

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H05-0664-21      **Applicant:** Seagate Homes  
**Proposal:** Residential development comprising 5 detached dwellings off private drive including retaining and converting existing water tower  
**Location:** Land To East Of Holbeach Manor Fleet Road  
**Terminal Date:** 10th September 2021

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### 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
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

#### National Guidance

#### National Planning Policy Framework 2021

Section 5 - Delivering a sufficient supply of homes  
 Section 12 - Achieving well-designed places  
 Section 14 - Meeting the challenge of climate change, flooding and coastal change  
 Section 16 - Conserving and enhancing the historic environment

### Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN,	0	0	0	1

HISTORIC ENVIRONMENT OFFICER				
SHDC INTERNAL	0	0	1	1
RESIDENTS	7	0	0	4

## **CASE OFFICER ASSESSMENT**

### **Proposal**

Full planning application for residential development comprising 5 detached dwellings off private drive including retaining and converting existing water tower on land to the east of Holbeach Manor, Fleet Road, Holbeach.

The proposed scheme comprises of 1 x 3 bed bungalow, 1 x 4 bed bungalow and 3 x 4 bed two storey dwellings (all detached). Each dwelling would have either an attached or detached double garage.

2 no. parking spaces would be retained for each of the frontage properties to the north.

The proposal is for surface water to be disposed of via soakaways and to connect the site to the existing Anglian Water network in Fleet Road for foul water disposal.

### **Site Description**

The application site forms part of the grounds of Holbeach Manor. Holbeach Manor comprises a substantial early 20th-century brick and render dwelling with adjoining outbuilding, set in extensive grounds, which is located on the southern side of Fleet Road, approximately 900m east of the main town-centre crossroads. The application site comprises an elongated, roughly rectangular parcel of garden land approximately 0.45ha in extent situated to the east of the north-south aligned outbuilding. Set between the site and Fleet Road are a pair of frontage, semi-detached dwellings. To the west is retained garden land to Holbeach Manor. To the east, the boundary is defined by the rear boundary of dwellings set on the western side of Greenfields, a residential cul-de-sac served from Fleet Road. To the south is a consented residential development site (188 dwellings, ref. H09-0332-16). There are a number of preserved trees within and adjoining the application site. Within the site is a disused water tower. The applicant company's officers are situated between the site and the main building of Holbeach Manor.

### **History**

None relevant.

### **Consultation Responses**

SHDC Environmental Protection (contaminated land) - No comments or objections.

LCC Highways/SUDS - No objection subject to condition requiring the submission and approval of a Construction Management Plan and Method Statement and two standard highways informatives.

LCC Historic Environment Officer - The proposed development is situated in an area recorded in the Lincolnshire Historic Environment Record as historic parkland associated with Holbeach Manor. This house which was originally known as Redroofs was built in 1924 to designs by the architect William Edmund Norman Webster FRIBA. He was also responsible for the remodelling of Stukeley Hall in Holbeach (since demolished), and was designed County Hall in Boston for the former Parts

of Holland. Redroofs would have been one of the largest houses in Holbeach and was designed to emulate the layout of larger country houses in a modern manner. It has a distinctive style described by architectural historian Nicholas Pevsner in his Lincolnshire volume of The Buildings of England as a "successful free interpretation of an Arts & Crafts Tudor style". The house also featured a gate lodge (now a separate cottage) and extensive landscaped grounds with tennis court, formal gardens and parkland. Within these grounds is situated the water tower proposed for conversion. It would appear to form part of the same design as the house and is likely also the work of Norman Webster. The Water Tower can be considered a non-designated heritage asset in the terminology of the National Planning Policy Framework, the significance of which merits consideration in any future planning decision. It is recommended that prior to the conversion of the water tower a photographic record of it should be made to preserve by record any evidence for its original design, development and function. This should be submitted to and approved in writing by the local planning authority prior to development/conversion taking place. "They should.... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible." National Planning Policy Framework Section 16, paragraph 199.

