

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H08-0218-20	Applicant:	Mr S Grimston
Proposal:	Residential Development of 18 Dwellings - outline approval H08-0866-18		
Location:	Site Adj. Silverdene Boston Road Gosberton		
Terminal Date:	1st August 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
06	Developer Contributions
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
29	The Historic 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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND	0	0	0	1

DEEPINGS INTERNAL DRAINAGE BOARD				
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	3	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a reserved matters application, relating to outline application H08-0866-18, for the residential development of 18 dwellings on land adjacent to Silverdene, Boston Road, Gosberton.

The proposed scheme comprises of 13 market units and 5 affordable units. The market mix includes 6 x 3 bed, 5 x 4 bed and 2 x 5 bed. The affordable mix comprises of 2 x 1 bed houses and 1 x 2 bed house for rent and 2 x 2 bed houses for shared ownership.

A variety of house types and designs are proposed, including a small terrace, semi-detached and detached dwellings (houses and bungalows).

A relatively central area of public open space is proposed which can also be used as a detention basin in heavy rainfall.

There is a single access point into the site from Boston Road. The main estate road is adoptable with two private drives off to the north, serving a single large dwelling and 5 dwellings respectively. As a result of the development, part of the Mill Lane track along the south-eastern boundary would be improved.

Site Description

The site is a greenfield site of approx. 2.2ha, which is mostly overgrown. There are a number of mature trees along the southern and eastern boundaries. A pedestrian track runs along the southern boundary. There are frontage properties facing onto Boston Road to the south and north. The site is bounded by drains to the north and west.

History

H08-0518-19 - Residential development (re-submission of H08-0866-18) (refused July 2019)

H08-0866-18 - Residential development - for up to 18 dwellings (approved March 2019)

Consultation Responses

Gosberton Parish Council - The exit from this development on to Boston Road is very close to the bend and in the 50mph limit. As such it is considered it would be quite hazardous for traffic leaving the development or entering it from Sutterton direction. It would also result in the destruction of the woodland currently on the site, this habitat is at a premium within the village.

Lincolnshire Police - No objections. Gives standard advice re crime prevention.

Anglian Water - No objection. Application to connect to AW sewer required.

Welland and Deepings IDB - Comments submitted previously for outline application still stand - Scheme has observed the 9m byelaw distance on the northern and north-western boundaries. The 6m byelaw distance has also been observed for the drain to the west of the site. Adds that all landscaping (incl. trees and hedgerows) are to be kept trimmed back to remain outside of the Board's 9m easement strip so as not to obstruct access. Any culverting or other alterations to any watercourse require the prior written consent of the Board subject to the agreement of technical details etc. In principle, the Board could accept the proposed total flow discharge of 5 litres/second from the site into the Moses Cut Drain subject to the submission in advance of an application form, payment of the application fee and Development Contribution and the agreement of technical details.

LCC Historic Environment Officer - Requests standard archaeological conditions.

LCC Highways/SUDS - No objections but requests standard informatives and conditions.

Public (3 objections, summarised) -

- Loss of privacy
- Concern re headlights of vehicles leaving the development shining into windows of property opposite and vehicle noise causing disturbance
- Concern re potential for impact on wildlife both on and off site
- Concern re safety of access at Boston Road
- Already enough housing development in the pipeline for the village
- Impact on views
- Measures to minimise carbon emissions should be incorporated
- Flood resistant features should be provided
- Development should have no lasting adverse impact on the existing environment and wildlife habitat

Public (1 comment in support, summarised)

- Proposed development will be positive for the local area and the facilities in the village and nearby towns
- Field is currently derelict and has been so for a period of more than 19 years, therefore, development is the logical way forward for this site
- Asks that a large parcel of adjoining land be considered as a development site in conjunction with this application

Planning Considerations

The principle of residential development on the site has been established by virtue of the outline consent.

