

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H17-1169-21 **Applicant:** Mr P Williamson
Proposal: Erection of single storey dwelling with access and parking space
Location: Adj. 144 Reservoir Road Surfleet Seas End Spalding
Terminal Date: 29th April 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	1	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND	0	0	0	1

DEEPINGS INTERNAL DRAINAGE BOARD				
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application on land adjacent 144 Reservoir Road, Surfleet Seas End for the erection of a single storey dwelling with an access and parking space. The proposal seeks to provide a dwelling that contains a fireplace in an open plan kitchen / dining / living area, as well as two bedrooms and two en-suites. The dwelling would be constructed from black stained boarding and reclaimed clay local pantiles. The design is that of a modern interpretation of an agricultural barn. The dwelling will measure 22.178 metres in width, 6 metres in depth, has a 2.46 metre eaves height and a ridge height of 6.44 metres. Four parking spaces will be provided adjacent to the eastern side elevation wall.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. Arable fields are located to the north and west, with residential development to the east and south. The rear of the site slopes away from Reservoir Road, with the area at the furthest extent of the northern boundary in Environment Agency Flood Zones 2 and 3. The majority of the site is in a "Danger for Some" hazard area with the northern extent in a "Danger for Most" hazard area on the 2115 South Holland Strategic Flood Risk Mapping. The site has a maximum predicted flood depth of 0.25 metres. Finished floor levels will be set at this level.

RELEVANT HISTORY

H17-0517-99

Outline - Erection of dwelling - Approved - 16 July 1999.

H17-1243-99

Full - Change of use from agricultural to domestic garden - Approved - 02 February 2000.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections. Requests standard access and utility informatives.

SHDC - Environmental Protection

No comments or objections.

Environment Agency

No objections. Requests finished floor levels condition.

Surfleet Parish Council

Support

Welland & Deepings Internal Drainage Board

No objections.

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 proposed dwelling will help sustain existing facilities. Whilst not technically infill, immediately between two properties, the site is in defined settlement limits and is on a similar line of frontage to that of other dwellings in the vicinity.

This application accords with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout of the dwelling is commensurate with the size of the plot. A number of trees will be removed to facilitate this proposal, none of which are protected. The proposal is not considered to materially impact the character and appearance of the surrounding area, nor existing development and neighbouring land uses.
2. The dwelling is designed to replicate an agricultural barn in appearance. This is considered to compliment other buildings in the area. The orientation and footprint is commensurate with other dwellings in the vicinity.
3. The proposed materials are considered to be appropriate for this semi-rural location. The neighbouring buildings do not have a defined architectural style.
4. The proposed access location is not considered to have an impact on highway safety. The site can accommodate four off road parking spaces which is above the requested minimum amount of two parking spaces for dwellings with three bedrooms or fewer under Appendix 6 of the SELLP.
5. The proposal is not considered to have a material impact on existing community services and infrastructure.
6. There is not considered to be a noise, odour or disturbance impact from the dwelling. With regard to visual intrusion the following can be observed:

Overdevelopment - The dwelling takes up approximately 20 % of the overall plot with ample amenity space to the front, rear and sides.

Overbearing / overshadowing - The dwelling would be sited 12 metres north of 55 Reservoir Road, 22 metres to the north west of 59 Reservoir Road and 25 metres to the west of 144 Reservoir Road. Due to the distances involved and the southerly trajectory of the sun there is not considered to be an overbearing or an overshadowing impact.

Overlooking - There is not considered to be an overlooking impact to the west or north as these windows face arable fields. There is no fenestration on the eastern elevation facing 144 Reservoir Road. The southern elevation frontage windows serve a hallway and part of a dining area. There is not considered to be a material overlooking impact from these windows to 55 Reservoir Road.

7. The rear of the site slopes away from Reservoir Road, with the area at the furthest extent of the northern boundary in Environment Agency Flood Zones 2 and 3. The majority of the site is in a "Danger for Some" hazard area with the northern extent in a "Danger for Most" hazard area on the 2115 South Holland Strategic Flood Risk Mapping. The site has a maximum predicted flood depth of 0.25 metres.

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. A sense of place is not considered to be impacted by this proposal. The size, scale and layout of the dwelling is commensurate with the size of the plot. A number of trees will be removed to facilitate this proposal, none of which are protected. The proposal is not considered to materially impact the character and appearance of the surrounding area, nor existing development and neighbouring land uses.

4. None of Surfleet Seas End is served by public transport, however, this site is within defined settlement limits so it is considered to be sustainable with regard to other factors.

5. There is ample space on site for bin and cycle storage. The site can accommodate four off road parking spaces which is above the requested minimum amount of two parking spaces for dwellings with three bedrooms or fewer under Appendix 6 of the SELLP.

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

Overdevelopment - The dwelling takes up approximately 20 % of the overall plot with ample amenity space to the front, rear and sides.

Overbearing / overshadowing - The dwelling would be sited 12 metres north of 55 Reservoir Road, 22 metres to the north west of 59 Reservoir Road and 25 metres to the west of 144 Reservoir Road. Due to the distances involved and the southerly trajectory of the sun there is not considered to be an overbearing or an overshadowing impact.

Overlooking - There is not considered to be an overlooking impact to the west or north as these windows face arable fields. There is no fenestration on the eastern elevation facing 144 Reservoir Road. The southern elevation frontage windows serve a hallway and part of a dining area. There is not considered to be a material overlooking impact from these windows to 55 Reservoir Road.

12. The rear of the site slopes away from Reservoir Road, with the area at the furthest extent of the northern boundary in Environment Agency Flood Zones 2 and 3. The majority of the site is in a "Danger for Some" hazard area with the northern extent in a "Danger for Most" hazard area on the 2115 South Holland Strategic Flood Risk Mapping. The site has a maximum predicted flood depth of 0.25 metres.

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 an 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 partially 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 a combination of the 'danger for some' and 'danger for most' hazard zones, with predicted flood depths of up to 0.25 metres.

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 Surfleet. 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, notwithstanding the fact that there are sequentially preferable allocated sites in the adopted Local Plan.

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.

The submitted flood risk assessment recommends that finished floor level will be set a 6.75mAOD which is 0.25 metres above existing ground level. Taking into account the predicted flood depths previously identified, this should ensure that the development is safe for its lifetime.

In terms of drainage, the proposal is for surface water to be disposed of via soakaways and for connection to be made to the existing mains sewer for foul water disposal. There are no known ground permeability issues in this area that would preclude the use of soakaways and Anglian Water are obliged to accept foul water flows from new developments if proposed.

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 dwelling can be accommodated on site without materially impacting the character or amenity of the surrounding area. The sloped rear garden can be easily accessed without materially impacting the amenity of future occupants. 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.