SHDC Tree and Nature Conservation Officer - Provides detailed comments regarding preserved trees and suggested conditions.

Public (11 objections/comments received, summarised) -

- Increase in traffic; Highway safety; Impact of development on condition of road and access to parking spaces to rear of property on Fleet Rd
- Overlooking
- Noise and disturbance
- Concern re loss of protected trees and impact on wildlife; bats in water tower
- Query re arrangements for refuse/recycling collection
- Plans state that access road to be widened but hedge is stated as belonging to adjacent property on land registry
- Additional housing will compound existing surface water and foul water drainage problems
- Impact on property value
- Recommend the installation of 3 swift nest bricks to plots 3, 4 and 5 and ideally several to the tower if work permits

## **Planning Considerations**

### Principle

The site is located within the settlement boundary for Holbeach as set out in the South East Lincolnshire Local Plan (2019).

Policy 1 of the Local Plan (Spatial Strategy) classifies Holbeach as a "Main Service Centre". "Development" in Main Service Centres "will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities."

The intended dwellings would either entail the arrival of new residents to Holbeach, or encourage existing residents of Holbeach to remain within the town, who would potentially use the services and facilities of the settlement.

The proposal is therefore considered to satisfactorily comply with Policy 1 in this regard and is acceptable in principle.

### Layout, Density, Scale and Appearance

The proposal is for 1 x 3 bed and 1 x 4 bed detached bungalows and 3 x 4 bed houses served by a private drive in a cul-de-sac layout. Five different house types are proposed, which are visually attractive. The proposed materials are a mixture of red facing bricks and cladding to some, and smooth and pantile roof tiles in varying colours. There are no objections to these materials. Details for the cladding, windows, doors and hard surfaces are to be confirmed and will be conditioned.

The scale of the proposed dwellings is not at odds with surrounding development which is a mixture of two storey dwellings and bungalows. Finished floor levels would need to be raised by between

500mm and 600mm above the existing ground level on the southern area of the site and less at the northern end where existing ground levels are higher. Given that the proposed dwellings are located to the rear of frontage development, it is not considered that the need to raise floor levels would have a material impact on the street scene.

The former water tower that lies within the site would sit within the curtilage of Plot 3 and be sympathetically converted to a studio and home office. LCC's Historic Environment Officer considers that the building can justifiably be treated as a non-designated heritage asset and it is recommended that prior to its conversion that a photographic record of it should be made to preserve by record any evidence for its original design, development and function.

Taking the above into account, it is concluded that the layout, scale and appearance of the scheme accords with Policies 2, 3 and 30 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; 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, the landscape character of the location and involve the appropriate reuse of historic buildings. Policy 29 states that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets.

### Impact on Protected Trees

The proposed development would result in the loss of some protected trees, although some of these would appear to be replacements of the original and are therefore still afforded the same protection as those subject of the original Tree Preservation Order. The trees were likely originally protected for their amenity value however, given that they are not visible from the public realm due to intervening development, they do not have any particular amenity value for the wider public. SHDC's Tree and Nature Conservation Officer is in agreement with this view and accepts that a refusal solely based on the loss of the trees would unlikely be defensible at appeal.

Conditions can be added to ensure that appropriate protection is afforded to the trees during the construction process.

The proposal is considered to accord with Policies 2 and 3 of the Local Plan in this regard.

### Highway Safety and Parking

Concern has been raised regarding an increase in traffic as a result of the proposed development, highway safety, as well as the impact of the development on the condition of the access road. In terms of the latter, the existing access is to be resurfaced and upgraded as part of the development. In addition, the Highway Authority have been consulted on the application and have not objected on highway grounds. The proposal is therefore 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.