Therefore the key matters (including the reserved matters) to be considered are:

- Detailed layout, scale and appearance;
- Access, highways and parking concerns;
- Landscaping and open space;
- Drainage and Flood Risk;
- Residential amenity;
- Affordable housing provision; and
- Other matters

Detailed layout, scale and appearance

A variety of house types and designs are proposed, including a small terrace, semi-detached and detached dwellings (houses and bungalows). The 3 bed detached houses and 4 bed bungalows would be of a design that is not untypical of development in South Holland, but would be given a more contemporary appearance with an element of render to the front elevation. The large 5 bed properties would be fully rendered to the front with a large glass entrance. The plans for the semi-detached and terraced properties have been revised to be more in keeping with the rest of the development, with the addition of render to the front elevations and sidelights to the front entrance doors. Plot 18 would accommodate the largest property and would be modern in appearance with large window openings on the southern elevation to optimise sunlight.

In terms of materials, a combination of red and buff brick types are proposed, alongside red concrete pantiles and graphite engineered slate. There will also be elements of rendering throughout which will provide a more contemporary finish. In terms of hard landscaping, private drives and driveways would be block paved and the main access road a bituminous surface. These materials are acceptable in the context of the varied appearance of existing development in the locality. A condition will be added for the details of specific brick and tile types to be submitted at a later stage.

In terms of scale, all properties would be either 1 or 2 storey which is in keeping with the existing development in the vicinity. Finished floor levels are only required to be raised by 300mm so there will be a minimal impact on the height of these properties.

Overall, the external appearance and scale of the proposed dwellings is considered to be acceptable.

The public open space has been positioned relatively centrally meaning that all properties are within a reasonable distance.

A cul-de-sac layout with adoptable estate road is indicated with 2 short private drives off to the north. This is considered to be an acceptable balance between estate and private roads. Refuse collection would be a combination of kerbside for the main estate road and collection points for private drives. A condition will be added to secure the details of storage and disposal of refuse for the private drives.

Taking the above into account, it is concluded that the layout, scale and external appearance of the proposed 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

Local concern has been raised regarding highway safety and the perceived unsuitability of the proposed access on to Boston Road. However, outline permission has already been granted for residential development of the site and the Highways Authority have no objections to the proposal. On this basis, it is not considered that there is a defensible reason for refusal on highways grounds and 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.

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 and 3 vehicle parking spaces are required for dwellings with 4 or more bedrooms. The proposed vehicle parking arrangements are in accordance with this.

There is a condition on the outline approval which requires the submission of a Construction Management Plan, as well as details of the precautions to be taken to prevent the deposit of mud on the public highway during construction, prior to commencement of development. This should ensure safe working arrangements and highway conditions during the construction period.

The Highways Authority in their response to this application requested that connection from the site be made to the existing footway on Mill Lane. The layout plan has been amended consequently. This is in accordance with Policy 33 of the Local Plan which requires major new developments to provide for walking and cycling routes and/or links to existing networks.

Landscaping and open space

A large area of public open space is located close to the centre of the site, amounting to approx. 0.14ha. This is over four times the 0.03ha required by Policy 32 of the Local Plan. However, the open space is multifunctional and, as well as providing recreation and visual amenity benefits, it can also act as a detention basin, functioning as part of the overall drainage strategy for the site. The area of open space is larger than that required by policy but it means that usable space will still be retained after the occurrence of a storm event when the basin is wet.

A scheme of landscaping and tree planting is proposed throughout the site. Given the lower density of the site, a large proportion of the site will be grassed. In addition to the tree planting, small hedges and ornamental shrubs will be planted to the front of properties and native hedgerow will be introduced around the site. The open space will incorporate a variety of grass mixes and bulbs. Overall, this 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.

With regard to the maintenance of the open space, there is a condition on the outline that requires details of the future management and maintenance to be submitted prior to commencement of the development beyond oversite.

Details of the management and maintenance of private drives, surface water drainage features, landscaping and refuse collection points can be secured by condition.

Drainage and Flood Risk

The original proposal was for surface water to be disposed of via soakaways and for private treatment plants to be utilised for foul water disposal. However, given the size of the development this was not felt to be appropriate. Consequently, the proposals have been revised and instead surface water will be conveyed to the IDB watercourse which runs along the north-western boundary. A detention basin has also been introduced within the open space to accommodate water in a storm event. Infiltration is not a viable option due to the high water table. Water will be conveyed by a new surface water sewer system, which is to be offered to Anglian Water for adoption, and a new drainage ditch will also be created which will convey the water to the IDB maintained watercourse from the estate road.

