DECISION DELEGATED TO DEVELOPMENT MANAGER

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|---|---|---|---|
| **Application No:** | **H15-1207-18** | **Applicant:** | **Crossroads Nurseries Ltd** |
| **Proposal:** | Residential development - up to 60 dwellings | | |
| **Location:** | Crossroads Nurseries Ltd Main Road Quadring | | |
| **Terminal Date:** | 30th September 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 |
| 05 | Meeting Physical Infrastructure and Service Needs |
| 06 | Developer Contributions |
| 11 | Distribution of New Housing |
| 10 | Meeting Assessed Housing Requirements |
| 18 | Affordable Housing |
| 28 | The Natural Environment |
| 29 | The Historic Environment |
| 30 | Pollution |
| 32 | Community, Health and Well-being |
| 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 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

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 1 | 0 | 0 | 0 |
| 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 | 5 |
| RESIDENTS | 7 | 1 | 0 | 4 |

## CASE OFFICER ASSESSMENT

### Proposal

This is an outline application for the development of up to 60 dwellings at Crossroads Nurseries Ltd, Main Road, Quadring.

The indicative block plan shows an estate laid out with a number of cul-de-sacs (incl. detached, semi-detached and small terraces of properties) with a central area of public open space.

The proposed access is via Main Road.

### Site Description

The site comprises of a horticultural nursery on the front half with agricultural land to the rear. There are properties to the west/south-west and Stonehaven Care Home adjoins the site immediately to the south west. The northern and eastern boundaries are open. The site can be accessed off Main Road (A152) - This access is adjacent to a new dwelling currently being built and the Stonehaven Care Home. There are new dwellings also currently being built to the south east.

### Policies/Constraints

The site is located with the settlement boundary for Quadring as defined in the South East Lincolnshire Local Plan (2019) and is identified as a housing allocation (Qua003). Policy 11 of that plan indicates that the capacity of that site is 83 dwellings. However, the application site is slightly smaller than the proposed allocation as it does not include the existing yard area at the south which is accessed off Watergate. The dwelling numbers of this application have therefore been reduced to reflect this.

### History

None relevant.

### Consultation Responses

Quadring Parish Council - Express concerns about current infrastructure provision in the village (limited school places and no doctors or dentists) and highway safety as school children and parents use the path along Main Road which the access crosses. Overdevelopment - 60 is too many for the land available. Access onto a busy main A road and the number of vehicle movements will cause problems. Local services dentist, doctors and school have not been consulted can they cope with extra demand. If passed, Section 106 money should be made available to improve community facilities. Some properties will encroach on neighbouring properties. There are not enough parking areas for the number of houses.

SHDC Environmental Protection - Requests standard contaminated land condition.

SHDC Housing Strategy - 25% on-site affordable housing contribution required (based on viability evidence within the Whole Plan Viability Study supporting the emerging South East Lincolnshire Local Plan) to be secured via s106 agreement prior to decision. Advice supplied regarding mix, tenure and space standards.

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

LCC Historic Environment Officer - The proposed development is situated between the present village of Quadring to the south and what is believed to be its original medieval core around the church to the north. Fields adjacent have also produced both Roman and Middle Saxon pottery, which may also indicate earlier activity in this area. Recommends that an archaeological evaluation is undertaken.

LCC Education - Financial contribution of £322,223 requested towards primary provision and secondary provision (at the Thomas Cowley High School, Donington). The contribution towards primary provision would either go towards a 5th classroom at Quadring Cowley and Brown's Primary School or an 11th classroom at Donington Cowley Endowed Primary School. LCC have identified their preference as Quadring, however this is subject to a full business case at the time of the extension which is to be approved by LCC and the Regional School's Commissioner. Donington is suggested as an alternative as there is a large cohort of children that travel from Donington to Quadring to attend the primary school. An expansion of Donington, would help achieve the sustainability aims of the NPPF which seeks to promote sustainable transport - It would reduce vehicular movements to Quadring.

NHS - Evidence backed financial contribution request of £39,600, which would go towards extending Gosberton Medical Centre to increase the capacity for consulting/treatment rooms or administration areas at the practice.

Lincolnshire Police - No objections, standard advice provided.

Welland and Deepings Internal Drainage Board - No objections in principle.

