DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-1016-21**	**Applicant:**	**Scottpark Developments Ltd**
Proposal:	Residential Development of 9 Dwellings		
Location:	Beech House 20 Gosberton Road Surfleet		
Terminal Date:	20th May 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
28	The Natural Environment
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
PARISH COUNCIL	0	0	1	0
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	1	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application on land adjacent Beech House, 20 Gosberton Road, Surfleet for the erection of 9 dwellings. The proposal seeks to provide a new access which will comprise adopted highway at the front of the site where three properties are located, beyond which a 1.8 metre high gate will be sited, where a private drive will serve a further six properties. Plot 1 at the front of site is a detached two-storey property, with plots 8 and 9 semi-detached two-storey properties. Beyond the gate Plots 2, 3 and 4 detached two-storey dwellings. Plot 7 is a detached bungalow, and Plots 5 and 6 are detached two-storey dwellings. Refuse collection will be by a private collection contractor. The existing dwelling named Beech House will be removed to facilitate the proposal. Surface water and foul water will be addressed by drainage pipes.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs. Grade I Listed St Laurence's Church is sited 50 metres to the south-east of the site at the nearest point. A cafeteria, a dwelling and greenhouses are sited immediately to the south of the site with fields to the rear (west), St Laurence Close to the north, and Gosberton Road to the west with a works building beyond. The site is in Environment Agency Flood Zone 1 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Due to this low flood risk location a sequential test is not required.

RELEVANT HISTORY

H17-1129-17

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

H17-0430-21

Outline - Demolition of 20 Gosberton Road and development of up to 10 houses - re-submission of H17-1129-17 - Approved - 17 June 2021.

CONSULTATION RESPONSES

LCC - Historic Environment Officer

"The proposed development is located within the medieval settlement of Surfleet, close to the ancient parish church. It is therefore in an area where remains of earlier development and activity could survive. When the field to the south (behind The Crown) was first ploughed during the 1960s quantities of Anglo-Saxon and medieval pottery were found, as well as evidence for post-medieval

brick manufacturing having taken place on the site. There is the potential for similar remains to survive on this site beneath disturbance from existing uses of the site.

Insufficient information is available at present with which to make reliable observation regarding the impact of this development upon any archaeological remains. I recommend that further information is required from the applicant in the form of an archaeological evaluation to be considered alongside the application. This evaluation should provide the local planning authority with sufficient information to enable it to make a reasoned decision on this planning application. This evaluation should consist trial trench excavation.

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. - National Planning Policy Framework section 16, 194."

It is considered that this request can be addressed by a condition.

LCC - County Highways & SUDS Officer

Requests construction management plan, highway connection, footway, surface water drainage conditions as well as road constructed standard, site levels, legal agreement and utility informatives.

SHDC - Environment Protection

Requests contaminated land conditions.

SHDC - Conservation Officer

"I wish to raise no objections to this proposal from a Heritage Conservation perspective. The proposal site is not within a Conservation Area and whilst the Grade I listed St Laurence Church and the village war memorial are both within visual range, it is not felt that a residential development of this type would have any sway or influence upon the character or appreciation of those assets, or indeed any nearby Heritage Assets"

Lincolnshire Fire and Rescue

"With reference to previous correspondence , I acknowledge the amendments made without dimensions suggest
improved access for a fire appliance, however the improvements are close to the limit of acceptability for this
development. I have no further comments to make other than the site layout is not ideal in terms of access and turning for fire appliances.

Surfleet Parish Council

No comments.

Member of the public - 12

Requests swift brick condition.
Part of land is within the ownership of another party - This matter has now been addressed.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy - Minor Service Centres

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."

The proposal is within defined settlement limits and is considered to constitute infill as the site is is immediately connected to Gosberton Road. The nine dwellings will help to sustain existing facilities within the settlement.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale, layout and density is considered to be appropriate for the site. A small number of trees at the northern side boundary will be removed to facilitate the proposal. It is considered that the character and appearance of the area will be improved by this proposal by replacing a heavily potholed car park.

2. The proposed design and orientation is considered to be appropriate for the site and neighbouring land uses.

3. Proposed materials of construction would be addressed by condition.

4. The proposed access is considered to be acceptable for the site. County Highways have requested access construction conditions and the Lincolnshire Fire and Rescue have said the proposed access is within the limits of acceptability. Each property meets the minimum requested amount of off road parking spaces under Appendix 6 of the South East Lincolnshire Local Plan (SELLP).

5. There is not considered to be a material impact on existing community services and infrastructure due to the scale of the development.

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

Overdevelopment - The proposal is not considered to represent overdevelopment. The plot size for the dwellings is comparable with that of St Laurence Close to the north and Stockhouse Lane to the south.

Overshadowing - There is not considered to be a material overshadowing impact. The side elevation windows at 1 St Laurence Close serve an obscure glazed bathroom window at ground floor level and a landing at first floor level. These windows are 19.8 metres away from the nearest dwelling. There is not considered to be an overshadowing impact to the eastern frontage, nor to the fields and greenhouses to the western rear. To the southern side of the site, a single storey garage will be located approximately 2.5 metres away from the side elevation of the cafe behind a 1.8 metre high fence. The side elevation of 12 Gosberton Road is located behind an establish row of trees and none of the dwelling or garden will be visible from the rear windows of the bungalow at Plot 7.

