

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-0078-20 **Applicant:** Longhurst Group
Proposal: Erection of 14 dwellings & associated works
Location: Land East Of Crease Drove Crowland
Terminal Date: 24th August 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
05	Meeting Physical Infrastructure and Service Needs
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
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2 - Achieving sustainable development
 Section 5 - Delivering a sufficient supply of homes
 Section 8 - Promoting healthy and safe communities
 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

Representations:

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

HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	2
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of 14 dwellings and associated works on land east of Crease Drove, Crowland.

The site forms part of a wider area of land that benefits from reserved matters approval for 41 dwellings (H02-0079-20) and, as such, should be considered in the context of this.

An entirely affordable scheme is proposed, however the exact tenure mix is to be confirmed at a later stage due to the applicant wishing to have flexibility given the current climate. The applicant is seeking to modify the existing Unilateral Undertaking that forms part of the outline permission and so a requirement for the submission of details of an affordable housing scheme can be incorporated into the Deed of Variation.

The proposal is for a mix of semi-detached properties, short terraces and cluster houses. All properties would be 2 storey. The overall mix would be 5 x 2-bed, 5 x 3-bed and 4 x 1-bed.

The proposed landscaping scheme follows the same principles as that approved under application ref. H02-0079-20.

There is a single access point into the wider area of land from Crease Drove. 5 of the proposed dwellings can be accessed off the main estate road, with the remainder being accessible off 2 short private drives. 2 vehicle parking spaces are shown for each property.

Site Description

A greenfield site located to the east of Crease Drove. New residential developments are currently under construction to the north and south. There is an IDB drain that adjoins the eastern boundary of the site, beyond which is the rear gardens of properties on Beccelm Drive. There are varying boundary treatments to the rear of these properties. There is a commercial business to the south-west on the opposite side of Crease Drove.

History

H02-0079-20 - Erection of 41 dwellings & associated works - outline approval H02-0723-16 (allowed on appeal) (approved June 2020)

H02-0383-20 - Details relating to archaeology (Conditions 15 & 16 of H02-0723-16) (approved May 2020)

H02-0723-16 - Outline application for residential development (allowed on appeal September 2017)

H02-0216-17 - Outline application for residential development - re-submission of H02-0723-16 (withdrawn September 2017)

Consultation Responses

Cllr Alcock - Concern raised regarding parking spaces that are remote from the property that they are intended for. Also raises the issue of excessive distances for occupants to carry bags to refuse and recycling points.

SHDC Environmental Services - Advises that access roadways to all residential properties should be constructed to an adoptable standard to enable refuse/recycling collections to be carried out from outside individual properties. Highlights that communal collection points can become areas of dispute for residents of adjacent properties.

SHDC Strategic Housing - Should this application be permitted it will exceed the affordable housing requirement by proposing to deliver all 14 dwellings as affordable housing, compared to the policy position of 25% on schemes of 10 or more new homes. When taking this scheme with the adjoining undetermined reserved matters application for 41 dwellings by the same applicant, the tenure mix for the whole scheme of 55 dwellings equates to 34 for Affordable Rent and 21 for Shared Ownership, a 62/38 split. It would have been preferable for a higher number of 1 bedroom houses, and possibly a small number of 4 bedroom houses to be included as part of the Affordable Rented mix, whilst appreciating that the affordable mix is guided by what can practically and viably be delivered on the site.

Anglian Water - No objection. Advises that the Crowland Water Recycling Centre has available capacity for wastewater flows and that the sewerage system at present has available capacity.

North Level IDB - No comment.

LCC Historic Environment Officer - Recently approved a specification for a programme of post-determination archaeological evaluation on this site, which to our knowledge has not yet been carried out. This evaluation should either be completed to inform this application, or the grant of permission should be subject to the same archaeological conditions as the previous outline permission covering the whole site (H02-0723-16).

