DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0182-19**	**Applicant:**	**Mrs D Moore**
Proposal:	Demolition of existing annexe and erection of dwelling		
Location:	The Annexe 139 High Road Whaplode		
Terminal Date:	24th 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
22	Replacement Dwellings in the Countryside
23	The Reuse of Buildings in the Countryside for Residential Use
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

2 Achieving sustainable development
3 Plan-making
4 Decision-making
5 Delivering a sufficient supply of homes
6 Building a strong, competitive economy
8 Promoting healthy and safe communities
9 Promoting sustainable transport
11 Making effective use of land
12 Achieving well-designed places
14 Meeting the challenge of climate change, flooding and coastal change

In particular paras 77 to 79 of the NPPF which deal with Rural housing,

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	1	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Outline application for the demolition of existing annexe and the erection of a dwelling.

Site Description

The annexe building is vacant and was last used for a hot food delivery service. The applicant advises that this use ceased in August 2017. Previously the annexe, a former pack house, was used as a residential annexe to the main dwelling.

The application site is part of a wider land holding, consisting of a dwelling and this single storey detached annexe building, sharing access to a small paddock and domestic scale stables and garage, together with a portacabin, is located within the open countryside.

Access is gained via an existing vehicular access on to the A151. The site is outside of any defined settlement limit as set out in the South East Lincolnshire Local Plan (2019) and is therefore classed as being in the countryside in planning policy terms.

To the north of the wider site is a linear form of dwellings within the settlement boundary. The application site is not included within the boundary of Whaplode.

The visual boundary of the village of Whaplode on this side of the A151 starts with the road of Eastgate, which is to the south west of the site, separated by agricultural land. There is a clear sense of physical detachment of the application site from the main built-up area of Whaplode in terms of how the site relates to existing development.

History

H23-1084-18. Residential Development for 5 Dwellings. Refused. 11-12-18 for the following reason:

Although the proposal is acceptable to a degree in terms of economic and social sustainability, it is considered that this is outweighed by the harm that the proposal would cause in terms of its environmental and visual effects.

The site is situated in the open countryside in a break between the settlements of Whaplode and Holbeach. The area to the south of the A151 in which this site is located has an open countryside character due to the flat fenland landscape. There is a clear sense of physical detachment from the built-up areas of Whaplode and Holbeach in terms of how the site relates to existing development on the southern side of this road. The proposed development, if permitted, would result in an incongruous incursion into the open countryside at this point, which would be contrary to Paragraph 127 of the NPPF which states that planning decisions should ensure that developments are sympathetic to local character, including landscape setting. Furthermore, it is not considered that it has been demonstrated that there is an overriding need for the proposed dwellings to be in this location and that there are no alternative sites within the built-up area of Whaplode which could accommodate them. It would also set a harmful precedent by encouraging further applications of a similar nature along the A151 between the site and the main built-up area of Whaplode. It would

encourage ribbon development along this section of road, thereby eroding the open countryside character of this area. This would cumulatively harm the aims and objectives of both the Framework and emerging SELLP to ensure that new development is sustainable and protects the character and appearance of the area and countryside.

The site is therefore not considered to be a suitable site for residential development with particular regards to the principles of sustainable development. It is contrary to Policies SG1, SG4 and SG14 of the South Holland Local Plan (2006) and Paragraphs 7, 8 and 127 of the National Planning Policy Framework (2018).

At the time of the preparation of this report no appeal has been received to this decision.

H23-1085-18. Proposed vehicular access for existing bungalow and annexe. Approved 10-12-18. This is effectively reopening a previous access on to the site.

H23-0074-15 Change of use of annexe to hot food delivery service (retrospective). Approved 28 April 2015.

H23-0143-13. Certificate of Lawful Use. Conversion of packing shed into annexe. Approved 11-04-13. The applicant supplied information in the form of a sworn statement to the effect that the building had been occupied as an annexe by family members since June 2006.

H23-0856-00 Erection of a two storey rear extension and new access. Approved. 24 October 2000.

Consultation Responses

Whaplode Parish Council - no response received.

LCC Flood Risk & Development Manager (Inc Highways) Request further information regarding access.

Officer note - The applicant has not been asked to provide this information as there is an in principle issue with the proposal, as discussed below.

SHDC Environmental Protection Officer. No comments or observations to make.

Considerations

Policies of the South East Lincolnshire Local Plan, approved in March 2019:

Policy 1: Spatial Strategy sets out a hierarchy for development within the district, clarifying

A. Areas where development is to be directed
B. Areas of limited development opportunity
C. Areas of development restraint, and
D. Countryside

and states inter alia, that *...In the Countryside development 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.*

The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (2019) (SELLP) and is, therefore, classed as being in the countryside. Policy 1 of the SELLP 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.

However, the Council does not currently have a published 5-year supply of deliverable housing sites (4 years as at 31st March 2018). Consequently, in accordance with the National Planning Policy Framework, 2019 (NPPF), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies outlined in the NPPF as a whole; or specific policies in the NPPF indicate that development should be restricted. Sustainable development is defined in the NPPF as having three dimensions: economic, social and environmental.

The site is not within a protected area or an asset of particular importance as defined by the NPPF.

Economic - The development may give very limited support the local economy through employment opportunities associated with construction and future occupants may work locally and support local services.

Social - The proposed development would make a contribution, albeit very small, towards housing supply in the district. However, the site does not relate well to any existing settlement; The site is situated in the open countryside in a break between the settlements of Whaplode and Holbeach. The area to the south of the A151 in which this site is located has an open countryside character due to the flat fenland landscape. There is a clear sense of physical detachment from the built-up areas of Whaplode and Holbeach in terms of how the site relates to existing development on the southern side of this road.

Environmental - In terms of character, the site is situated in the open countryside in a break between the settlements of Whaplode and Holbeach. There are residential properties on the other side of the road, but these have no relationship to the application site. The overriding character of the area is rural and agricultural in nature.

The proposed development, if permitted, would further intensify existing development in this location, and providing an independent dwelling within the open countryside, which would be contrary to Paragraph 127 of the NPPF which states that planning decisions should ensure that developments are sympathetic to local character, including landscape setting. It would also set a harmful precedent by encouraging further applications of a similar nature for future development along High Road and other rural locations across the district. This would cumulatively harm the aims and objectives of both the Framework and the SELLP to ensure that new development is sustainable and protects the character and appearance of the area and countryside.

Policy 2: Development Management provides a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. In essence, it is a compendium of the sustainable development considerations contained in other policies in the Local Plan and is provided as an overarching 'summary' policy to help decision makers, and applicants alike, focus on the type of factors that will be assessed in considering development proposals. All types of planning applications requiring a decision will be subject to the considerations of this policy.

Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources.

There are other polices that deal with certain aspects of residential development in the Countryside, which are considered not to apply in this case.

Policy 19: Rural Exceptions Sites. This site does not fit the criteria for exception sites.

Policy 20: Accommodation for Gypsies, Travellers and Travelling Showpeople. No such justification has been made.

Policy 22: Replacement Dwellings in the Countryside - It is considered that this policy does not apply, as the annexe was not an independent dwelling.

The stance of the policies above is supported by paras 77 to 79 of the NPPF 2019.

Policy 23: The Reuse of Buildings in the Countryside for Residential Use - also does not apply, as this application proposes the demolition of the annexe and the erection of a new dwelling.

Conclusion

Taking into account the above, the proposal is not considered to be in accordance with Policies 1 and 2 of the South East Lincolnshire Local Plan, 2019, nor the provisions and intentions of the National Planning Policy Framework, 2019.