

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H15-0014-22 **Applicant:** Stinders Homes SPV1 Ltd.

Proposal: Erection of 59 dwellings & associated works

Location: Land Adj. To Crossroads Nurseries Main Road Quadring

Terminal Date: 30th June 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
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
29	The Historic 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 2021

Section 5 - Delivering a sufficient supply of homes
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
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	0
WARD MEMBER	0	0	0	1
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	0	0	1	3
RESIDENTS	8	0	0	6

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for the erection of 59 dwellings and associated works on land adjacent to Crossroads Nurseries, Main Road, Quadring.

The site forms part of a housing allocation in the South East Lincolnshire Local Plan (2019) (ref. Qua003). The front part of the allocation facing Main Road benefits from a Reserved Matters consent for 9 dwellings (ref. H15-0942-20). The intention is for the present application site to be accessed by the estate road serving those 9 dwellings. A large proportion of the allocation was granted Outline consent for 60 dwellings in September 2019 (ref. H15-1207-18). This application has been submitted as a Full, rather than Reserved Matters, as the number of dwellings proposed in this application would take the combined total above the 60 permitted by the Outline consent.

SITE DESCRIPTION

The site is approximately 3ha in size and is predominantly agricultural land, with the site access road originally forming part of a horticultural nursery. It is accessed from Main Road to the south-west. The majority of the site lies behind properties on Main Road and Water Gate. The north-western and north-eastern boundaries are open with agricultural fields beyond.

RELEVANT HISTORY

H15-0942-20 - Reserved Matters - Residential Development of 9 dwellings - Phase 1 (Outline

approval H15-1207-18) (approved January 2021)

H15-1207-18 - Outline - Residential development - up to 60 dwellings (approved September 2019)

REPRESENTATIONS

Cllr King

Possibility of an overlooking issue for the established dwellings could boundary treatments be looked at based on the finished ground levels.

LCC Historic Environment Officer

An archaeological evaluation was carried out on this site prior to determination and the final report on this has been submitted as part of this application. The most significant archaeological remains revealed were features associated with an Iron Age or Roman roundhouse in Trench 5 close to the northern boundary of the site. In addition a medieval pond, and several early medieval ditches possibly associated with early land drainage were revealed in Trenches 3, 4 and 8. In order to preserve the most significant remains 'in situ' and avoid impacts from development or the need to excavate them, it was agreed with the developer that the areas around Trench 5 and Trench 4 should be located within the proposed public open space. This is in accordance with Section 16 of the NPPF and Policy 29 of the South East Lincolnshire Local Plan which seeks to avoid and minimise potential impacts on heritage assets. However, it is recommended that groundworks in the areas of Trenches 3 and 8, where locally important but less significant remains were revealed, be subject to a programme of archaeological monitoring, with the ability to stop and fully record archaeological features. This should be carried out in accordance with a scheme of archaeological works, submitted to and approved in writing by the local planning authority, prior to development. This should be secured using South Holland District Council's standard conditions, AR1, AR2 and AR3. "They should... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted." - NPPF, 205. It is also recommended that a separate condition be added to the grant of any permission to require the fencing of the area of the proposed public open space during construction in order to ensure that the remains intended to be protected can be successfully 'preserved in situ' throughout the construction process. The fencing should include signage identifying it as an area of archaeological importance, and that it must not to be used for excavation, dumping of spoil, or storage of plant etc. with any variation approved in writing by the Local Planning Authority.

SHDC Environmental Protection (noise and odour)

No objection but request a construction management plan.

SHDC Environmental Protection (contaminated land)

As per the previous application, I request that the standard land contamination conditions be applied at this location.

LCC Highways/SUDS

The development being proposed in this Application is for the extension of a residential development that is already under construction. The estate road junction with the existing highway, the A152 Main Road, has been constructed and it should not therefore be necessary for any construction traffic or delivery vehicles to obstruct the public highway. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that, subject to compliance with the Condition and guidance above, the proposed development would not be expected to have an unacceptable impact upon highway safety and therefore does not wish to object to this planning application.

