

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H06-0079-19 **Applicant:** Mr D Hall

Proposal: Proposed detached dwelling and attached garage

Location: Plot 3 Marsh Road Gedney Drove End Spalding

Terminal Date: 26th March 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
28	The Natural Environment

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 8, 9, 11, 12, 14 and 15

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission is sought for a single dwelling, with all matters reserved for subsequent approval.

The applicant has submitted indicative plans attempting to demonstrate how a house could be designed with living accommodation on the first floor to address flood risk.

Site Description

The site (some 0.08ha) is a former farm crew yard located on the eastern side of Marsh Road within an existing frontage. Bungalows are situated to the north and south.

A number of preserved trees front the site and a neighbouring tree is situated close to the southern boundary. Access is via an existing bridge over a shallow drain. A footway runs along the site's frontage.

Policies/Constraints

The site is inside Gedney Drove End Settlement Limit as defined within the South East Lincolnshire Local Plan, 2019.

Gedney Drove End Tree Preservation Order no. 3, 1996.

Previous Decisions

H06-0101-14 - Outline - Dwelling - Refused on policy grounds April 2014

Representations

Gedney Parish Council - No objection to the building of the property, but any approval must stress that the ground floor cannot be habitable

LCC Highways/SUDs - No objections subject to note.

SHIDB - Request drainage strategy.

Environment Agency - Request conditions:

1. Finished floor levels set no lower than 6.0m aOD, 2m above existing ground levels. Flood resistance and resilience measures incorporated into the development to 300mm above predicted floor levels;
2. Non-habitable ground floor;
3. No extensions to provide additional habitable/living accommodation.

Environmental Protection - No comments or objections.

LCC Archaeology - No archaeological impact.

Public - Objection from local resident (summarised):
Overshadowing; Block daylight.

Material Considerations

The main issues in this case are:

- Principle/sustainability;
- Character/appearance;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flooding and drainage.

Principle/Sustainability

The site is inside Gedney Drove End Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within "Other Service Centres and Settlements", including Gedney Drove End, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. Development will normally be limited to committed sites and infill.

Character/Appearance and Amenity

Existing development either side of the site consists of bungalows. To address flood risk the proposed property would need to be at least two storey. The indicative plan submitted with the application shows an imposing two storey dwelling. It is considered that such a property would appear incongruous within the rural street scene and would materially harm the character/appearance of the rural fringe of the village.

Moreover, existing Sycamore and Ash trees fronting the site, plus a Walnut at the rear, are the subject of a tree preservation order. It is considered that a dwelling such as that shown on the indicative plans would prejudice their continued existence.

Amenity

The property to the north has side windows facing the site, including a kitchen window. It is considered that an imposing two storey dwelling such as that shown on the indicative plans would have an adverse affect upon the amenity of neighbouring residents in terms of its overbearing effect, overshadowing and blockage of light.

Highway Safety

LCC Highways has raised no objections to the proposal on highway safety grounds.

Other Material Considerations

Flood Risk - The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken. The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. For development to pass the sequential test it has to be demonstrated that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding.

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 East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The South East Lincolnshire SFRA indicates that the site is located within an area identified as "Danger to All". It is possible for new housing to be delivered on sites that are in locations that are

more environmentally sustainable and of lower flood risk. The proposal therefore fails to satisfy the sequential test. It is considered that the proposal would not provide wider sustainability benefits to the community that outweigh flood risk. The proposal is therefore contrary to Policies 2 and 4 of the SELLP and advice within paragraph 158 of the National Planning Policy Framework, 2019.

Drainage - Surface water would be disposed of via soakaways. Drainage can be addressed by means of a condition(s) if permission was forthcoming.

Conclusion

The proposal could be deliverable if looked at in isolation and could help to provide the supply of housing required to meet the needs of present and future generations. However, the benefits are outweighed by the harm that the proposal would cause in terms of the development's effect upon the character, appearance and amenity of the area. In the opinion of the Local Planning Authority the erection of a two storey dwelling to address flood risk would constitute an incongruous and imposing form of development that would have a harmful effect upon the existing rural character of the fringe of village and would prejudice the continued existence of trees the subject of Gedney Drove End Tree Preservation Order no. 3, 1996. Moreover, the proposal would have a harmful effect upon the amenity of nearby residents in terms of its overbearing effect, overshadowing and blockage of light.

The site is not therefore considered to be a suitable site for housing with particular regards to the principles of sustainable development and the protection of the character and amenity of the area. The proposal is contrary to Policy 2 (Development Management) of the South East Lincolnshire Local Plan (March 2019) and advice within the National Planning Policy Framework, 2019. Policy 2 of the SELLP indicates that sustainable considerations should be met in terms of impact upon the character and appearance of the area and the relationship to existing development and land uses, as well as impact upon neighbouring land uses. Paragraphs 122 and 127 of the Framework indicate that new development should be sympathetic to and maintain an area's prevailing character.

Moreover, the site is located within an area identified as "Danger to All" within the South Holland Strategic Flood Risk Assessment and fails to satisfy the sequential test.

Recommendation - That the application be refused under delegated powers.