DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1107-18**	**Applicant:**	**Market Homes Ltd**
Proposal:	Erection of three dwellings.		
Location:	Land At Former Halmer Grange Spalding Lincolnshire		
Terminal Date:	31st 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
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	1	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	0

OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	9	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of three dwellings on land at former Halmer Grange, Spalding.

The proposal is for three 2-bed detached dwellings which would be accessed off Grange Drive via a shared access with the existing flats. All habitable rooms would be at first floor, with garage, utility, store and bath rooms at ground floor. The plans show a flat roof design with the dwellings finished in white render.

Parking would be provided within the plot, with modest size gardens to the rear.

Site Description

The site is part of the grounds of Grange Court, a building which has recently been converted from a former care home (Halmer Grange) to 17 flats under planning permission H16-1083-13, which was allowed on appeal.

The application site is now a vacant plot of land, which is currently fenced off. There are dwellings to the north and east (both bungalows and houses) and Grange Court itself to the west. Spalding High School's playing field is located to the south.

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 - Does not wish to restrict the grant of permission.

SHDC Environmental Protection - No objections or comments.

Environment Agency - No objection subject to development being carried out in accordance with submitted flood risk assessment, no habitable rooms at ground level and the removal of permitted development rights.

Public -
- Overdevelopment
- Lack of outdoor space for existing flats
- Highway safety and parking
- Overlooking and loss of light
- Proximity of proposed dwellings is an issue
- Proposed dwellings would look like giant sugar cubes and an eye sore
- Query why there is a full bathroom downstairs as well as upstairs when only 2 bed properties
- Site is not brownfield as stated
- Developer should erect their own fence to the rear of 23 Grange Drive, not use the existing
- Trees overlap the building on plot 1
- Plan show ground level access to houses whereas previous application considered houses should

be raised by 1m
- Why allow new properties to be built on land where flood water could be 2 metres depth
- Disabled people will be segregated as all the living quarters are upstairs
- Architects drawings prepared in Sept 2018 but residents only given 15 working days to prepare objections
- Noise, dust and disruption during construction

Material Considerations

- Principle
- Residential amenity
- Impact on character and appearance
- Highway safety
- 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 on the site would, in principle, be acceptable.

The remainder of this report will seek to consider whether the details of the scheme are acceptable.

Residential amenity

This application site has been the subject of two previous applications (H16-0583-16 and H16-1023-16) for residential development (6 dwellings). Both of these applications were refused (on 10th Sept 2016 and 7th Dec 2016 respectively), with one of the refusal reasons being: 'the proposed development would have significantly adverse impacts on the amenities of occupiers of the associated block of flats and existing and future occupants of nearby properties by virtue of unacceptable levels of noise and disturbance associated with increased vehicular/pedestrian movements as a consequence of the proposed density of development, the restricted access to the site, and insufficient and poorly laid out on-site parking provision and amenity space for the block of flats which would be irrevocable'.

Application ref. H16-1023-16 was dismissed on appeal on 16th May 2017. The Inspector concluded that 'the proposal would result in an over intensive form of development that would generate an unacceptable cumulative level of noise and disturbance and would negatively affect the outlook of existing and future residents to such an extent that their living conditions would be unacceptably harmed'.

The key point to consider in respect of this application therefore is whether a reduction in the number of proposed dwellings from 6 to 3 and the new dwelling design is sufficient to overcome the previous refusal reasons. In this context, it is considered that a point made by the Inspector with regard to application ref. H16-1023-16 still applies. In paragraph 5 of the appeal decision, the Inspector stated that 'not only would there be an increase in the number of vehicular and pedestrian movements taking place across the site, the source of the noise would be spread across its full extent rather than being focussed in the flats and associated parking areas. The dwellings would introduce a different type of noise and activity with the potential for families living within the site. The use of the gardens running alongside the boundary with dwellings on Exeter Drive would be particular additional potential source of disturbance in this respect.' This application is no different in that development, and therefore noise, would be spread across the full extent of the site. The access, whilst LCC Highways have no objections, would still remain the focal point for all movement through the site and the additional three dwellings would generate travel movements over and above the current approved flats. These movements will all impact upon the occupiers of the flats and upon immediate neighbours (in particular those either side of the access off Grange Drive) and will intensify activity and disturbance on an area of land where there is already a high level of development. Although the additional movements and activity associated with the dwellings may not be considered significant in their own right, when added to what is already in existence the cumulative impact would be significant. It is therefore still considered that the proposal would represent an over intensive form of development which would create a detrimental impact upon the residential amenity and urban quality of the adjacent occupiers.