Overlooking - There is not considered to be a material overlooking impact. There are no side elevation first floor windows on Plots 1, 8 or 9 at the front of the site. The bungalow at Plot 7 is bordered by a 1.8 metre high fence to the south. The first floor rear and frontage windows at Plot 6 face the greenhouses and fields to the south-west and are a good distance from the proposed dwellings at Plots 4, 3 and 2 to the north-east. The first floor rear and frontage windows at Plot 5 face the greenhouses and fields to the north-west and are a good distance from the proposed dwellings at Plots 4 and 7 to the south-east. The frontage windows of Plots 2, 3 and 4 face the bungalow at Plot 7. The Plot 2 rear elevation first floor bedroom window faces the obscure glazed bathroom and landing window on the side elevation of 1 St Laurence Close to the north. The three rear elevation first floor windows of Plots 3 and 4 serve two bedrooms and an obscure glazed bathroom. The windows face the rear gardens of St Laurence Close 19.8 metres away and the open fields to the north-west of the site. These gardens are already overlooked by the existing dwellings at St Laurence Close and the 19.8 metre separation distance at the nearest point means that this level of overlooking does not cause material concern.

7. The site is in Environment Agency Flood Zone 1 and is not subject to increase flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Due to this low flood risk location a sequential test is not required. Surface water and foul water will be addressed by drainage pipes.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. The size, scale, layout and density is considered to be appropriate for the site. A small number of trees at the northern side boundary will be removed to facilitate the proposal. It is considered that the character and appearance of the area will be improved by this proposal by replacing a heavily potholed car park.

5. There is adequate space at each property for bin and cycle storage. The proposed access is considered to be acceptable for the site. County Highways have requested access construction conditions and the Lincolnshire Fire and Rescue have said the proposed access is within the limits of acceptability. Each property meets the minimum requested amount of off road parking spaces under Appendix 6 of the South East Lincolnshire Local Plan (SELLP).

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

Overdevelopment - The proposal is not considered to represent overdevelopment. The plot size for the dwellings is comparable with that of St Laurence Close to the north and Stockhouse Lane to the south.

Overshadowing - There is not considered to be a material overshadowing impact. The side elevation windows at 1 St Laurence Close serve an obscure glazed bathroom window at ground floor level and a landing at first floor level. These windows are 19.8 metres away from the nearest dwelling. There is not considered to be an overshadowing impact to the eastern frontage, nor to the fields and greenhouses to the western rear. To the southern side of the site, a single storey garage will be located approximately 2.5 metres away from the side elevation of the cafe behind a 1.8 metre high fence. The side elevation of 12 Gosberton Road is located behind an establish row of trees and none of the dwelling or garden will be visible from the rear windows of the bungalow at Plot 7.

Overlooking - There is not considered to be a material overlooking impact. There are no side elevation first floor windows on Plots 1, 8 or 9 at the front of the site. The bungalow at Plot 7 is bordered by a 1.8 metre high fence to the south. The first floor rear and frontage windows at Plot 6 face the greenhouses and fields to the south-west and are a good distance from the proposed dwellings at Plots 4, 3 and 2 to the north-east. The first floor rear and frontage windows at Plot 5 face the greenhouses and fields to the north-west and are a good distance from the proposed dwellings at Plots 4 and 7 to the south-east. The frontage windows of Plots 2, 3 and 4 face the bungalow at Plot 7. The Plot 2 rear elevation first floor bedroom window faces the obscure glazed bathroom and landing window on the side elevation of 1 St Laurence Close to the north. The three rear elevation first floor windows of Plots 3 and 4 serve two bedrooms and an obscure glazed bathroom. The windows face the rear gardens of St Laurence Close 19.8 metres away and the open fields to the north-west of the site. These gardens are already overlooked by the existing dwellings at St Laurence Close and the 19.8 metre separation distance at the nearest point means that this level of overlooking does not cause material concern.

12. The site is in Environment Agency Flood Zone 1 and is not subject to increase flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Due to this low flood risk location a sequential test is not required. Surface water and foul water will be addressed by drainage pipes.

This application accords with SELLP Policy 3.

Assessment against Guidance note for Private Drives - Waste Vehicle Collection Service

The Guidance Note states regarding the Council's Statutory Duty:

"The Council is not under any statutory duty to collect waste from private drives. The Council's statutory duty extends only to collecting waste, and the Council, as waste collection authority, can determine the collection point of that waste. The collection point is usually at the curtilage of each residential property where it can be collected from the adopted public highway."

When assessed against the criteria therein, the proposal would fail against the criteria requiring less than a 30 metre carry distance to a refuse collection point, as some of the plots are more than 30 metres away. Therefore a private refuse collection has been proposed. The finer details of collection will be addressed by condition.

PLANNING BALANCE

It is considered that the proposed residential development will improve the character and appearance of the area without materially impacting the amenity of neighbouring land uses, nor the setting of the Grade I Listed St Laurence's Church which is 50 metres to the south-east of the site. This application accords with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well 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.