

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 16 January 2019

(Author: David Gedney - Senior Planning Officer)

Purpose: To consider Planning Application H11-0936-18

Application Number: H11-0936-18

Date Received: 21 September 2018

Application Type: OUTLINE

Description: Residential development - 6 affordable housing units

Location: St James Road Long Sutton Spalding

Applicant: Proctor Bros Ltd

Agent: G R Merchant Ltd

Ward: Long Sutton

Ward Councillors: Cllr A C Tennant
Cllr J Tyrrell
Cllr L J Eldridge

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H11-0936-18>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application raises issues that warrant consideration by the Planning Committee.

2.0 PROPOSAL

2.1 Outline planning permission is sought for affordable housing, with all matters reserved for subsequent approval. The application is accompanied by an indicative layout plan showing 3 pairs of 2/3 bedroom semi-detached dwellings.

3.0 SITE DESCRIPTION

3.1 The site (some 0.28ha) is situated on the northern side of St James Road opposite Silverwood Garden Centre. It is currently grassed and has a number of trees, plus hedging, along its frontage.

3.2 A detached bungalow is situated to the north-east (no. 6) and vacant industrial premises to the south-west. It is understood that the latter has previously been used as a boat yard and a coal/haulage yard prior to that. It received planning permission for use as a carpentry business (reference H11-0313-07) in 2007, but it is not known whether this was implemented.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 215 of the NPPF should therefore continue to be given substantial weight in the decision making process.

Policy SG1 - General Sustainable Development
Policy SG2 - Distribution of Development
Policy SG3 - Settlement Hierarchy
Policy SG4 - Development in the Countryside
Policy SG12 - Sewerage and Development
Policy SG13 - Pollution and Contamination
Policy SG14 - Design and Layout of New Development
Policy SG15 - New Development; Facilities for Road Users, Pedestrians and Cyclists
Policy SG16 - Parking Standards in New Development
Policy SG17 - Protection of Residential Amenity
Policy SG18 - Landscaping of New Development
Policy HS7 -- New Housing in the Open Countryside including Other Rural Settlements
Policy HS 9 - Rural Exceptions

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), 2018

Sections 2, 4, 5, 9, 11, 12, 14 and 15.

Planning Practice Guidance (PPG), 2014

5.0 RELEVANT PLANNING HISTORY

- 5.1 H11-1100-15 - Outline - Residential development (4 dwellings), St James Road, Long Sutton - Refused - 20 January 2016 on sustainability and highway safety grounds.

Neighbouring Site to the West

H11-0313-07 - Full - Change of use to carpentry business - Granted.

Condition 2 - Use restricted to Class B2 (General Industrial)

Condition 3 - No manufacturing activity and loading/unloading shall be carried outside 7.30am and 5pm on Mondays to Fridays (inclusive) and 7.30am to 12 noon on Saturdays

Condition 4 - Noise from any fixed plant on or within the building shall exceed a level equivalent to 35db LA eq (15 minutes) when measured at a height of 1.5 metres at any residential facade unassociated with the site.

Condition 7 - Dust prevention measures.

6.0 REPRESENTATIONS

- 6.1 Long Sutton Parish Council

No response.

- 6.2 LCC Highways/SUDS

No objections.

6.3 South Holland Internal Drainage Board

Surface water comments.

6.4 Environment Agency

No objections subject to finished floor levels being 300mm above St James Road carriageway.

6.5 Housing Strategy

We received a query back in 2016 about this site and whether it would be suitable for affordable housing. The response at the time was that it was too far from all of the local amenities and do not see that this position has changed. Hopefully we can move away from this notion that if it's not suitable for market housing due to an unsustainable location then affordable will be ok. If anything affordable housing needs to be in even more sustainable locations than the market.

6.6 SHDC Environmental Protection

Request contaminated land note.

6.7 LCC Archaeology

No archaeological impact.

6.8 Public

No comments received.

7.0 MATERIAL CONSIDERATIONS

7.1 The main issues in this case are:

- Whether the site is a suitable location for affordable housing;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk, drainage and contamination.

7.2 Housing Policy/Sustainability

7.3 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.

7.4 The site is located outside Sutton St James Development Boundary as defined in the South Holland Local Plan, 2006. Policy HS7 indicates that new residential development is normally only allowed in such locations if it is proven essential to meet the needs of rural workers, or the proposal is for small scale rural exception affordable housing that complies with Local Plan Policy HS9. Neither is applicable in this case.

7.5 Policy HS9 of the South Holland Local Plan relates to exception rural housing. It states that on rural sites not identified in the Local Plan, affordable housing to meet local needs may be exceptionally permitted. Proposed "exceptions site" development must:

- 1) Meet an identified local need and be of an acceptable size;
- 2) Be subject to an agreement which ensures that it remains as affordable housing for local people and for second subsequent owner/occupiers, and;
- 3) Be in scale and character with the settlement in which it is to be located.

The Policy also stresses that the sustainability of proposals should be critically assessed with reference to our settlement services and facilities survey and spatial strategy.

7.6 Paragraph 77 of the Framework stresses that in rural areas, local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing

to meet identified local needs. Paragraph 78 indicates that sustainable rural housing should be promoted.

