

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H02-0830-20	Applicant:	Mr S Littlechild
Proposal:	Erection of 3 bed detached dwelling with attached garage		
Location:	Land At The Junction Of Broadway/ Peterborough Road Crowland		
Terminal Date:	23rd 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

5 - Delivering a sufficient supply of homes

12 - Achieving well-designed places

14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	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	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for the erection of a three bed detached dwelling with attached garage on land at the junction of Broadway / Peterborough Road, Crowland. The proposal seeks to provide a single garage, lounge / kitchen, snug and a bathroom at ground floor level. At first floor level, three bedrooms and an en-suite are to be provided. There are to be no side elevation first floor windows. A north facing rooflight will serve the north facing side elevation of the first floor en-suite and will be sited 1.8 metres above floor level. The dwelling is to be white render and grey tiles.

SITE DESCRIPTION

The proposal site is within the defined settlement limits of Crowland, with the surrounding area characterised by dwellings of varying ages and design. The site is set below the adjacent highway of Broadway / Peterborough Road to the north and east. This is the same highway, but the name changes at the junction with Crawford Gardens when the road stops travelling north and bends toward the west. The site is within Environment Agency Flood Zone 1, and shows as a "Danger for Most" hazard area, with a maximum predicted depth of 1m on the 2115 1% South Holland Strategic Flood Risk Mapping.

HISTORY

H02-0187-18

Full - Proposed detached 3 bed dwelling and detached garage - Approved - 25 May 2018.

CONSULTATION RESPONSES

LCC - Historic Environment Officer

No archaeological impact.

LCC - County Highways & SUDS Officer

No objections. Requests a condition that the hedge on the north-eastern boundary shall be maintained at a height not greater than 0.6 metres.

SHDC - Environmental Protection Officer

The Officer has reviewed the Ground Investigation Report and requests an unexpected contamination informative.

Crowland Parish Council

No objections.

Environment Agency

The application does not meet their criteria for consultation, therefore, they decline to comment.

North Level Internal Drainage Board

No objections.

Member of the public - 1

Expresses their dissatisfaction with the lack of a name on the consultation letter, rather than "The Occupier" - This is not a material planning concern.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land, within the defined settlement limits of Crowland which is one of the largest settlements in the district. The principle of development on this site is considered to be acceptable.

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria the following can be observed:

1. The size, scale and layout is not considered to represent overdevelopment and is commensurate with the size of the plot. The proposal does not materially impact trees, save for a Highways Dept condition requesting that the hedge to the north and east of the site is maintained at a height no greater than 0.6 metres to aid visibility. The character and appearance of the surrounding area is not considered to be materially affected, with a modern dwelling of a similar design and height immediately to the south at 1a Peterborough Road.
2. The design is considered to be in keeping with that of the adjacent dwelling to the south and is designed to mitigate against flood risk. The orientation is in keeping with that of the row of development to the south and is not out of keeping with the built character of the surrounding area.
3. The proposed seeks to provide a dwelling that is in keeping with the adjacent dwelling to the south, with the exact materials of construction addressed by an external materials planning condition.
4. The proposed access is off an access track that serves a number of properties off Peterborough Road. The application proposes two off-road parking spaces, with an additional space in the

attached garage. This exceeds the requested minimum of two spaces under Appendix 6 of the SELLP.

5. The proposed dwelling is not considered to materially impact the existing community facilities and infrastructure of Crowland, which is one of the largest settlements in the district.

6. Neighbouring properties are not considered to be impacted by noise, odour or disturbance. With regard to visual intrusion, there is not considered to be a material overlooking aspect from the proposal. The north facing side elevation rooflight is a significant distance from a property named Oaklands on Crawford Gardens. There is not considered to be material loss of light from the proposed dwelling. Sunlight travels east to west on a southerly trajectory. A small amount of morning light will be lost from 1a Peterborough Road but this impact does not continue throughout the rest of the day and is not significant enough to warrant refusal.

7. Surface water drainage would be addressed via a soakaway. The submitted Flood Risk Assessment states: "In any area at risk of flooding it is preferable that new dwellings should be of two story construction with all bedrooms at first floor level. This is to provide a refuge for residents if the buildings were to become flooded after a major breach of the tidal bank, and ensure there is no danger to residents when they are asleep. The ground floor level of the proposed new buildings should be a minimum level of 2.60m OD which is approximately 450mm below the existing levels of the footpath on the north east boundary of the site, and is 500mm above the ground floor level of the existing house (1A Peterborough Road) south of the site. The buildings should be designed incorporating flood resistant and resilient techniques to allow it to be refurbished after being flooding to a depth of approximately 300mm above the floor level of the new building."

