DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1225-18**	**Applicant:**	**Mr S Clark**
Proposal:	Erection of one bed dwelling		
Location:	Adj. 15 Stennett Avenue Spalding Lincs		
Terminal Date:	11th February 2019		

Planning Policies

Local Plan July 2016:

HS7	New Housing in the Open Countryside including Other Rural Settlements
SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG4	Development in the Countryside
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
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of a one bed dwelling adjacent to 15 Stennett Avenue, Spalding.

The proposed dwelling would be built onto the eastern end of an existing terrace of dwellings. All habitable accommodation would be at first floor level, with an entrance hall, a utility room, a shower room and storage room at ground floor level.

A block paved driveway would be provided to the front of the dwelling.

Site Description

The site is a small plot on the end of a row of terraced properties, comprising of numbers 15 - 18 Stennett Avenue. The site is currently enclosed by a fence which joins onto the footpath. There is a detached dwelling to the south which has recently been constructed. There are other terraced houses opposite the site. Parking is available on the other side of the road.

The site is located outside of any defined settlement limit as set out in the South Holland Local Plan (2006) and so is classed as being in the countryside.

Representations

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

SHDC Environmental Protection - No objections. Requests standard contaminated land condition or condition relating to installation of precautionary ground gas protection measures.

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

Material Considerations

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

Principle

As the site is outside of any defined settlement limit in the 2006 Local Plan, it is classed as being in the countryside. Sites located in the countryside would normally be assessed against Policy HS7 in the South Holland Local Plan (2006). This policy only allows residential development in the open countryside where there is an essential need, or small scale rural exception affordable housing that complies with Local Plan Policy HS9.

However, the Council does not currently have a five-year supply of deliverable housing sites.

Paragraph 11 of the National Planning Policy Framework, 2018 (NPPF) states that decisions should apply the presumption in favour of sustainable development and where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, the most important policies for determining the application (i.e. those relating to the supply of housing) are considered out-of-date. Paragraph 11 of the Framework goes on to state that, in such circumstances, permission should be granted unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; (ii) or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when

assessed against the policies in this Framework as a whole. Ultimately, the planning system has three overarching objectives to be pursued to achieve sustainable development: economic; social; and environmental.

In terms of point (i), there is not a clear reason for the development to be refused when taking into account policies in the Framework that protect areas or assets of particular importance as defined by Paragraph 11 of the NPPF.

In terms of point (ii), it is not considered that there would be any adverse impacts (when assessing the proposal against the Framework and the overarching objectives) that would significantly and demonstrably outweigh the benefits:

Economic - The development may support the local economy through employment opportunities associated with construction and future occupants may work locally and support local services.

Social - The proposal would make a small contribution towards housing supply in the district (Section 5) and a safe form of development appears capable of being created. Furthermore, there are a wide range of services and facilities available in Spalding. Although these would not be reasonably accessible on foot, there is a bus stop at the end of Stennett Avenue on Spalding Common which is served by an hourly bus service between Spalding and Peterborough and the town centre is within a reasonable distance for cycling.

Environmental - The proposed dwelling would be built onto the eastern end of an existing terrace of dwellings and has been designed so as to blend in with the existing terrace as much as possible. The submitted plans show the whole of the dwelling as being brick finish. However, this would be out of character with the existing terrace. The applicant has therefore agreed to a condition for the upper half of the front elevation of the dwelling to be finished in cream render as with the existing dwellings.

The site is also within the settlement boundary for Spalding in the South East Lincolnshire Local Plan (Publication Version, March 2017) and so, by virtue of this, the site can be considered to be in a sustainable location.

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 Section 14 of the NPPF.

The site is located within Environment Agency Flood Zone 3 and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies the site as mostly 'danger for most' in terms of flood hazard with predicted flood depths of 1.0-2.0m.

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, and other benefits including generating employment during the construction period and a range of services and facilities in Spalding being accessible by bus and bicycle.

In terms of making the development safe, this would result in no ground floor habitable accommodation and involve the removal of permitted development rights. This would be sufficient to mitigate against flood risk.

Given the above, it is considered reasonable to conclude that the Exceptions Test can be passed in this instance.

Residential amenity

No neighbour objections have been received and it is not considered that there would be a material adverse impact on neighbouring residential amenity in terms of overlooking, loss of light or the proposed dwelling being overbearing in nature. There would be a good separation distance between the proposed dwelling and the existing 15a and there are no windows to habitable rooms overlooking.

In terms of the space that would be provided within the proposed new dwelling, the kitchen and bedroom would not be overly large but there are no adopted space standards relating to such developments which room sizes can reasonably be assessed against. It is therefore considered that it would be unreasonable to refused the application on the grounds of inadequate internal amenity space.

The proposed bulk of the garden space could be better related to the proposed dwelling but this is not a reason by which to withhold planning permission.

Impact upon character and appearance of the area

As discussed previously in this report, the proposed dwelling has been designed so as to blend in with the existing terrace as much as possible. A condition requiring the upper part of the new dwelling to be finished in cream render would ensure a satisfactory continuation of the existing terrace in design terms. The design would also be in keeping with no. 15a to the south when viewed from an easterly direction. Despite the requirement to only have non-habitable rooms at ground floor level due to flood risk, this would not have an impact on the external appearance of the proposed dwelling.

Although not a large plot, it is large enough to accommodate the proposed dwelling, whilst still providing a garden area and space around the dwelling.

Overall, it is not considered that there is a justifiable reason to refuse the application on character grounds.

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.