- 7.7 Having regard to the above policies and advice within the Framework there is a presumption in favour of sustainable affordable housing development, 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.
- 7.8 An Economic Role - The proposal would contribute towards housing supply and future occupants may work locally, support local services and make a contribution to the local economy. There would also be employment opportunities associated with the construction, albeit in the short term.
- 7.9 A Social Role - The proposal would make a contribution to the supply of affordable housing required to meet the needs of present and future generations. However, the site is well removed from the centre of Long Sutton and is located on the opposite side of the A17. It is not located on a main public transport route. It fronts a section of St James Road where there are no footways and street lighting is poor. There is no continuous footway link into Long Sutton. Consequently, occupiers of the proposed dwellings would have to walk along St James Road and cross the busy A17 to access the services and facilities within the town. In that sense, it is considered that the location is not sustainable in the context of national and local guidance.
- 7.10 An Environmental Role - Due to the site's distance from local services and facilities and the difficulty of having to negotiate the A17 future occupiers would be likely to have a high dependence on the use of motor vehicles which, no matter the distance of travel involved, would be contrary to one of the core planning principles of the Framework to make the fullest use of public transport. Moreover, the reliance on the motor car would increase carbon emissions, contrary to the requirements of the environmental role of planning.
- 7.11 The site is essentially a gap between existing frontage development along the north-western side of St James Road. The proposal does not technically meet the definition of infill within the South Holland Local Plan; namely, "an area which can accommodate one or two dwellings in an otherwise continuously built-up frontage". Nevertheless, it is considered that the site could be developed without materially harming the character/appearance of the rural locality. This is subject to retention of the existing frontage trees and hedging, as far as possible.
- 7.12 Residential Amenity
- 7.13 It is considered that the site could be satisfactorily developed without materially harming the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.
- 7.14 Commercial premises are situated to the south-west. Given this fact, 1.8 metre high closeboarded fencing is recommended along the western boundary to protect the amenity of future occupiers if permission is forthcoming. The property on Plot 1 should have no noise sensitive windows on its south-western elevation.
- 7.15 Highway Issues
- The County Highways Authority has raised no objections to this application on highway safety grounds.
- 7.16 Other Matters
- 7.17 Flood Risk - The site lies within Flood Zone 3 defined by the Environment Agency Flood Maps. The latter 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 East Lincolnshire Strategic Flood Risk

Assessment (2017) as a basis to apply the sequential test.

- 7.18 In this respect, the site is within an area designated as "Danger for Some". There are alternative sites appropriate for the proposed development that are reasonably available, more sustainable and which are located in areas with a lower risk of flooding.
- 7.19 Drainage - The applicant is proposing soakaways for surface water disposal. The South Holland Internal Drainage Board has requested that percolation tests be carried out to define if a soakaway system is suitable. If the results prove that the ground is insufficient for a soakaway, then the applicant will need to confirm an alternative method for the proposed development. Both foul and surface water drainage could be addressed by means of a condition if permission was forthcoming.
- 7.20 Contamination - Environmental Protection has requested that a note be applied to any planning permission relating to unexpected contamination.
- 7.21 Conclusion
- 7.22 Although the proposal is deliverable and would help to provide the supply of affordable housing required to meet the needs of present and future generations this factor is outweighed by the harm that the proposal would cause in terms of other social and environmental factors. The site is poorly related to the existing settlement of Long Sutton, being on the opposite side of the A17, and is some distance from existing services and facilities. Future occupiers would have to negotiate St James Road, which has no footway and is poorly lit, and also the heavily trafficked A17 to access local services on foot or by cycle. As a consequence, future occupiers would be likely to have a high dependence on the use of motor vehicles, which would increase carbon emissions, contrary to the requirements of the environmental role of planning.
- 7.23 The site is not, therefore, considered to be a suitable site for affordable housing with particular regards to the principles of sustainable development.
- 7.24 Moreover, the site is within an area designated as "Danger for Some" in flood risk terms. There are alternative sites appropriate for the proposed development that are reasonably available, more sustainable and which are located in areas with a lower risk of flooding.

8.0 RECOMMENDATIONS

8.1 Refuse Permission

9.0 REASONS FOR REFUSAL

1. Although the proposal is deliverable and would help to provide the supply of affordable housing required to meet the needs of present and future generations this factor is outweighed by the harm that the proposal would cause in terms of other social and environmental factors. The site is poorly related to the existing settlement of Long Sutton, being on the opposite side of the A17, and is some distance from existing services and facilities. Future occupiers would have to negotiate St James Road, which has no footway and is poorly lit, and also the heavily trafficked A17 to access local services on foot or by cycle. As a consequence, future occupiers would be likely to have a high dependence on the use of motor vehicles, which would increase carbon emissions, contrary to the requirements of the environmental role of planning.

The site is not therefore considered to be a suitable site for affordable housing with particular regards to the principles of sustainable development. It is contrary to Policies SG1 and SG2 of the South Holland Local Plan and Paragraphs 7, 8 and 11 of the National Planning Policy Framework, 2018.

2. The site is located within an area identified as "Danger for Some" within the South Holland Strategic Flood Risk Assessment (2017), which is used as a basis to apply the sequential test in terms of flood risk. There are alternative sites appropriate for the proposed development that are reasonably available, more sustainable and which are located in areas with a lower risk of flooding. The proposal therefore conflicts with advice within paragraphs 155 to 161 of the National Planning Policy Framework, 2018.

Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A

MapThat Scale Print Title

