

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H22-1137-18	Applicant:	C Hanson-Roose
Proposal:	Residential development (2 plots)		
Location:	Off Broadgate Weston Hills Spalding		
Terminal Date:	9th January 2019		

Planning Policies

Local Plan July 2016:

SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG4	Development in the Countryside
HS7	New Housing in the Open Countryside including Other Rural Settlements
SG11	Sustainable Urban Drainage Systems (SUDS)
SG12	Sewerage and Development
SG13	Pollution and Contamination
SG14	Design and Layout of New Development
SG15	New Development: Facilities for Road Users, Pedestrians and Cyclists
SG16	Parking Standards in New Development
SG17	Protection of Residential Amenity
SG18	Landscaping of New Development

National Guidance

National Planning Policy Framework 2018

Sections 2, 4, 5, 8, 9, 11, 12, 14

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	0	0	0	1

ENVIRONMENT OFFICER				
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission is sought for residential development (2 plots), with all matters reserved for subsequent approval. The application is accompanied by an indicative layout plan showing 2 no. 3 bed bungalows and detached double garages.

Material Planning Considerations

The main issues in this case are:

- Whether the proposal would be a sustainable form of development taking into consideration economic, social and environmental factors;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations, including flood risk and drainage.

Principle/Sustainability

As indicated in paragraph 47 of the National Planning Policy Framework, 2018, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is outside a defined settlement limit within the South Holland Local Plan, 2006. Local Plan Policy HS7 states that new housing development in the countryside (including "Other Rural Settlements" such as Weston Hills - Austendyke) will only be permitted where it is to meet the needs of agricultural or other rural workers or is small scale rural exception housing that complies with Policy HS9. The development is not required to meet the essential needs of an agricultural or other rural worker, and would not deliver rural exception affordable housing.

However, housing policies within the South Holland Local Plan are out of date and the Authority does not currently have a 5 year supply of deliverable housing land. In accordance with advice within paragraphs 10 and 11 of the Framework, where policies for determining an application are out-of-date, there is a presumption in favour of sustainable development and planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework. The three mutually dependent dimensions to sustainable development are social, economic and environmental.

An Economic Role - the proposal would contribute towards housing supply and future occupants may work locally and support local services and make a contribution to the local economy. There may also be employment opportunities associated with the construction of the dwelling, albeit in the short term.

The proposal would involve the loss of part of an employment site (ie, a vehicle repair business).

However, this is not considered to be an overriding consideration given that it is close to existing residential property and could potentially be a non-conforming use. In respect of the site to the west the view was taken that the loss of employment land was outweighed by the benefits that residential development would bring, in terms of adding to the supply of housing within the district.

A Social Role - the proposal is deliverable and would help to provide the supply of housing required to meet the needs of present and future generations. Moreover, the site is within Weston Hills Settlement Limit as defined in the South East Lincolnshire Local Plan 2011-2036 (Publication Version March 2017). The SELLP has recently undergone an examination in public. Paragraph 48 of the Framework indicates that local planning authorities may give weight to emerging plans if they are at an advanced stage.

An Environmental Role - The site to the west has planning permission for 4 houses (ref. H22-1061-17), which are currently under construction. It includes two backland dwellings, albeit on slightly larger plots. Moreover, the proposal would essentially round off existing development within the centre of the settlement. Taking these matters into account it is considered that the proposal would not materially harm the character or appearance of the locality.

In terms of amenity, access to the site would be via an existing blocked-up private roadway off Broadgate, which would be hard surfaced. Existing residents would suffer some disturbance from vehicles using this roadway. However, this would not be significantly greater and probably less than noise generated by vehicles, including HGVs, using the present yard area. Dwellings could be designed so as not to materially overlook neighbouring property. It is considered that the amenity of neighbouring residents would not be harmed to a significantly greater degree than at present in terms of overlooking, lack of privacy, blockage of light, noise and disturbance, etc. This is subject to appropriate boundary screening and the blocking up/soundproofing of present openings on the northern elevation of the existing commercial building.

The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

The site is predominantly within Flood Zone 1 on the Environment Agency Maps, although a small section is in Flood Zone 2. The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is located in a transition zone ranging between "danger for some" and no hazard. This is a less severe category and there are not 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 National Planning Policy Framework) 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 NPPF and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

It is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding. The exceptions test should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. 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 scores positively against the aims and objectives of the Local Planning Authority's sustainability appraisal and would provide wider sustainability benefits to

the community that outweigh flood risk. This includes the provision of additional sustainable housing within the district to meet the needs of the population, as required by the National Planning Policy Framework. The site has been included within Weston Hills Settlement Limit within the emerging South East Lincolnshire Local Plan.

Concerning the second element, based upon refined flood risk information within the SFRA Depth Maps, it is recommended that the properties have finished floor levels 300mm above existing ground level. Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Drainage matters can be addressed by means of a condition.

Given the present industrial use of the site Environmental Protection has requested a contaminated land condition.