

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0848-20 **Applicant:** Scenic Homes Ltd
Proposal: Residential Development comprising 5 dwellings
Location: Adj. 1 Roman Bank Common Road Moulton Seas End
Terminal Date: 25th November 2020

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
11	Distribution of New Housing
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2. 3. 4, 5, 11, 12, 14 and 15

Representations:

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

RESIDENTS	0	0	0	1
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CASE OFFICER ASSESSMENT

Proposal

The site currently has consent for 2 no. 4 bed detached houses and 1 no. 3 bed detached house (ref: H13-0013-18 and H13-0716-19). Full planning permission is now sought for 1 no. 4 bed detached house and 2 pairs of 3 bed semi-detached houses.

Site Description

The site (approx. 0.16 ha) is currently agricultural land located on the eastern side of Common Road. A shallow drain runs along its frontage. A bungalow (No 1 Roman Bank) is situated to the south and a house (Carrington House) further to the north. Two dwellings and agricultural premises are situated opposite.

Site History

H13-1020-17 - O/A - Proposed residential development (7 plots) - Refused 18 December 2017

H13-0013-18 - O/A - Residential development (3 plots) - Granted 2 March 2018

H13-0716-19 - RM - Erection of 3 dwellings - outline approval H13-0013-18 - Approved 17 September 2019

Consultation Responses

Moulton Parish Council - No comments received.

LCC Highways - Request conditions.

South Holland Internal Drainage Board - Please be aware that we have already received a consent application for this site under the Land Drainage Act 1991 to culvert 55m of riparian watercourse.

LCC Archaeology - No archaeological impact.

Resident - Request the installation of a minimum of 10 swift nest boxes as a planning condition to provide enhancement for biodiversity.

Information from Applicant

The detailed submission will provide good sized family housing with garaging, parking and private garden space that may be more financially attainable for families wishing to remain in the village.

In common with many other small villages in South Holland, most new build housing in Moulton Seas End in recent years has comprised detached 4 bedroom accommodation, which is very often beyond the reach of local residents and the only option for those wishing to own their own home is to move to larger settlements where the concentration of new homes is available.

It is considered that the character of development is appropriate in this instance and that more efficient use of this identified residential land will be achieved through this current application

Planning Considerations

As indicated in paragraph 47 of the National Planning Policy Framework, 2019, planning law requires that applications for planning permission be determined in accordance with the

development plan, unless material considerations indicate otherwise.

The proposed development is outside a defined settlement limit within the South East Lincolnshire Local Plan (SELLP), 2019. It is therefore within an area regarded as countryside. Policy 1 of the South East Lincolnshire Local Plan states that development will be permitted in the countryside that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Economic - the proposal would contribute towards housing supply and future occupants may work locally and support local services and would contribute to the local economy. There may also be employment opportunities associated with the construction, albeit in the short term.

Social - the proposal is deliverable and would help to provide the supply of housing required to meet the needs of present and future generations. The site is adjacent to the existing built up area of Moulton Seas End, which is a low tier settlement with limited services and facilities. A footway is located opposite the two southernmost plots that links the site to the settlement. The applicant has also made a case that the proposal would provide good-sized family housing with garaging, parking and private garden space that may be more financially attainable for families wishing to remain in the village.

Environmental - Beyond No. 1 Roman Bank the character essentially alters from a built up area to agricultural with scattered residential development, reflective of the nature of the open countryside. The proposal constitutes a form of ribbon development that would extend existing development on the fringe of Moulton Seas End. However, it is located opposite existing residential development on the western side of Common Road and doesn't extend significantly further north. Moreover, the site already has permission for 3 relatively large detached houses spaced approximately 3 metres apart. Although the present scheme includes two additional dwellings, the overall massing and spacing in respect of the current scheme is not significantly different. The scheme also includes hedge planting along the site boundaries to help integrate it within the rural landscape. On balance, it is considered that the current proposal would not materially harm the prevailing rural character of the area.

The proposal is therefore considered to be sustainable and in compliance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

Amenity

The nearest residential properties are located opposite. The relationship to and distance from neighbouring properties is such that the amenity of nearby residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.

The proposal therefore satisfactorily complies with Policies 2 and 3 of the South East Lincolnshire Local Plan in this respect.

Highway Safety

The County Highways Authority has raised no objections on highway grounds subject to the provision of a frontage 1.8 metre wide footway in accordance with the previous outline permission (ref. H13-0013-18).

The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan in terms of highway safety and parking requirements.

Flood Risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Map for Planning. The latest Agency 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.

The South Holland Strategic Flood Risk Assessment (2017) is therefore used as a basis to apply the sequential test. In this respect, the site is located within an area identified as "Danger to Some". However, it is not possible, consistent with wider sustainability objectives, for all new housing within the district to be delivered within an area of no risk and this is a less severe category.

If it is not possible to locate the development within an area of lower flood risk, the exceptions test should be applied. The NPPF and the PPG set out two elements to the Exceptions Test. First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, it is considered that the proposal would provide wider sustainability benefits to the community that outweigh flood risk; that is, the provision of additional housing in sustainable locations within the district. In terms of the second element, the Environment Agency has previously recommended that the properties be two-storey and that finished floor levels (FFLs) be set at least 500mm above existing ground level. Flood resilient construction should also be incorporated within the development up to 300mm above finished floor level and future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

The proposal therefore satisfactorily complies with Policy 4 of the South East Lincolnshire Local Plan and advice within Section 14 of the National Planning Policy Framework, 2019.

Drainage - Foul water would be disposed of to individual package treatment plants. Surface water would be disposed of via soakaways.

Ecology - It has been requested that the proposed houses include swift nesting boxes. Both the SELLP and Framework indicate that opportunities should promote biodiversity enhancements in respect of new development. A condition is therefore considered justifiable in this case.

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 proposal is compliant with Policies 1, 2, 3, 4, 11 and 36 of the South East Lincolnshire Local Plan and advice within the National Planning Policy Framework, 2019. It is therefore recommended that the application be approved under delegated powers.