DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-1274-18**	**Applicant:**	**D Verey & C Lewsey**
Proposal:	Residential development (max 5 plots) including demolition of existing building - re-submission of H13-1080-17		
Location:	Land Adjacent: 77 Church Lane Moulton Spalding		
Terminal Date:	22nd February 2019		

Planning Policies

Local Plan July 2006:

SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG4	Development in the Countryside
HS7	New Housing in the Open Countryside including Other Rural Settlements
SG12	Sewerage and Development
SG13	Pollution and Contamination
SG14	Design and Layout of New Development
SG15	New Development: Facilities for Road Users, Pedestrians and Cyclists
SG16	Parking Standards in New Development
SG17	Protection of Residential Amenity
SG18	Landscaping of New Development

National Guidance

National Planning Policy Framework 2018

Sections 2, 3, 4, 5, 8, 9, 11, 12, 14 and 16

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	0	0	0	1

ENVIRONMENT OFFICER				
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Material Planning Considerations

Outline planning permission was granted in February 2018 for residential development (6 plots), with all matters reserved for subsequent approval (ref H13-1080-17). It is now proposed to revise the proposal to up to 5 dwellings to give each dwelling a more spacious plot. The application is accompanied by an indicative site layout plan.

Site Description

The application site has an area of 0.49 hectares and is located to the north-east of the village centre. It is currently in agricultural use with a former agricultural building and hardstanding located to the southern edge of the application site.

There are existing residential properties located immediately to the south and also to the west of the site, on the opposite side of Church Lane. The rear of the site is open onto agricultural land. Shallow field drains define the northern and southern boundaries.

The frontage of the site has a grass verge and a footpath is located on the opposite side of the highway.

Policies/Constarints

The Council is in the process of finalising a new Local Plan (the South East Lincolnshire Local Plan). The new Local Plan has been through it's formal Examination process and the final report from the Planning Inspectorate has now been received. However, the new Local Plan has yet to be formally adopted. The saved policies in the 2006 Adopted South Holland Local Plan therefore remain material. However, the new Local Plan is now considered to carry significant weight in the decision-making process.

South Holland Local Plan, 2006

As above

South East Lincolnshire Local Plan

Policy 1 - Spatial Strategy;
Policy 2 - Development Management;
Policy 3 - Design of New Development;
Policy 4 - Approach to Flood Risk;
Policy 10 - Meeting Assessed Housing Requirements;
Policy 11 - Distribution of Housing;
Policy 17 - Providing a Mix of Housing;
Policy 18 - Affordable Housing;
Policy 19 - Rural Exception Sites
Policy 28 - The Natural Environment;
Policy 29 - The Historic Environment;
Policy 30 - Pollution;

Policy 32 - Health and Wellbeing.

The site is outside Moulton Development Boundary as defined within the South Holland Local Plan, 2006.. It is within Moulton Settlement Limit as defined in the South East Lincolnshire Local Plan 2011-2036 (to be adopted March 2019).

The site is outside Moulton Conservation Area.

Material Planning Considerations

As indicated in paragraph 47 of the National Planning Policy Framework, 2018, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Housing policies within the South Holland Local Plan, 2006 are out-of-date and do not make provision for a 5 year supply of deliverable housing land. They therefore carry limited weight.

The South East Lincolnshire Local Plan (SELLP) 2011-2036 is now at an advanced stage, however, and is scheduled to be adopted shortly (March 2019). In accordance with Paragraph 48 of the Framework, therefore, decision-takers can give significant weight to the relevant policies.

The site is outside Moulton Development Boundary as defined within the South Holland Local Plan, 2006. In terms of the Plan, therefore, it is within an area regarded as countryside. Saved Local Plan Policy HS7 indicates that new housing will only be permitted in such locations where it is proven essential to meet the needs of rural workers, or the proposal is for small scale, rural exception affordable housing. The development is not required to meet the essential needs of an agricultural or other rural worker, and would not deliver rural exception affordable housing.

However, housing policies within the South Holland Local Plan are out of date. In accordance with advice within paragraphs 10 and 11 of the Framework, where policies for determining an application are out-of-date, there is a presumption in favour of sustainable development and planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework. The three mutually dependent dimensions to sustainable development are social, economic and environmental.

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

A Social Role - the proposal is deliverable and would help to provide the supply of housing required to meet the needs of present and future generations.

Also, the site is accessible to local services and facilities, including local shops, post office and a junior school. Moulton is defined within the South East Lincolnshire Local Plan 2011-2036 as a Minor Service Centre and the site has been allocated for housing.

An Environmental Role - The proposal extends existing frontage development along Church Lane towards High Road. It reflects existing frontage development opposite. It is considered that the proposal respects the historic character of the north-eastern fringe of the settlement and that it would not materially harm the prevailing rural character of the area.

The development would be viewed against a back drop of existing residential development on the opposite side of Church Lane. The proposal would not harm the setting of Moulton Conservation Area or listed buildings within the locality, including The Old Vicarage along Church Lane and All Saints Church and Moulton Mill within the centre of the village.

The proposal would result in the loss of high-quality agricultural land to housing. However, the majority of land within South Holland is either Grade 1 or Grade 2. In order to deliver the Council's required 'objectively assessed housing need,' as per the provisions of the Framework, it is inevitable that some high-grade agricultural land will be lost. Given this context, it is not considered that the loss of this amount of agricultural land in this location is an issue that would significantly and demonstrably outweigh the benefits of housing development, and thus represent a valid reason for

refusal in this instance.

Amenity - It is considered that frontage development could be sited and designed so as not to materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, etc. Whilst it is appreciated that there could be some disturbance during the construction phase it would be temporary. There is not therefore a material conflict with Policy SG17 of the South Holland Local Plan, 2006, which aims to protect the amenity of nearby residents, both existing and future. Matters such as a blockage of view and de-valuation of property are not material planning considerations.

Highway Safety - The County Highways Authority has been consulted and does not wish to restrict the grant of planning permission on highway safety grounds.

Flood Risk - The majority of the site is within Flood Zone 3 of the Environment Agency's Flood Maps. However, the latter does not take into account flood defence. Refined information within the South East Lincolnshire Strategic Flood Risk Assessment (SFRA) (March 2017) is therefore used to undertake the Sequential Test for flood risk in South Holland. In this respect the site is within an area of no hazard. Consequently, the proposal satisfies the sequential test.

In terms of the exceptions test, finished floor levels should be set 300mm above ground level and flood resilience and resistance techniques be incorporated. Safe refuge should be provided at first floor level and future occupiers are advised to register with the Floodline Warnings Direct Service.

Foul Drainage - A mains sewer runs along the site's frontage.

Surface Water Drainage - The applicant has indicated that soakaways would be utilised. Ground conditions will most likely be suitable for such facilities along Church Lane.

Contamination - Following receipt of a screening assessment form Environmental Protection consider that a condition for land contamination is not required in this instance.

Recommendation - That the application be approved under delegated powers.