Public (7 objections summarised) -
- Highway issues (access onto busy road and near crossroads, school children regularly use foot path access crosses, access for emergency vehicles looks difficult with sharp bends);
- Overlooking;
- Overdevelopment;
- Difference in ground levels between site and adjacent properties;
- Photos in Planning Statement are misleading;
- Drain between 131 Main Rd and site is under shared ownership and responsibility. Access should be maintained;
- Should ensure that Bluebells on the site are safeguarded;
- If application is given permission, others in the area should be refused as the village will grow too quick and the local amenities will not cope;
- Concern over capacity of existing infrastructure in the village as well as general lack of infrastructure and public transport in the village;
- The proposal to expand the primary school in Donington to accommodate the additional children generated by the development is unacceptable;
- Potential for contaminated land given current use;
- Flood risk assessment is vague and surface water accumulates on Main Road;
- Reassurance was given during the local plan consultation that the 4 houses already given planning permission on the area identified as QUA003 would be taken into account when local infrastructure contributions were sought. The information submitted by LCC and NHS seem to

indicate that this commitment has been overlooked.

Public (support summarised) -
- In centre of village
- Close to school
- Extra green space would be good, particularly for dog walking
- Like flowing nature of roads

**Planning Considerations**
- Principle;
- Highway safety;
- Density of scheme;
- Residential amenity
- Flood risk and drainage;
- Infrastructure; and
- Land contamination.

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 (Qua003). It is therefore considered to be a suitable site for housing.

Highway safety

Concern has been raised regarding highway and pedestrian safety on the basis that the proposed access is near to the junction with Watergate, Main Road and Town Drove and that school children regularly use the footpath that the access crosses. However, LCC Highways have not objected on either of these grounds and so it is not considered that there is a justifiable reason for refusal on highways grounds.

Parking arrangements will be addressed at reserved matters stage.

Density of scheme

Based on a scheme for the full 60 dwellings and a site area of 3.5 hectares, the maximum density would be 17/ha. This is lower than the 20/ha anticipated for housing allocations in such villages in the Local Plan. The proposed density is therefore considered to be acceptable.

The specific design and layout of the scheme will be considered at reserved matters stage.

Residential amenity

The layout is indicative at this stage so may be subject to change at the reserved matters stage. However, given the size of the site and proposed density, it is considered that the proposed development is capable of being designed in such a way that it would not result in a material adverse impact on residential amenity in terms of overlooking/loss of privacy, loss of light or in terms of having an overbearing effect.

Details of the proposed site levels will be required to be submitted as part of the reserved matters application.

Flood risk and drainage

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

The submitted Flood Risk Assessment takes into account the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) (SFRA) mapping and identifies that finished floor levels should be set at 300mm above ground level. This is in accordance with the Standing Advice Matrix which shows that floor levels for sites within Environment Agency Flood Zone 3, but not within any area of hazard or depth in the SFRA, should be set at 300mm.

Concern has been raised regarding the future maintenance of the drain along part of the western

boundary. An appropriate easement will need to be incorporated into the scheme when the detailed plans are drawn to allow for access for this.

A condition will be imposed requiring details of the proposed surface water drainage strategy to be submitted.

Infrastructure

Concerns relating to the provision, and strain on, existing infrastructure 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) which seeks to plan for future infrastructure.

It was originally proposed that the requested education contribution would go towards a 10th classroom at Donington Cowley and Endowed Primary School. However, the Education Authority have since confirmed that their preference is for money to go towards a 5th classroom at Quadring Cowley and Brown's Primary School. This is subject to a business case being approved however. As an alternative, the contribution would go towards an 11th classroom at Donington Cowley Endowed Primary School. This is considered a logical approach based on the explanation put forward by the Education Authority.

Financial contributions cannot be secured for community projects without specific details of projects or their cost as this is necessary to determined whether the tests set out in Paragraph 56 of the National Planning Policy Framework (2019) can be met.

Land contamination

The full contaminated land scheme condition is to be imposed (at the request of SHDC Environmental Protection) given the current use of the site.

**Conclusion**

Overall, it is considered that there are no significant or demonstrable adverse impacts of residential development in this location and the proposal accords with Policies 1, 2, 3, 4, 5, 6, 10, 11 and 18 of the South East Lincolnshire Local Plan (2019) as well as Sections 5, 12, 14 and 15 of the National Planning Policy Framework (2019).

The recommendation therefore is for a delegated approval.

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