In addition, the front facing outlook of plots 2 and 3 would be dominated by the flank wall of the existing block of flats which would not allow for an open or attractive outlook from those properties.

While there would be some degree of separation by virtue of the access road and front garden/parking spaces, the relationship between the buildings would result in a feeling of enclosure in these dwellings, with plot 2 in particular having a poor outlook from the living area.

The proposed scale and massing of the proposed dwellings was also an issue raised against H16-1023-16 as the dwellings were proposed to be significantly elevated due to flood risk. The Inspector considered that the overall mass and bulk of the dwellings would result in imposing and intrusive features that would unacceptably harm the outlook from neighbouring dwellings. In an attempt to overcome this and minimise the scale of the proposal, this application is proposing two storey flat roofed dwellings. This is considered to be an improvement and would minimise the impact on outlook for surrounding properties.

Some objectors refer to the lack of open space for the existing flats, and indeed this application site could function as amenity space for the flats. However, as highlighted by the Inspector at appeal stage, this area was excluded from the application for the flats and the Inspector at that appeal did not consider it was needed in order to create a satisfactory living environment for the flats. There is no evidence to suggest this situation has changed.

Impact on character and appearance

The proposed dwellings would be different to a typical estate dwelling in terms of design, being flat roofed and finished in white render. Existing dwellings in the vicinity mostly have open gable or hipped roofs. Grange Court adjacent is also fairly similar in design to the existing dwellings on Grange Drive, although there has been an attempt to modernise the building with the introduction of some grey cladding on the exterior. The proposed flat roof design has been introduced in order to minimise the scale and massing of the proposed dwellings, however this would result in a form of development that is out of keeping with existing development in the area and which would be visually prominent due to the proposed materials. It is therefore considered that the proposal would be contrary to Policies SG1 and SG14 of the Local Plan which seek, amongst other things, to ensure that new development does not have an adverse effect upon the character and appearance of the locality. It would also be contrary to Paragraph 127 of the NPPF which states that planning decisions should ensure that developments are sympathetic to local character.

Highway safety

Concern has been raised by objectors in respect of highway safety and parking, however LCC Highways have not objected to the application. It would therefore not be reasonable to refuse the application on these grounds.

Flood risk

The NPPF requires the application of the Sequential Test to steer new development to areas with the lowest risk of flooding. If it is not possible for development to be located in zones with a flower risk of flooding (taking into account wider sustainable development objectives), the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) provides 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 risk 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 paragraph 158 of the NPPF.

The application site lies within Environment Agency Flood Zone 3a and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies the worst case scenario for the site as 'danger for all' in terms of flood hazard with predicted flood depths of over 2.0m.

The emerging South East Lincolnshire Local Plan has identified sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. However, given the Council's lack of a 5-year housing land supply, it could be argued that it can not currently be demonstrated that there are sufficient reasonably available sites for housing that are sequentially preferable in flood risk terms across the district. As such, one could

argue that, should the site be acceptable in all other regards, and if the Exceptions Test is successfully passed, that the site is acceptable in flood risk terms, notwithstanding the fact that there are sequentially preferable sites in the emerging Local Plan.

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 accepted that the development would provide some wider sustainability benefits to the community through its ability to help meet the housing need (albeit a small contribution), and other benefits including generating employment during the construction period. However, as it has already been highlighted, the proposed development would have an unacceptable impact on residential amenity and would harm the character and appearance of the area. This is considered to outweigh the aforementioned benefits and therefore the Exceptions Test is not passed in this instance.

Conclusion

Taking the above into account, it is considered that the proposed development would be contrary to Policies SG1, SG14 and SG17 of the South Holland Local Plan 2006 and Sections 12 and 14 of the National Planning Policy Framework, 2018.

The recommendation is therefore for a delegated refusal.