Welland and Deepings IDB

Pleased to see that a SUDS approach has been adopted when looking to dispose of surface water

with a restricted discharge of five litres per second. This is agreeable to the Board in principle, subject to the prior submission of an application to discharge surface water, payment of the correct fee and development contribution. If any dykes or watercourses are to be altered in any way then the prior written consent of the Board will be required if planning permission is granted.

Anglian Water

The foul drainage from this development is in the catchment of Gosberton Water Recycling Centre that will have available capacity for these flows.

In the context of the used water network, a condition requiring a phasing plan and/or on-site drainage strategy is requested.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

Environment Agency

No objection subject to development being carried out in accordance with the recommendations of the approved flood risk assessment.

LCC Education

Requests a financial contribution of £223,761 (covering H15-0014-22 and H15-0942-20) towards secondary and sixth-form provision in the Donington Secondary Planning Area.

NHS

Evidence backed request of £660 per dwelling towards the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the South Lincolnshire Rural Primary Care Network (PCN) at Gosberton Medical Centre. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

Lincolnshire Police

No objection. Provides standard advice regarding crime prevention and safety.

Public (15 objections/comments received, summarised)

- Concern regarding impact on existing infrastructure (school, doctors, dentists etc.)
- Increase in traffic; speeding of vehicles and no traffic calming
- Boundaries for 56, 58 and 59 are incorrect and are in middle of drain, therefore reducing their rear gardens.
- Query how drain to side and rear of 131 Main Road will be maintained
- Impact on drainage of existing properties by altering current drainage situation
- Construction work should not take place on weekends or bank holidays due to residential location and no site radios should be permitted
- Concern regarding overlooking of new properties and need for additional screening
- Increase in pollution by virtue of additional vehicles
- Too much development for a small village
- Loss of light and privacy
- Access to site for 9 bungalows is too narrow, causing lorries to park half on path whilst unloading pallets of building materials; Path is covered with mud; Developer showing disregard for approved Construction Management Plan
- Planning Committee should consider a site visit due to nature and mass of development, and others within close proximity
- Development of social housing will devalue properties

PLANNING CONSIDERATIONS

Planning Considerations

Principle

The site is located within the settlement boundary for Quadring as set out in South East Lincolnshire Local Plan (2019) and is part of a housing allocation (ref. QUA003). The principle of this type of development on the application site has therefore already been established.

A large proportion of the allocation was granted Outline consent for 60 dwellings in September 2019 (ref. H15-1207-18). The front part of the allocation facing Main Road benefits from a Reserved Matters consent for 9 dwellings (ref. H15-0942-20). This application has been submitted as a Full, rather than Reserved Matters, as the number of dwellings proposed in this application would take the combined total above the 60 permitted by the Outline consent.

Design, layout and density

Ten house types are proposed, mostly detached and semi-detached, with two short terraces. There is an acceptable variety of house types given the overall number of dwellings on the scheme. In terms of scale, the majority of properties would be 2 storey, with a smaller number of 2.5 storey, which would not conflict with existing development in the vicinity.

With regard to materials, the proposal is for red and buff/multi brick types, with around a quarter of properties either being half or fully rendered. Presently, only grey coloured roof tiles are proposed but a condition could be added to require more variation. Cast stone cills and lintels on all dwellings, and box bay windows or brick quoining on some house types, add visual interest and variety. The proposed dwellings will not be out of keeping in character terms with the front 9 plots or development in the wider area, which is varied in nature.

In terms of density, Policy 11 of the Plan indicates that the QUA003 allocation has a capacity of 83 dwellings, which is based on a density of 20/ha. Based on the application site area of 3ha, the density of the scheme sits at around this figure.

In respect of levels, the submitted flood risk assessment recommends that dwellings be raised by a minimum of 300mm above existing ground level. It is not considered that the raising of floor levels of the proposed properties by this extent would have a material adverse visual impact in the wider street scene.

Taking all of the above into account, it is concluded that the design, layout and density of the scheme satisfactorily accords with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Landscaping and open space

A large area of open space is located at the northern central part of the site, amounting to approx. 0.29ha. This will be multifunctional, being an attenuation basin that forms part of the overall surface water drainage strategy for the development. This level of open space exceeds the 0.11ha required by Policy 32 of the Local Plan.

