

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H17-0430-21 **Applicant:** Scottpark Developments Ltd.
Proposal: Demolition of 20 Gosberton Road and development of up to 10 houses - re-submission of H17-1129-17
Location: Beech House 20 Gosberton Road Surfleet
Terminal Date: 17th June 2021

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 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

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
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL	0	0	0	1

DRAINAGE BOARD				
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	3

CASE OFFICER ASSESSMENT

PROPOSAL

This is an outline application (with some matters reserved) at Beech House, 20 Gosberton Road, Surfleet for the demolition of 20 Gosberton Road and development of up to 10 houses. This application is a re-submission of H17-1129-17 which was previously approved. This permission period has now lapsed.

SITE DESCRIPTION

The proposal site is within defined settlement limits and the surrounding area is characterised by development of varying ages and design. The site is partially within Environment Agency Flood Zone 3 on the northern extent. Therefore, a Flood Risk Assessment has been submitted. The northern extent of the site is in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the north-western corner under the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H17-1129-17

Outline - Demolition of 20 Gosberton Road and development of up to 10 houses - Approved - 26 April 2018.

CONSULTATION RESPONSES

LCC - Strategic Development Officer

The County Council has no comments to make on this application in relation to education as there are net 9 additional dwellings, at which point the development falls below the guidance limit for requests.

LCC - County Highways & SUDS Officer

I understand that this is an Outline Planning Application for the erection of 10 number dwellings with all matters reserved for later approval with the exception of means of access to be considered at this time, as shown on drawing number: 3733-20-02, dated April 2021, albeit indicative only. In principle, the proposed access arrangements would seem to be acceptable and in order to support any further applications of reserved matters, we would ask the applicant to confirm if the proposed access road is to remain private or to be adopted by the Highway Authority. Currently, the proposal of 10 dwellings with an access road that would seem to exceed 100 yards, will be subject to an Advanced Payment Code (APC). Therefore, the roads will have to be constructed to standards in accordance with the County Councils Specification.

The design parameters for developments serving more than 5 dwellings and over 100 yards are as follows:-

A 5.0 metre wide carriageway with a 2.0 metre wide footway, or

A 5.5 metre wide carriageway with a 1.8 metre wide grassed service margin.

If the proposed access road is to remain private, then we would ask that consideration of a bin storage area is provide close to the existing highway in order to allow for kerb side collection as refuse trucks will not enter a private road. The development will also require the existing frontage footway to be extended on the Southern side to the extent of the boundary line with a suitable pedestrian crossing point for the safe facility of pedestrian movements.

Additionally, we would ask the applicant to make consideration of sufficient parking provision is provided where 2 parking spaces for dwellings with three or less bedrooms and 3 spaces for dwellings with four or more bedrooms are proposed.

As the proposed number of dwellings (10), that the applicant has indicated reaches the qualifying criteria for 'Major Developments' (10 or more), there would be a requirement to utilise sustainable drainage principles (SuDS) to manage the surface water run off from the development. In order to fully assess and consider the potential cumulative impact of this development and surrounding properties and land, we would ask for the provision of a drainage strategy with layout plans, full structural, hydraulic and ground calculations and a ground investigation report (infiltration) detailed development layout, landscaping details, discharge agreement and a development management and construction plan.

SHDC - Environmental Protection Officer

I request the full land contamination condition at this location.

SHDC - Housing Strategy Officer

As the proposal is seeking a net increase of 9 houses the Housing Strategy Officer should not have been consulted. The Officer has provided guidance on the number of potential affordable houses on site, however, as the proposal is only for a net increase of 9 houses, there is not a requirement to provide any affordable housing on site.

NHS Lincolnshire

Not submitting a bid for this application.

Welland & Deepings Internal Drainage Board

Requests a drainage strategy at reserved matters stage.

Anglian Water

Requests an informative to notify the applicant of Anglian Water assets within the vicinity of the site. Provides foul and surface water drainage guidance.

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 Minor Service Centres. This section of the policy states:

Within the settlement boundaries of the Minor Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Allocated and Committed sites and infill.

