DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1333-21**	**Applicant:**	**Centric Homes Ltd**
Proposal:	Erection of bungalow, including the demolition of existing industrial premises - approved under H16-0960-18 - Allowed on Appeal. Modification of Condition 2 to allow amendments to previously approved plans.		
Location:	2a Carrington Road Spalding		
Terminal Date:	23rd February 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a Section 73 Modification application at 2A Carrington Road, Spalding for the erection of bungalow, including the demolition of existing industrial premises - approved under H16-0960-18 - Allowed on Appeal. The application seeks a modification of Condition 2 to allow amendments to the previously approved plan. This application proposes to provide three bedrooms, an en-suite, a dressing area, a bathroom and an open plan kitchen / lounge / dining area. This proposal differs from that of the application allowed on appeal in that a dressing room and en-suite have been added, with bedrooms 2 and 3 reduced in size. To the rear the double doors have been relocated from the lounge area to the dining area. Save for lengthening the front door hallway to add a cloakroom there is not any other alterations to the footprint of the bungalow. The proposed materials of construction are Planum Anthracite Concrete Grey Tile by Crest, with Off White 'K' Render for the walls, and blue engineering brick below the damp proof course.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs. The dwelling has a 1.8 metre high fence at the northern boundaries with 4 Carrington Road and Wildwood Lodge. A 1.8 metre high fence is at the western boundary with Millgate Lodge. A 1.8 metre high fence is located at the southern boundaries with 192 to 208 Winsover Road. Currently no boundary is present with 2 Carrington Road to the west, however, a row of hedging is proposed adjacent to the proposed garden for 2 Carrington Road. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H16-0960-18

Full - Erection of bungalow, including the demolition of existing industrial premises - Refused - 26 November 2018 - Allowed on appeal - 23 August 2019.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

Councillor Newton

"I am concerned about the parking arrangements proposed. Can you confirm there is sufficient room to park safely as indicated on the plans, please? If not, I do not support the proposals as drawn. Should there be a designated bin store?"

This comment was relation to the approved application at 2 Carrington Road under H16-1333-21. However, amended plans have been submitted to the satisfaction of the Highways Officer. The designated bin store is not considered applicable in this location as the principle of development on this site was established at appeal back in 2019 when the previous application for a bungalow was allowed on appeal. This is before the Environmental Services guidance on private roads and the installation of bin stores.

Member of the public - Objection

Methods of drainage
A demolition method statement should be submitted.
The building contains asbestos.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Sub-Regional Centres. This section of the policy states:

"Within the settlement boundaries of Boston and Spalding (as shown on the Inset Maps) development will be permitted that supports their roles as Sub-Regional Centres."

When assessed against the above criteria the following can be observed:

The proposed is within the defined settlement limits of the largest settlement in the district and is surrounded by buildings and land in residential use. It is considered that the dwelling will support the role of Spalding as a Sub-Regional Centre.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size and scale of the dwelling is comparable to the existing industrial dwelling on site. The layout is considered to be an improvement on the previous design and offer an enhanced level of amenity for future occupants. No trees will be removed to facilitate this proposal. There is not considered to be an impact on the character and appearance of the surrounding area.

2. The design of the dwelling is considered to be appropriate for the site and comparable to other single storey dwellings nearby. The orientation best allows for maximising amenity space, as well as entry / exit.

3. The proposed materials of construction are Planum Anthracite Concrete Grey Tile by Crest, with Off White 'K' Render for the walls, and blue engineering brick below the damp proof course. The proposed materials are considered to be appropriate for the site.

4. The existing access will remain unaltered. The application proposes two off road parking spaces which is the minimum amount requested for a dwelling with three bedrooms or fewer under Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructures is not impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The scale and massing of the building is not materially different to the existing industrial building on site. The proposed footprint and height is not materially different from the application H16-0960-18 allowed on appeal. It is therefore considered that the proposal is not considered to represent overdevelopment.

Overshadowing / overbearing - The proposed design is 5.7 metres high with the 2018 design 4.55 metres high. The distance to neighbouring properties from the proposed bungalow is 12.7 metres from 2 Carrington Road at the nearest point to the west, 18.8 metres from Millgate Lodge to the

east, and 22 metres from the dwellings on Winsover Road. Given the distances involved there is not considered to be a overshadowing / overbearing impact.