No details on landscaping have been provided to date, but this can be secured by condition.

Highway matters and parking provision

Concerns have been raised in relation to highway matters - specifically, highway safety and capacity.

The Highway Authority have been consulted as part of the application process and have raised no objection, therefore it is not considered that there is a defensible reason for refusal on these grounds and the proposal satisfactorily accords with Policy 2 of the Local Plan which requires it to be demonstrated that access and vehicle generation levels will be acceptable.

In terms of the internal road arrangements, there would be a combination of adoptable estate road

and two private drives. There is therefore a need to provide collection points for refuse/recycling and these points are indicated on the layout plan where relevant. Details of the management/maintenance of these points can be secured by condition.

The arrangements of the private drives comply with the Council's guidance note entitled 'Private Drives - Waste Vehicle Collection Service'.

In terms of parking arrangements, Appendix 6 of the Local Plan sets out parking standards for residential dwellings and states that 2 vehicle parking spaces are required for dwellings with up to 3 bedrooms and 3 vehicle parking spaces are required for dwellings with 4 or more bedrooms. The proposed vehicle parking arrangements are in accordance with Appendix 6.

Residential amenity

It is not considered that the proposed development would have a material adverse impact on the amenity of any properties off-site. The dwelling to the rear of no's 131 and 131a Main Road is a minimum of 30m away and there are no side facing windows to that house type. Plots 56 - 59 are at an angle to 131 and Plot 6 to the adjacent development. The rear of Plots 58 and 59 face toward the rear garden of no. 131 but the separation distance (approx. 10m) is such that there would not be a material overlooking or overbearing impact. There is a minimum separation distance of 13.5m between the rear elevation of dwellings on the south-eastern side of the site and the boundary. 4 dwellings have recently been constructed on the other side of that boundary but there are no windows to habitable rooms on the facing elevations of the two closest properties and again, the separation distance to their rear gardens is such that there would not be a material overlooking or overbearing impact. There is a substantial distance (approx. 65m) between Plot 16 and no. 10 Water Gate, thus meaning there would be very limited impact in planning terms.

Given that the new dwellings would be to the north/north-east/north-west of existing dwellings, it is not anticipated that there would be a material loss of light to any property.

Within the site, the preferred 21m separation distance between rear windows has been observed and where the rear windows of properties directly face a side elevation of another, at least a 12m separation distance has been applied. The orientation of dwellings and positioning of fenestration is such that there should be no material overshadowing or daylight issues to habitable spaces.

Notwithstanding the above, consideration must also be had to the impact that raising finished floor levels might have on neighbouring amenity. The submitted flood risk assessment recommends that finished floor levels are set a minimum of 300mm higher than the existing ground level. This is not as high as many new properties need to be raised and adequate levels of amenity can typically be achieved by ensuring that appropriate boundary treatments are in place. Full details of existing and proposed floor and ground levels (including cross-sections where relevant) can be secured by condition, as can boundary treatment details.

In terms of external space, the gardens provided are comparable in terms of size to those on other new developments in the district.

Overall, there are not considered to be any significant or demonstrable adverse impacts relating to residential amenity that would warrant refusal of this proposal. The proposal is considered to accord with Policies 2, 3 and 30 of the Local Plan in respect of their provisions on residential amenity.

Flood risk and drainage

The site forms part of a housing allocation in the Local Plan and is therefore a sequentially preferable site in flood risk terms.

The submitted Flood Risk Assessment identifies that finished floor levels of dwellings should be set at a minimum of 300mm above existing ground level as a flood mitigation measure. The Environment Agency have no objection to the application on flood risk grounds subject to the development being carried out in accordance with the measures specified in the Flood Risk Assessment.

In terms of surface water drainage, the strategy relies upon a piped outfall into the watercourse at the northern site boundary due to poor infiltration potential precluding an adequate infiltration strategy. This is the next preferable solution when considering the drainage hierarchy. An

attenuation basin is located at the north of the site to attenuate all surface water prior to outfalling to the drain. Swales will also provide an attenuation function. The Welland and Deepings IDB and the Lead Local Flood Authority have no objections to the proposed surface water drainage strategy.