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

It is considered that the proposal will support the role of Surfleet as a service centre and support existing facilities. This is due to the central location within the settlement of the proposed development. The principle of development is considered to be acceptable in this location.

The proposal accords with SELLP Policy 1.

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, scale and layout cannot be substantially assessed at outline stage, however, it is considered that if appropriately designed 10 new dwellings can be comfortably accommodated without materially impacting the character and appearance of the surrounding area.
2. Design and orientation cannot be assessed at the outline stage of the application process.
3. Proposed materials of construction would be addressed at the reserved matters stage.
4. The indicative block plan shows a 5.5 metre wide centrally located access road. No objections have been submitted by the County Highways & SUDS Officer. Provision of off road parking spaces must accord with Appendix 6 of the SELLP which specifies a minimum of 2 spaces for 3 bedrooms or fewer, 3 spaces for 4 bedrooms or greater.
5. The proposal is not considered to materially impact existing community services and infrastructure.
6. If appropriately designed at the reserved matters, it is considered that there would not be any material impact from noise, odour, disturbance and visual intrusion.
7. The site is partially within Environment Agency Flood Zone 3 on the northern extent. Therefore, a Flood Risk Assessment has been submitted. The northern extent of the site is in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the north-western corner under the 1% 2115 South Holland Strategic Flood Risk Mapping. A finished floor level of 0.5 metres is not considered to materially impact the surrounding area.

The proposal 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. A sense of place is not considered to be impacted by the principle of development in this location. The size, scale and layout cannot be substantially assessed at outline stage, however, it is considered that if appropriately designed 10 new dwellings can be comfortably accommodated without materially impacting the character and appearance of the surrounding area.

5. Bin and cycle storage can be achieved within a final design without materially impacting the amenity of occupants. The application proposes a 5.5 metre wide centrally located access road. No objections have been submitted by the County Highways & SUDS Officer. Provision of off road parking spaces must accord with Appendix 6 of the SELLP which specifies a minimum of 2 spaces for 3 bedrooms or fewer, 3 spaces for 4 bedrooms or greater.

11. If appropriately designed at the reserved matters, it is considered that there would not be any material impact from noise, odour, disturbance and visual intrusion.

12. The site is partially within Environment Agency Flood Zone 3 on the northern extent. Therefore, a Flood Risk Assessment has been submitted. The northern extent of the site is in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the north-western corner under the 1% 2115 South Holland Strategic Flood Risk Mapping. A finished floor level of 0.5 metres is not considered to materially impact the surrounding area.

Sequential test

In terms of flood risk, the site is located within Flood Zone 3 of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken. The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. Paragraph 158 of the National Planning Policy Framework advises that: "The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding." For development to pass the sequential test it has to be demonstrated that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding.

Given that the vast majority of the district lies within Flood Zones 2 and 3, the more refined flood risk information in the South Holland Strategic Flood Risk Assessment (2017) is used as a basis to apply the sequential test. In this respect, the site is located within an area identified as "Danger to Some". However, it is not possible, consistent with wider sustainability objectives, for all new housing within the district to be delivered within an area of no risk and this is a less severe category. It is considered that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding. In this respect, the Authority views reasonably available sites as those that are deliverable and developable (as defined by the NPPF) for the use proposed within the area, can accommodate the general requirements of the development and are, in principle, in conformity with the objectives and advice within the National

Planning Policy Framework and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

If it is not possible to locate the development within an area of lower flood risk, the exceptions test should be applied. The NPPF and the PPG set out two elements to the Exceptions Test. First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, the proposal will provide wider sustainability benefits to the community that outweigh flood risk; that is, the provision of additional housing a sustainable location within the district. In terms of the latter, the Environment Agency has recommended that the properties be set at least 500mm above existing ground level.

PLANNING BALANCE

It is considered that development can be accommodated on this site without materially impacting the character or amenity of the surrounding area, if appropriately designed at the reserved matters stage, and that flood risk can be appropriately mitigated.

CONCLUSION

The recommendation is 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.