

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-1258-18 **Applicant:** Mr Marshall

Proposal: Proposed residential development of a self build, zero carbon dwelling with a self contained annexe and solar array.

Location: Land Between: 19 Weston Hills Road And The Gables Weston Hills Road, Low Fulney

Terminal Date: 3rd April 2019

Planning Policies

Local Plan July 2006:

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 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	1	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for proposed residential development of a self build, zero carbon dwelling with a self contained annexe and solar array on land between 19 Weston Hills Road and The Gables, Weston Hills Road, Spalding.

The proposed dwelling would be two storey in height and the design, although fairly unique compared to development across much of South Holland, is intended to reflect the historical character of the former Land Settlement Association's Low Fulney settlement. The site would be accessed via the existing access point off Weston Hills Road adjacent to 19 Weston Hills Road.

In addition to the main dwelling, a two storey 2-bed annexe is also proposed.

The design responds to the need to minimise environmental issues such as greenhouse gas emissions. Energy efficiency has been key and the development has been designed so as to be a zero carbon home. It will also be provided with 2 electric car charging points and will be powered by its own solar panels at the rear of the garden. Rainwater harvesting and grey-water recycling for use as irrigation within the garden would also be employed.

Site Description

The site is a largely triangular parcel of grassed land, the bulk of which is located to the rear of 19 Weston Hills Road and a property know as 'The Gables'. There are glasshouses to the west and north/north-east. The boundaries are fairly open at present with the exception of the adjoining frontage properties which are separated by hedging and fencing respectively. The site currently shares a gravel access with no. 19.

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 outside of any defined settlement limit as set out in the South Holland Local Plan, 2006 as well as any settlement boundary in the South East Lincolnshire Local Plan, 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
Policy 31 - Climate Change and Renewable and Low Carbon Energy

Representations

Cllr Ashby - Support.

LCC Historic Environment Officer - This office welcomes the attention in the design of the proposed development to reflect the locally distinctive and historically significant character of the former Land Settlement Association's Low Fulney settlement, which was designed and laid out in the 1930s. In other parts of the country these settlements have been designated as conservation areas in order to preserve their planned form and architecture. Whilst such a designation would not be appropriate at Low Fulney, its distinctive sense of place should be maintained and enhanced as opportunities arise. There are no archaeological impacts.

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

SHDC Environmental Protection - No comments or observations with respect to land contamination.

Environment Agency - No objection subject to development being carried out in accordance with the submitted FRA.

South Holland Drainage Board - No objections. Make reference to usual consents that would be required.

Public -

- Impact on privacy of rear garden
- Increase in number of vehicles accessing site
- Concern re potential for obstruction of dyke and flooding
- Access for maintenance of boundary fence
- Heavy construction traffic using bridge over dyke

Material Planning Considerations

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

Principle

The site is detached from any defined settlement limit as set out in the South Holland Local Plan (2006) and is therefore classed as being in the countryside. It is also located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (2019). 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. In that context, as the proposal is neither for rural exceptions affordable housing nor essential to meet the needs of agricultural workers, the recommendation would normally be to refuse.

However, the Council does not currently have a 5-year supply of deliverable housing sites (4 years as at 31st March 2018). Paragraph 11 of the National Planning Policy Framework, 2019 (NPPF) states that 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 NPPF is quite clear that

permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies outlined in the NPPF as a whole; or specific policies in the NPPF indicate that development should be restricted. Sustainable development is defined in paragraphs 7 and 8 of the NPPF as having three dimensions: economic, social and environmental.

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 contribution towards housing supply (albeit small) in the district (Section 5) and a safe form of development is capable of being created. However, the site is detached from the main built up area of Spalding and is outside of a reasonable walking distance of facilities.

Environmental -

- The site is within a cluster of frontage dwellings fronting onto this part of Weston Hills Road. There are glasshouses to the west and north and an agricultural unit to the east. Two frontage properties adjoin the site at the south. The site therefore relates well to the existing development in the area.
- In terms of the design, the submitted plans show a high quality architectural design that reflects the historic character of this part of Low Fulney and is locally distinctive.
- With regard to scale, it is a large plot which is capable of accommodating a dwelling and annexe of the sizes proposed, whilst leaving a significant area for outdoor amenity space to the rear.
- Given that the site would likely be accessed by car due its distance from services and facilities, the development has been designed to respond to the need to minimise environmental issues such as greenhouse gas emissions. Energy efficiency has been key and the development has been designed so as to be a zero carbon home. It will also be provided with 2 electric car charging points and will be powered by its own solar panels at the rear of the garden. Rainwater harvesting and grey-water recycling for use as irrigation within the garden would also be employed. A vegetable garden would be located to the east of the main dwelling to allow occupants to grown their own food.

Taking into account the above proposed steps to ensure the development is acceptable in environmental terms as well as the smaller contribution it would make economically and socially, it is considered that, on balance, the proposed development is acceptable in this location.

As the site is outside of any settlement boundary in the SELLP there is conflict with its Spatial Strategy (Policy 1). However, given the current lack of 5 year supply and the above considerations, this is not an overriding concern.

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 is identified as a combination of danger for some and danger for most in terms of hazard with predicted flood depths of between 0.25m and 1.0m within 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 South Holland district in terms of flood risk. However, 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. Although the distance from services and facilities in Spalding would mean that the private car would likely be the predominant form of transport used, it is considered that the measures proposed as part of the development to mitigate the impact on this use would make the development more environmentally sound.

In terms of making the development safe, finished floor levels of the main dwelling would be set at approx. 500mm above existing ground level and the annex at approx. 1m above existing ground level. This would be sufficient to mitigate flood risk.

Concern has been raised regarding the potential for the dyke at the front of the site to become obstructed because of increased use of the crossing, therefore leading to flooding. This concern is noted, however it is not an issue that has been raised by either the relevant drainage board or Lincolnshire County Council as Lead Local Flood Authority.

Residential amenity

Concern has been raised regarding loss of privacy. However, it is considered that there is sufficient separation distance between existing dwellings and the proposed dwelling and annexe, and specific measures have been taken to ensure there is no overlooking - For example the timber louvers over the first floor windows on the eastern elevation of the dwelling. There are no windows on the south facing elevation of the annexe. Furthermore there is high hedging which currently screens the property known as 'The Gables' at the side and rear.

The proposed drive is located far enough away from the adjacent property for there to be no material adverse impact in terms of noise and disturbance.

Highways

Concern has been raised regarding heavy construction vehicles crossing the dyke at the front of the site and the expected increase in the number of vehicles that would be accessing the site in the future. However, the Highways Authority have not objected to the application and so it would be unreasonable to refuse the application on highways grounds.

Impact upon character and appearance of the area

As stated in the environmental section above, the site is considered to relate well to the existing development in the area.

In terms of the design, the submitted plans show a high quality architectural design that is supported by the County Council's Historic Environment Officer due to it reflecting the historic character of this part of Low Fulney and being locally distinctive.

With regard to scale, it is a large plot which is capable of accommodating a dwelling and annexe of the sizes proposed, whilst leaving a significant area for outdoor amenity space to the rear.

The solar panels would be located at the rear of the site where they would have the least visual impact.

Overall the proposal is considered to be acceptable in character terms.

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 2, 3 and 4 of the South East Lincolnshire Local Plan (2019), as well as Sections 12 and 14 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.