Overlooking - The proposed bungalow does not have raised finished floor levels to address flood risk. The site is bordered by an existing 1.8 metre high timber fence. Therefore it is considered that there is not overlooking to the north, east and south from the bungalow windows. The two frontage windows of the dwelling serve two bedrooms and face a kitchen window and entrance door to Flat 2b approved under reference H16-1334-21. The kitchen window of Flat 2b should not be materially overlooked as there is to be a boundary hedge proposed that will help to provide a partially secluded amenity space for Flat 2b.

There is not considered to be a material visual intrusion impact from the proposed bungalow.

7. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The local planning authority would usually request finished floor levels of 300mm in this instance to prevent surface water ingress, however, the Inspector dismissed this suggested condition when allowing H16-0960-18 on appeal. A finished floor level condition would not be added on this application.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. The proposed bungalow is located at the rear of a private road and there is not considered to be an impact on a sense of place. The size and scale of the dwelling is comparable to the existing industrial dwelling on site. The layout is considered to be an improvement on the previous design and offer an enhanced level of amenity for future occupants. No trees will be removed to facilitate

this proposal. There is not considered to be an impact on the character and appearance of the surrounding area.

4. The site is within the defined settlement limits of the largest settlement in the district. Bus stops are located nearby on Winsover Road.

5. There is adequate space on site for cycle and bin storage. The site proposes 2 off road parking spaces which for a residence containing three bedrooms is in accordance with the minimum parking requirements under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The scale and massing of the building is not materially different to the existing industrial building on site. The proposed footprint and height is not materially different from the application H16-0960-18 allowed on appeal. It is therefore considered that the proposal is not considered to represent overdevelopment.

Overshadowing / overbearing - The proposed design is 5.7 metres high with the 2018 design 4.55 metres high. The distance to neighbouring properties from the proposed bungalow is 12.7 metres from 2 Carrington Road at the nearest point to the west, 18.8 metres from Millgate Lodge to the east, and 22 metres from the dwellings on Winsover Road. Given the distances involved there is not considered to be a overshadowing / overbearing impact.

Overlooking - The proposed bungalow does not have raised finished floor levels to address flood risk. The site is bordered by an existing 1.8 metre high timber fence. Therefore it is considered that there is not overlooking to the north, east and south from the bungalow windows. The two frontage windows of the dwelling serve two bedrooms and face a kitchen window and entrance door to Flat 2b approved under reference H16-1334-21. The kitchen window of Flat 2b should not be materially overlooked as there is to be a boundary hedge proposed that will help to provide a partially secluded amenity space for Flat 2b.

There is not considered to be a material visual intrusion impact from the proposed bungalow.

12. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The local planning authority would usually request finished floor levels of 300mm in this instance to prevent surface water ingress, however, the Inspector dismissed this suggested condition when allowing H16-0960-18 on appeal. A finished floor level condition would not be added on this application.

This application accords with SELLP Policy 3.

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 area 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) (SFRA) shows that the site falls within areas of no increased flood hazard or flood depth

The Local Plan has allocated sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. Although the application site is not

a housing allocation within the Local Plan (only suitable sites capable of accommodating 10+ dwellings have been allocated), the site does lie within the settlement boundary for Spalding. In general, there is a presumption in favour of sustainable development within settlement boundaries and windfall sites are expected to have a contribution towards housing supply (and maintaining the 5-year supply of deliverable sites) in the district. As such, one could argue that, should the site be acceptable in all regards, and if the Exceptions Test is successfully passed, that 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.

With regard to the above, the development would provide some wider sustainability benefits to the community through a contribution (albeit small) towards housing supply, and other benefits including generating employment during the construction period and its proximity to a range of services and facilities.

In terms of drainage, a condition requiring full details of drainage would be attached to any approval.

Given the above, the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

PLANNING BALANCE

It is considered that the proposed bungalow does not represent a significant increase in size to the existing industrial building on site. There is not considered to be a material amenity or character impact on the surrounding area from the development. This application is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.