and new accesses - approved under H02-

0108-18 - Modification of Condition 16 to remove condition relating to provision of 1.8 metre wide footway. Under consideration.

H02-1045-19. Details of lighting for roads and footpaths and surface water drainage (Conditions 14 and 19 of H02-0771-18). Under consideration.

Consultation Responses

Crowland Parish Council - The Parish Council supports this application that contributes towards our vision for the Parish.

LCC Highways & SUDS Support - Has considered the scheme as a whole and the details of the lighting for roads and footpaths as well as surface water drainage as submitted under ref H02-1045-19, and raise no objections. The LCC Highway Officer is sufficiently convinced that the private roadway that had served the former allotments would be available for public access in perpetuity and could therefore provide pedestrian access to the new development, thereby obviating the need for the footway at the James Road frontage.

Environment Agency - No observations.

Anglian Water - No response received.

North Level Internal Drainage Board - No objection in principle.

SHDC Environmental Services - No response received.

SHDC Housing Strategy - The proposed plans concur with the affordable housing scheme.

SHDC Conservation Assistant (Tree Preservation) - No objections received to revised plans.

Third Parties - one objector, as follows:
There is already huge disruptions in both traffic and sound from the current sites, which will only increase if the application is approved. There is already horrific traffic in and out of Crowland and the increased housing will just make this worse. Also, the doctors surgery has too many patients and it is increasingly difficult to get an appointment, same with Dentists and pre-schools/primary school. There is no secondary school and no store where you can do an appropriate shop, all in all the local facilities are not strong enough to support more residents.

Planning Considerations

The principle of this development has been accepted by the grant of the outline consent.

The detailed matters to consider are:
- Layout
- Delivery of affordable housing and contributions
- Design
- Landscaping
- Highway matters
- Pedestrian access
- Trees
- Flooding and drainage
- Other matters addressed by the objector

Layout

It is considered that the layout of the development would result in a pleasant and accessible form of neighbourhood. There is a mix of dwelling forms and tenures, which will provide a mix of family dwellings.

The layout is based upon a domestic scale road layout with most dwellings having on plot parking and private garden space.

Delivery of affordable housing and contributions

The provision of affordable housing is to be secured by the provision of a S106 legal agreement. This is required by the discharge of condition (H02-0899-19 which is under consideration, refers).

It is considered that the mix of dwelling types and tenures is acceptable.

Design

The design of the dwellings proposed is typical of this developer and would not be out of keeping with the wider settlement of Crowland.

Landscaping

The landscaping scheme has been amended to retain trees covered by a TPO, and the frontage to James Road will be marked by existing and additional tree planting.

Highway matters

The layout is considered to be acceptable and would not hinder the safety of pedestrians and road users.

Pedestrian access

Since the grant of the outline permission the routing of a pedestrian link back to Crowland is firmed up and sufficient arrangements have been made to secure safe access to Crowland. These details have been considered by LCC Highways Service as part of the considerations of conditional detail application H02-1045-19 and Section 73 application H02-0900-19.

Trees

The layout has been amended since submission to retain trees covered by TPO.

Flooding and drainage

The drainage details are considered to be acceptable.

Other matters

An objector has raised concerns regarding health and education provision within Crowland. It is to be noted that at outline stage no contribution requests were made (H02-0259-15 refers). It would not be reasonable to retrospectively put in place requirements.

With regard to retail and other facilities within Crowland, additional residents moving to the area may lead to an increase in the use of local shops and facilities, which would assist in supporting the economic base of the settlement.

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.