

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H23-1065-18	Applicant:	Mr & Mrs D Tointon
Proposal:	Erection of two detached dwellings		
Location:	Off Millgate Whaplode Spalding		
Terminal Date:	14th December 2018		

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, 9, 11, 12, 14, 15 and 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	1	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	6	0	0

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for 2 detached dwellings consisting of a 2 bed one and a half storey property on plot 1 and a 3 bed house on plot 2. The applicants' have indicated that, following discussions with Whaplode Parish Council, the dwelling on plot 1 would be constructed using materials from the chapel of rest within the village, which is proposed for demolition. Its design would be based upon the latter. The property on plot 2 would be of more contemporary style. The applicant's supporting statement is summarised later in the report.

It should be noted that the site has outline permission for a single dwelling (ref. H23-0518-17). Outline planning permission has previously been refused for residential development (3 dwellings) on environmental/character grounds. Application H23-0099-17 refers.

Description

The site (total area some 0.24ha) is the northern part of a small copse on the southern fringe of Whaplode.

An access road serving Buttercup Paddock is situated to the north, agricultural land to the east and two dwellings opposite. A bungalow and land associated with Holmlea is situated further to the south beyond a drain.

Policies/Constraints

The site is just outside Whaplode Development Boundary as defined in the South Holland Local Plan, 2006 and emerging South East Lincolnshire Local Plan.

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

Representations

Whaplode Parish Council - Support application.

Cllr M G Chandler - Whereas I fully support the proposal to relocate the chapel of rest from the cemetery and to rebuild it as closely as possible in a new village location, details to remove it from the cemetery are far from conclusive. Further the superseding of a previously agreed planning application for one property in this rural part of the village to be added to with a further two is not in keeping with the nature of the aspect. I cannot support the creation of two or two more. The application is not clear whether the previous planning approval on that rural site for one dwelling will be surrendered should the further development be permitted. Has there been formal agreement with the Parish Council to purchase the chapel, agreement to demolish it. Such agreement papers are not included in the application

LCC Highways - Recommend conditions including the provision of a frontage footway connecting the development to the existing footway network.

South Holland IDB - I note that the applicant indicates that they intend to dispose of surface water via infiltration, however I cannot see that a drainage strategy or plan has been provided for the site. This proposed strategy should be supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material is considered favourable then infiltration testing in line with BRE 365 should be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

Environmental Protection - Recommend note relating to contamination.

Public - Letters of support received from local residents (main points outlined below):
Sympathetic design that would enhance the street scene; One of properties would be constructed with recovered materials from the soon to be demolished chapel of rest; Were disappointed to see the chapel of rest was to be demolished due to cost and instability and welcome the thought of it being re-built to look similar as a monument/home within the village; Would be a wonderful gift to the people of Whaplode and its heritage.

Information from applicants:

- Have lived in the village for approximately thirty years and contributed to village life as well as running a successful business;
- Plot 1 will be occupied by the applicants. Have been in touch with Whaplode Parish Council regarding the chapel of rest, which is to be demolished in the near future. The proposal is to demolish and rebuild on plot 1. Informal discussions have taken place between the Parish Council and myself. The Parish Council were positive about the plans as it would save them the demolition costs and allow the Chapel of Rest to remain within the village. The positioning of the land also allows the building to remain in view.
- It has been stated that if the Planning Permission is approved a formal agreement between myself and the Parish Council will be drawn up with a clause that the Chapel of Rest needs removing in a specified period of time.
- Plot 2 would be occupied by the applicants' daughter and family and would be of contemporary style;
- To address the concerns raised in pre-application advice and the reasons for refusal of H23- 0099-17 the intention is to construct two high quality, visually attractive self-built properties with an interest in enhancing the village aesthetic and rural character of Whaplode and the surrounding countryside, particularly the approach from the South;
- The properties will enhance their immediate setting as a result of good architecture, layout and appropriate and effective landscaping. The development will be sympathetic to rural character and history, including the surrounding built environment and landscape setting with the intention of re-using a redundant, historical, disused building;
- The applicants have received positive comments from residents of Whaplode regarding re- siting the Chapel (plot 1) in an area of prominence within the Village. The intentions are to re-use as much of the original materials from the building in an attempt to recycle the resources. Being an area often passed by walkers this area has been previously neglected and lacking in character, conversations with residents have been widely encouraging on visually enhancing the area with the proposed developments. There has been an apparent excitement about the Chapel being on view within the locality of the Church and nearby commissioned sculptures and signs;
- With consideration of the defining characteristics of the local area and the views of the community the adjoining contemporary barn style property (plot 2) will fit in with the overall form and layout of its surroundings, including the farmland to the East and West of the site. The developments although considerate to the defining characteristics of the local area in which they are situated will offer Whaplode something different architecturally, hopefully raising the standard of design more generally in the area;
- The plot 2 property will allow a young family to affordably build a house that accommodates their passions and interest in a home that will border to their family's residence. The inhabitants have lived, schooled and worked in Whaplode for over 30 years, in an area they wish to remain;
- Surrounding the site is a mixed range of dwellings that lack an overall cohesive character or style. The proposed properties will be delivering distinctiveness by responding to the local characteristics in a contemporary way. In this way the development integrates into its surroundings by reinforcing existing connections whilst creating new ones for the area by incorporating a mix of modern and traditional materials. The steel roofing mirrors styles commonly used on rural buildings;

- Undeveloped countryside primarily starts beyond the sign at the southern fringe of the village but an open character is created by allowing space between and around the houses, retaining as much of the rural aspect as possible in the landscaping of the area. In these open spaces natural aesthetics will be maintained to conserve and enhance biodiversity. Landscaping opportunities are being explored to enhance and create wildlife habitats on this once neglected site. As well as creating a sense of height along the boundary the existing trees are used to create character and quality within the developed area. Half acre will be preserved as a copse for wildlife.