With regard to parking provision, Appendix 6 of the Local Plan sets out minimum parking standards for new developments. This sets out a requirement for 2 vehicle parking spaces for dwellings with up to 3 bedrooms and 3 vehicle parking spaces for dwellings with 4 or more bedrooms. There is sufficient space within the curtilage of each plot to meet these requirements.

In addition to the above, 2 no. parking spaces would be retained for each of the frontage properties to the north. The developer has confirmed that they will ensure the occupants can still park in their allocated spaces during the construction period.

### Residential Amenity

It is not considered that there will be a material adverse impact on residential amenity in terms of being unduly overbearing or causing loss of privacy or light.

Plot 1 is the closest proposed dwelling to any existing dwelling on Greenfields and both are bungalows with a separation distance of approx. 19m. All other properties are separated by a greater distance to those on Greenfields. In terms of the relationship with the properties to the north, Plot 1 would be approx. 16m from no. 6 Fleet Rd and 17m from No. 4 Fleet Rd at the closest points.

The only north facing window to Plot 1 is in excess of 21m from either of those properties. There is in excess of 27m separation distance to the proposed dwellings to the south (ref. H09-0332-16). At such distances there would not be a material overbearing, overlooking or loss of light impact. As floor levels are to be raised due to flood risk, consideration will need to be given to appropriate boundary treatments (to be conditioned).

The relationship between properties within the site is such that appropriate levels of amenity will be achieved.

In light of the above, the proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

### Flood Risk and Drainage

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 area 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 3a and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) (SFRA) shows that the site falls within a combination of the 'low hazard' and 'danger for some' hazard zones, with predicted flood depths of up to 0.5 metre at the southern end of the site.

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 Holbeach. 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.

The submitted flood risk assessment recommends that finished floor levels of the proposed houses should be at a minimum level of 3.45m ODN (which is between 500mm and 600mm above the existing ground level on the southern area of the site) and that any bungalows should have a minimum level of 3.55m ODN. Taking into account the predicted flood depths previously identified, this should ensure that the development is safe for its lifetime.

In terms of drainage, the proposal is for surface water to be disposed of via soakaways and for connection to be made to the existing Anglian Water network for foul water disposal. Notwithstanding concerns raised during the consultation process, there are no known ground permeability issues in this area that would preclude the use of soakaways and Anglian Water are

obliged to accept foul water flows from new developments if proposed.

Given the above, the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

### Other Considerations

Impact on property value is a consideration, but one which only carries very limited weight in the overall planning balance.

It is not considered that 5 dwellings will result in a material adverse noise impact. Construction noise is unfortunately inevitable as a result of new development but is subject to separate environmental legislation.

A note can be added regarding bats and their protected status in the event that they are discovered to be living in the water tower or cavities of trees.

The developer has confirmed that the hedge on the western boundary of no. 4 Fleet Rd is to be retained.

The private drive and landscaped area to the west is proposed to be the responsibility of a management company. Arrangements for private refuse collection would be in place given the council's policy of not entering private drives for waste collection purposes. Full details of this can be secured by condition.

### **Planning Balance**

The application site lies within the settlement boundary for Holbeach as set out in the South East Lincolnshire Local Plan (2019) and the proposal is considered to satisfactorily accord with Policy 1 of the Local Plan. It is not considered that the proposal would have a material impact on the character and appearance of the area or neighbouring amenity. The proposal is acceptable on highway and flood risk grounds. Notwithstanding concerns raised during the consultation process, there are no known ground permeability issues in this area that would prevent the effective functioning of the proposed surface water drainage strategy. Furthermore, although the development would result in the loss of some protected trees, their separation from the public realm means that their loss would not have a significant amenity impact.

Taking the above into account, the planning balance is considered to be in favour of the proposal.

### **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**

In light of the above considerations, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 29 and 36 (incl. Appendix 6) of the South East Lincolnshire Local Plan (2019), as well as Sections 5, 12, 14 and 16 of the National Planning Policy Framework (2021).

The recommendation is therefore for a delegated approval.