

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H14-0109-19	Applicant:	Kaplan Property Group
Proposal:	Erection of 72 dwellings, parking, landscaping and provision of public open space		
Location:	Spalding Lifestyle And Garden Centre 210 Spalding Road Pinchbeck		
Terminal Date:	10th January 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
05	Meeting Physical Infrastructure and Service Needs
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards
APPENDIX 8	Developer Contributions for Education Facilities
APPENDIX 9	Developer Contributions for Health Care Facilities

National Guidance

National Planning Policy Framework 2019

Section 5 - Delivering a sufficient supply of homes
 Section 8 - Promoting healthy and safe communities
 Section 11 - Making effective use of land
 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
 Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
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PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	3
OTHER STATUTORY BODIES	2	0	0	7
RESIDENTS	2	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of 72 dwellings, parking, landscaping and provision of public open space at Spalding Lifestyle and Garden Centre, 210 Spalding Road, Pinchbeck.

The proposal comprises of a variety of flats (in a two-storey block) and semi-detached dwellings, comprising of 1 bed (14 no.), 2 bed (42 no.) and 3 bed (16 no.) properties. 60 of the 72 dwellings are proposed to be affordable and would be split into two areas on the site. These units comprise 22 x affordable rent, 20 x shared ownership and 18 x rent to buy.

The existing access into the site off the roundabout would be utilised. The majority of dwellings would be located off main estate roads, with a single private drive serving plots 1-14 at the rear.

A single area of public open space is proposed at the east of the site totalling approx. 0.19ha.

Two vehicle parking spaces are provided for the 2-bed and 3-bed properties within the curtilage in the majority of cases. Where parking spaces are located to the rear (Plots 24, 37 and 44), access is provided through the garden of the associated properties. One parking space is provided for each of the 1-bed units.

All requested financial contributions are proposed to be met by the developer.

Site Description

The site currently accommodates the Spalding Lifestyle and Garden Centre with associated car parking, a glasshouse to the east of this and a redundant building to the north. The remainder of the site is vacant land, which is considerably overgrown in parts. The Johnson Community Hospital is to the south, with a drain to the east. To the north/north-west is a mixture of residential properties and commercial premises. Spalding Road is to the west.

The site is located within the settlement boundary for Spalding in the South East Lincolnshire Local Plan (2019) and is a housing allocation identified as Pin050. The Local Plan identifies that the site is capable of accommodating 50 dwellings at 30 per hectare.

History

H14-1055-13 - Full planning application for change of use to caravan and self storage facility (approved January 2014)

H14-1068-01 - Outline planning application for residential development of 1.75 hectares (refused December 2001)

H14-1161-00 - Full planning application for change of use: former builders merchants to garden centre and car park extension (approved January 2001)

Consultation Responses (summarised)

John Hayes MP

Objects and asks that the application be determined by Planning Committee. Concerns over scale and design, 72 dwellings is overdevelopment and use of three-storey properties inappropriate. Increase in population would give rise to more demand on local GPs, dental practices and schools, all of which are already over-subscribed. Also raises concerns regarding safety of junction at Spalding Road and the sewerage connection.

Pinchbeck Parish Council

Concern raised over the number of properties on the size of the site, reducing from 3 storey down to 2 storey buildings but still maintaining 72 properties in total. If the application is still to develop 72 properties as per original application, then this must increase the size of the footprint. Parish Council concerned that not sufficient space for adequate parking, landscaping and any green open space etc.

LCC Historic Environment Officer

Recommends that further information is required from the applicant in the form of an archaeological evaluation. Recent archaeological evaluation ahead of the Spalding Western Relief Road have revealed a large area of Roman activity on the edge of the fens, which was then followed by early medieval activity in some parts. This was concentrated east of the junction with Enterprise Way less than 200m from the proposed development. Archaeological remains from similar activity may therefore exist within the site.

LCC Education

Financial contribution of £67,658 requested towards an extension of Spalding Wygate Park Primary.

LCC Highways/SUDS

No objections, subject to standard conditions.