Public (2 objections, summarised) -

- Makes an open space in Crowland even more densely populated
- No need to increase the level of social housing in Crowland above the current level
- Concern regarding capacity of services and facilities
- Already congestion at A16 roundabout and concern re highway safety
- Query why this is a separate application to the rest of the development on this site by the same developer
- Site is outside approved development area of Crowland
- Concern re impact on existing business on Crease Drove

Planning Considerations

The key matters to be considered are:

- Principle
- Layout, scale and appearance;
- Access, highways and parking concerns;
- Landscaping and open space;
- Drainage and Flood Risk;
- Impact upon residential amenity and nearby commercial concerns;
- Affordable housing provision; and

- Other matters.

Principle

The site forms part of a wider parcel of land that benefits from outline and reserved matters approval for the development of 41 dwellings (H02-0723-16 and H02-0079-20).

The principle of residential development on the site has therefore been established.

Whether an additional 14 dwellings on this site is acceptable shall be explored further in the remainder of the report.

Layout, scale and appearance

Four house types are proposed, with a mix comprising of 5 x 2-bed and 5 x 3-bed houses as well as 4 x 1-bed cluster houses. The 2 and 3-bed properties would either be semi-detached or in short terraces which is common on all affordable schemes such as this. House types A, C and D feature in the approved reserved matters scheme of the wider site.

As with the wider scheme, the dwellings would be of traditional brick build but with contemporary features added throughout. Windows and doors would be grey in colour with rendered window surrounds of the same colour at ground floor on the front elevations. A contemporary grey canopy will surround the front entrance door. In addition, a brick feature panel is shown between houses in order to break up the facade. Two brick types are proposed - both red-multi, one darker - along with dark grey roof tiles, which are similar in nature to those approved for the developments to the north and south. Notwithstanding this, all the schemes that have already been approved along this side of Crease Drove do have different characteristics as they are all separate entities and under the ownership of different developers. This development will effectively create its own character and, in the context of the above, a more contemporary appearance is considered to be acceptable.

In terms of scale, all properties would be 2 storey which is in keeping with the existing development in the vicinity as well as that which is currently being constructed to the north and south.

There is a single access point into the wider area of land from Crease Drove. 5 of the proposed dwellings can be accessed off the main estate road, with the remainder being accessible off 2 short private drives. 2 vehicle parking spaces are shown for each property. Overall there is considered to be an acceptable balance between estate and private roads. Each dwelling has the required level of off-road vehicle parking space, in accordance with the parking standards in the Local Plan (Appendix 6). Concern has been raised regarding the positioning of some car parking spaces in relation to the properties they are intended to serve, however this in itself is not considered to be sufficient to justify refusal of this application.

Private drives and driveways would be constructed of permeable paving, with the estate road and associated footways being of bituminous construction. This is a typical and appropriate arrangement.

Refuse collection would be a combination of kerbside for the main estate road and collection points for private drives. The shared surface shown at the eastern end of the estate road is to be constructed to an adoptable standard, meaning that refuse collection points would be sited where the private roads join the estate road. Plot 49 (at approx. 35m) would be outside the 30m carrying distance set out in Approved Document H to the Building Regulations and Plot 50 would be at the very upper limit. However, it should be remembered that this is a guidance document and thus the 30m distance quoted is not an absolute requirement. On balance, it is considered that a 35m carrying distance is acceptable.

The total area of the wider site is approximately 1.58ha. This application site covers approximately 0.25ha. Given that this scheme would be developed in conjunction with the rest of the land, it needs to be considered in the wider context. Concern has been raised that these additional 14 dwellings would make this area of Crowland even more densely populated and this point is accepted. Whether or not an additional 14 dwellings on this site is appropriate requires consideration of the surrounding context and nature of the scheme itself. The overall density of a scheme of 55 dwellings amounts to 35/ha. The Local Plan does not specify any densities for housing sites other than allocations and, even in this case, it is stated that the capacity specified for these is not necessarily a maximum or minimum. It is therefore considered that whether a density is appropriate

should be assessed on a case-by-case basis, taking into account the context of the site and any other considerations or constraints, such as viability. With regard to this, the site immediately to the north is being constructed at a density of 33/ha and the site to the south at a density of 27/ha. This, one could argue, is reflective of the fact that the site to the north is an all affordable scheme and that to the south is a predominantly market development and thus the property mix differs. Affordable schemes tend to be a mixture of semi-detached properties and small terraces - which is the case here and for the site to the north - whereas the market scheme to the south comprises of a number of detached properties which by their very nature have a greater land take, thus reducing density. Provided the scheme is acceptable in all other regards in terms of design and layout (parking, garden space etc), it is not considered that the higher density of the site would be a justifiable reason for refusal in and of itself. In terms of the development's visual appearance, it is not considered that this is adversely affected by the density of the scheme.

