

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0152-19 **Applicant:** Mr S W & Mrs P Hoyes
Proposal: Residential development for two dwellings (re-submission of H23-1074-18)
Location: Site Adjacent: The Hollies Millgate Whaplode
Terminal Date: 5th April 2019

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
11	Distribution of New Housing
28	The Natural Environment
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

2, 3, 4, 5, 8, 9, 11, 12, 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	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.

It should be noted that outline planning permission has previously been refused for 3 plots on grounds that it would cause environmental harm. It was considered that the construction of 3 properties would constitute a consolidation of sporadic development that would suburbanise the southern edge of the village to an unacceptable extent and cause unacceptable harm to the village's rural setting. Application H23-1074-18 refers.

Description

The site (some 0.2ha) is currently agricultural land on the western side of Millgate just beyond the southern fringe of Whaplode. A number of small trees are situated along its frontage. A copse is situated opposite.

Policies/Constraints

The site is outside Whaplode Development Boundary as defined in the South East Lincolnshire Local Plan (adopted March 2019).

It is within Flood Zone 1 and an area of no hazard within the South Holland Flood Risk Assessment.

Representations

Whaplode Parish Council - No response

LCC Highways - No objections in principle.

Environmental Protection - Request full land contamination condition at this location.

Information from applicants:

The application site is currently located outside but immediately adjacent to the Settlement Boundary for the village and it is considered that the proposal is suitable as a small scale development opportunity. It is well located relative to the village with the village hall and church at 250m, playing field at 150m and the A151 main road at 530 metres to the north of the site where convenience store, restaurant and bus service are available. There is a pre-school and primary school approx. 800metres from the site with safe pedestrian routes

Following the refusal of an application for up to 3 dwellings on the 0.2 hectare frontage site a revised Outline Planning Application is now submitted which reduces the scheme to just 2 dwellings. It is considered that the proposal is sympathetic to the character along Millgate and Churchgate and the indicative layout suggests typical bungalow footprints that could be accommodated along with adequate vehicular access, turning areas and visitor parking within each plot.

Material Planning Considerations

The main issues in this case are:

- Whether the site is in a sustainable location having regard to the development plan and other material considerations;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk and drainage.

Policy/Sustainability

Planning law requires that applications for planning permission be determined in accordance with

the development plan, unless material considerations indicate otherwise.

The site is located outside of Whaplode Settlement Boundary as defined in the recently adopted South East Lincolnshire Local Plan (SELLP), 2019. For the purposes of the SELLP, the appeal site lies within the countryside.

SELLP Policy 1 directs developments within settlement boundaries and states that development in the Countryside will only be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

It is considered that there is not sufficient justification for housing in this location. For example, it is not required by a rural worker. Moreover, it would not meet the sustainable development needs of the area in terms of economic, community or environmental benefits. There are a limited number of services within walking distance of the appeal site. The nearest settlements such as Spalding that offer a wide range of services and facilities are not within a reasonable walking or cycling distance of the site.

Also, The Hollies and Buttercup Paddock essentially define the southernmost extent of the built-up area of the settlement. The site is therefore part of an area that borders the southern part of the village. At this point there is a transition from the built up area to more scattered development characteristic of the countryside. The site's current agricultural use provides a soft and pleasing edge to the village and positively contributes to the enjoyment and experience of those living in and moving around the village. The construction of 2 properties on this site would suburbanise the southern edge of the village to an unacceptable extent and cause unacceptable harm to the village's rural setting.

Consequently, the proposed development would not provide a sustainable location for housing on environmental grounds. It would therefore conflict with Policies 1 and 2 of the SELLP. Policy 2 indicates that sustainable considerations should be met in terms of impact upon the character and appearance of the area and the relationship to existing development and land uses.

The above policies are consistent with advice within the National Planning Policy Framework, 2019. Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character of the countryside. Paragraphs 122 and 127 indicate that new development should be sympathetic to and maintain an area's prevailing character.

It should be noted that full planning permission was granted for 2 houses in December 2018 on a site directly opposite (ref. H23-1065-18) after a previous refusal for 3 dwellings (ref. H23-0099-17). However, it was permitted prior to the adoption of the new South East Lincolnshire Local Plan and as a means of retaining the majority of the land as a copse/wildlife area, which would be a positive benefit to the locality on biodiversity and environmental grounds.

Residential Amenity

House are located to the north (The Hollies) and to the south (Station House). It is considered that the site could be developed without materially harming the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, noise and disturbance, etc.

Highway Issues

The County Highways Authority has raised no objections on highway safety grounds. They previously requested a frontage footway but have not done so on this occasion. Such a condition would most likely result in the removal of existing trees fronting the site.

Other Material Considerations

Flood Risk - The Environment Agency's Flood Risk Maps indicate that the site is within Flood Zone 1. It is within an area of no hazard within the South Holland Strategic Flood Risk Assessment. The proposal therefore satisfies the sequential test.

Drainage - Foul water would be disposed of to the mains sewer and surface water to soakaways. Drainage details could be addressed by means of a condition if permission was forthcoming.

Conclusion

The site is located outside Whaplode Settlement Boundary as defined in the South East Lincolnshire Local Plan (SELLP), March 2019. For the purposes of the SELLP, the site lies within the countryside.

It is considered that there is not sufficient justification for housing in this location. Moreover, there are a limited number of services within walking distance of the appeal site. The nearest settlements such as Spalding that offer a wide range of services and facilities are not within a reasonable walking or cycling distance of the site. Also, the proposal would constitute a consolidation of sporadic development that would suburbanise the southern fringe of the village to an unacceptable extent and cause unacceptable harm to the village's rural setting.

Consequently, the proposed development would not provide a sustainable location for housing on environmental grounds. It would conflict with Policies 1 and 2 of the SELLP. Policy 1 directs developments within settlement boundaries and states that development in the Countryside will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Policy 2 indicates that sustainable considerations should be met in terms of impact upon the character and appearance of the area and the relationship to existing development and land uses. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character of the countryside. Paragraphs 122 and 127 indicate that new development should be sympathetic to and maintain an area's prevailing character.

Recommendation - That the application be refused under delegated powers.