

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H17-1149-18	Applicant:	Nightingale Finance Asset Management Company Ltd
Proposal:	Residential development of 3 dwellings with associated parking and amenity space		
Location:	43-45 Reservoir Road Surfleet Spalding		
Terminal Date:	8th 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 11 - Making effective use of land
 Section 12 - Achieving well designed places
 Section 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
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	1	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an outline application for residential development of 3 dwellings with associated parking and amenity space on land at 43-45 Reservoir Road, Surfleet.

The indicative plans submitted with the application show 3 chalet style 3-bed dwellings - 1 detached property and a pair of semi-detached dwellings, all with off-road parking.

Site Description

The site is situated between numbers 41 and 47 Reservoir Road. It was previously used as a storage yard and a car repair workshop and can therefore be classified as brownfield. The former workshop now has a lawful use certificate for use as a dwelling, although the building itself is very unsightly.

There is currently fencing along the northern and western boundaries. The eastern boundary is lined by bushes and there are tall trees along the southern boundary.

Most of the site appears to be relatively level, but it does slope away considerably at the rear where it drops down to The Reservoir.

There are frontage properties extending along Reservoir Road either side of the site and there are properties to the rear on The Reservoir. Existing development in the area varies in terms of size and design. There are bungalows immediately to the west and a 2 storey property to the east, but only the first floor of this is really visible from the road due to the site sloping away.

The site is not within any defined settlement limit as set out in the South Holland Local Plan (2006), however it is within the settlement boundary for Surfleet in the South East Lincolnshire Local Plan (Publication Version, March 2017).

Representations

Surfleet Parish Council - Support.

SHDC Environmental Protection - No objections. Requests informative re unexpected contamination.

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

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

Public -

One objection has been received regarding a concern for the potential for future subsidence/slipping of the bank at the rear of the site.

One representation in support of the application has been received which comments that the proposed development will enhance the area.

Material Considerations

- Principle
- Flood risk
- Residential amenity
- Impact upon character and appearance
- Other considerations

Principle

As the site is outside of any defined settlement limit in the South Holland Local Plan (2006), it is classed as being in the countryside. Sites located in the countryside would normally be assessed against Policy HS7 in the Local Plan. 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 contribute towards housing supply in the district (Section 5) and a safe form of development appears capable of being created. Some services and facilities are available in Surfleet, although it is likely that residents would choose to use a car to access these due to the distance involved.

Environmental - The site is within a row of existing frontage dwellings which extend along Reservoir Road, with The Reservoir to the rear. The proposed dwellings would therefore effectively be infill development. The indicative plans submitted with the application demonstrate that the proposed dwellings are capable of being accommodated on the site without materially harming character. Furthermore, the site is untidy in appearance at present and so its redevelopment should ensure a cleaner and tidier environment. In terms of promoting sustainable transport, the site is approx. 1.9km from the village shop in Surfleet and other facilities are even further away. The private car will therefore likely be the travel mode of choice for future residents which would be contrary to the provisions of the NPPF relating to sustainable transport. However, this should be balanced against the fact that this is a brownfield site and so its redevelopment would be in accordance with Section 11 of the NPPF which states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and should support the development of under-utilised land.

It should be noted that, notwithstanding the above issues relating to the sites relationship to services and facilities and the likelihood that residents would rely on the private car, the site is within

the settlement boundary for Surfleet in the South East Lincolnshire Local Plan (Publication Version, March 2017). Furthermore, permission has recently been granted for a new dwelling adjacent to 74 Reservoir Road, only approx. 260m away. It is therefore considered that the principle of residential development in this area has already been established and that the proposal would be appropriate subject to all other details being acceptable. This will be considered in the remainder of this report.

Flood risk

The NPPF requires the application of the Sequential Test to steer new development to areas with the lowest risk of flooding. If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) provides 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 risk 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 paragraph 158 of the NPPF.

The application site lies predominantly within Environment Agency Flood Zone 1, with a very small area of Flood Zones 2 and 3 at the rear of the site, and the South East Lincolnshire Strategic Flood Risk Assessment (March 2017) identifies the site as lying within a functional floodplain.

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.

Although the site is located outside a reasonable walking distance of the services and facilities of Surfleet and residents will therefore likely be reliant on the private car, the development would provide wider sustainability benefits to the community. Redevelopment of the site would: help meet identified housing need; generate employment during the construction period; secure the reuse of a brownfield site within an existing line of residential properties; and would tidy the appearance of the site. The exceptions test is therefore considered capable of being passed.

In terms of making the development safe, the Flood Risk Assessment provided for the application recommends that finished floor levels are set at 6.76m AOD. The Environment Agency consider that this would be sufficient to mitigate against flood risk.

Residential amenity

Objections were originally received which raised concerns about overlooking due to the difference in ground levels between the site and adjacent properties and the decking proposed to the rear. The rear of the site does appear to have been built up, because the plot of the adjacent bungalow (no. 41) gradually slopes from the road to a lower level at the rear of the plot. The garden of that property is lower than the rear of the site of the proposed development. Consequently, although this application is only an outline, the applicant has submitted amended indicative plans without the raised rear decking to show that this concern is capable of being addressed. The original objectors have since confirmed that their concerns have been addressed.

Overall, it is considered that the proposed development is capable of being designed in such a way that it would not result in a material adverse impact on residential amenity in terms of overlooking/loss of privacy, loss of light or in terms of having an overbearing effect.

Impact upon character and appearance

The application originally proposed the development of 4 dwellings - 2 pairs of semi-detached chalet

style properties. Objections were received stating that this was cramped and not in keeping with the character of the area. The applicant has therefore revised the proposal to 3 dwellings in order to address this concern. Although the plots would be narrower than most along Reservoir Road, it is not considered that the impact of this would be so detrimental as to warrant a refusal.

The detailed design of the dwellings will be dealt with at reserved matters stage.

Other considerations

One objection remains, which relates to the potential for future subsidence of the back at the rear of the site due to the proposed development. However, the submitted flood risk assessment covers this issue and the Environment Agency have requested that its recommendations be included as part of the standard flood risk condition.

Conclusions

In light of the above considerations the proposal is considered to be in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan (2006), as well as Paragraphs 7 and 8 and Sections 5, 12, 11 and 14 of the National Planning Policy Framework (2018).

The recommendation is therefore for a delegated approval.