Across the site as a whole, there are only a limited number of properties that have a short separation distance (approx. 1m), with the rest being greater than this and separated by parking spaces or gardens. It is not considered that an additional 14 dwellings would result in an unduly cramped form of development.

The submitted flood risk assessment recommends that finished floor levels (FFLs) are set no lower than 2.19m AOD on the basis that this is the minimum level required by the approved flood risk assessment which formed part of the outline application. Based on the existing site levels provided, this would result in finished floor levels being a maximum of around 1.25m above existing ground level. Levels will have to be raised the most for those properties at the east of the site and along a section of the south-western side of the site. The FFLs of the nearest properties on the development currently being built to the south range from 1.71 AOD to 1.95m and those on the site to the north range between 2.35m to 3.10m. There is therefore a noticeable difference in levels as you move northwards across the sites. It is therefore not considered that the requirement to raise floor levels would have an adverse impact on the character and appearance of the development itself, nor the wider area. The agent has advised that there is the possibility that levels may change once the developer gets out on site and so they have requested that a levels condition be added to cover this.

Taking the above into account, it is concluded that the design and layout of the scheme accords with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Access, highways and parking concerns

Access to the wider parcel of land was agreed at outline stage and is thus not a matter that needs to be considered in detail as part of this application.

The principle of 41 dwellings on this site and associated traffic that would be generated was also accepted at that stage. A Transport Assessment has been submitted in support of this application, which concludes that the additional dwellings would not result in an unacceptable impact on highway safety or a severe impact on the road network, and the Highways Authority have raised no objections to an increased density.

With regard to the layout of the internal roads, the Highways Authority have raised no objections and there is no issue in respect of this in planning terms.

Given the above, the proposal is considered to be in accordance with Policy 2 of the Local Plan which requires it to be demonstrated that access and vehicle generation levels will be acceptable.

As with all other sites along this side of Crease Drove, Lincolnshire County Council have requested a Grampian condition that requires details to be submitted to and approved by the Council for the structural improvement and widening of Crease Drove and the provision of a footway on the eastern side of Crease Drove. This will be dealt with in due course.

Appendix 6 of the Local Plan sets out parking standards for residential dwellings and states that 2 vehicle parking spaces are required for dwellings with up to 3 bedrooms. The proposed vehicle parking arrangements are in accordance with this.

Landscaping and open space

Although the application site itself does not include any areas of open space, there are two areas of open space on the wider site, which amount to approx. 0.29ha in total. This is greatly in excess of the 0.09ha required by Policy 32 of the Local Plan for the population expected to be generated by 55 dwellings.

A scheme of landscaping and tree planting is proposed throughout the entire scheme. Ornamental planting will be incorporated to the front of some properties, with small areas of turf and formal hedging to the front of others.

Boundary treatments are also an important element of a landscaping scheme. 1.8m close board fencing is proposed to the rear of/in between properties. Planting will be provided in prominent locations to soften the impact of fencing.

Overall, it is considered to be a suitable landscaping scheme for the site. The proposed scheme therefore complies with Policy 3 of the Local Plan in respect of its provisions on landscaping.

Drainage and Flood Risk

Surface water would be disposed of by a conventional gully and surface water sewer system, with a discharge to the IDB drain to the east. The ground conditions in this location are not suitable for infiltration and so a sustainable drainage system is not achievable. The IDB drain is the most suitable adjoining drain into which to discharge to due to its capacity.