SHDC Environmental Protection

Requests additional site investigation as per the recommendations of the ground investigation report as well as further examination of the site once buildings have been demolished. The results of further ground gas monitoring visits are expected. Requests parts (i) to (iv) of standard contaminated land condition. Noise assessment methodology appears appropriate and would ask that the recommendations made in section 8.1 of the assessment be conditioned.

SHDC Strategic Housing

Supportive of the scheme which plans to deliver 60 of the 72 new homes as affordable housing (23 affordable rent and 37 intermediate for sale). It would be preferable for the affordable housing to be secured through a s106 agreement. The Council should also secure nomination rights for the affordable rented homes to ensure that they are let to households from the Council's Housing

Register.

NHS

Evidence backed financial contribution request of £47,520 which would be used at Gosberton Medical Centre to increase the capacity of the consulting room and treatment room as well as creating more administration space. The justification for this being that there is a recognised need to build capacity in this area of Spalding as patients already choose to go to Gosberton from that area. Therefore the NHS are supporting the plan to accommodate this additional capacity in this way.

Environment Agency

No objection.

Anglian Water

No objections.

Lincolnshire Police

No objections in principle. Standard advice given re design.

Lincolnshire Fire and Rescue

Recommends the installation of one fire hydrant, without which they would object.

Welland and Deepings IDB

No objection.

PEDALS

Connection should be made between the proposed development and existing cycle and pedestrian route close to the eastern boundary of the site - Would provide a convenient route towards town to the south or employment area to the north, avoiding the B1356 which is difficult due to the amount of traffic using this road. Storage facilities for bicycles should be provided.

Lincolnshire Wildlife Trust

Would support all of the recommendations relating to protected species and habitats outlined in section 5 of the Ecological Appraisal being followed. Recommendations for further survey work should be followed.

Public

- Impact on infrastructure;
- Highway safety and impact on traffic levels;
- Site in an area of high flood risk;
- Potential impact on wildlife.

Planning Considerations

- Principle
- Design, layout and density
- Residential amenity
- Highway safety and parking
- Flood risk
- Other considerations

Principle

The site is identified as a housing allocation (Pin050) in the South East Lincolnshire Local Plan (2019) and is therefore considered to be a suitable site for housing.

Design, layout and density

Concerns have been raised regarding the density of the proposed development and the increase in dwelling numbers from that set out in the Local Plan. The Local Plan indicates that the site is capable of accommodating 50 dwellings at 30 per hectare. However, the application proposes an increase in numbers to 72 dwellings which equates to approximately 43 dwellings per hectare. Despite the fact that Policy 11 indicates a capacity of 50 dwellings for Pin050, paragraph 5.3.9 of the Plan states that the capacities set out are only a broad indication based upon 30 dwellings per hectare for sites within Spalding and that the stated capacity is not necessarily a maximum that

would be expected on a site. Viability, design, constraints and the most efficient use of land in delivering new homes should be the primary considerations in meeting housing needs. It should be understood that density is just one consideration in determining the suitability and quality of a particular development and that this needs to be considered alongside other aspects such as building type, layout, height and massing, materials, landscaping etc. Given that a high proportion of affordable homes are proposed as part of the scheme, and a significant part of South Holland district's housing need is for affordable units, it is considered that an increase in density would be acceptable provided that the above considerations are met.

The 2-storey nature of dwellings (with the majority being semi-detached) means that, despite the higher density, they would not feel unreasonably dominant. The proposed dwellings are in scale with surrounding development, where dwellings and buildings tend to be a maximum of two-storeys. The apartments at the front of the site have been designed to turn the corner with active frontages on to Spalding Road and the access road to the south. Plots 17 and 22 also turn the corner for continuity. The apartment building at the front of the site would act as a key feature on an important frontage. The main estate road provides a legible route through the site with short cul-de-sacs leading off it. Landscaping (to be addressed by means of a condition) can also visually enhance a development.

A single area of public open space is proposed at the east of the site totalling approx. 0.19ha. Based on the standard set out in Policy 32 of the Local Plan, it would be expected that 0.12ha would be provided. The open space would therefore be in accordance with this. Although it would be preferable for it to be more centrally located within the site, locating the public open space in this particular area would ensure that dwellings are not directly backing onto the large commercial premises adjoining the site to the north, which would offer a poor outlook for occupants.

