DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0468-18**	**Applicant:**	**Mr T Morriss**
Proposal:	Residential development (Phase 2) - 25 dwellings (access via Phase 1 approved by virtue of planning permission ref. H05-1183-16)		
Location:	50 Fleet Road Fleet Spalding		
Terminal Date:	6th April 2019		

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
06	Developer Contributions
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
30	Pollution
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 5, 8, 9, 11, 12,14 and 15

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	3
OTHER STATUTORY BODIES	0	0	0	5
RESIDENTS	9	0	2	2

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission was granted for 55 dwellings (phase 1), including demolition of an existing house (no. 50 Fleet Road) in January 2018. The application was accompanied by an indicative layout plan showing a mixture of bungalows and chalets, plus an area of public open space and dense planting along the northern and western boundaries.

Outline planning permission is now sought for phase 2 on remaining land immediately to the east utilising the access to phase 1. The application is accompanied by an indicative site layout showing 25 bungalows principally served off an adopted road, plus public open space. Dense planting is shown along the northern boundary bordering residential properties off Fleet Road.

Site Description

The site (approx 1.7 ha) is currently agricultural land to the rear of residential properties situated on the southern side of Fleet Road. Residential properties are situated to the north and open land to the east. Land the subject of planning permission ref.H05-1183-16 is situated to the west.

Policies/Constraints

The site is outside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (March 2019)

Representations

LCC Highways/SUDs - Request conditions, including details of a surface water drainage scheme based on sustainable drainage principles.

Housing Strategy - Recommend that 1/4 (25%) of the development should be provided as affordable housing.

The affordable contribution should be provided with a tenure split of 70% in favour of Rented and 30% Intermediate low cost home ownership dwellings. To meet needs identified within the Strategic

Housing Market Assessment (2014 & 2017 update) Strategic Housing would recommend that a mix of property types and sizes are provided for the affordable housing contribution, comprising of approximately 25% as one beds, 40% as two beds, 30% as three beds and 5% as four beds.

It would be preferable for the affordable housing to be secured through a S106 agreement.

Environmental Protection - Request contaminated land condition.

Environmental Services - Access roadways to all residential properties should be constructed to an adoptable standard under an agreement with Lincolnshire County Council so that they will become public highways. This will enable refuse/recycling collections to be carried out from outside individual properties without the need for communal collection points at the point where private driveways adjoin public highways. If not utilised correctly communal collection points become areas of dispute for residents of adjacent properties.

A communal collection point will however be required for plots 23 and 24 to present their sacks out s to be accessed via a private roadway.

Environment Agency - Request condition requiring finished floor levels of at least 500mm, safe refuge in the loft space and floor resilience/resistance measures.

Anglian Water - The foul drainage from this development is in the catchment of Sutton Bridge Water Recycling Centre that will have available capacity for these flows. Request a condition relating to foul water drainage strategy.

LCC Education - Request an education contribution of £124, 347.

NHS - Request a contribution of £11,100.

Lincolnshire Police - No objections. Advice offered concerning design/layout.

LCC Archaeology - No input

Public -Objections/concerns received from nearby residents (main points summarised):
Outside settlement boundary; Loss of greenfield site; Services and infrastructure inadequate; Overdevelopment; Phase 2 unnecessary and manipulation of planning system; Noise and disturbance; overlooking/lack of privacy; Loss of light; Health issues; Possible anti-social behaviour; Loss of views; Road and junction unsuitable for additional traffic; Blind bend; Detrimental to highway safety; Insufficient parking on site; Should be 30mph speed limit; Present sewerage system inadequate and struggles to cope with existing flow; Water supply inadequate - recent burst; Concerns over surface water being disposed of to soakaways; Problems of flooding; Part of education contribution should go to Fleet Wood Lane Primary School and not the William Stukeley Primary School in Holbeach because the site is within Fleet; devaluation of property.

Material Considerations

The main issues in this case are:
- Whether the proposal would be a sustainable form of development taking into consideration economic, social and environmental factors;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flooding, drainage, contamination and S106 planning obligations.

Principle/Sustainability

The site is outside Holbeach settlement limit as defined in the South East Lincolnshire Local Plan (adopted March 2019). However, the Authority does not presently have a published 5 year supply of deliverable housing land.

Under such circumstances, in accordance with advice within paragraphs 10 and 11 of the National Planning Policy Framework, 2019, there should be a presumption in favour of sustainable development. Planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in

the NPPF. The three mutually dependent dimensions to sustainable development are social, economic and environmental.

An economic role - the proposal would make a contribution towards housing supply and future occupants may work locally, support local services and make a contribution to the local economy. There may also be employment opportunities associated with the construction, albeit in the short term.

