

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0283-20 **Applicant:** Mr & Mrs A Smith
Proposal: Residential Development - erection of one dwelling
Location: The Sycamores Glenside South West Pinchbeck
Terminal Date: 1st July 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development
 Section 5. Delivering a sufficient supply of homes
 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

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
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks outline planning permission for the erection of one dwelling within the curtilage of The Sycamores, Glenside South, West Pinchbeck, Spalding.

Previous outline permission was granted under application ref. H14-0345-17. The approved plans are tantamount to the proposed scheme hereby submitted. Thus, the solely purpose of this application is to seek the renewal of such permission for three further years.

Site Description

The site is part of ribbon development extending from the small built-up area of West Pinchbeck to the south-west. The most common housing type on the frontage is a detached two-storey dwellinghouse. A wide range of designs, appearances and ages has been observed along the street scene.

The proposed site is a narrow part of the curtilage of the Sycamores. It is flanked between the main property to the east and the adjacent house Laxton House to the west. The site currently accommodates a detached garage and further outbuildings to the rear for storage. These units will be demolished to free up floorspace for the proposed scheme.

History

H14-0345-17 - Outline residential development - single plot - Approved

Consultation Responses

SHDC Environmental Health

No objection.

LCC Highways/SuDS Authority

No objection.

It is reminded to make the applicant aware of the requirements for access, parking, visibility, turning and layout; as detailed within the Lincolnshire County Council Design Approach and Development Road Specification. The site access is a reserved matter in this outline application.

Planning Considerations

Principle of development

The site is within the settlement boundary for West Pinchbeck as set out in the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 of the SELLP sets out the spatial strategy for new development across the district. This settlement hierarchy has been established in order to steer development to the most sustainable locations.

West Pinchbeck is classified as "Other Service Centre and Settlement" and within the settlement boundaries of which, development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. The proposed development will normally be limited to committed sites and infill.

In view of the site description above, the scheme will constitute infill development. The extent to

which the intended dwellinghouse is sustainable can be determined by assessing it against each dimension of sustainable development set out in Paragraph 8 of the National Planning Policy Framework (2019) as follows:

1. Economic

The future occupants of the dwelling may work locally and support local services and make a contribution to the local economy. There may also be employment opportunities associated with the construction, albeit in the short term.

2. Social

According to "South Holland District Council 5-year Housing Land Supply Assessment (as at 31st March 2020)", the Council is capable of delivering housing land supply of 9.1 years under the Liverpool method. Although housing sufficiency has been met, additional dwellings being delivered by the proposal would make a social contribution.

There is regular bus service at the core of West Pinchbeck approximately 482 metres from the site to nearby town such as Pinchbeck and Spalding. Thus, the future occupiers will benefit from public transport within a short walking distance to meet their day-to-day needs thanks for the services and facilities in Spalding and Pinchbeck.

3. Environmental

Although the site is not previously developed, it currently accommodates a garage within a residential curtilage and so the proposed development would not entail the loss of high quality agricultural land. Subject to material considerations, the residential development would not conflict with the residential character of the immediate vicinity neither with the function of the rural character of the wider locality.

As detailed below, the site falls within 'Danger for Most' flood risk area as per South East Lincolnshire Strategic Flood Risk Assessment (March 2017). Given the high vulnerability of residential proposals to flood risk, the proposed development will be in principle acceptable subject to some flood resilience measures.

In summary, the principle of development for the proposed scheme is deemed acceptable. It will achieve sustainable development at least in accordance with Policy 1 of SELLP, 2019 and Section 2 of NPPF, 2019.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The site context is predominantly residential such as the use of the proposed development. The site is within an existing residential frontage and slopes downwards from Glenside South. To the east, the main building of The Sycamores is a two-storey brick and tile dwelling and would be approximately 3.75 metres away from the boundary line. An old church converted into residential accommodation lies on the west side. It is considered that the intended dwelling could be satisfactorily accommodated in a landscaped setting without materially harming the character or appearance of this part of West Pinchbeck.

