DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H15-0563-18**	**Applicant:**	**Broadgate Homes**
Proposal:	Residential development - 9 dwellings		
Location:	Land Off Casswell Drive Quadring Spalding		
Terminal Date:	1st July 2019		

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
29	The Historic Environment
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Section 5 - Delivering a sufficient supply of homes
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	1
WARD MEMBER	0	0	0	0
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	2
OTHER STATUTORY BODIES	0	0	0	2
RESIDENTS	10	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of 9 dwellings on land off Casswell Drive, Quadring.

The proposal is for 9 detached dwellings - 4 bungalows and 5 two-storey dwellings, with a mixture of integral, attached and detached garages.

The proposed access is between numbers 3 and 5 Casswell Drive through a gap which appears to have been left when the houses on Casswell Drive were constructed to enable such development in the future. Plots 1-4 would be served by an access road constructed to an adoptable standard, whilst plots 5-9 would be off a private drive.

Site Description

The site is currently agricultural land situated to the rear of properties fronting onto Casswell Drive and Town Drove.

The majority of the western boundary comprises of tall hedging and trees with close boarded fencing towards the north. There is short chain link fencing along the northern boundary. The eastern and southern boundaries are open.

Existing dwellings on Casswell Drive and Town Drove which adjoin the site are all detached, but there is a mixture of bungalows and two-storey properties.

There is a small burial ground within the north eastern corner of the site, which will remain undeveloped and Quadring Parish Council have agreed to take ownership.

Electricity cables run diagonally on the northern part of the site. However, these are proposed to be rerouted underground.

The site is located within the settlement boundary for Quadring in the South East Lincolnshire Local Plan (2019) and is a housing allocation (Qua004). The site is identified in the Local Plan as being capable of accommodating 18 dwellings, however constraints have been identified as part of the planning application process which means that this is not achievable.

Representations

SHDC Environmental Protection - No objection, but requests standard contaminated land condition.

SHDC Environmental Services - Access roadway to all properties should be constructed to an adoptable standard to enable waste collection from outside individual properties.

LCC Highways/SUDS - No objections, subject to standard conditions.

LCC Historic Environment Officer - Happy to see amended layout has excluded burial ground from

the garden of plot 2.

IDB - No objection.

Anglian Water - No objection.

Quadring Parish Council - No objection, but wish to highlight the location of the burial ground.

Public -
- Drains become blocked periodically and more dwellings will only make this worse
- Loss of privacy
- Loss of light
- Numbers 1 & 3 Casswell Drive are not screened from Plots 1 & 2 apart from the existing fences
- Concern that the rear garden of Plot 1 extends around the front of number 1 Casswell Drive
- Town Drove is already very busy
- Concern over impact on the historic burial ground
- Increased strain on local services and facilities
- Can limited disruption be guaranteed with regards to noise and dust during construction
- Access road does not look wide enough to allow two vehicles to pass and a footpath
- Concern over loss of agricultural land
- Only 1 bus service in the village if you don't have a car
- Loss of rural outlook

Material Considerations
- Principle;
- Residential amenity;
- Highways;
- Drainage;
- Impact on burial ground;
- Loss of agricultural land; and
- Infrastructure.

Principle

The site is located within the settlement boundary for Quadring as set out in the South East Lincolnshire Local Plan (2019) and is a housing allocation (Qua004). It is therefore considered to be a suitable site for housing.

Residential amenity

Objections have been received relating to loss of privacy and loss of light.

One objector raises the issue that no's. 1 & 3 Casswell Drive are not screened from Plots 1 & 2 apart from the existing fences. However, the existing fence to the rear of no. 1 is a 1.8m high close boarded fence (which is a standard height) and that to the rear of no. 2 is approx. 1.5m in height. Although lower, the only window on this part of the side elevation would belong to a utility room which is not likely to lead to a level of overlooking that was cause significant harm.

Concern has also been raised that the rear garden of Plot 1 extends around the front of number 1 Casswell Drive. However, this would only be a narrow area of garden, and given the 1.8m high fence, isn't likely to cause any issues in terms of impact on privacy. Ground levels on the site are also lower than Casswell Drive, and there is not a requirement to significantly raise it.

It is considered that the 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.

Loss of a view is a consideration however is carried very limited weight in the planning balance.

Highways

Concern has been raised regarding the width of the access and level of traffic using Town Drove. However, LCC Highways have not objected on either of these grounds.

Flood risk

The site is located within Environment Agency Flood Zone's 1, 2 and 3 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies the site as not being affected by flood hazard or flood depth. However, a condition will be added that finished floor levels are to be set at 300mm above existing ground level, as recommended in the submitted Flood Risk Assessment.

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

Other material considerations

Although concern has been raised by objectors regarding the drainage situation in the area, Anglian Water have no objections to the proposed development.

Concern had been raised regarding the impact on the burial ground in the north-eastern corner of the site, which was originally proposed to be included within the garden of plot 2. However, an amended plan has since been received which shows the burial ground being fenced off separately and it has been confirmed that Quadring Parish Council have accepted an offer to take ownership of that area of land. LCC's Historic Environment Officer is happy with this approach.

One objector raises the issue of the loss of agricultural land. Although currently agricultural land, the size of the land is only 0.8 hectares, which is not large within the scale of modern agriculture. To deliver the Council's required housing need it is inevitable that some high-grade agricultural land will be lost, and 0.8 hectares would be considered acceptable.

Problems arising from the construction period of any works (such as noise and dust) are covered by the Control of Pollution Acts.

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).

Parking provision would be in accordance with Policy 36 (Vehicle and Cycle Parking) and the standards set out in Appendix 6 of the Local Plan.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 11, 29 and 36 of the South East Lincolnshire Local Plan (2019), as well as Sections 5, 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.

Additional Considerations

Public Sector Equality Duty
In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 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.