A social role - the proposal would help to provide the supply of housing required to meet the needs of present and future generations, including 25% as affordable housing. Moreover, it is located adjacent the existing settlement boundary and is approximately 1km from the centre of Holbeach, where the main services and facilities are situated. Although it is not considered to be a convenient walking distance, there are footways between the site and town centre. Moreover, the site is close to a public transport route. Services and facilities are considered to be reasonably accessible by cycle and public transport and arguably on foot.

An environmental role - the proposal would essentially consolidate the town's existing built area. It would not significantly increase the visual impact and perceived extent of the built up area. It is considered that it would not materially harm the prevailing rural character of the area.

Taking into account the above factors the site is considered to be in a sustainable location. Concern has been raised about the loss of high-quality agricultural land to housing. Records show that the vast 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 Framework, 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, and thus represent a valid reason for refusal in this instance.

Residential Amenity

Access to the site would be between nos. 48 and 52 Fleet Road and also No. 4 Chapman Mews to the rear of the latter and then via phase I. Frontage development is located the north off Fleet Road and further to the west off Branches Lane. It is considered that the site could be developed whilst not materially harming the amenity of neighbouring residents in terms of matter such as overlooking, lack of privacy, overshadowing, light pollution, etc. Whilst neighbouring residents may suffer some additional disturbance, particularly during the construction phase, this not considered to be such as to outweigh other factors in favour of the scheme. It is considered that there is not an overriding conflict with Policy 2 of the SELLP, which aims to protect the amenity of nearby residents, both existing and future.

Matters such as a blockage of view, maintenance rights and de-valuation of property are not material planning considerations and therefore carry no weight. The hedging shown on the submitted plans is solely indicative at this stage. There is no substantive evidence to suggest the proposal would increase crime rates within the area or cause health issues.

Highway Safety

A development of this scale will need to be served predominantly by adopted roads. This would also enable refuse to be satisfactorily collected. Concerns have been raised by local residents on highway safety grounds. However, the County Highways Authority has been consulted and raises no objections, subject to conditions.

Speed limits fall within remit of Lincolnshire County Council.

Other Material Considerations

Flood Risk - The site is predominantly within Flood Zone 3 on the Environment Agency Maps. The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is mainly within an area of low hazard, although a southern section is designated as danger for some. This is a less severe category and there are not reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding. In this respect, the Authority views reasonably available sites as those that are deliverable and developable (as defined by the National Planning Policy Framework) for the use proposed within the area, can accommodate the general requirements of the development and are, in principle, in conformity with the objectives and advice within the NPPF and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

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 should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The NPPF and the PPG set out two elements to the Exceptions Test.

First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, the proposal scores positively against the aims and objectives of the Local Planning Authority's sustainability appraisal and would provide wider sustainability benefits to the community that outweigh flood risk. This includes the provision of additional sustainable housing within the district to meet the needs of the population, as required by the National Planning Policy Framework.

Concerning the second element, based upon refined flood risk information within the SFRA Depth Maps, it is recommended that the properties have finished floor levels 500mm above existing ground level with safe refuge above ground floor level. Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Drainage - The foul drainage from the development is in the catchment area of Sutton Bridge Water Recycling Centre. Anglian Water has indicated that it has available capacity for these flows. A surface water drainage strategy will need to be approved and this can be addressed by means of a condition.

Regarding surface water, SUDs has recommended that when the reserved matters are submitted those details shall show a drainage design in accordance with a Sustainable Drainage Scheme to demonstrate the use and management of surface water run-off is appropriate in accordance with National Planning Policy Framework. This can be addressed by means of a condition.

Concerns have been raised relating to the capacity of the water mains. This is a matter that falls within the remit of Anglian Water under separate legislation. AW has raised no objections to the application.

Contamination - Environmental protection has requested a contamination condition due to the present agricultural use of the land.

S106 Contributions - LCC Education and the NHS have requested contributions. This can be addressed by means of a S106, along with affordable housing. LCC Education has explained why S106 monies for education are targeted at Holbeach primary school rather than Fleet Wood Lane.

Ecology - Given that the site is currently grassed and includes drains it is recommended that any permission includes an ecological condition.

Conclusion

It is accepted that the proposal may have some adverse impacts, including an effect upon the amenity of nearby residents, especially during the construction stage. However, these matters are not sufficient in this case to indicate against the proposal and are outweighed by the benefits of the

scheme, including the need for additional housing within the district.

Recommendation - the application be approved under delegated powers subject to the applicant entering into a S106 planning obligation relating to affordable housing and NHS/Education contributions.