

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H09-1160-20	Applicant:	Hooks of Holbeach
Proposal:	Residential Development for 6 dwellings		
Location:	Land Adj & Surrounding 45 Fleet Street Holbeach Spalding		
Terminal Date:	1st March 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
28	The Natural Environment
29	The Historic Environment
30	Pollution
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 11. Making effective use of land
 Section 15. Conserving and enhancing the natural environment
 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	1	0	0	0
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks outline permission for residential development up to 6 dwellings at land adjacent and surrounding 5 Fleet Street, Holbeach, Spalding.

Site Description

The site is within a short distance of the historic town centre where several services and facilities are available. A wide range of housing types, ages, designs and appearances has been observed in the area. It is a large corner plot onto the highway junction between Fleet Street (south) and Edinburgh Walk (west). The site benefits from two vehicular accesses. The widest crossover is Fleet Street whereas a narrower access is on Edinburgh Walk adjoining No. 2.

The site currently has a hardstanding area associated with local building material supplier Hook of Holbeach Ltd. No. 45 is a large two-storey detached dwellinghouse under the applicant's ownership. Immediately to the east, No. 43 is another two-storey residential property. To the rear, a large flat-roof building hosting the main premises of Hook of Holbeach Ltd. Further outbuildings used for storage and workshop adjoin the northern boundary with No. 2 Edinburgh Walk and No. 1 Creewood Lane. To the east, is the care home Mayfield House. To the west opposite the road, is Holbeach Police Station.

History

H09-1393-00 - OUTLINE - Use of the site for the erection of one residential dwelling and garage - Approved

Consultation Responses

SHDC Environmental Protection Officer

No objection but there is a request for adding land contamination condition should permission be granted.

Holbeach Parish Council

There is an objection about exacerbation of severe surface flooding should permission be granted.

Cllr F Biggadike

A brownfield site in sustainable location.

The plans for disposal of surface water important as Edinburgh Walk has suffered drainage flooding in recent times.

South Holland IDB

No objection but reminds compliance with Board's byelaws.

LCC Highways/SUDS Authority

No objection neither on highways matters nor drainage matters.

In particular, the SUDS Authority says that "it is our role in the planning process to ensure that any proposed development does not adversely impact on the current network, should the drainage proposals result in not making worse the current situation, it would not be possible to recommend refusal or raise an objection. Whilst we appreciate the concerns, it is difficult to resolve the existing issues raised by the Ward Members or Parish Council, in relation to this planning application since it is not the role of development to address existing problems."

Planning Considerations

The site is within the settlement boundary of Holbeach as set out in the Policies Map of South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 of the SELLP sets out the spatial strategy for new development across the district. A settlement hierarchy has been established in order to steer development to the most sustainable locations. Holbeach is classed as Main Service Centre and as such, development would 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 extent to which the proposed residential scheme is sustainable can be determined by assessing it against each dimension of sustainable development set out in Paragraph 8 of the National Planning Policy Framework (2019) as follows:

1. Economic

The future occupiers of the dwellings may work locally, support local services and overall make a contribution to the local economy. There may also be employment opportunities associated with the construction, albeit in the short term.

2. Social

According to "South Holland District Council 5-year Housing Land Supply Assessment (as at 31st March 2020)", the Council is capable of delivering housing land supply of 9.1 years under the Liverpool method. Although housing sufficiency has been met, additional dwellings being delivered by the proposal would make a social contribution.

Holbeach is one of the Main Service Centres in the district and as such it benefits from a wide range of services and facilities. From retail shops, supermarkets, postal office, gym to education centres, regular bus service to Spalding and Kings Lynn, public medical centres and a library. The location of the site is such that the future residents would not feel isolated from the local community and be able to meet their day-to-day needs by sustainable travel modes. In particular, the length of the journey by foot from the site to the town centre is in the region of 20 minutes.

3. Environmental

The central location of the site would make the future residents travel to the facilities and services by sustainable modes of transport at expense of private car reliance.

The land has been previously developed, thereby no concern about the loss of greenfield which is sequentially less preferred. The proposed scheme is in its outline form, but the indicative site layout shows a form of development which relates well with the urban grain in the surroundings.

The entire site has no flood risk hazard as per South East Lincolnshire Strategic Flood Risk Assessment (March 2017). The development therefore would be safe for its lifetime against significant flood risk probability on site.