The indicative layout plan shows a paired access from Glenside South which splits to two separate driveways for the existing and proposed dwelling. It would appear that sufficient room can be provided to enable a motor vehicle to turn within the site so that it can enter and leave the highway in a forward gear. Further details shall be submitted at a later stage though.

Although the proposal is in its outline form, the principles of design and layout for the intended

dwellinghouse are overall acceptable in line with the aforementioned policies.

Residential amenity

The indicative block plan submitted with the application shows separation distances of approximately 4.74 and 4.50 metres between the proposed dwelling and the opposing elevations of neighbouring properties to the west and east respectively. At such a distance, it is not considered that the development would create any harm upon the amenity standards of the residents in adjacent properties in terms of being overbearing in nature or resulting in a material loss of light.

On the account of the close proximity of the proposed dwelling with the neighbouring Laxton House, details of fenestration on the west elevation should be submitted and carefully considered at a reserved matters stage.

The proposed and existing properties would have access to sufficient external amenity space.

In summary, the outline form of the proposal indicates that a development which would comply with residential amenity is capable of being created, which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Flood risk and drainage

The site is located within Flood Zone 3 of the Environment Agency's Flood Map for Planning. This map has 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 flood predictions do not take into account any flood defences.

Paragraph 157 of NPPF (2019) sets out that any development proposal should apply a sequential, risk-based approach to the location of development - taking into account the current and future impacts of climate change- so as to avoid, where possible, flood risk to people and property.

The sequential test is aimed to steer new development to areas with the lowest risk of flooding and the strategic flood risk assessment will provide the basis for applying this test (Paragraph 158 of NPPF, 2019). In this case, The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) applies and indicates that the flood hazard on the site is an area designated as "Danger for Most". 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 not the most severe category.

If it is not possible to locate the development within an area of lower flood risk, the exception test should be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.

The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance (Paragraph 159 of NPPF). In accordance with such policy documents, proposals for dwelling houses are designated "more vulnerable" to flood risk and an exception test should be applied if located within Flood Zone 3 as per Environment Agency's Flood Map for Planning. The development hereby proposed accords with that and therefore the exception test should be applied.

According to Paragraph 162 of NPPF (2019) for the exception test to be passed it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In terms of the first element, the proposal scores positively against the three interdependent dimensions of sustainable development (see above section of principle of development). Therefore, the proposed development would provide wider sustainability benefits to the community that outweigh flood risk.

In terms of the second element, the predicted flood depths on the site will range between 0.25 and

0.5 metres in accordance with South East Lincolnshire SFRA (March 2017). The Standing Advice contained in the SFRA states that under such conditions finished floor levels of a dwelling must be set 500mm above ground level with flood resilient construction to a height 300mm above the predicted flood depth.

The topographical survey show site levels in the region of 4.20 - 4.40m AOD across the northern part of the proposed site and the land around the Sycamores, sloping down towards the south of the site (3.10- 3.30m AOD approx.). In principle, the flood resilience measures above indicated could be incorporated to the development without causing any harm upon the occupiers of both the intended dwelling and the Sycamores. Further assessment should be carried out in relation to the residents of Laxton House in a subsequent application.

Having regarded to the considerations above, it is confirmed that both sequential and exception tests are satisfactorily passed and the proposed scheme in its outline form is considered to be acceptable in terms of flood risk. Consequently, it is recommended to grant permission subject to a condition to comply with the FRA recommendation of erecting a two storey dwelling with finished floor levels set no lower than 4.7 AOD, 500mm above existing ground levels.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 4, 10, 11 and 17 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Sections 2, 5, 11, 12 and 14 National Planning Policy Framework (NPPF), 2019.

No objections have been raised. It is accordingly recommended to approve this planning application via delegated powers.

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.