

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H11-0085-19 **Applicant:** Mr & Mrs J Powley
Proposal: Residential development (1 plot)
Location: Off Market Street Long Sutton Spalding
Terminal Date: 25th 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 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	2
HIGHWAYS & SUDS SUPPORT	0	0	1	0
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	6	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission is sought for residential development (1 plot), with all matters reserved for subsequent approval. The site is accompanied by an indicative layout plan making provision for a 4 bed house and double detached garage.

Site Description

The site (some 0.12ha) is presently garden land. Trees the subject of Long Sutton Tree Preservation Order no. 26, 1998 are situated along the eastern boundary. Residential bungalows off Delamore Way are situated to the north and also to the east off Windsor Gardens. Houses off The Maltings are located to the west. A preserved Sycamore tree is situated on the western side of the private driveway and a care home beyond.

Policies/Constraints

The site is within Holbeach Development Boundary as defined in the South East Lincolnshire Local Plan, 2019. It is outside Long Sutton Conservation Area.

Representations

Cllr L J Eldridge - I have received objections from a resident of Windsor Gardens which adjoin the site regarding overlooking and loss of light at their property, which is a bungalow.

The property next to the site also adjoins The Maltings which is houses.

Cllr J Tyrell - Consideration should be given to neighbouring properties.

LCC Highways/SUDS - Does not wish to restrict the grant of permission,

Public- Resident objections received (summarised):
Overdevelopment; Garden grabbing; Over powering because it would have to be raised to address flood risk; Overlooking /lack of privacy; Blockage of light; Put preserved trees at risk; Noise and disturbance.

Material Planning Considerations

The main issues in this case are:

1. The principle of residential development;
2. Character and amenity issues;
3. Highway safety;
4. Flood Risk.

Principle/Sustainability

The site is inside Long Sutton Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Main Service Centres, including Long Sutton, 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.

Character/Appearance and Amenity

The site is presently a landscaped area within existing residential development. This open aspect creates a sense of space. Moreover, the site is small for a backland plot, with limited separation distances from nearby dwellings. Finished floor levels would also need to be raised by 1 metre to address flood risk, increasing the height. Surrounding properties to the north and east are bungalows. Taking these matters into consideration it is considered that the proosal would constitute an inappropriate and cramped form of backland development that would have a harmful effect upon the existing character of the area.

Further, the proposed dwelling would be in close proximity to preserved trees on site. This matter has been discussed with the Council's Nature Conservation Officer, who is of the opinion that the relationship would be such that there would be future pressure to remove them. This would therefore prejudice their long term existence, to the detriment of the visual amenities of the locality.

Moreover, the proposal would in all likelihood have a harmful effect upon the amenity of nearby residents, including occupants of nos. 46 and 48 Market Street, in terms of lack of privacy and noise and disturbance created by additional vehicles using the private drive. This would be accentuated by the fact that finished site levels would need to be raised by 1 metre to address flood risk.

Highway Safety

LCC Highways has indicated that although the existing driveway that would serve both the existing dwellings and the proposed dwelling is a little narrower than the 4.1 metres required for a shared private driveway, the carriageway of Market Street (former A17) is particularly wide here. They therefore consider that there is sufficient space for an inbound driver to be able to manoeuvre, in the event that there should be another vehicle in the process of exiting the driveway at the same time, without causing a hazard to other road users. The Highway Authority therefore considers the residual cumulative transportation impact of the proposed development would not be sufficiently severe to warrant withholding the grant of permission.

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

The South Holland SFRA indicates that the site is located within an area identified as "Danger to Most". 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 if permission was forthcoming.

Conclusion

The proposal is deliverable and would 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 and appearance and amenity of the area. In the opinion of the Local Planning Authority the proposal constitutes an inappropriate and cramped form of backland development that would have a harmful effect upon the existing character of the area and would prejudice the continued existence of trees the subject of Long Sutton Tree Preservation Order no. 26, 1998. Moreover, the proposal would have a harmful effect upon the amenity of nearby residents, including occupants of nos. 46 and 48 Market Street, in terms of lack of privacy and noise and disturbance created by additional vehicles using the private drive.

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 by reason of noise, disturbance, etc. 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 Most" within the South Holland Strategic Flood Risk Assessment and fails to satisfy the sequential test.

Recommendation - That the application be refused under delegated powers.