DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0835-18**	**Applicant:**	**P Buffham**
Proposal:	Residential development - erection of dwelling		
Location:	Rear: 26 Green Lane Spalding		
Terminal Date:	13th December 2018		

Planning Policies

Local Plan July 2016:

HS4	New Housing in Spalding and the Area Centres (Other Towns and Donington)(Non-Allocated Sites)
SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG14	Design and Layout of New Development
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2018

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
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

This is an outline application for the erection of a dwelling to the rear of 26 Green Lane, Spalding.

The indicative block plan submitted with the application shows a vehicular access running adjacent to number 26 along its north-eastern elevation. The indicative dwelling shown is a 2 bedroom bungalow with detached garage. The dwelling shown is orientated diagonally within the plot, facing in a south-easterly direction.

Site Description

The site is the rear garden of a detached bungalow (number 26) which is currently mostly laid to lawn. A small estate of dwellings has recently been constructed to the north-east of the site (Walters Close). There is a tall brick wall along the north-eastern and north-western boundaries and fencing along the south-western boundary. There are windows which face into the site from the dwellings to the north-east.

The site is within the defined settlement limit for Spalding as set out in the South Holland Local Plan (2006).

Representations

LCC Historic Environment Officer - No archaeological impact.

LCC Highways/SUDS - Requests conditions.

SHDC Environmental Protection - No objection in principle. As the proposed property is close to the railway line I have concerns about potential impact from noise and vibration from freight train movements. However, I note that there are other properties that have been built a similar distance from the line. Requests note regarding unexpected contamination.

Network Rail - No observations.

No public objections have been received.

Material Considerations

- Principle
- Character
- Residential amenity
- Flood risk

Principle

The site is within the defined settlement limit for Spalding as set out in the South Holland Local Plan (2006) and so residential development in this location would, in principle, be acceptable.

Character

The proposal would effectively be backland development. However, given that there is depth development immediately to the north west (Walters Close) it is not considered that a single dwelling to the rear of number 26 would be so out of character with the existing built form as to justify a refusal on character grounds.

Details of external materials of construction will be dealt with at reserved matters stage.

Residential amenity

It should be noted that the railway line comes within approximately 30 metres of the site. The line is now used 24 hours a day by trains, with passenger trains commencing early morning, finishing late evening, but freight trains can run throughout the night. SHDC Environmental Protection have raised concerns about the potential impact from noise and vibration form freight train movements but they have not objected, noting that there are other properties which have been built a similar distance from the line. Given that the principle of residential development at that distance from the line has already been established it is not considered that the application could reasonably be refused on noise grounds.

Although the proposed driveway is in close proximity to number 26 and the gardens of 24a Green Land and 1 and 3 Walters Close, it is considered that noise generated from vehicles should not be a significant barrier to the development of the site as the location of the site near to the town centre and railway line would mean generally higher levels of background noise already apply. However, the proposed drive should be hard-surfaced as opposed to gravelled to minimise noise generation. The indicative block plan shows that the drive is to be hard surfaced or block paved - Specific details can be secured at reserved matters stage.

Although there are windows belonging to properties on Walters Close which face into the site, it is considered that a dwelling is capable of being sited and orientated in such a way that any overlooking is minimised. This can be looked at in more detail through a reserved matters application.

No resident objections have been received.

Flood risk

The NPPF requires the application of the Sequential Test to steer new development to areas with the lowest probability of flooding. If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) is the basis for applying the Sequential Test. This concludes that the vast majority of South Holland District is in Flood Zones 2 and 3. Therefore, consistent with wider sustainability objectives, it is not realistically possible to direct all development to zones with a lower probability of flooding. As such, the document outlines a methodology whereby the SFRA hazard and depth maps (in that order) are to be utilised when determining flood risk and applying the sequential test. Using this methodology it is possible to use the information to steer development towards the areas of lower flood risks as advised within paragraphs 100 - 101 of the NPPF.

The application site lies within Environment Agency Flood Zone 3a and the site is not identified within any hazard zone in the South East Lincolnshire Strategic Flood Risk Assessment (March 2017).

As part of preparing the South East Lincolnshire Local Plan (Publication Version, March 2017) reasonably available sequentially preferable sites have been identified in Spalding in terms of flood risk. There are a few sites within Spalding that are in a lower risk flood zone, however these sites actually fall within hazard zones in the SFRA. Furthermore, given the Council's lack of a 5-year housing land supply, it could be argued that there are not currently sufficient reasonably available sites for housing that are sequentially preferable in flood risk terms across the district. It could therefore be argued that, should the site be acceptable in all other regards, and if the Exceptions Test is successfully passed, the site is acceptable in flood risk terms.

In order for the Exceptions Test to be passed, it must be demonstrated that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

It is considered that the development would provide wider sustainability benefits to the community in terms of its ability to help meet the housing need, and other benefits including generating employment during the construction period and thereby providing some protection to the local economy. It is also within the existing built up area of Spalding meaning that a wide range of services and facilities would be accessible by more sustainable modes of transport, such as walking or cycling. It would also be relatively in keeping with existing development.

In terms of making the development safe, the Flood Risk Assessment submitted with the application recommends that finished floor levels should be set at 300mm above existing ground level. This would be sufficient to mitigate against flood risk.

Conclusion

Taking the above into account, it is considered that the proposal is in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan (2006) as well as Sections 12 and 14 of the National Planning Policy Framework (2018).

The recommendation is therefore for a delegated approval.