

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-1198-18 **Applicant:** Mr A Fragale
Proposal: Residential development (4 properties)
Location: Rear Of 11-13 Little London Spalding Lincs
Terminal Date: 4th March 2019

Planning Policies

Local Plan July 2006:

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 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

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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
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CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for residential development (4 properties) to the rear of 11-33 Little London, Spalding.

The proposal is for two pairs of semi-detached chalet style bungalows constructed of red brick and grey slate tiles, comprising of 2 x 2 beds and 2 x 1 bed.

The proposed dwellings would be accessed off Little London between no's. 10 and 11. 7 parking spaces would be provided in total.

Site Description

The site comprises of the rear garden of no. 11 and an area of land located to the rear of no. 13 which accommodates a detached double garage but which appears not to be utilised. There are frontage properties to the north and flats to the rear. There is other backland development to the west.

Policies/Constraints

The Council is in the process of finalising a new Local Plan (the South East Lincolnshire Local Plan). The new Local Plan has been through it's formal Examination process and the final report from the Planning Inspectorate has now been received. However, the new Local Plan has yet to be formally adopted. The saved policies in the 2006 Adopted South Holland Local Plan therefore remain material. However, the new Local Plan is now considered to carry significant weight in the decision-making process.

The site is located within the defined settlement limit for Spalding as set out in the South Holland Local Plan (2006) as well as the settlement boundary for Spalding in the South East Lincolnshire Local Plan (to be adopted March 2019).

South Holland Local Plan, 2006

As above

South East Lincolnshire Local Plan (scheduled to be adopted March 2019)

Policy 1 - Spatial Strategy
Policy 2 - Development Management;
Policy 3 - Design of New Development;
Policy 4 - Approach to Flood Risk;
Policy 10 - Meeting Assessed Housing Requirements; and
Policy 11 - Distribution of New Housing.

Representations

LCC Historic Environment Officer - No archaeological impact.

LCC Highways/SUDS - No objections.

SHDC Environmental Protection - No comments or observations.

Welland and Deepings IDB - No objections in principle.

No public comments have been received.

Material Considerations

- Principle
- Flood risk
- Impact upon character and appearance of the area
- Residential amenity
- Parking provision

Principle

The site is located within the defined settlement limit for Spalding as set out in the South Holland Local Plan (2006) as well as the settlement boundary for Spalding in the South East Lincolnshire Local Plan (to be adopted March 2019). Residential development in this location would therefore be acceptable.

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 (to be adopted March 2019) 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.

In terms of making the development safe, the South East Lincolnshire Standing Advice Matrix makes no comment on finished floor levels for sites outside of hazard zones and so it is considered acceptable that floor levels are not raised.

Impact upon character and appearance of the area

The proposed development would be backland in nature, being to the rear of properties fronting on to Little London. However, there are already existing backland properties immediately to the west (19 and 19a) which were approved under ref. H16-0877-05. It therefore cannot be said that the proposed dwellings would be out of keeping with the existing development form.

The properties are of similar scale to the existing bungalows to the west and an appropriate separation distance can be achieved between the two pairs of semi's and the site boundaries.

Residential amenity

Concern was originally raised in relation to the potential for overlooking between the proposed dwellings and the properties to the front and the flats to the rear. There would only be a separation distance of approx. 12m to the frontage properties and approx. 15m to the flats behind. Consequently, amended plans have been received which show the rear windows of plots 1 and 2 as obscure glazed and the rooflights on the front elevation of all 4 plots as obscure glazed. Since submitting the application, the applicant has also installed windows with obscure glazing on the first floor facing windows of the properties to the front of the site. It is appreciated that there would still be the potential for occupants to open the windows in question, however given that the site is not location far from the town centre lesser separation distances are more acceptable and there are other examples of properties close together in the vicinity.

In terms of amenity space for the occupiers, between 5m and 6m long gardens could be achieved which is acceptable and would be greater than the existing bungalows to the west which was previously deemed acceptable. The floorspace which would be provided would be satisfactory.

With regard to the proposed driveway between no's. 10 and 11, it would be approx. 2.5m from the side elevation of no. 11 but only around 0.9m from no. 11. However, a precedent has effectively been set by allowing the dwellings to the west with an access in close proximity to a residential property. Furthermore, no residential objections have been received. The existing access between no's. 13 and 14 is much tighter and the applicant has agreed for a condition to be added that this should not be used as an access to the properties.

Overall it is not considered that there is a strong reason for refusal on the grounds of residential amenity.

Parking provision

The Highways Authority originally objected on the grounds that there was insufficient parking provision for the proposed dwellings. Only 5 spaces were originally proposed for 4 x 2-bed properties. Appendix 6 of the SELLP (linked to Policy 36) sets out parking standards of 2 spaces for dwellings with up to 3 bedrooms. The initial proposal fell short of this. The amended proposal is for 2 x 2-bed properties and 2 x 1-bed properties, with 7 parking spaces. Appendix 6 states that the parking standards may be relaxed for one bedroom dwellings to one parking space per unit and 1 additional space per 3 units for visitors. Given that the site is within walking and cycling distance of Spalding town centre and there is a bus stop on this part of Little London it is considered that one parking space for the 1-bed units would be acceptable. The Highways Authority have no objections to the amended proposal.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan (2006), Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) as well as Sections 5, 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.