8. Natural habitats, historical buildings and heritage assets are not affected by this proposal.

9. Sand and gravel mineral resources are not affected by this proposal.

When assessed against the above criteria, the proposed dwelling is considered to accord with Policy 2 of the South East Lincolnshire Local Plan, 2019.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;

14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. The proposal is not considered to materially impact a sense of place. The proposal is similar in height and design to that of the adjacent dwelling at 1a Peterborough Road, immediately adjacent to the south.
2. The proposal adequately distinguishes between public and private space.
3. The landscape character of the location is considered to be largely unimpacted by the proposal.
4. The proposal is on a main road in Crowland, and is well served by public transport.
5. The proposed access is off an access track that serves a number of properties off Peterborough Road. The application proposes two off-road parking spaces, with an additional space in the attached garage. This exceeds the requested minimum of two spaces under Appendix 6 of the SELLP.
7. The proposal does not seek to maximise low carbon energy technologies. Surface water drainage would be addressed via a soakaway. The submitted Flood Risk Assessment states: "In any area at risk of flooding it is preferable that new dwellings should be of two story construction with all bedrooms at first floor level. This is to provide a refuge for residents if the buildings were to become flooded after a major breach of the tidal bank, and ensure there is no danger to residents when they are asleep. The ground floor level of the proposed new buildings should be a minimum level of 2.60m OD which is approximately 450mm below the existing levels of the footpath on the north east boundary of the site, and is 500mm above the ground floor level of the existing house (1A Peterborough Road) south of the site. The buildings should be designed incorporating flood resistant and resilient techniques to allow it to be refurbished after being flooding to a depth of approximately 300mm above the floor level of the new building."
9. The proposed does not seek to maximise low carbon technologies but is well insulated and is designed to match 1a Peterborough Road to the south.
11. Neighbouring properties are not considered to be impacted by noise, odour or disturbance. With regard to visual intrusion, there is not considered to be a material overlooking aspect from the proposal. The north facing side elevation rooflight is a significant distance from a property named Oaklands on Crawford Gardens. There is not considered to be material loss of light from the proposed dwelling. Sunlight travels east to west on a southerly trajectory. A small amount of morning light will be lost from 1a Peterborough Road but this impact does not continue throughout the rest of the day and is not significant enough to warrant refusal.
12. Surface water drainage would be addressed via a soakaway. The submitted Flood Risk Assessment states: "In any area at risk of flooding it is preferable that new dwellings should be of two story construction with all bedrooms at first floor level. This is to provide a refuge for residents if the buildings were to become flooded after a major breach of the tidal bank, and ensure there is no danger to residents when they are asleep. The ground floor level of the proposed new buildings should be a minimum level of 2.60m OD which is approximately 450mm below the existing levels of the footpath on the north east boundary of the site, and is 500mm above the ground floor level of the existing house (1A Peterborough Road) south of the site. The buildings should be designed incorporating flood resistant and resilient techniques to allow it to be refurbished after being flooding to a depth of approximately 300mm above the floor level of the new building."
13. The proposed does not seek to utilise local building materials, but is designed to match 1a Peterborough Road to the south.

The proposal is considered to generally accord with SELLP Policy 3.

Flood risk

The new Flood Risk Assessment states: "The ground floor level of the proposed new buildings should be a minimum level of 2.60m OD which is approximately 450mm below the existing levels of

the footpath on the north east boundary of the site, and is 500mm above the ground floor level of the existing house (1A Peterborough Road) south of the site."

The NPPF requires the application of the Sequential Test to steer new development to areas with the lowest probability of flooding. If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) is the basis for applying the Sequential Test. This concludes that the vast majority of South Holland District is in Flood Zones 2 and 3. Therefore, consistent with wider sustainability objectives, it is not realistically possible to direct all development to zones with a lower probability of flooding. As such, the document outlines a methodology whereby the SFRA hazard and depth maps (in that order) are to be utilised when determining flood risk and applying the sequential test. Using this methodology it is possible to use the information to steer development towards the areas of lower flood risks as advised within Section 14 of the NPPF.

The site is located within Environment Agency Flood Zone 1 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) (SFRA) shows that the site falls within the 'danger for most' hazard zone, with predicted flood depths of up to 1 metre.

The Local Plan has allocated sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. Although the application site is not a housing allocation within the Local Plan (only suitable sites capable of accommodating 10+ dwellings have been allocated), the site does lie within the settlement boundary for Crowland. In general, there is a presumption in favour of sustainable development within settlement boundaries and windfall sites are expected to have a contribution towards housing supply (and maintaining the 5-year supply of deliverable sites) in the district. As such, one could argue that, should the site be acceptable in all regards, and if the Exceptions Test is successfully passed, that the site is acceptable in flood risk terms, notwithstanding the fact that there are sequentially preferable allocated sites in the adopted Local Plan.

In order for the Exceptions Test to be passed, it must be demonstrated that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

With regard to the above, the development would provide some wider sustainability benefits to the community through a contribution (albeit small) towards housing supply, and other benefits including generating employment during the construction period and its proximity to a range of services and facilities.

Finished floor levels would be set at 500mm above the ground floor level of the existing house, which would be approximately 1m above the existing ground level. Taking into account the predicted flood depths previously identified, this should ensure that the development is safe for its lifetime.

PLANNING BALANCE

The proposal is designed to be in keeping with 1a Peterborough Road immediately to the south, and is not considered to materially impact the character or amenity of the surrounding area. It is acceptable in flood risk terms.

CONCLUSION

The proposal is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

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.