In summary, the principle of developing dwellings is acceptable at such location and, on balance, the development would achieve sustainable development in accordance with Policy 1 of SELLP, 2019 and Paragraph 8 of NPPF, 2019.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposals are in its outline form. However, there is an indicate site layout showing up to 6 dwellings. All residential buildings would be detached. It is inferred that the footprints onto the highway might be potentially two-storey whereas the backland plot would consist of a bungalow.

The form of development would relate well with the urban grain in its setting. The plots onto the public highway would follow the frontage development and the backland feature would not be significantly detrimental to the area given the variety of street layouts. For instance, linear development onto main roads coexists with cul-de-sacs (Creewood Close to the north, and The Tenters to the west)

The dwellings would be sufficiently spaced out. Their footprints would sit well within the site and considering the site area, the scheme would be of an appropriate density insofar as there would not be overdevelopment.

The visual amenity of the development would be determined when details of the material schedule have been subsequently provided.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

Taking into account the indicative details of the proposals, there would be an uncontentious relationship between the proposed plots and the existing dwellinghouse No. 45.

The dwellings would be sufficiently spaced out and each plot would benefits from a decent sized garden to the rear of the dwelling. However, the proposals are in its outline form and further details should be considered to conclude the extent to which the scheme would ensure good levels of amenity.

Highway safety and parking provision

The County Highways Authority has been consulted and no objection has been raised to the principle of developing housing at such location. However, the proposals are in its outline form and further details should be considered to conclude the extent to which the scheme would ensure highway safety when motor vehicles entering and egressing the site.

Likewise, the proposals should comply with the minimum parking standards set out in Appendix 6 of SELLP, 2019. No details have been submitted in this regard considering the outline form of the development. In principle, good design standards would be able to accommodate sufficient cars within each plot without encouraging off-street on the public highways. The density is acceptable and there is room to make appropriate car parking provision.

Flood risk

Section 14 of NPFF 2019 is aimed among other factors to provide the appropriate framework to prevent inappropriate development within the highest flood risk areas. A risk-based approach should be applied to steer new development to land with lower flood risk area. In doing so, the SFRA should be taken into account.

The site is within Flood Zone 3a as per Environment Agency's Flood Map. According to South East Lincolnshire Strategic Flood Risk Assessment (March 2017), the site has no flood hazard and no

flood depths should flood defences be overtopped or breached.

This application is accompanied by Flood Risk Assessment (by Ellingham Consulting LTD. ref: ECL0364/STATUS DESIGN, dated December 2020). Given that most of the district is within Flood Zone 3a, the report concludes that no alternative locations with lower flood risk could be identified to accommodate housing of similar scale in a central location. As refined flooding data demonstrates that the hazard is negligible, no Exception Test has been applied. In such circumstances, the risk-based approach deployed by the applicant is considered acceptable.

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

Flood risk mitigation measures and drainage strategy would be provided and carefully assessed in a subsequent planning application should outline permission be granted. In principle, appropriate flood and drainage management would be feasible to undertake in view of the low flood risk on the site and its setting.

With regards to the Parish Council's concern about flooding from surface water, there is no flood risk on site from this source according to the Environment Agency's Flood Map. It is mindful of the difficulty to predict surface flooding as rainfall location and volume are difficult to forecast. However, there will be a requirement for drainage details at a later stage considering exhaustively the local features that can greatly affect the chance and severity of flooding in the vicinity. It is case officer's opinion that there is no sound evidence to warrant refusal for outline proposal in this regard and flooding can be satisfactorily addressed at a later stage.

Planning balance

The principle of developing housing would be acceptable at such location. The development would be able to meet the wider sustainability objectives. The site has low flood risk and the high vulnerable character of residential development would be adequate at such location.

The proposals are in its outline form but the footprint of dwellings would relate well with the urban grain of the surroundings. Likewise, subject to the outline form of the proposals, no cumulative impact would occur upon highway safety nor harm upon the amenity of residents including the current neighbours and future dwelling occupiers. The height, scale and external appearance of dwelling could be determined and subsequently approved at a later stage.

On balance, any adverse impact of granting permission would not significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

For the reasons above, this application accords with Policies 1, 2, 3, 4, 10, 11, 28, 29, 30, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Section 2, 5, 11, 12, 14 and 15 of National Planning Policy Framework (2019).

Accordingly, it is recommended to approve this application via delegated powers.

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.