The IDB have raised no objections to the proposal to discharge into that watercourse and have advised that, in principle, they would accept a flow rate of 5 litres/second. The applicant/developer will be required to enter into a s38 agreement with the Lead Local Flood Authority to agree the technical details of the surface water scheme.

The applicant is proposing to connect into Anglian Water's existing system for foul drainage and they will also be required to enter into a legal agreement with them. Anglian Water have raised no objections at this stage.

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.

The approved flood risk assessment requires the finished floor levels of properties to be set 300mm above existing ground level and at a minimum level of 2.95m OD. The finished floor levels shown on the proposed drainage strategy are in accordance with this and, as such, this complies with Policy 4 of the Local Plan with regard to flood risk.

Impact upon residential amenity

Concerns have been raised by nearby residents regarding impact upon their amenity.

Taking into account the separation distances between dwellings (existing and proposed) and the positioning of windows, it is not considered that there would be any significant overlooking, overshadowing or overbearingness issues. Plot 1 is the closest of the proposed dwellings to any existing property (approx. 5m from the neighbouring property to the north) and the only side facing window is for a non-habitable room (bathroom), therefore privacy would not be an issue. All other dwellings would be in excess of 21m apart from existing properties which is an acceptable distance in planning terms. Furthermore, given that the proposed properties are located to the north of existing dwellings, and taking into account separation distances, there should be no overshadowing issues taking into account the path of the sun.

Within the site itself, the proposed properties would have a normal estate road relationship and suitable separation distances. The majority of properties would sit within very large plots, with the exception of Plots 1-5. However, these are smaller properties so less external amenity space is acceptable.

One objector has raised concerns regarding vehicle headlights flashing into windows at night and vehicle noise disturbance. They also object to the impact on existing views. Although these are

considerations, they are considered to only carry minimal weight in the planning balance in this instance given that the site benefits from outline planning permission. Furthermore, impact on views is not a material planning consideration.

There is a condition on the outline approval that requires the submission of a Construction Management Plan prior to commencement of the development which will enable the Local Planning Authority to control working hours and consider the details of measures for controlling noise, vibration, dust and mud.

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 outline application was granted subject to a s106 agreement for the provision of 25% of the site as affordable housing.

In light of comments made by Strategic Housing colleagues, an amended affordable housing scheme has been submitted by the applicant. In total, 5 (approx. 28%) affordable dwellings are proposed. The proposed affordable scheme comprises of 3 x affordable rent (2 x 1 bed houses and 1 x 2 bed house) and 2 x 2 bed houses for shared ownership. This is approximately a 60/40% split of rent to shared ownership, which is broadly in accordance with Policy 18 of the Local Plan. No objections are raised to this revised affordable scheme.

Other matters

Concern has been raised regarding ecology matters. A separate application to discharge a number of conditions imposed on the outline approval, including Conditions 18 and 19 which relate to habitat and protected species surveys, has been submitted simultaneously (H08-0219-20). Lincolnshire Wildlife Trust have reviewed the submitted information and have raised no objections on ecological grounds. The proposal is therefore considered to be in accordance with Policy 28 of the Local Plan relating to the natural environment.

Policy 31 of the Local Plan requires that all development proposals demonstrate that the consequences of current climate change has been addressed, minimised and mitigated and the policy goes on to list a number of aspects. The principle of residential development on the site has already been established meaning that points 2 (flood risk) and 4 (sustainable travel) have already been considered. In terms of the remaining points, the dwellings are required to be built in accordance with energy efficiency standards and the Building Regulation water efficiency standards (points 1 and 3), and the proposed planting scheme will enhance the site for wild pollinators and bird species. A condition can be added requiring details of bird, bat and owl boxes, as well as corridors for hedgehogs, to be submitted at an appropriate time. Overall, the requirements of Policy 31 are considered to have been met.

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 the application to be approved.