1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Issues raised merit Committee consideration.

2.0 PROPOSAL

2.1 This is an outline application for the erection of a dwelling on land adjacent to 72 Wignals Gate, Holbeach. The proposal is within the defined settlement limits of Holbeach and the surrounding area is characterised by dwellings of varying ages and design.

2.2 The proposal seeks to provide a dwelling on garden land to the west of the existing property. To address flood risk the finished floor level will be 300mm above existing ground level. The indicative layout shows a two-storey property between 72 and 78 Wignals Gate.

3.0 SITE DESCRIPTION

3.1 The site is within the defined settlement limits of Holbeach. The proposal site currently houses dilapidated hut, a caravan, static caravan and vehicles in varying states of repair. A public footpath sits immediately to west of the site, with 78 Wignals Gate beyond. Residential dwellings are sited to the east, south and west of the proposal site.

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.

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.

Policy HS4 - New Housing in Spalding and the Area Centres (Other Towns and Donington) (Non-Allocated Sites)
Policy SG1 - General Sustainable Development
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

**National Guidance**

National Planning Policy Framework (NPPF), March 2012

- Paragraph 14 - The presumption in favour of sustainable development
- Paragraph 17 - Core planning principles
- Section 6 - Delivering a wide choice of high quality homes
- Section 7 - Requiring good design
- Section 10 - Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance (PPG), 2014

5.0 **RELEVANT PLANNING HISTORY**

5.1 None

6.0 **REPRESENTATIONS**

6.1 Ward Member

Councillor F Biggadike has no objections and states that the plot is "An infill plot in a sustainable location."

6.2 SHDC Environmental Protection

No objections.

6.3 County Highways & SUDS Officer

No objections.

6.4 Environment Agency

No objections subject to conditions requiring finished floor levels to be no lower than 300mm above existing ground levels. Flood resilience and resistance measures to be incorporated into the proposed development.

6.5 Public
78 Wignals Gate has objected to the proposal. The owner has expressed concerns with a loss of light and a loss of privacy. They have also objected to noise during construction, which is not a material planning concern.

7.0 MATERIAL CONSIDERATIONS

7.1 The key issues for consideration in this application are:
- Principle/Policy;
- Design and impact upon residential amenity;
- Parking provision.

7.2 Principle/Policy

7.3 The proposal site is on brownfield land within the defined settlement limits of Holbeach which is the Main Service Centre for the South Holland District. The proposal would therefore be assessed under Policy HS4 - New Housing in Spalding and the Area Centres (Other Towns and Donington) (Non-Allocated Sites).

7.4 The Council does not currently have a five-year supply of deliverable housing sites. Paragraph 49 of the National Planning Policy Framework indicates that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply.

7.5 Paragraph 49 of the Framework goes on to stress that, in the absence of a five year supply, housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 also states that there is a presumption in favour of sustainable development and, where the relevant policies are out of date, 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.

7.6 Moreover, the emerging South East Lincolnshire Local Plan proposes that the application site remain within the defined settlement boundary for Holbeach and as such it is considered suitable in principle for housing.

7.7 Design and impact upon residential amenity

7.8 The design is purely indicative at this stage. The application is outline with all matters reserved and solely seeks to establish the principle of a dwelling. Concerns regarding overlooking and overshadowing can be addressed under a reserved matters application.

7.9 Parking provision

7.10 No objections were expressed by the County Highways & SUDS Officer regarding the indicative design.

7.11 Conclusion

7.12 This infill dwelling would continue the frontage line of the adjacent properties and is located in a sustainable area within defined settlement limits. The proposal would provide much need housing and would remove an unkempt and cluttered site. Matters related to overlooking and overshadowing can be addressed at the reserved matters stage. As such it is the view of Officers that there are no material planning concerns arising from granting outline planning permission for development of this site.

8.0 RECOMMENDATIONS

8.1 Grant permission subject to those conditions listed at Section 9.0 of this report.
9.0 CONDITIONS

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.


2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   32032-17 01, 3203-17 02 & Flood Risk Assessment (Geoff Beel Consultancy - September 2017)

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:
   i) the layout, scale and external appearance of building(s), including a schedule of external materials to be used;
   ii) the means of access to the site;
   iii) the landscaping of the site;
   iv) the means of sewage and surface water disposal;
   v) the existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

Reason: The application was submitted in outline only and the above details are required to enable the Local Planning Authority to assess the detailed design, appearance and layout of the development as well as ensure that appropriate access and services are provided to serve the development.

This Condition is imposed in accordance with Policies SG12, SG13, SG14 and SG18 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

4. When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan, 2006.

5. Prior to its installation, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.
6. The development permitted by this planning permissions shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Geoff Beel Consultancy ref: GCB/Merchant, dated September 2017 and the following mitigation measures detailed within the FRA:

- Finished floor levels will be set no lower than 300mm above existing ground levels.
- Flood resilience and resistance measures will be incorporated into the proposed development as stated in the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason:
To reduce the risk of flooding to the proposed development and future occupants.
This Condition is imposed in accordance with Section 10 of the National Planning Policy Framework (2012).

7. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

8. Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact the District Council’s Environmental Protection department immediately.

Background papers:- Planning Application Working File

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Appendices attached to this report:
Appendix A Plan A
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