An attenuation basin would be utilised for the wider site's storm water which would store surface water run-off that exceeds the permitted run-off rate. This has an outfall to the drain along the eastern boundary. With the exception of the attenuation basin, this system would be adopted by Anglian Water.

The Lead Local Flood Authority and Internal Drainage Board have no objections in principle to the proposed surface water drainage strategy as shown. A condition will be added requiring the submission and approval of full details of surface water drainage prior to the occupation of any dwelling.

The proposal is for foul water to be pumped via a pumping station and rising main to the nearest existing mains foul water connection, which is to the north near Alderlands Close. Anglian Water are obligated to accept flows from new developments and raised no objections at outline stage.

Finished floor levels would be raised in accordance with the recommendations in the submitted flood risk assessment. This recommends that finished floor levels are set no lower than 2.19m AOD, the same minimum level required by the approved flood risk assessment which formed part of the outline application.

Given the above, it is considered that the proposed drainage scheme accords with Policies 2, 3 and 4 of the Local Plan which require proposals to provide appropriate means of drainage and flood risk mitigation.

Impact upon residential amenity and nearby commercial concerns

The closest existing properties to the application site are to the east on Beccelm Drive. All of the proposed dwellings are in excess of 30m away from the rear boundaries of these properties. For this reason, it is not considered that there would be a material adverse impact on residential amenity in terms of loss of privacy, light or being overbearing in nature, despite the need to raise floor levels.

As previously mentioned, residential schemes are under construction immediately to the north and south of the site. The relationship between those dwellings being constructed to the south and the proposed dwellings is such that residential amenity should be protected. There would be in excess of 21m between rear elevations and in excess of 15m where the relationship is side to rear, which are the generally accepted separation distances. The same applies to the site to the north.

Small gardens have been added to the 1-bed cluster properties to ensure that residents have

access to their own private outdoor space. Having access to suitable outdoor space has become even more important in light of the recent restrictions seen with regard to the use of public spaces (e.g. sunbathing etc.).

Concern has been raised regarding the interrelationship with the proposed housing and nearby commercial activity. Paragraph 182 of the NPPF states that planning decisions should ensure that new development can be integrated effectively with existing businesses and that such businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change' should be required to provide suitable mitigation before the development has been completed.

Considering this in the context of the proposed development, the development itself would represent the 'agent of change'. The outline application on this site was supported by a Noise Assessment Report, however noise was not an issue considered by the Inspector at appeal stage. It is therefore not considered to be a material concern for this planning application.

Overall, there are not considered to be any significant or demonstrable adverse impacts relating to residential amenity that would warrant refusal of this proposal. The proposal is considered to accord with Policies 2, 3 and 30 of the Local Plan in respect of their provisions on residential amenity.

Affordable housing provision

The proposal is for 100% of the dwellings to be affordable. The exact tenure mix is to be confirmed at a later stage due to the applicant wishing to have flexibility given the current climate. Strategic Housing have no objections to this approach.

There is considered to be no conflict with Policy 18 of the Local Plan at this stage.

Other matters

A condition will be added requiring the submission of a management and maintenance schedule for the areas of landscaping, refuse/recycling collection points and private drives to be submitted to and approved by the Council prior to commencement of development. A management plan has been submitted at officer's request in order to understand who will have responsibility for managing various areas. Within the application site, the private drives and areas of incidental open space will be maintained by a management company. The remaining areas would be conveyed to each property. This is a typical arrangement on new developments

An ecological survey has been submitted which is an update of that previously submitted as part of the outline application. This recommends the installation of bat boxes. A condition will be added requiring the details of these to be approved by the Local Planning Authority and for the scheme to be fully implemented prior to completion of the development.

Concerns relating to the provision, and strain on existing, infrastructure (utilities, services and facilities) are noted. However, there have been no objections from the consulted infrastructure providers. Furthermore, the future infrastructure needed to support the future growth of the district has been considered fully through the South East Lincolnshire Infrastructure Delivery Plan.

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

Taking all of the above into account, the proposal is considered to comply with the local development framework and national planning policy.

The recommendation is therefore for a delegated approval.