DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0151-22**	**Applicant:**	**Belmont**
Proposal:	Residential Development - Erection of Dwelling		
Location:	Rear Of Bridge House Washway Road Saracens Head		
Terminal Date:	11th 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
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2021

Section 2, 3, 4, 6, 8, 9, 11, 12, 14 in the National Planning Policy Framework, 2021.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	1	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission is sought for residential development (1 plot), with all matters reserved for subsequent approval. The application is accompanied by an indicative site layout plan showing a 4 bedroom house and detached double garage. Vehicular access would be via an existing entrance serving Bridge House.

Site Description

The site (some 0.09ha) is currently garden land located at the rear of Bridge House. A house is situated to the south (Jade). Agricultural land is located to the north and east.

Policies/Constraints

The site is inside Saracens Head Settlement Limit as defined in the South East Lincolnshire Local Plan, 2019.

Flood risk - Site within Flood Zone 3 on the Environment Agency Maps and predominantly within an area designated as "Danger for Some" within the SHDC Strategic Flood Risk Assessment.

History

H23-0141-19- OUT approved on 17-04-19- Residential development (1 plot)

Consultation Responses

Whaplode Parish Council- The boundary between this and the neighbouring property is a dyke which regularly floods, if this is filled in will it be piped?

South Holland IDB- Request that a ground investigation take place to determine infiltration potential. There is no indication of how treated foul water from their site will be disposed of. If the applicant wishes to discharge foul water to a watercourse this proposal will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

Local Highway and Lead Local Flood Authority- Does not wish to restrict the grant of permission. The proposed dwelling would utilise the existing vehicular access which serves Bridge House. There is a large apron area adjacent to the highway that would allow two-way vehicle movements should the residents of either dwelling need to be entering the access as any residents of the other dwelling are in the process of leaving. The access has good visibility in both directions for safe egress.

LCC Historic Environment Officer- Recommends that archaeological works be undertaken due to the site falling within an area of known medieval salterns and any development here has the potential to disturb them.

SHDC Environmental Protection Officer- No comments or objections.

Planning Considerations

The main issues in this case are:

Principle/sustainability;
The likely impact upon the amenity of nearby residents;
Highway safety;
Other material considerations such as flood risk, drainage and archaeology.

Principle/Sustainability

As indicated in paragraph 47 of the National Planning Policy Framework, 2021, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The proposed development is inside Saracens Head Settlement Limit as defined within the South East Lincolnshire Local Plan, 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Other Service Centres, including Saracens Head, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. Development will normally be limited to Committed sites and infill.

In terms of the above, the site satisfactorily relates to and rounds off the settlement and in this respect can be regarded as a form of infilling. Taking into account the site's relationship to the existing settlement it is considered that the erection of a single property would be difficult to resist on grounds that it would materially harm the character/appearance of the rural locality. The site has also previously been granted outline planning permission for a single dwelling.

Amenity

A house is situated to the south (Jade) and agricultural land is located to the north and east. Bridge House is situated to the west. Jade has a blank northern elevation facing the site. It is considered that a dwelling could be accommodated upon the site without materially harming the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. This is subject to satisfactory boundary screening.

Highway Safety

The Highways Authority have not objected to the proposal on highway safety grounds.

Given the above, the proposal is considered to be in accordance with Policies 2 and 3 of the Local Plan. Policy 2 requires sustainable development considerations to be met, including with regard to access. Policy 3 requires development proposals to consider the layout of parking. It is also in accordance with Section 9 of the National Planning Policy Framework (2021) which requires development proposals to ensure safe and suitable access for all users.

Parking provision cannot be assessed until Reserved Matters stage.

Other Material Considerations

Flood Risk - The site is within Flood Zone 3 on the Environment Agency Maps. 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 site is predominantly within an area designated as "Danger for Some" within the SHDC Strategic Flood Risk Assessment. This is a less severe category and borders an area of no hazard. The site is within the defined settlement limit and there are not reasonably available alternative sites appropriate for the proposed development 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 site is within the defined settlement limit and 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 Saracens Head to meet the needs of the population, as required by the National Planning Policy Framework.

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 500mm above existing ground level. Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Drainage - The applicant has indicated that they intend to dispose of surface water via infiltration. Ground conditions are generally suitable within this part of the district. The riparian drain would not be affected and separate consent would be required to fill it in. Drainage can be addressed by means of a condition(s).

Archaeology - The proposed development site falls within an area of known medieval salterns and any development here has the potential to disturb them. Therefore given this it is recommended that the developer be required to commission a Scheme of Archaeological Works. This should be secured by conditions.

Planning Balance

The proposed development is inside Saracens Head Settlement Limit as defined within the South East Lincolnshire Local Plan, 2019 and is considered to be a suitable site for housing with particular regards to the principles of sustainable development and the protection of the rural character of the immediate locality. It is considered acceptable on amenity and highway grounds and satisfies the sequential test concerning flood risk.

Conclusion

In light of the above, the proposal is considered to satisfactorily comply with Policies 1, 2, 3, 4, 28 and 30 of the South East Lincolnshire Local Plan, 2019.

The recommendation is therefore for a delegated 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.