In terms of foul water disposal, connection would be made to the Anglian Water mains system, whom have no objection subject to a condition requiring a phasing plan and/or drainage strategy.

Given the above, it is considered that the proposed drainage scheme and flood mitigation measures accord with Policies 2, 3 and 4 of the Local Plan which require proposals to provide appropriate means of drainage and flood defence.

Viability and developer contributions

Policy 18 of the Local Plan requires the provision of about 25% affordable housing on-site on market schemes in South Holland where developer contributions can be sought. In addition, Policy 6 states that developer contributions will be sought that relate to the provision of education and health facilities.

This Policy also states that: "The Local Planning Authorities will not accept any proposals that artificially reduce capacity or floorspace to circumvent the proper operation of this policy." The supporting text (para 3.7.5) goes on to say: "Where it is proposed to phase developments, sub-divide sites or where recent subdivision has taken place, or where there is a reasonable prospect of adjoining land being developed in tandem, the whole site will be considered for the purpose of determining whether the scheme meets the site and/or floorspace thresholds identified by Policy 6."

In the context of the above, the developer contributions should reflect the number of dwellings across the two adjoining sites i.e. H15-0014-22 plus H15-0942-20.

In addition to the 25% affordable housing (discussed further below), requests for financial contributions have been made by the NHS and Education Authority, as below:

- £660 per dwelling towards the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the South Lincolnshire Rural Primary Care Network (PCN) at Gosberton Medical Centre. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.
- £223,761 towards secondary and sixth-form provision in the Donington Secondary Planning Area.

The applicant has not sought to challenge the requested contributions on viability grounds and these contributions would be secured via a legal agreement if permission were to be granted.

Affordable housing provision

Policy 18 of the Local Plan requires the provision of about 25% affordable housing on-site on market schemes in South Holland. As it was agreed that the adjoining 9 unit scheme would not include any affordable housing units to assist in facilitating delivery of the first phase of the development, the full affordable housing contribution required is now to be based on the 59 units proposed in the application, plus the 9 previously approved. 17 affordable units are therefore required.

The proposed tenure split is in accordance with that requested by SHDC's Strategic Housing Officer, namely:

- 12 x affordable rent (4 x 1 bed, 5 x 2 bed, 2 x 3 bed and 1 x 4 bed)
- 5 x shared ownership (3 x 2 bed and 2 x 3 bed)

Strategic Housing have no objections to the proposed affordable housing scheme.

Other considerations

The site is allocated for housing in the local plan and issues such as infrastructure capacity, number of amenities located in the village, loss of agricultural land and an increase in pollution from vehicles were considered through the plan making process. Both the NHS and Education Authority have requested financial contributions towards improving healthcare and education provision/services, which shall be secured by legal agreement.

SHDC's Environmental Protection Officer has requested a Construction Management Plan to deal with matters such as construction site access. The suitability of and/or the adherence to the Construction Management Plan for the 9 unit scheme is not a matter for this present application.

Whilst the devaluation of properties is a consideration, it is one which carries very limited weight in the overall planning balance.

Where gardens adjoin a watercourse, it is intended that a post and rail fence with mesh will be erected on the garden side, with a close board fence the opposite side (where necessary). Thought may be given to the installation of gates on the site side to enable access for maintenance.

Planning balance

The principle of residential development on this site has already been established by virtue of the housing allocation in the Local Plan and outline consent. It is not considered that the proposal would materially harm the character or appearance of the locality or amenity of nearby residents, and flood risk and affordable housing/developer contribution matters are considered to have been appropriately addressed. Notwithstanding the concerns that have been raised relating to highway matters, it is not considered that there is a justifiable reason to withhold permission on these grounds.

Overall, it is considered that the planning balance is in favour of the proposal.

Conclusion

In light of the above considerations, the proposal is considered to be in general accordance with Policies 1, 2, 3, 4, 6, 18 and 32 of the South East Lincolnshire Local Plan (2019), as well as guidance in the National Planning Policy Framework (2021).

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.

RECOMMENDATION

That the application be approved under delegated powers, subject to the applicant entering into a s106 agreement to secure the developer contributions set out in the report above.

N.B. The application was presented to Chairman's Panel on 8th July 2022 and members were content with a delegated decision.