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, including its effect upon the character and appearance of the locality;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk, drainage and ecology.

Housing Policy/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 proposed development is outside a defined settlement limit within the South Holland Local Plan, 2006. Saved Local Plan Policy HS7 indicates that new housing will only be permitted in such locations where it is proven essential to meet the needs of rural workers, or the proposal is for small scale, rural exception affordable housing.

It has not been satisfactorily demonstrated that there is a proven need for the development in this location. 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 scheme would contribute to building a strong, responsive and competitive economy, by helping to ensure that there is housing land available to support growth. Furthermore, it would be likely to increase expenditure in the local area and generate jobs in the construction industry, albeit in the short term.

A Social Role - the proposal would help to provide the supply of housing required to meet the needs of present and future generations. The applicants' have indicated that the properties would be occupied by family members who have lived and been in business in Whaplode for thirty years.

Also, Whaplode is defined as a Group Centre in the South Holland Local Plan, 2006. It has local services and facilities such as a junior school, garage/petrol filling stations, shops, post office, etc. It is also on a public transport route. The site is adjacent to the defined settlement limit and is considered to be accessible to these services.

An Environmental Role - Buttercup Paddock essentially defines the southernmost extent of the built-up area of the settlement, although there are two dwellings opposite this strip of land. A previous submission for 3 dwellings (ref. H23-0099-17) was refused on grounds that it would constitute a form of ribbon development that would extend the built-up area of the settlement into the open countryside and significantly increase the visual impact and perceived extent of the built-up area. It would erode the rural feeling on the southern fringe of the village, to the detriment of the prevailing rural character of the area.

However, permission was subsequently given for a single dwelling on the northern section (ref. H23-0518-17). Existing trees on the site were to be retained where possible to retain the rural feel.

The southernmost section was be retained and maintained as a copse/wildlife area, which would be a positive benefit to the locality on biodiversity and environmental grounds. This was ensured by means of a group tree preservation order (Whaplode TPO No. 8, 2017).

The applicants' now propose to incorporate an additional dwelling. The development would still be relatively loose, similar to existing development on the rural fringe of the settlement. The dwelling on plot 1 is of interesting design and is loosely based on the existing chapel of rest, which it is understood is to be removed from the cemetery within the village. The applicants' propose to use the reclaimed materials as far as possible. Existing trees would still be retained where possible, including an Oak which was originally intended to be removed as part of the previous approval for a single dwelling. Tree matters have been previously agreed with the Council's Nature Conservation Officer. It is considered, on balance, that the proposed development could be satisfactorily integrated without materially harming the character or appearance of the rural locality.

The proposal is therefore in accordance with Saved Local Plan Policy SG14 and consistent with advice within the Framework. Policy SG14 indicates, amongst other things, that new development should make a contribution to the visual quality of its surroundings and respect local distinctiveness and the historic pattern of development in the locality. New development should respect the historic pattern of development in the locality and be in character with the existing settlement.

Residential Amenity

A bungalow and properties off Buttercup Paddock are situated to the north and a house almost opposite. The separation distances are such that the amenity of nearby residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, noise and disturbance, etc. Blockage of view and property de-valuation are not material planning considerations.

Highway Issues

The County Highways Authority has raised no objections on highway safety grounds, but has requested a frontage footway. Such a facility was not requested in respect of the previous application for a single plot. Also, a frontage footway would result in the removal of or prejudice the continued existence of several of the existing trees fronting the site, including the Oak. Its construction would harm the present rural character of this part of the village and it would have limited benefit because the nearest footway is nearby on the northern side of Buttercup Paddock. Taking these matters into consideration it is considered that a footway condition is not justified in this particular case.

Other Material Considerations

Flood Risk/Drainage - 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.

Ecology - There is some evidence that the site is currently being used by wildlife, including owls, which are a protected species. It is therefore considered that an ecology condition should be attached to any permission.

Conclusion

The site is considered to be suitable, on balance, for the proposed development with particular regards to the principles of sustainable development and the protection of the rural character of the area. The proposal would assist in retaining the remaining area of land as a copse/wildlife area on the rural fringe of the village, which has been secured by means of a group tree preservation order. Moreover, the development would not have a material effect upon the amenity of nearby residents. The County Highways Authority has requested a footway condition; however, such a facility is not considered to be justified in this case. The site is sequentially preferable in flood risk terms.

Recommendation - That the application be approved under delegated powers.