

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H11-0699-22	Applicant:	D C F Builders Ltd.
Proposal:	Residential Development - 6 Affordable Housing Units - outline approval H11-0936-18		
Location:	Land Adj. 6 St James Road Long Sutton Spalding		
Terminal Date:	1st November 2022		

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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

Section 12. Achieving well designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The site has outline permission for residential development (6 affordable housing units), with all matters reserved for subsequent approval (ref. H11-0936-18). Reserved matters approval is now sought for three pairs of 3 bedroom semi-detached houses.

Site Description

The site (some 0.28ha) is situated on the northern side of St James Road opposite Silverwood Garden Centre. It is currently grassed and has a number of trees, plus hedging, along its frontage.

A detached bungalow is situated to the north-east (no. 6) and vacant industrial premises to the south-west. It is understood that the latter has previously been used as a boat yard and a coal/haulage yard prior to that. It has also had planning permission for use as a carpentry business (ref. H11-0313-07), but it is not known whether this was implemented. A garden centre is situated opposite.

History

H11-0936-18 - Outline - Residential development (6 affordable housing units) - Granted 8 February 2022

Consultation Responses

Long Sutton Parish Council

SHDC has now set a precedent in relation to granting applications in this vicinity which is outside the planning boundary.

Parish Council support this application on these grounds and also because it is affordable housing and will go some way to replace the large amount of affordable/social housing lost when S106 Agreements are amended resulting in a loss of affordable housing as per the recent applications from developers in the district. Again they call for a change of policy to replace the S106 agreements with CIL

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

South Holland Internal Drainage Board

If infiltration is not feasible at this site, we would expect the applicant to propose to discharge surface/treated foul water to a watercourse. In this case, consent would be required under Byelaw 3.

Housing Strategy

The Discount Market Sales home is a type of intermediate affordable home product. There has been limited development of intermediate affordable Discount Market Sales homes across the district in the last 10 years in comparison with other intermediate types of affordable housing. Affordable intermediate rural homes in the main are shared ownership properties. For affordable home ownership a mix of 2 and 3 beds are mainly delivered and sought in the district, including 2 bed bungalows for shared ownership. Local housing need for the next 5 years for the Parish of Long Sutton for intermediate affordable housing indicates a housing mix split of 18% 1 bed, 42% 2 bed house, 34% 3 bed and 7% 4 bed homes. Therefore, the preferred affordable housing mix is 4 x 2 bed houses and 2 x 3 bed houses.

Public

No comments received.

Information from Applicant

The dwellings exceed the NDSS (3 bed 5 person standard at 93sqm)

The proposed dwellings will be Part M compliant but not to the optional M4(2) or M4(3) specification.

The proposed dwellings will meet the requirements of Part L of Building Regulations as already registered with SHDC but not incorporating any net zero carbon initiatives.

The dwellings proposed are spacious family homes on generous plots which local people can purchase at a discount. The accommodation provided will mean that purchasers can settle without needing to relocate if the family unit increases.

Planning Considerations

The principle of residential development on the site has been established by virtue of the outline consent (ref: H11-0936-18). This application is therefore to assess the reserved matters; namely, i) the layout, scale and external appearance of the buildings (including a schedule of external materials to be used):

ii) the means of access to the site; and

iii) the landscaping of the site (including boundary treatment).

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 relevant development plan is the South East Lincolnshire Local Plan (SELLP), March 2019, which is up to date.

Policies 2 and 3 of the SELLP, 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. They are consistent with advice within the National Planning Policy Framework (NPPF), 2021. Paragraph 130 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.

The properties would be constructed in TBS Audley Antique facing bricks with Marley Edgemere grey roof tiles. They include traditional features such as brick detailing and Georgian arches. Windows would be light cream uPVC.

The site is within a row of properties on the north-western side of St James Road. The proposed houses would be set back behind an existing hedge and native trees, the majority of which would be retained. Each plot is relatively spacious. It is considered that the proposed development would not materially harm the character or appearance of the locality. The proposal therefore accords with Policies 2 and 3 of the SELLP in this respect.

Concerning housing mix, local housing need for the next 5 years for the Parish of Long Sutton for intermediate affordable housing indicates a housing mix split of 18% 1 bed, 42% 2 bed house, 34% 3 bed and 7% 4 bed homes. Therefore, the preferred affordable housing mix is 4 x 2 bed houses and 2 x 3 bed houses. Nevertheless, Housing Strategy has previously indicated that 3 bed houses would be acceptable in this case.

In terms of amenity, a detached bungalow is situated to the north-east (no. 6) and vacant industrial premises to the south-west. A garden centre is situated opposite. The only openings on the side elevations are en-suites at first floor level. The north-eastern and south-western boundaries are delineated by hedging. Finished floor levels would be set 300mm above road level. It is considered that the proposal would not materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 on amenity grounds.

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met

in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class. Two spaces for dwellings with 3 or less bedrooms should be provided within the curtilage. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage.

Each property would have its own individual access. The scheme includes sufficient space for the parking of 2 vehicles within each plot. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds. The proposal therefore accords with Policies 2, 3 and 36 on highway grounds.

Other Matters

Long Sutton Parish Council has requested a change of policy to replace the S106 agreements with CIL. This is not a matter that falls within the remit of this application.

Planning Balance

The proposal satisfactory complies with the reserved matters and is in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019. There are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the scheme and the policies referred to above.

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

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.