

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H09-1058-20	Applicant:	The Paddock Farm Trust
Proposal:	Residential Development - (up to 5 plots)		
Location:	Land Adj. Longfield House Northons Lane Holbeach		
Terminal Date:	10th February 2021		

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
12	Reserve Sites
16	Holbeach West Sustainable Urban Extension
17	Providing a Mix of Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	1	0	0

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	2
OTHER STATUTORY BODIES	0	0	0	2
RESIDENTS	3	0	0	3

CASE OFFICER ASSESSMENT

PROPOSAL

This application seeks outline planning consent for a residential development comprising of up to 5 dwellings. The site is located to the south-east of Longfield House and opposite the Old Cottage.

The application is accompanied by an indicative site layout to demonstrate how the site can be developed, although all matters are reserved.

The application is supported by a Flood Risk Assessment, an Environmental Screening Assessment and a Planning Statement including a Heritage Impact Assessment.

Since submission an ecology survey of the barn has been undertaken. There is no evidence of bats at the location.

SITE DESCRIPTION

The application site has an area of 1.2 acres (0.48 hectares) and is located to the north west edge of Holbeach, within Flood Zone 3. The site has direct frontage onto Northons Lane and is currently in agricultural use, with an existing agricultural building and hardstanding occupying the eastern part of the site.

The site is located within the defined Settlement Limits for Holbeach and forms part of the larger Allocated Site referred to as Hob048 - Land east of the A151 / Holbeach West Sustainable Urban Extension (SUE) within the SELLP. The SUE is proposed, to provide approximately 900 new homes, of which about 750 new dwellings and associated infrastructure will be delivered in the Local Plan period (2011-2036); the remaining dwellings and associated infrastructure will be delivered thereafter, as part of a new neighbourhood.

There are existing residential properties located to the west (Longfield House), to the east (detached bungalows) and also to the south on the opposite side of Northons Lane (The Old Cottage, which is a Listed Building). The rear of the site is open onto agricultural land.

RELEVANT HISTORY

No history relating to this site, however in relation to the SELLP allocation Hob048, the following applications are of relevance:

H09-0602-20. Land north of Northons Lane and Oakwood Glade Holbeach. Construction of 110, two, three and four bed 2 storey traditional residential homes with associated garages and access infrastructure. Undecided.

H09-0468-16. Land between A17 and A151 Holbeach Spalding. Proposed residential development of approximately 650 dwellings with site access, open space and landscaping. Undecided.

CONSULTATION RESPONSES

Holbeach Parish Council

Support as per the District Councillor comments.*

SHDC Ward Members

*Cllr F Biggadike

"Believe this to be the right time to consider this parcel of land for development being adjacent to the 110 dwellings also under consideration for planning permission it will enable outstanding concerns on issues such as surface water to be addressed at this time."

SHDC Conservation Officer

"Having viewed the documents provided to support this application, I write to confirm that, at the outline stage, despite the proximity to the grade II listed 'Old Cottage' I do not wish to raise any objections from a conservation perspective.

Whilst the proposal does sit on the opposite side of the road to the listed property, a low-density development of 5 properties on a site of this scale would not be considered to have a detrimental effect upon the character of the listed property in terms of alteration of the character of the site or overcrowding or encroaching upon that building's setting.

However, these properties must be considered to form a part of the setting of that listed building and therefore, the applicant should be reminded that, at the reserved matters stage, the final design of the proposed properties should take into account the development's influence upon the listed building's setting. Therefore, a high degree of design sympathy with the historic setting should be employed."

SHDC Environmental Protection

Further information has been requested regarding the building currently on site and the activities undertaken there.

I have reviewed the submitted screening assessment form and associated photos and request that the following informative note be placed on any permission granted: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health.

An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

LCC Highways & SUDS Support

Does not wish to restrict the grant of permission.

The principle of development is acceptable. Suggest conditions and informatives.

LCC Historic Environment Officer

Following the results of the previous archaeological evaluation around this site associated with wider residential development, we would not recommend any archaeological input in association with this application. The results of the previous evaluation did not reveal anything of interest in the vicinity. Therefore, based on the information available it is not likely that there will be any impact of these proposals.