Objection has also been raised to the design of the proposed dwellings. Originally, the block of flats at the west of the site was proposed to be three-storey which was considered to be out of keeping with the character of the area which is predominantly two-storey. Revised plans have therefore been submitted showing these as two-storey. This is now acceptable. Although the vast majority of dwellings would be semi-detached, different elevation treatments are proposed throughout the scheme in the form of render and cladding and there are canopies on most dwelling types. This would add visual interest and is considered appropriate in the context of other approved schemes in the area. The exact details of brick type, render and cladding are to be confirmed by condition compliance application.

An objector has suggested that connection should be made between the proposed development and the existing cycle and pedestrian route close to the eastern boundary of the site. A 9m buffer is required along the eastern boundary due to the adjacent drain, thereby meaning that no structures can be placed within this area. It would therefore be impractical to introduce a cycle or pedestrian route without the loss of a dwelling. Furthermore, any pedestrian or cyclist would be able to access the route to the east via the main access to the site. On balance, it is considered that it would be unreasonable to request this amendment. A condition requiring storage facilities for bicycles can be imposed.

Given the above, the proposed development is considered to be acceptable in terms of design, layout and density.

Residential amenity

The proposed development has been designed in such a way as to minimise overlooking and there should be no issues in terms of loss of light or the properties having an overbearing effect, given the proposed separation distances between dwellings.

Given that the site is located just south of a Main Employment Area, it is necessary to consider the relationship between the proposed dwellings and the adjacent commercial uses. As previously mentioned, locating the public open space at the north east of the site would ensure that dwellings are not directly backing onto the large commercial premises adjoining the site to the north, which would offer a poor outlook for occupants.

A noise assessment has been undertaken and submitted in support of the application. SHDC Environmental Protection have not objected to the application, commenting that its methodology appears appropriate and would ask that the recommendations made in section 8.1 of the assessment be conditioned. This includes the installation of a 1.8m high close boarded acoustic

quality timber fence or brick wall to be built along the northern boundary and installation of upgraded glazing for certain plots.

Highway safety and parking

Concern has been raised about the safety of the junction with Spalding Road, however the Highways Authority have no objection to the application and so it would be unreasonable to refuse it on highways grounds.

Appendix 6 of the Local Plan sets out that two vehicle parking spaces should be provided for dwellings with up to 3 bedrooms but that, where appropriate, parking standards may be relaxed for 1 bed units. Two vehicle parking spaces are provided for all 2-bed and 3-bed properties. These are within the curtilage in the majority of cases but where spaces are located to the rear (Plots 24, 37 and 44), access is provided through the garden of the associated properties. One parking space is provided for each of the 1-bed units. Given the proximity to a bus stop which is served by an hourly bus service into Spalding town centre as well as the ability to cycle in to town given the distance (approx. 1.5km), it is considered this is acceptable.

Flood risk

The site is located within Environment Agency Flood Zone 3 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies the site as being a combination of low hazard, danger for some and danger for most in terms of flood hazard and mostly 0-0.5m in terms of flood depth. Finished floor levels for dwellings would be set between 300-500mm above existing ground level which is considered acceptable in the context of the above.

As the site is a housing allocation in the Local Plan, the sequential test is considered to have already been passed.

Other considerations

Objectors have raised queries about the proposed method of sewage disposal. The applicant is proposing to connect to the main sewer. Anglian Water have no objections.

Concerns relating to the provision, and strain on, existing infrastructure (utilities, services and facilities) are noted. As the site is a housing allocation in the Local Plan, the infrastructure requirements that development of the site would generate have been taken into consideration in the South East Lincolnshire Infrastructure Delivery Plan (November 2016).

An ecological appraisal has been undertaken and further survey work is recommended. This will be secured by condition.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 5, 6 11, 28, 29, 30, 32 and 36 of the South East Lincolnshire Local Plan (2019), as well as policy set out in the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.