

DECISION DELEGATED TO DEVELOPMENT MANAGER**DECISION DELEGATED TO DEVELOPMENT MANAGER**

Application No: H16-0021-21 **Applicant:** Seagate Homes & Longhurst Group

Proposal: Residential Development comprising 40 dwellings - approved under H16-0984-19. Modification of Condition 1 to allow amendments to previously approved plans

Location: Millfield Nursery Spalding Common Spalding

Terminal Date: 22nd July 2021

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
12	Reserve Sites
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2019**

NPPF 2019

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

H16-0021-21. SEC 73 MODIFICATION. Residential Development comprising 40 dwellings - approved under H16-0984-19. Modification of Condition 1 to allow amendments to previously approved plans.

Specifically, changes to the approved layout and housing design/mix to enable delivery of a 100% affordable scheme, together with minor adjustments to boundary and landscaping proposals, along with changes to associated parking arrangements. The scheme has also now incorporated an electric substation to the phase, which has been requested by Western Power Distribution.

The application is supported by a Drainage & Levels Strategy, Landscaping & Boundary Plan, Materials Schedule and the location of refuse collection.

Site Description

As host consent.

BJHistory

H16-0668-16. OUTLINE. Residential development. APPROVED 13-03-18. Subject to a S106 agreement, which set the development for "up to 135 dwellings".

H16-0984-19. RESERVED MATTERS. Residential development - comprising 40 dwellings - outline approved H16-0668-16. 13-02-20. 100% affordable dwellings.

H16-0107-21. SEC 73 MODIFICATION. Residential Development - approved under H16-0668-16. Modification of Conditions 2 & 18 relating to Flood Risk (new Flood Risk Assessment submitted). UNDER CONSIDERATION.

H16-0225-21. CONDITION COMPLIANCE. Details of contamination report, boundary & landscaping, public open space, landscape management & maintenance plan, refuse & recycling storage, external boxes, flues etc, cycle storage, construction management, road construction specification, road levels, surface water & foul water schemes and existing & proposed site levels (Conditions 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17 and 19 of H16-0668-16). UNDER CONSIDERATION.

H16-1070-20. RESERVED MATTERS. Erection of 95 Dwellings - outline approval H16-0668-16. UNDER CONSIDERATION.

H16-0543-21. CONDITION COMPLIANCE. Details of written scheme of archaeological

investigation (Condition 20 of H16-0668-16). APPROVED. 02-06-21.

Consultation Responses

Spalding & District Civic Society

No response received.

SHDC Housing Strategy

The applicant has submitted plans to revise the 40 Reserved Matters consent of 8 x 1 bed houses, 16 x 2 bed houses, 14 x 3 bed houses and 2 x 4 bed houses to 8 x 1 bed houses, 18 x 2 bed houses and 14 x 3 bed houses.

Viewing these changes alongside the undetermined Reserved Matters application for 95 homes- H16-1070-20, the whole schemes proposes to deliver 54 (40%) for Rent, comprising of 11 x 1 bed houses, 24 x 2 bed houses, 15 x 3 bed houses and 4 x 4 bed houses, 41 (30.37%) for Shared Ownership, comprising 4 x 1 bed houses, 2 x 2 bed bungalows, 15 x 2 bed houses and 20 x 3 bed houses and 40 (29.63%) for Rent to Buy, comprising of 20 x 2 bed houses and 20 x 3 bed houses

The affordable mix proposed does meet affordable housing need, however the applicant could better meet affordable housing need by providing more 1 bed houses for Rent and more 2 bed bungalows for Shared Ownership. Strategic Housing officers have discussed this with the applicant who have advised that including more 1 beds for Rent and 2 bed bungalows for Shared Ownership would have a detrimental impact on the financial viability of the whole scheme.

The affordable tenure mix of 40% for Rent, 30.37% for Shared Ownership and 29.63% for Rent to Buy will assist in diversifying the housing offer available on the site, as suggested by the 2018 Letwin Review for housebuilding rates, should permission be granted.

The previous comments from Strategic Housing relating to the mortgagee in possession clauses and the Longhurst Strategic Partnership relationship with Homes England remain relevant to this and the Reserved Matters application, H16-1070-20.

LCC Highways & SUDS Support

Does not wish to restrict the grant of permission.

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 the proposed amendments would not be expected to give rise to unacceptable impacts upon highway safety or severe residual cumulative impacts upon the local highway network.

The overall drainage strategy for the wider Millfield Nursery site is acceptable.

The highway Conditions for the proposal development are already included on the Outline Consent for the development, so there is no reason to repeat them here.

In view of the above, the Authority does not wish to object to this planning application.

Anglian Water

No comments to make.

Welland and Deepings Internal Drainage Board

No comments to make.

Planning Considerations

Principle of Development is accepted by the previous decision on this site, The main issues in this case are:

Layout and Design
Highway safety and parking
Impact of neighbouring Residents/land users
Foul and Surface Water Drainage
Heritage considerations
Archaeology
Developer Contributions

Layout and Design

The layout proposed does not vary significantly from the previous layout and is considered to be acceptable, when looking to apply the policies set out above.

Highway safety and parking

The highway layout and parking arrangements are considered to be acceptable and accord with Policy 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2019.

Impact of neighbouring Residents/land users

The development has minimal impact on neighbouring land uses and is considered to be acceptable and accord with the policies of the South East Lincolnshire Local Plan (SELLP), 2019 that are set out above. plus advice within the National Planning Policy Framework (NPPF), 2019.

Foul and Surface Water Drainage

The overall drainage strategy for the wider Millfield Nursery site is acceptable. LCC as Highway and Lead Flood Authority raise no objections.

Heritage and Archaeology considerations

The heritage and archaeological value of the site and the remnants of the windmill have been addressed by the consents listed above.

Developer Contributions

The site is now to deliver a 100% affordable housing scheme, which assists in the delivery of the affordable housing forms required across the District.

Planning Balance

PLANNING BALANCE

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The development seeks to provide a significant contribution to affordable housing within the District. The detailed layout changes do not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking. Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 4, 6, 10, 12, 11, 17, 18, 28, 29, 30, 31, 32, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2019.

There are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

Approve.

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.