South Holland Internal Drainage Board

No objection subject to informatives.

Holbeach & District Civic Society

No response received.

Lincolnshire Bat Group

Thank you for referring the associated report for this application to Lincolnshire Bat Group for comment. It is a sound report and goes some way to confirm that any bats seen will have been entering the site from elsewhere. Note comments re lighting in the recommendations at 5.1.2.

Public

Objections have been received raising the following:

No idea what type of buildings these will be;
Overlooking of house and garden;
Overbearing impact;
Should be restricted to bungalows.

The road at this point of Northons lane is very narrow and cannot sustain the current level of traffic. The addition of a 100% rise in vehicles (5 current houses, which will increase by five if this scheme goes ahead), or potentially several more vehicles, turning in and out of drives onto the road will cause further deterioration;

Note the flood assessment in the application but the problem is from rainfall not river or drainage levels;

Flooding of the site and Northons Lane;

With a large, street facing area given over to hard standing, the land, which currently sits saturated for most of the year, will lose even more capacity to absorb rainfall. Even if the driveways are permeable this will not cope with the amount of rain falling on already saturated ground and whereas now it pools and over time does soak into the field, it will simply run off into the road; Current and future potholes on the road present a hazard to pedestrians, damage to residents vehicles;

Question the community benefit of more 'executive' homes to the area;

Wildlife concerns.

One individual contacted the case officer stating that they have a right of access across the eastern boundary of the site. No further information or proof has been submitted, and this can be given very little weight.

PLANNING CONSIDERATIONS

The main issues in this case are:

Principle of Development
Layout and Design
Highway safety and parking
Impact on neighbouring Residents/land users
Flooding considerations
Foul and Surface Water Drainage
Landscape Impact
Contaminated Land
Heritage considerations
Archaeology

Biodiversity and Wildlife

Principle of Development

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the defined Settlement Limits for Holbeach and is part of a wider land allocation within the SELLP, and is allocated for residential development, within Policy 16: Holbeach West Sustainable Urban Extension. The land allocation was tested via the enquiry in public in to the SELLP and considered to be acceptable.

Subject to the usual planning criteria, the development of this site for residential use is acceptable in principle. The application accords with Policies 1, 4, 10, 11, 12, 16 and 17 of the SELLP and the guidance of the NPPF 2019.

Layout and Design

This application is for outline permission, and the details of layout, design and access are to be resolved via a subsequent reserved matters application.

Notwithstanding this an indicative scheme has been submitted that demonstrates that up to five dwellings could be provided on this site with sufficient spacing between dwellings and distance from adjoining properties, that an acceptable development could be forthcoming. This outline proposal accords with the wider aims of the SELLP. At reserved matters submission layout and wider design are to be considered.

Highway safety and parking

The SELLP sets out at para 5.8.9, which is part of the explanatory text for policy 16, inter alia, that "Connectivity and access for pedestrians, cyclists and equestrians along and between existing and new green corridors should be provided or improved, particularly along Northons Lane, alongside the A151, the A17, drains and between different neighbourhoods and for home, work, school and leisure."

In order that this outline proposal accords with the wider aims of the SELLP it is recommended that at reserved matters submission this connectivity is considered and submitted.

The existing quality of the public highway in the locale has been raised. It is not considered that this is a matter that could reasonably be used to withhold the development of this site.

Impact on neighbouring Residents/land users

This is an outline application with all matters reserved. The objections of the neighbouring residents are noted, and the details of design and form would be subject to further scrutiny at the Reserved Matters stage. It would not be appropriate to refuse this proposal on the basis that the development would lead to a loss of daylight or sunlight, or overlooking and a consequent loss of privacy, as this level of detail would be considered at the Reserved Matters stage.

The treatment of the boundaries of the site would be considered at the Reserved Matters stage. Any private disputes regarding the ownership of land giving access to boundary fences and structures would be a civil matter that can be given little weight, especially as no evidence has been produced to support the objection despite a request.

This outline proposal accords with the wider aims of the SELLP. At reserved matters submission layout and wider relationships are to be considered.

Flooding considerations

The site is within Flood Zone 3 as shown on the Environment Agency's Flood Zone Map. These maps do not take into account existing flood defences.

