DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0615-22**	**Applicant:**	**Ms E J Lee**
Proposal:	Residential Development		
Location:	Land To The Rear Of The Beeches Horseshoe Road Spalding		
Terminal Date:	10th October 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is an outline proposal for residential development on land to the rear of The Beeches, Horseshoe Road, Spalding. The proposal seeks to provide an access between The Beeches and Cloverfields to provide a dwelling on grassed land to the rear. No further details have been submitted at outline stage and this application solely seeks to address the principle of development. The submitted Design & Access Statement has made mention of the potential for up to four dwellings on site.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is predominately rural, characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

No relevant history

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

No objections - Requests standard access and utility informatives.

South Holland District Council - Environmental Protection Officer

Requests standard land contamination conditions.

Welland & Deepings Internal Drainage Board

"If the proposed works are to involve either the alteration of a watercourse or making a discharge of water of any kind into any watercourse then the prior written consent of the Board would be required, and potentially be subject to the agreement of technical details as well as payment of any necessary/applicable fees."

Councillor Newton

Support

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

When assessed against the relevant criteria the following can be observed:

The proposal site is within the defined settlement limits of Spalding and will help supports its role as a Sub-Regional Centre.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the proposal will be assessed at the reserved matters stage. Whilst the principle of development on this site is considered to be acceptable, it is considered that only a

single dwelling would be appropriate. This is because multiple dwellings in this location to the rear of existing dwellings would be considered to have a material impact on the character and amenity of the surrounding area. Tree removal and landscaping will also be assessed at the reserved matters stage. Whilst the nearby properties are frontage development, if an appropriate design can be brought forward that does not materially impact amenity then there is not considered to be a material impact on the character and appearance of the area.

2. The design and orientation will be assessed at the reserved matters stage.

3. Materials of construction will be assessed at the reserved matters stage.

4. The exact access design and layout will be assessed at the reserved matters stage. Any design brought forward should accord with Appendix 6 of the SELLP regarding off road parking provision.

5. The capacity of existing community services and infrastructure will not be materially impacted by this proposal.

6. If appropriately designed and sited there should not be a material noise, odour, disturbance or visual intrusion impact from the proposal.

7. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 2

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the proposal will be assessed at the reserved matters stage. Whilst the principle of development on this site is considered to be acceptable, it is considered that only a single dwelling would be appropriate. This is because multiple dwellings in this location to the rear of existing dwellings would be considered to have a material impact on the character and amenity of the surrounding area. Tree removal and landscaping will also be assessed at the reserved matters stage. Whilst the nearby properties are frontage development, if an appropriate design can be brought forward that does not materially impact amenity then there is not considered to be a material impact on the character and appearance of the area. There is not considered to be a material impact on a sense of place.

5. There is ample space on site for bin and cycle storage. The exact access design and layout will be assessed at the reserved matters stage. Any design brought forward should accord with Appendix 6 of the SELLP regarding off road parking provision.

11. If appropriately designed and sited there should not be a material noise, odour, disturbance or visual intrusion impact from the proposal.

12. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

Flood Risk

The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore, a dwelling or dwellings will not have to be significantly raised to address potential flood risk. The minimum finished floor level the local planning authority usually requests across the district is 300mm above ground level in areas which are not subject to increased flood hazard or flood depth.

Highways

It is considered that a single dwelling would not have a material impact on the access road and adjacent Horseshoe Road. However, it is considered that multiple dwellings in this location would have a material impact on the amenity of neighbouring properties and highway safety given the fairly narrow access width for this site. This matter would need to be addressed fully at the reserved matters stage.

Refuse collection

The submitted design and access statement refers to private collection for refuse from the proposal site. No immediate concerns are raised with regard to this proposal, provided the reserved matters layout takes into account the need for a refuse vehicle to manoeuvre safely on site.

PLANNING BALANCE

The proposal is within defined settlement limits and should an appropriate design be brought forward at the reserved matters stage there should not be a material impact on the character and amenity of the surrounding area. Whilst the principle of development on this site is considered to be acceptable, it is considered that only a single dwelling would be appropriate. This is because multiple dwellings in this location to the rear of existing dwellings would be considered to have a material impact on the character and amenity of the surrounding area. This proposal is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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 is considered to be a proportionate response to the submitted application based on the considerations set out in this report.