As the site is within a defended area the proposed development can be categorised as within Flood

Zone 3(a) as detailed on the Environment Agency's flood zone maps without defences, as defined in Table 1 of the Technical Guidance.

Applying the flood risk vulnerability classification in Table 2 of the Guidance, a development consisting of a dwelling house is classified as "more vulnerable".

The development site is located in the Holbeach River catchment of the South Holland IDB area. There is a Board watercourse approximately 20 metres west of the site alongside the western boundary of the property called Longfield House. This flows northwards and then flows under the A17 Bypass and via the Holbeach River to Holbeach River Sluice located on the south east bank of the tidal River Welland.

The level of the field on the western part of the site varies from approximately 2.9m to 3.05m ODN. The hardstanding in front of the agricultural building on the eastern part of the site is slightly higher with levels of between 3.2m and 3.3m ODN. The level of Northons Lane varies between 2.9m and 3.15m ODN.

In any area at risk of flooding it is recommended that new dwellings should be of two storey construction with all bedrooms at first floor level. This will provide a refuge for residents if the building becomes 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 proposed buildings with two storeys should be approximately 500mm above the ground level with a minimum level of 3.40m ODN.

The buildings should be designed incorporating flood resistant and resilient techniques to allow it to be refurbished after being flooded to a depth of approximately 300mm above the floor level of the new building.

Occupiers of the property should register with the Environment Agency's Floodline Warnings Direct Service.

Surface water from the roofs of the proposed properties should be discharged into soakaways and these should be designed to BRE Digest 365 and approved under Building regulations.

In order that this outline proposal accords with the wider aims of the SELLP it is recommended that at reserved matters submission this connectivity is considered and submitted.

Foul and Surface Water Drainage

Details accompanying the application indicate that foul water would be submitted via a detailed scheme and surface water via soakaway arrangements. These issues can be addressed by means of a condition.

In order that this outline proposal accords with the wider aims of the SELLP it is recommended that at reserved matters submission this connectivity is considered and submitted.

Landscape Impact and Landscaping

This is an outline application with all matters reserved. The landscaping of the site would be addressed at the Reserved Matters stage.

In order that this outline proposal accords with the wider aims of the SELLP it is recommended that at the reserved matters submission stage, hard and soft landscaping details are considered and submitted.

Contaminated Land

SHDC Environmental Protection has requested a contaminated land informative given the site's former use. The proposal satisfactorily accords with Policy 30 of the SELLP subject to this informative.

Heritage considerations

Section 16 of the NPPF (2019) set out the expectation that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. This intention is reflected in Policy 29 of the SELLP.

The application site sits opposite a listed building, the setting of which is to be carefully considered. The removal of the existing utilitarian agricultural barn on the site would be a net gain to the setting of the listed building.

It is considered that up to 5 dwellings could be located upon this site and could be sited and designed in such a way that the setting and appearance of the listed building would not be compromised. This would be addressed in detail at the Reserved Matters stage.

Archaeology

LCC has confirmed that they would not recommend any archaeological input in association with this application. The results of the previous evaluation did not reveal anything of interest in the vicinity. Therefore, based on the information available it is not likely that there will be any impact of these proposals.

Biodiversity and Wildlife

The explanatory text to Policy 28 of the SELLP sets out that development can incorporate a number of simple, low-cost measures to deliver biodiversity benefits and enhance priority habitats and species, such as, the use of bat roost boxes, green roofs or walls, and integrating nesting opportunities into buildings and green infrastructure. The use of swift bricks on new developments would help minimise the decline in swifts, a priority species.

A condition is suggested to address Policy 28.

An objector advised that they consider that there are bats living within the barn on the site. As a result a survey was undertaken by a professional individual and no evidence was found.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

This site is part of a wider allocation within the SELLP, which is to be given great weight. It is not considered that any of the matters raised above either individually or cumulatively would render this outline proposal unacceptable.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with the Policies of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2019.

This application was considered at the Chairman's Panel of 5 February 2021 and a delegated decision was agreed.

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.

RECOMMENDATION

Delegated approval, subject to conditions.